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**ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2914**

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**State of Washington 65th Legislature 2018 Regular Session**

**By** House Appropriations (originally sponsored by Representatives Smith, Fitzgibbon, Doglio, and Senn)

AN ACT Relating to Washington's economic development potential as a world leader in the responsible management of postconsumer materials; amending RCW 70.95.290; adding a new section to chapter 70.95 RCW; creating new sections; and declaring an emergency.

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

NEW SECTION. **Sec.**  The legislature intends for Washington to continue to be a leader in economically and environmentally sustainable management of recyclable materials and solid waste. In this act, the legislature intends to underscore the state's accountability for the waste it generates and to inform more widespread public understanding of the realities and challenges of recyclable material collection, sorting, processing, and marketing as a part of solid waste management.

NEW SECTION. **Sec.**  (1) The department of commerce shall arrange for the completion of an economic analysis of recyclable material and solid waste processing, export, and disposal activities in Washington. This analysis must not result in the disclosure or publication of proprietary or confidential business information. The analysis must include:

(a) An overview of existing types of recycling business practices in Washington that involve processing materials into saleable products. The evaluation must also include an evaluation of opportunities and barriers to more reuse and manufacturing using recyclable material as feedstocks within Washington and regionally; and

(b) An evaluation of the implications of relevant global and regional changes in the recycling market on recycling rates and on businesses collecting and processing recyclable materials in Washington.

(2) By July 1, 2019, the analysis required in subsection (1) of this section must be submitted in a report to the legislature consistent with the requirements of RCW 43.01.036. The analysis must be accompanied by recommendations from the department of commerce that:

(a) Identify which recyclable materials add the greatest economic value to recycling programs and will have a market to sustain those programs; and

(b) Identify ways to increase the amount of recyclable materials generated in Washington that are processed in Washington or in other places where postconsumer materials are managed with economically and environmentally sustainable practices.

(3) The department of commerce must develop the analysis and recommendations in this section in consultation with a focused stakeholder work group consisting of a representative from each of the following: The utilities and transportation commission; the department of ecology; cities; counties; a permitted material recovery facility operator; public and private sector recycling and solid waste industries; packaging manufacturers and retailers; and an environmental organization.

NEW SECTION. **Sec.**  A new section is added to chapter 70.95 RCW to read as follows:

(1) The department must arrange for the facilitation of, and may participate in, efforts by the stakeholder work group identified in section 2(3) of this act to develop a public outreach strategy and campaign for reducing contamination, increasing quality, and maximizing the value of collected recyclable materials.

(2) The public outreach strategy must be designed to:

(a) Reduce rates of contamination of recyclable materials and ensure quality of materials collected;

(b) Identify which recyclable materials add the greatest economic value to recycling programs and will have a market to sustain those programs;

(c) Promote statewide best practices for different types of collected recyclable materials and improve consumer education regarding their role in solid waste management; and

(d) Be statewide in scope but must also accommodate the variation in local government collection activities and local community considerations.

(3) The department must ensure that the public outreach strategy is well developed and key messaging and strategy is ready to begin implementation by June 1, 2018.

(4) The outreach strategy and campaign must be updated to reflect the findings of the report in section 2 of this act, and periodically to reflect changes in recyclable market conditions.

**Sec.**  RCW 70.95.290 and 1988 c 184 s 3 are each amended to read as follows:

((~~(1) The evaluation of the solid waste stream required in RCW 70.95.280 shall include the following elements:~~

~~(a) The department shall determine which management method for each category of solid waste will have the least environmental impact; and~~

~~(b) The department shall evaluate the costs of various management options for each category of solid waste, including a review of market availability, and shall take into consideration the economic impact on affected parties;~~

~~(c) Based on the results of (a) and (b) of this subsection, the department shall determine the best management for each category of solid waste. Different management methods for the same categories of waste may be developed for different parts of the state.~~

~~(2)~~)) In the evaluation of the solid waste stream required in RCW 70.95.280, the department shall give priority to evaluating categories of solid waste that, in relation to other categories of solid waste, comprise a large volume of the solid waste stream, present economic opportunities for material recovery, recycling, and reuse, or present a high potential of harm to human health. ((~~At a minimum the following categories of waste shall be evaluated: (a) By January 1, 1989, yard waste and other biodegradable materials, paper products, disposable diapers, and batteries; and~~

~~(b) By January 1, 1990, metals, glass, plastics, styrofoam or rigid lightweight cellular polystyrene, and tires.~~))

NEW SECTION. **Sec.**  This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

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