

SENATE BILL REPORT

SB 5703

As of February 15, 2025

Title: An act relating to fair treatment of municipal solid waste systems.

Brief Description: Concerning fair treatment of municipal solid waste systems.

Sponsors: Senators Holy, Riccelli, Short, Christian, Fortunato, Lovelett and Nobles.

Brief History:

Committee Activity: Local Government: 2/17/25.

Brief Summary of Bill

- Removes waste-to-energy facilities, utilized by a county or city Solid Waste Management Program, from covered entity status under the Cap-and-Invest Program.
- Exempts emissions from a waste-to-energy facility, used by a county and city Solid Waste Management Program and permitted to receive solid waste before 1992, from coverage under the Cap-and-Invest Program.

SENATE COMMITTEE ON LOCAL GOVERNMENT

Staff: Rohan Bhattacharjee (786-7534)

Background: Cap-and-Invest Program. In 2021, the Legislature directed the Department of Ecology to implement a Cap-and-Invest Program (Program), under the Climate Commitment Act, which is a market-based program to reduce greenhouse gas (GHG) emissions consistent with the statewide statutory emissions limits.

Covered Entities. Beginning on January 1, 2023, the Program covers industrial facilities, certain fuel suppliers, in-state electricity generators, electricity importers, natural gas distributors, and effective January 1, 2027, waste to energy facilities utilized by a county

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and city Solid Waste Management Program, with annual GHG emissions above 25,000 metric tons of carbon dioxide equivalent. Covered entities must either reduce their emissions, obtain allowances, or purchase offset credits to cover any remaining emissions. The total number of allowances will decrease over time to meet statutory limits.

Exemptions. Emissions exempt from coverage under the Program include, among others, emissions from combustion of aviation fuels, certain coal-fired electric generation facilities, combustion of biomass or biofuels, motor vehicle fuel or special fuel used for agricultural purposes, and municipal solid waste landfills that are subject to methane emissions regulations.

Summary of Bill: A waste to energy facility utilized by a county and city Solid Waste Management Program is not a covered entity under the Program.

Emissions from a waste to energy facility utilized by a county and city Solid Waste Management Program permitted to receive solid waste before 1992 is exempt from coverage under the Program.

Appropriation: None.

Fiscal Note: Requested on February 15, 2025.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.