

Chapter 173-345 WAC Recycling—Transporter Registration & Facility Notification

Ecology has begun the process to develop rules to implement Senate Bill 5788, passed in the 2005 legislative session. The Senate bill requires all transporters of recyclable materials from commercial or industrial generators to register with the department. It also requires all facilities that recycle solid waste not already permitted notify Ecology of their existence. On November 5, 2007, we filed the CR-101 form with the Code Revisers office, starting the rule process.

Why are we doing this rule?

- Ecology decided with best way to complete the implementation the law was by rule.
- We have already created the transporter registration program and the recycling facility notification program.
- We have not dealt with penalties for non-compliance (up to \$1,000 per violation)

What does this rule cover?

- Transporter registration
- Recycling facility notification
- Penalties for non-compliance

Whom does this rule apply to?

1. All transporters of recyclables from commercial or industrial generators with the following exceptions:
 - Carriers of commercial recyclable materials, when such materials are owned or being bought or sold by and entity or person, and being carried in their own vehicle, when such activity is incidental to the conduct of the entity or person's primary business.
 - Entities or persons hauling their own recyclables or hauling recyclables they generated or purchased and transported in their own vehicles.
 - Nonprofit or charitable organizations collecting and transporting recyclable materials from a buyback center, drop box, or from a commercial or industrial generator of recyclable materials.
 - City municipal solid waste departments or city solid waste contractors.
 - Or, common carriers under chapter 81.80RCW whose primary business is not the transportation of recyclable materials.
2. All facilities that recycle solid waste, except for those with a current solid waste handling permit.

What are the next steps?

1. Ecology is conducting workshops over the next few months soliciting input from stakeholders.
2. In February, we plan on filing the CR-102 rule package with the code reviser.

The package consists of:

- Completed CR-102 Form
- Proposed rule language
- Draft economic analysis

SEPA does not apply to this rule (ref. WAC 197-11-800(20))

3. We anticipate filing the CR-103 package in June.

