Higgins, Joni (UTC)

From: Preston Horne-Brine [preston.flux@comcast.net]
Sent: Monday, June 09, 2008 11:42 PM
To: UTC DL Records Center
Cc: preston.flux@comcast.net
Subject: Solid Waste Definitions Rule Making, WAC 480-70 (Docket TG-080591)

To Whom It May Concern:

I am responding to your request for comments on your rulemaking for Solid Waste Definitions, WAC 480-70 (Docket TG-080591)

I respectfully suggest you amplify and update your definition of "Solid waste" in WAC 480-70-041.

Presently the definition includes "demolition and construction wastes" as a sub-definition.

This existing sub-definition is out of touch with current reality and trends. When it was adopted in its present form there was no conception that
the bulk of demolition and construction wastes could or would be recycled.

I would suggest that you include the following EXCEPTION in the same manner that you currently have and EXCEPTION for your definition of a "Private carrier".

"Solid waste" ...including... ' - Demolition and construction waste"

EXCEPTION:

1. Demolition and construction debris which is source separated and recovered at its demolition or construction site. This material is considered property and not waste once it is recovered.
2. Commingled demolition and construction debris which is sourced and hauled with at least 80% identifiable recyclables in picked-up loads and which goes to legitimate recycling processors each of whom can certify that their output has at least 80% of their volume going to legitimate recycling end-markets.

NOTE: Your existing definitions of "Construction debris" or "construction waste" AND " Demolition waste" or "demolition debris" have dual material stream names. This paves the way for dual disposition channels for this material. Some of it goes into the recycling channel as debris. The rest goes to the disposal channel as waste.

The Washington state Dept. of Ecology figures which document Recycling and Diversion Rates for the state of Washington from 1986 -2005 documents that fact that

1. There was no discernable recycling of C&D debris in 1990.

2. By 2005, fifteen years later, C&D debris in Washington state is being recycled at a rate of 55%. Both this recycling rate and absolute number of tons recycled is growing rapidly.

   NOTE: According to DOE figures the C&D debris stream in Washington in 2005 were handled and went to the following destinations

   Source separated and sold to private recycling markets: 3.24 million tons

   Commingled and sent to C & D processors : 0.42 million tons

   Mixed waste sent to disposal : 3:00 million tons

3. Market forces are driving the increasing recycling of construction and demolition debris. State/local govt. policies also direct that we increase recycling levels in Washington state. Contractors, facility owners, builders, local governments, and green building groups are demanding that construction debris be recycled. Demolition contractors are already structuring higher salvage, recovery levels into their bids. Commodity markets for metals, aggregates, wood and

other materials that can be recovered from construction and demolition debris. If these stakeholders don't get quality collection service and sophisticated processing capacity they will demand that the recovery system be changed.

In order to facilitate a high-capacity, sophisticated, and cost-effective recycling infrastructure in Washington state; policy makers, regulators, and state/local governments should encourage involvement, investment, innovation, competition, and participation by a wide variety of participants. The system should have operational standards but not discourage entry and involvement.

The UTC should regulate private and common carriers hauling source-separated recyclables, certificated waste companies hauling mixed C&D waste to disposal, and both certificated AND private carriers for hauling commingled C&D debris to recycling processors. The latter, commingled C&D stream should have both types of carriers able to operate such that the system will engender quality, capacity, competitive cost-control, and innovation in new equipment and hauling techniques. Private/common carriers should be hauling higher-percentage commingled streams and providing impetus for competitive cost-control and innovative methods of shipping. This is especially important in a time of soaring fuel costs. G-permit companies should be hauling lower-percentage commingled C&D streams which may be considered waste or debris but should be required to maximize their recovery efforts in return for their non-competitive position in handling this material.

Thanks for the opportunity to comment.

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