

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 1231

Chapter 198, Laws of 1996

54th Legislature
1996 Regular Session

RECYCLED CONTENT OF PRODUCTS AND BUILDINGS--PROMOTION

EFFECTIVE DATE: 6/6/96

Passed by the House March 4, 1996
Yeas 91 Nays 3

CLYDE BALLARD
**Speaker of the
House of Representatives**

Passed by the Senate February 28, 1996
Yeas 47 Nays 0

JOEL PRITCHARD
President of the Senate

Approved March 28, 1996

MIKE LOWRY
Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1231** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN
Chief Clerk

FILED

March 28, 1996 - 4:11 p.m.

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 1231

AS AMENDED BY THE SENATE

Passed Legislature - 1996 Regular Session

State of Washington 54th Legislature 1995 Regular Session

By House Committee on Agriculture & Ecology (originally sponsored by Representatives Rust, Chandler, Valle, Cole, Mastin and Chopp)

Read first time 03/01/95.

1 AN ACT Relating to promoting the recycled content of products and
2 buildings; amending RCW 43.19A.020, 43.19A.050, 43.78.170, and
3 47.28.220; adding new sections to chapter 39.04 RCW; and repealing RCW
4 43.19A.090 and 43.19A.100.

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

6 **Sec. 1.** RCW 43.19A.020 and 1995 c 269 s 1406 are each amended to
7 read as follows:

8 (1) ~~((The director shall adopt standards specifying the minimum~~
9 ~~content of recycled materials in products or product categories. The~~
10 ~~standards shall:~~

11 ~~(a) Be consistent with the USEPA product standards))~~ The USEPA
12 product standards, as now or hereafter amended, are adopted as the
13 minimum standards for the state of Washington. These standards shall
14 be implemented for at least the products listed in (a) and (b) of this
15 subsection by the dates indicated, unless the director finds that a
16 different standard would significantly increase recycled product
17 availability or competition((;

18 ~~(b) Consider the standards of other states, to encourage~~
19 ~~consistency of manufacturing standards;~~

1 ~~(c) Consider regional product manufacturing capability;~~
2 ~~(d) Address specific products or classes of products; and~~
3 ~~(e) Consider postconsumer waste content and the recyclability of~~
4 ~~the product.~~

5 ~~(2) The director shall consult with the department of ecology prior~~
6 ~~to adopting the recycled content standards.~~

7 ~~(3) The director shall adopt recycled content standards for at~~
8 ~~least the following products by the dates indicated:)).~~

9 (a) By July 1, ~~((1992))~~ 1997:

- 10 (i) Paper and paper products;
11 (ii) Organic recovered materials; and
12 (iii) Latex paint products;

13 (b) By July 1, ~~((1993))~~ 1997:

- 14 (i) Products for lower value uses containing recycled plastics;
15 (ii) Retread and remanufactured tires;
16 (iii) Lubricating oils;
17 (iv) Automotive batteries; ~~((and))~~
18 (v) Building insulation;
19 (vi) Panelboard; and
20 (vii) Compost products.

21 ~~((4))~~ (2) The standards required by this section shall be applied
22 to recycled product purchasing by the department and other state
23 agencies. The standards may be adopted or applied by any other local
24 government in product procurement. The standards shall provide for
25 exceptions under appropriate circumstances to allow purchases of
26 recycled products that do not meet the minimum content requirements of
27 the standards.

28 **Sec. 2.** RCW 43.19A.050 and 1991 c 297 s 7 are each amended to read
29 as follows:

30 The department shall prepare a ~~((mandatory state plan))~~ strategy to
31 increase purchases of recycled-content products by the department and
32 all state agencies, including higher education institutions. The
33 ~~((plan))~~ strategy shall include purchases from public works contracts.
34 The ~~((plan))~~ strategy shall address the purchase of plastic products,
35 retread and remanufactured tires, motor vehicle lubricants, latex
36 paint, and lead acid batteries having recycled content. In addition,
37 the ~~((plan))~~ strategy shall incorporate actions to achieve the

1 following purchase level goals of recycled content paper and compost
2 products:

3 (1) Paper products as a percentage of the total dollar amount
4 purchased on an annual basis:

5 (a) At least (~~forty~~) sixty percent by (~~1993~~) 1996;

6 (b) At least (~~fifty~~) seventy percent by (~~1994~~) 1997;

7 (c) At least (~~sixty~~) eighty percent by (~~1995~~) 1998.

8 (2) Compost products as a percentage of the total dollar amount on
9 an annual basis:

10 (a) At least (~~twenty-five~~) forty percent by (~~1993~~) 1996;

11 (b) At least (~~forty~~) sixty percent by (~~1995~~) 1997;

12 (c) At least (~~sixty~~) eighty percent by (~~1997~~) 1998.

13 **Sec. 3.** RCW 43.78.170 and 1991 c 297 s 10 are each amended to read
14 as follows:

15 The public printer shall take all actions consistent with the plan
16 under RCW 43.19A.050 to ensure that seventy-five percent or more of the
17 total dollar amount of printing paper stock used by the printer is
18 recycled content paper by January 1, (~~1995~~) 1997, and ninety percent
19 or more of the total dollar amount of printing paper stock used by the
20 printer is recycled content paper by January 1, 1999.

21 **Sec. 4.** RCW 47.28.220 and 1992 c 174 s 14 are each amended to read
22 as follows:

23 (1) A contract awarded in whole or in part for the purchase of
24 compost products as a soil cover or soil amendment to state highway
25 rights of way shall specify that compost products be purchased in
26 accordance with the following schedule:

27 (a) For the period July 1, (~~1991~~) 1996, through June 30, (~~1993~~)
28 1997, twenty-five percent of the total dollar amount purchased;

29 (b) For the period July 1, (~~1993~~) 1998, through June 30, (~~1995~~)
30 1999, fifty percent of the total dollar amount purchased. The
31 percentages in this subsection apply (~~only~~) to the materials'
32 value(~~o~~) and (~~do not~~) include services or other materials.

33 (2) In order to carry out the provisions of this section, the
34 department of transportation shall develop and adopt bid specifications
35 for compost products used in state highway construction projects.

36 (3)(a) For purposes of this section, "compost products" means
37 mulch, soil amendments, ground cover, or other landscaping material

1 derived from the biological or mechanical conversion of biosolids or
2 cellulose-containing waste materials.

3 (b) For purposes of this section, "biosolids" means municipal
4 sewage sludge or septic tank septage sludge that meets the requirements
5 of chapter 70.95J RCW.

6 NEW SECTION. **Sec. 5.** A new section is added to chapter 39.04 RCW
7 to read as follows:

8 (1) The state's preferences for the purchase and use of recycled-
9 content products shall be included as a factor in the design and
10 development of state capital improvement projects.

11 (2) Specifications for materials in state construction projects
12 shall include the use of recycled-content products and recyclable
13 products whenever practicable.

14 (3) This section does not apply to contracts entered into by a
15 municipality.

16 NEW SECTION. **Sec. 6.** A new section is added to chapter 39.04 RCW
17 to read as follows:

18 Material from demolition projects shall be recycled or reused
19 whenever practicable.

20 NEW SECTION. **Sec. 7.** The following acts or parts of acts are each
21 repealed:

22 (1) RCW 43.19A.090 and 1991 c 297 s 12; and

23 (2) RCW 43.19A.100 and 1991 c 297 s 13.

Passed the House March 4, 1996.

Passed the Senate February 28, 1996.

Approved by the Governor March 28, 1996.

Filed in Office of Secretary of State March 28, 1996.