

RCW 70A.205.040 County comprehensive solid waste management plan—Joint plans—Requirements when updating—Duties of cities. (1) Each county within the state, in cooperation with the various cities located within such county, shall prepare a coordinated, comprehensive solid waste management plan. Such plan may cover two or more counties. The purpose is to plan for solid waste and materials reduction, collection, and handling and management services and programs throughout the state, as designed to meet the unique needs of each county and city in the state. When updating a solid waste management plan developed under this chapter, after June 10, 2010, local comprehensive plans must consider and plan for the following handling methods or services:

- (a) Source separation of recyclable materials and products, organic materials, and wastes by generators;
- (b) Collection of source separated materials;
- (c) Handling and proper preparation of materials for reuse or recycling;
- (d) Handling and proper preparation of organic materials for organic materials management; and
- (e) Handling and proper disposal of nonrecyclable wastes.

(2) When updating a solid waste management plan developed under this chapter, after June 10, 2010, each local comprehensive plan must, at a minimum, consider methods that will be used to address the following:

- (a) Construction and demolition waste for recycling or reuse;
- (b) Organic material including yard debris, food waste, and food contaminated paper products for organic materials management;
- (c) Recoverable paper products for recycling;
- (d) Metals, glass, and plastics for recycling; and
- (e) Waste reduction strategies.

(3) (a) When newly developing, updating, or amending a comprehensive solid waste management plan developed under this chapter, after July 1, 2024, each local comprehensive solid waste management plan must consider the transition to the requirements of RCW 70A.205.540, and each comprehensive solid waste management plan implemented by a county must identify:

- (i) The priority areas within the county for the establishment of organic materials management facilities. Priority areas must be in industrial zones, agricultural zones, or rural zones, and may not be located in overburdened communities identified by the department of ecology under chapter 70A.02 RCW. Priority areas should be designated with an attempt to minimize incompatible uses and potential impacts on residential areas; and
- (ii) Organic materials management facility volumetric capacity required to manage the county's organic materials in a manner consistent with the goals of RCW 70A.205.007.

(b) When newly developing, updating, or amending a comprehensive solid waste management plan developed under this chapter, after January 1, 2027, each local comprehensive solid waste management plan must be consistent with the requirements of RCW 70A.205.540.

(c) (i) Notwithstanding (a) and (b) of this subsection, and except as provided in (c) (ii) of this subsection, a jurisdiction implementing a local comprehensive solid waste management plan under this chapter may not site the increase or expansion of any existing organic materials management facility that processed more than 200,000 tons of material, relative to 2019 levels.

(ii) The limitation in (c) (i) of this subsection does not apply to the siting of any anaerobic digester or anaerobic digestion facility.

(4) Each city shall:

(a) Prepare and deliver to the county auditor of the county in which it is located its plan for its own solid waste management for integration into the comprehensive county plan;

(b) Enter into an agreement with the county pursuant to which the city shall participate in preparing a joint city-county plan for solid waste management; or

(c) Authorize the county to prepare a plan for the city's solid waste management for inclusion in the comprehensive county plan.

(5) Two or more cities may prepare a plan for inclusion in the county plan. With prior notification of its home county of its intent, a city in one county may enter into an agreement with a city in an adjoining county, or with an adjoining county, or both, to prepare a joint plan for solid waste management to become part of the comprehensive plan of both counties.

(6) After consultation with representatives of the cities and counties, the department shall establish a schedule for the development of the comprehensive plans for solid waste management. In preparing such a schedule, the department shall take into account the probable cost of such plans to the cities and counties.

(7) Local governments shall not be required to include a hazardous waste element in their solid waste management plans. [2022 c 180 § 103; 2010 c 154 § 2; 1985 c 448 § 17; 1969 ex.s. c 134 § 8. Formerly RCW 70.95.080.]

Findings—Intent—Scope of authority of chapter 180, Laws of 2022—2022 c 180: See notes following RCW 70A.205.007.

Intent—2010 c 154: "Increasing available residential curbside service for solid waste, recyclable, and compostable materials provides enumerable public benefits for all of Washington. Not only will increased service provide better systemwide efficiency, but it will also result in job creation, pollution reduction, and energy conservation, all of which serve to improve the quality of life in Washington communities.

It is therefore the intent of the legislature that Washington strive[s] to significantly increase current residential recycling rates by 2020." [2010 c 154 § 1.]

Scope of authority—2010 c 154: "Nothing in this act changes or limits the authority of the Washington utilities and transportation commission to regulate collection of solid waste, including curbside collection of residential recyclable materials, nor does this act change or limit the authority of a city or town to provide such service itself or by contract under RCW 81.77.020." [2010 c 154 § 5.]

Severability—1985 c 448: See note following RCW 70A.300.005.