
SUBSTITUTE HOUSE BILL 2649

State of Washington

53rd Legislature

1994 Regular Session

By House Committee on Environmental Affairs (originally sponsored by Representatives J. Kohl, Horn, Rust, L. Johnson, Linville, Foreman, Roland and Flemming)

Read first time 02/04/94.

1 AN ACT Relating to solid waste and recyclables; amending RCW
2 70.95.010 and 70.95.280; prescribing penalties; and declaring an
3 emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 70.95.010 and 1989 c 431 s 1 are each amended to read
6 as follows:

7 The legislature finds:

8 (1) Continuing technological changes in methods of manufacture,
9 packaging, and marketing of consumer products, together with the
10 economic and population growth of this state, the rising affluence of
11 its citizens, and its expanding industrial activity have created new
12 and ever-mounting problems involving disposal of garbage, refuse, and
13 solid waste materials resulting from domestic, agricultural, and
14 industrial activities.

15 (2) Traditional methods of disposing of solid wastes in this state
16 are no longer adequate to meet the ever-increasing problem. Improper
17 methods and practices of handling and disposal of solid wastes pollute
18 our land, air and water resources, blight our countryside, adversely
19 affect land values, and damage the overall quality of our environment.

1 (3) Considerations of natural resource limitations, energy
2 shortages, economics and the environment make necessary the development
3 and implementation of solid waste recovery and/or recycling plans and
4 programs.

5 (4) Waste reduction must become a fundamental strategy of solid
6 waste management. It is therefore necessary to change manufacturing
7 and purchasing practices and waste generation behaviors to reduce the
8 amount of waste that becomes a governmental responsibility.

9 (5) Source separation of waste must become a fundamental strategy
10 of solid waste management. Collection and handling strategies should
11 have, as an ultimate goal, the source separation of all materials with
12 resource value or environmental hazard.

13 (6)(a) It is the responsibility of every person to minimize his or
14 her production of wastes and to separate recyclable or hazardous
15 materials from mixed waste.

16 (b) It is the responsibility of state, county, and city governments
17 to provide for a waste management infrastructure to fully implement
18 waste reduction and source separation strategies and to process and
19 dispose of remaining wastes in a manner that is environmentally safe
20 and economically sound. It is further the responsibility of state,
21 county, and city governments to monitor the cost-effectiveness and
22 environmental safety of combusting separated waste, processing mixed
23 waste, and recycling programs.

24 (c) It is the responsibility of county and city governments to
25 assume primary responsibility for solid waste management and to develop
26 and implement aggressive and effective waste reduction and source
27 separation strategies.

28 (d) It is the responsibility of state government to ensure that
29 local governments are providing adequate source reduction and
30 separation opportunities and incentives to all, including persons in
31 both rural and urban areas, and nonresidential waste generators such as
32 commercial, industrial, and institutional entities, recognizing the
33 need to provide flexibility to accommodate differing population
34 densities, distances to and availability of recycling markets, and
35 collection and disposal costs in each community; and to provide county
36 and city governments with adequate technical resources to accomplish
37 this responsibility.

38 (7) Environmental and economic considerations in solving the
39 state's solid waste management problems require((s)) strong

1 consideration by local governments of regional solutions and
2 intergovernmental cooperation.

3 (8) The following priorities for the collection, handling, and
4 management of solid waste are necessary and should be followed in
5 descending order as applicable:

6 (a) Waste reduction;

7 (b) Recycling, with source separation of recyclable materials as
8 the preferred method;

9 (c) Energy recovery, incineration, or landfill of separated waste;

10 (d) Energy recovery, incineration, or landfilling of mixed wastes.

11 (9) It is the state's goal to achieve a fifty percent recycling
12 rate by 1995.

13 (10) Steps should be taken to make recycling at least as affordable
14 and convenient to the ratepayer as mixed waste disposal.

15 (11) It is necessary to compile and maintain adequate data on the
16 types and quantities of solid waste and recyclables that are being
17 generated and collected and to monitor how the various types of solid
18 waste and recyclables are being managed. The availability of timely
19 and accurate information is critical to state and local efforts to plan
20 and develop solid waste and recycling programs.

21 (12) Vehicle batteries should be recycled and the disposal of
22 vehicle batteries into landfills or incinerators should be
23 discontinued.

24 (13) Excessive and nonrecyclable packaging of products should be
25 avoided.

26 (14) Comprehensive education should be conducted throughout the
27 state so that people are informed of the need to reduce, source
28 separate, and recycle solid waste.

29 (15) All governmental entities in the state should set an example
30 by implementing aggressive waste reduction and recycling programs at
31 their workplaces and by purchasing products that are made from recycled
32 materials and are recyclable.

33 (16) To ensure the safe and efficient operations of solid waste
34 disposal facilities, it is necessary for operators and regulators of
35 landfills and incinerators to receive training and certification.

36 (17) It is necessary to provide adequate funding to all levels of
37 government so that successful waste reduction and recycling programs
38 can be implemented.

1 (18) The development of stable and expanding markets for recyclable
2 materials is critical to the long-term success of the state's recycling
3 goals. Market development must be encouraged on a state, regional, and
4 national basis to maximize its effectiveness. The state shall assume
5 primary responsibility for the development of a multifaceted market
6 development program to carry out the purposes of this act.

7 (19) There is an imperative need to anticipate, plan for, and
8 accomplish effective storage, control, recovery, and recycling of
9 discarded tires and other problem wastes with the subsequent
10 conservation of resources and energy.

11 **Sec. 2.** RCW 70.95.280 and 1989 c 431 s 13 are each amended to read
12 as follows:

13 (1) The department of ecology shall determine the best management
14 practices for categories of solid waste in accordance with the priority
15 solid waste management methods established in RCW 70.95.010. In order
16 to make this determination, the department shall conduct a
17 comprehensive solid waste stream analysis and evaluation. Following
18 establishment of baseline data resulting from an initial in-depth
19 analysis of the waste stream, the department shall develop a less
20 intensive method of monitoring the disposed waste stream including, but
21 not limited to, changes in the amount of waste generated and waste
22 type. The department shall monitor curbside collection programs and
23 other waste segregation and disposal technologies to determine, to the
24 extent possible, the effectiveness of these programs in terms of cost
25 and participation, their applicability to other locations, and their
26 implications regarding rules adopted under this chapter.

27 (2) Persons who collect solid waste or recyclables shall annually
28 report to the department the types and quantities of solid waste or
29 recyclables that are collected and where ~~((it is))~~ they are delivered.
30 The department shall adopt guidelines for reporting and for keeping
31 proprietary information confidential. All reports shall be completed
32 and received by the date specified by the department. The department
33 shall endeavor to minimize the amount of time necessary to fulfill the
34 reporting requirements. Upon request, the department shall provide
35 technical assistance to a collector. The department shall provide each
36 late respondent a written notice informing the collector of the
37 following:

38 (a) The initial date the report is due;

1 (b) The collector has thirty days to complete and submit the report
2 required under this section;

3 (c) That technical assistance is available; and

4 (d) The penalties for not submitting a complete report within
5 thirty days.

6 (3) The department may, by agreement with a city or county,
7 delegate authority to collect reports required by subsection (2) of
8 this section to a city or county. A company shall not be required to
9 complete and submit more than one report. A company that accepts
10 recyclables from more than one county shall be required to report only
11 to the department.

12 (4) It is a class 4 civil infraction as defined in RCW 7.80.120 for
13 a collector to violate the provisions of subsection (2) of this
14 section. Each day of violation is considered a separate infraction.

15 NEW SECTION. Sec. 3. This act is necessary for the immediate
16 preservation of the public peace, health, or safety, or support of the
17 state government and its existing public institutions, and shall take
18 effect immediately.

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