

## CHAPTER 177

[Substitute House Bill No. 1340]

## WASTE REDUCTION

AN ACT Relating to waste reduction; and adding a new chapter to Title 70 RCW.

Be it enacted by the Legislature of the State of Washington:

**NEW SECTION.** Sec. 1. The legislature finds that land disposal and incineration of solid and hazardous waste can be both harmful to the environment and costly to those who must dispose of the waste. In order to address this problem in the most cost-effective and environmentally sound manner, and to implement the highest waste management priority as articulated in RCW 70.95.010 and 70.105.150, public and private efforts should focus on reducing the generation of waste. Waste reduction can be achieved by encouraging voluntary efforts to redesign industrial, commercial, production, and other processes to result in the reduction or elimination of waste byproducts and to maximize the in-process reuse or reclamation of valuable spent material.

**NEW SECTION.** Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Department" means the department of ecology.

(2) "Director" means the director of the department of ecology or the director's designee.

(3) "Office" means the office of waste reduction.

(4) "Process" means all industrial, commercial, production, and other processes that result in the generation of waste.

(5) "Waste" means any solid waste as defined under RCW 70.95.030, any hazardous waste as defined under RCW 70.105.010(15), any hazardous substance as defined under RCW 70.105.010(14), any air contaminant as defined under RCW 70.94.030, and any organic or inorganic matter that shall cause or tend to cause water pollution as defined under RCW 90.48.020.

(6) "Waste generator" means any individual, business, government agency, or any other organization that generates waste.

(7) "Waste reduction" means all in-plant practices that reduce, avoid, or eliminate the amount or toxicity of waste generated.

**NEW SECTION.** Sec. 3. (1) There is established in the department an office of waste reduction. The office shall use its authorities to encourage the voluntary reduction of waste by waste generators. The office shall prepare and submit a quarterly progress report to the director and the director shall submit an annual progress report to the appropriate environmental standing committees of the legislature beginning December 31, 1988.

(2) The office shall be the coordinating center for all state agency programs that provide technical assistance to waste generators and shall serve as the state's lead agency and promoter for such programs. In addition to this coordinating function, the office shall encourage waste reduction by:

(a) Providing for the rendering of advice and consultation to waste generators on waste reduction techniques;

(b) Sponsoring or co-sponsoring with public or private organizations technical workshops and seminars on waste reduction;

(c) Administering a waste reduction data base and hotline providing comprehensive referral services to waste generators;

(d) Administering a waste reduction research and development program;

(e) Coordinating a waste reduction public education program that includes the utilization of existing publications from public and private sources, as well as publishing necessary new materials on waste reduction;

(f) Recommending to institutions of higher education in the state courses and curricula in areas related to waste reduction; and

(g) Requiring energy and incineration facilities to retain records of monitoring and operating data for a minimum of ten years after permanent closure of the facility.

**NEW SECTION.** Sec. 4. (1) The office shall establish a waste reduction consultation program to be coordinated with other state waste reduction consultation programs.

(2) The director may grant a request by any waste generator for advice and consultation on waste reduction techniques. Pursuant to a request, the director may visit any business, governmental entity, or other process site in the state for the purposes of observing the waste-generating process, obtaining information relevant to waste reduction, rendering advice, and making recommendations. No such visit may be regarded as an inspection or investigation, and no notices or citations may be issued, or civil penalty be assessed, upon such a visit. No representative of the director designated to render advisory or consultative services may have any enforcement authority.

(3) Consultation and advice given under this section shall be limited to the matters specified in the request and shall include specific techniques of waste reduction tailored to the relevant process. In granting any request for advisory or consultative services, the director may provide for an alternative means of affording consultation and advice other than on-site consultation.

(4) Any proprietary information obtained by the director while carrying out the duties required under this section shall remain confidential and shall not become part of the data base established under section 6 of this act.

**NEW SECTION.** Sec. 5. The office, in coordination with all other state waste reduction technical assistance programs, shall sponsor technical

workshops and seminars on waste reduction techniques that have been successfully used to eliminate or reduce substantially the amount of waste or toxicity of hazardous waste generated, or that use in-process reclamation or reuse of spent material.

NEW SECTION. Sec. 6. (1) The office shall establish a state-wide waste reduction hotline with the capacity to refer waste generators and the public to sources of information on specific waste reduction techniques and procedures. The hotline shall coordinate with all other state waste hotlines.

(2) The director shall work with the state library to establish a data base system that shall include proven waste reduction techniques and case studies of effective waste reduction. The data base system shall be: (a) Coordinated with all other state agency data bases on waste reduction; (b) administered in conjunction with the state-wide waste reduction hotline; and (c) readily accessible to the public.

NEW SECTION. Sec. 7. (1) The office may administer a waste reduction research and development program. The director may contract with any public or private organization for the purpose of developing methods and technologies that achieve waste reduction. All research performed and all methods or technologies developed as a result of a contract entered into under this section shall become the property of the state and shall be incorporated into the data base system established under section 6 of this act.

(2) Any contract entered into under this section shall be awarded only after requests for proposals have been circulated to persons, firms, or organizations who have requested that their names be placed on a proposal list. The director shall establish a proposal list and shall review and evaluate all proposals received.

NEW SECTION. Sec. 8. (1) The director may solicit and accept gifts, grants, conveyances, bequests, and devises, in trust or otherwise, to be directed to the office of waste reduction.

(2) The director may enter into contracts with any public or private organization to carry out the purposes of this chapter.

NEW SECTION. Sec. 9. Sections 1 through 8 of this act shall constitute a new chapter in Title 70 RCW.

Passed the House March 8, 1988.

Passed the Senate March 5, 1988.

Approved by the Governor March 22, 1988.

Filed in Office of Secretary of State March 22, 1988.