

Chapter 70.95 Solid Waste Handling

Is It Time For a Face Lift?

Laurie Davies
Program Manager
Department of Ecology
Waste 2 Resources Program



Background

- RCW 70.95 originally passed in 1969
- The majority of waste disposed was rubbish from households
- The environmental concern at the time was open burning dumps



Background

- Focus of original legislation was closure of burning dumps and construction of new landfills protecting air and water
- Most counties owned an operated a landfill.
- Today most landfills are closed with 98% of solid waste being shipped to regional landfills in Eastern Washington and Oregon.



What Has Changed?

- The composition of the waste stream
- The composition of products in the waste stream
- A waste stream that was once organic in nature is now comprised largely of products and packaging, many containing toxic materials.



Washington's Response

- 70.95 was amended 28 times
- Additional stand alone pieces of legislation were passed to allow for increased recycling of materials
- The Beyond Waste Plan was adopted in 2004
- The Climate Action Team recognized the impact of solid waste on green house gas emissions and the positive impact of Beyond Waste



Result

- The laws distribute responsibility and authority for solid waste management to many levels of government using a variety of regulatory approaches
- Inefficient and at time ineffective implementation
- Creates inconsistent levels of effort to achieve waste reduction and recycling goals.
- 40 years of changes to the waste stream and regulations seems calls for a modernization of the systems and regulatory structure



Policy Considerations

- Does Washington need a regulatory structure that allows for movement of and reuse of materials while providing an infrastructure for disposal of residuals?
- Is the current regulatory structure of state government establishing solid waste regulations and local government implementing the regulations effective?
- Does the current regulatory structure lead to a disparity between local governments? (counties with funding resources can offer more programs)



Policy Considerations

- Solid waste financing is dependent on the generation of waste. As solid waste declines, funding declines, creates a disincentive to recycle.
- Current definitions of solid waste do not provide cost effective or efficient avenues for recycling or reusing materials. The definitions can be barriers to beneficial use.
- There is little or no infrastructure for recycling facilities. This leads to disparity of programs between counties



Policy Considerations

- There is little or no regulatory authority over material recovery facilities, permits vary from one local jurisdiction to another
- There is not an emphasis on developing local industries that would use recycled materials here in Washington. Most recovered materials are sent off-shore



Possible Solutions

- Amend RCW 70.95 to create a stand alone solid waste management law (collection, transportation and disposal of waste)
- Create a new law to address management and recycling of materials (focus would be on collection, transportation, processing and use)
- Reorganize the product specific laws to create consistent treatment of products and incorporating product stewardship principles
- Add a financing component to each law