



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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July 14, 2008

Carole J. Washburn, Executive Secretary
Washington Utilities & Transportation Commission
1300 South Evergreen Park Drive, SW
P.O. Box 47250
Olympia, WA. 98504-7250

RE: Solid Waste Definition Rulemaking, Chapter 480-70 WAC
Docket TG-080591

Dear Ms. Washburn:

The Department of Ecology appreciates the opportunity to comment on the Utilities & Transportation Commissions Preproposal Statement of Inquiry regarding Chapter 480-70 WAC. Ecology is in the process of developing new rules addressing transporters of recyclable materials and recycling facility notification. With your proposed rulemaking occurring at the same time, I have directed staff to coordinate with Eugene Eckhart and Penny Ingram of your staff to ensure rule consistency whenever possible. Ecology offers the following comments for your consideration.

The number of definitions in WAC 480-70 is inconsistent with Ecology's definition for the same terms. We recognize that Ecology and WUTC have different statutory responsibilities and mandates but wherever definitional language can be consistent, it is easier for the regulated community to comply with your requirements and Ecology's requirements in Chapter 70.95 RCW and Chapter 173-350 WAC.

Ecology and the UTC need to communicate to our stakeholders each other's statutory responsibilities and the limits of those authorities to reduce confusion. Our new rule is trying to do just that by limiting the proposed rule to legislative intent. We will not try to address other solid waste system issues in our rulemaking.

Thank you for the opportunity to comment on your proposed rulemaking. Ecology will be working closely with your staff during both our rulemakings to ensure that our rules complement each other whenever possible.

Sincerely,

Laurie G. Davies
Program Manager
Solid Waste & Financial Assistance Program

