

**From:** William Turley [<mailto:turley@cdrecycling.org>]

**Sent:** Monday, June 09, 2008 1:49 PM

**To:** records@utc.wa.gov

**Subject:** Solid Waste Definitions Rulemaking, WAC 480-70 (Docket TG-080591)

**RE: Solid Waste Definitions Rulemaking, WAC 480-70 (Docket TG-080591)**

The Construction Materials Recycling Association is a national 501c3 non-profit organization that promotes the recycling of construction and demolition (C&D) materials. Our comments on the above-referenced rulemaking are directed to help the Washington Utility and Transportation Commission develop an environment that can increase C&D recycling rates while still assuring public health and safety in the handling of the highly recyclable materials.

That tactic we suggest is to modify the state's solid waste definition to exempt from franchise control C&D materials that are going to legitimate recycling centers, or is source separated and going directly to licensed and approved recycling centers. Any of these recycling centers, whether owned by G-permit holders or not, must recycle at least 80% of what they bring in and must be able to demonstrate it has markets for the materials it is handling. In some markets this type of change could remove the control of the C&D from the G-permit haulers and allow others more dedicated to recycling to step in and recover more material. Adding these suggestions can open up the markets to provide the best recycling services.

Most of the G permit companies offer recycling services for the same debris stream, but actually achieve much lower recycling rates. This allows them to use state granted franchises for to haul for disposal and effectively control the recycling market. This threatens not only to inhibit future recycling of these materials, but to set current recycling of this material backwards, sending hundreds of thousands of tons back to landfill disposal. By following our suggestions, the UTC will be providing a market-based and competitive environment that will promote the highest rates of recycling, which will benefit all of Washington.

It has been shown that a waste franchise system is detrimental to C&D recycling rates. Attached is a study performed in Florida that examined the effect waste franchises had on recycling.

Washington has expressed support for more C&D recycling, recognizing the environmental advantages that recycling our natural resources brings. Indeed, it is a national trend, and one supported and encouraged by the green building movement. We suggest that the Commission should redefine solid waste to recognize the new realities of recycling, and to exempt recyclable C&D from the singular control of the franchise haulers and help make sure the material goes into the legitimate recycling industry, be they have a G permit or not, as long as they recycle at least 80% of what they bring in to their facility.

Please let us know if you have any questions or comments.

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