

HOUSE BILL REPORT

2SSB 5591

*As Passed House
April 19, 1991*

Title: An act relating to the reduction of solid waste through recycling.

Brief Description: Adopting comprehensive recycling programs.

Sponsor(s): Senate Committee on Ways and Means (originally sponsored by Senators Metcalf, Amondson, A. Smith and Roach).

Brief History:

Reported by House Committee on:
Environmental Affairs, April 2, 1991, DPA;
Revenue, April 6, 1991, DPA (REV w/o ENA);
Passed House, April 19, 1991, 97-0.

**HOUSE COMMITTEE ON
ENVIRONMENTAL AFFAIRS**

Majority Report: *Do pass as amended.* Signed by 12 members: Representatives Rust, Chair; Valle, Vice Chair; Horn, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; Bray; Brekke; G. Fisher; Neher; Phillips; Pruitt; D. Sommers; and Sprenkle.

Minority Report: *Do not pass.* Signed by 1 member: Representative Van Luven.

Staff: Rick Anderson (786-7110).

**HOUSE COMMITTEE ON
REVENUE**

Majority Report: *Do pass as amended by Committee on Revenue and without amendment by Committee on Environmental Affairs.* Signed by 12 members: Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Belcher; Brumsickle; Day; Leonard; Morris; Phillips; Rust; and Van Luven.

Minority Report: *Without recommendation.* Signed by 2 members: Representatives Morton and Silver.

Staff: Robin Appleford (786-7093).

Background: The 1989 Legislature enacted comprehensive recycling legislation to increase recycling collection programs and established a goal of recycling 50 percent of Washington's waste by 1995.

The legislation also created the Washington Committee for Recycling Markets within the Department of Trade and Economic Development (DTED) for the purpose of making recommendations to develop markets for recyclable materials. The committee's final report stated that an estimated 4.6 million tons of recyclable materials will be collected annually by the year 2010, an increase of three million tons over 1988 recycling levels. The committee found that in addition to the increase in supply, much of the material recycled will consist of lower value recyclables, further affecting efforts to find stable markets.

The committee's major recommendation is the creation of a center within DTED to provide market research and development; business assistance; information and education; and manage public policy issues related to market development.

The 1989 Legislature also created a packaging task force within the Department of Ecology to recommend methods to reduce the toxicity of packaging, reduce the reliance on single use packaging, and to increase the recyclability of packaging. While a consensus of the task force was not reached on all issues, general support was expressed for measures including reducing heavy metal content in packaging, conducting a public education program, and coding of rigid plastic containers to facilitate source separation and recycling.

Used Oil Recycling

By July 1, 1992, the Department of Ecology must prepare used oil guidelines for cities and counties. The guidelines must establish a statewide recycling goal and local recycling goals. The department must also recommend the number of sites needed to achieve such goals. The department is directed to prepare guidelines in conjunction with cities and counties amending their plans.

By July 1, 1993, cities and counties are required to amend household hazardous waste plans to include specific provisions for collecting used oil from the public. Cities and counties are not required to construct or operate a used oil collection site.

Ecology must conduct a state-wide education program on used oil recycling and assist cities and counties in local education programs.

By July 1, 1992, used oil cannot be used for dust suppression or weed control. Kits incorporating an absorbent to collect used oil for recycling is also prohibited. By July 1, 1992, persons transporting used oil for profit must conform to rules adopted by the Department of Ecology.

Regulatory standards for used oil are put into statute. Exemptions from such standards are made for used oil burned in certain commercial space heaters, ocean-going vessels, and as provided by the Department of Ecology or local air authorities. The standard for lead is tightened to 50 parts per million in 1995. The Department of Ecology is directed to develop standards for blending used oil into fuels.

Used oil is exempt from hazardous waste reduction planning requirements if it is properly used and no hazardous wastes have been added.

Local solid waste advisory committees are required to meet with local recyclers and garbage collection companies for the purpose of determining how local recyclers might participate in the processing and marketing of materials collected for recycling. Solid waste collection companies are required to use local recycling businesses to process and market recyclable materials under certain circumstances.

Cities and counties that provide a reduced garbage rate for citizens using curbside recycling services are required to provide a reduced garbage rate for citizens using local recycling services, such as drop-boxes and buy-back centers.

Vehicles authorized to provide curbside recycling or garbage collection are exempt from certain parking violations when in the process of collecting material.

Taking recyclable materials from curbside containers or commercial drop-boxes, without the consent of the owner, is a civil penalty carrying a \$250 fine.

Summary of Bill:

Packaging.

Plastic bottles must have a label depicting the type of plastic resin used in its manufacture. The amount of certain toxic metals in packaging is reduced over a six-year period. In 1993, the state solid waste advisory committee

must report to the Legislature on the need to restrict other metals from packaging materials.

The number of awards for school recycling programs is increased from three to 15. A \$5,000 award is created for the school with the best waste reduction program.

A task force on recycling funding is created. The task force is to consist of 14 persons including legislative, agency, local government, business, and environmental representatives. The task force must report its findings on long-term funding mechanisms for recycling programs to the Legislature by December 1991. The task force is also required to recommend long-term funding for solid waste management costs. The task force terminates in January, 1993.

Center for Recycling Markets Development.

The Center for Recycling Markets Development is created within the Department of Trade and Economic Development. The center is to provide targeted business assistance to recycling processors and manufacturers, conduct market research, assist with access to financing, negotiate voluntary agreements with manufacturers, conduct a comprehensive education and demonstration program to promote recycled products, and develop an annual work plan.

The center must place a high priority upon specified commodities comprising a large part of the waste stream. The center must solicit private contributions to support its activities. A policy committee is created to include legislative, business, and state and local government representatives to assist in the center's activities.

Miscellaneous.

Membership of the state solid waste advisory committee is expanded. Used oil can be readily processed into a fuel for use in ocean-going vessels and in certain land-based facilities. With more extensive processing, used oil can also be made back into a lubricating oil. No such processing capability currently exists within the state. Gas stations have typically accepted used oil from the public, however liability concerns have caused most gas stations to stop accepting used oil. The lack of locations to accept used oil from the public has caused concern that used oil is causing contamination of drinking water through its improper disposal.

Local recycling companies generally do not have sufficient capital to purchase the trucks and other equipment needed to compete for collection routes. As curbside recycling service has become increasingly available, local recycling

companies have experienced a decrease in their volume of material handled.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect immediately. However, the bill is null and void unless funded in the budget.

Testimony For: (Environmental Affairs): Markets for recyclable materials are desperately needed. The center will coordinate and expedite public and private efforts to develop recyclable material markets.

(Revenue): Exempting the core deposit on automotive batteries from the business and occupation tax is helpful; the retail industry will likely seek to expand this exemption to all products with a core deposit next year.

Testimony Against: (Environmental Affairs): None.

(Revenue): None.

Witnesses: (Environmental Affairs): Senator Jack Metcalf (pro); Greg Wright, Washington State Recycling Center (pro); Kathleen Collins, Association of Washington Cities (pro); Jan Glick and Mike Todd, Washington Citizens for Recycling (pro); Jan Gee, Washington Retail Association (pro); Becky Bogard, Diaper Manufacturers Group (pro); Larry Stevens, Washington Automotive Wholesalers (pro); Paul Parker, Washington State Association of Counties (pro); and Robert Taylor, Aluminum Company of America.

(Revenue): Jan Gee, Washington Retail Association (in favor).