

### **Recyclable Materials – Transporter and Facility Requirements, chapter 173-345 WAC**

Ecology adopted a new rule affecting transporters of recyclable materials and recycling facilities. This rule implements SB 5788, passed by the 2005 legislature, under the authority of Chapter 70.95.400-430 RCW.

#### **What is Chapter 173-345 WAC?**

This rule requires transporters of recyclable material to:

- Register with Ecology.
- Transport recyclable materials only to locations where recycling occurs.
- Keep records of all activities for two years.

In addition, these new rules require recycling facilities to notify Ecology of their existence 30 days before operation commences and prescribe penalties for non-compliance of up to \$1,000 per violation.

#### **Whom does this rule affect?**

Chapter 173-345 WAC affects:

- Businesses that transport recyclable materials
- Facilities that recycle solid waste
- Material recovery facilities (MRFs)

This chapter does not affect those facilities with current solid waste handling permits issued under RCW 70.95.170.

#### **This rule was adopted on April 21, 2009**

#### **This rule will be effective on May 23, 2009**

#### **Response to Comments**

Ecology's response to comments received during the formal public comment period is now available. Download a copy at <http://www.ecy.wa.gov/biblio/0907010.html>.

#### **MORE INFORMATION**

**Formal Comments.** Ecology conducted a public hearing in December 2008 and received approximately fifty-nine comments.

**Informal Comments.** Ecology also held three informal workshops in March 2008 in Spokane, Bellevue, and Lacey and received about one hundred comments. Interested persons asked questions about the rule and commented on the preliminary rule draft. The public was invited to these workshops.

Ecology's response to comments received during the formal public comment period is detailed in the Concise Explanatory Statement, Publication # 09-07-010

**Effective Date: May 23, 2009**

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#### **Special accommodations:**

To ask about the availability of this document in a format for the visually impaired, please call the Solid Waste and Financial Assistance Program at (360) 407-6129. Persons with hearing loss, call 711 for Washington Relay Service. Persons with a speech disability, call 877-833-6341.

**More information**

Solid Waste Rules Under Development - Rules Archive:

<http://www.ecy.wa.gov/programs/swfa/rules/ruleDev.html>

To get updates on Ecology's rule-making activities, sign-up for the WAC Track e-mail list. Go to: [www.ecy.wa.gov/maillist.html](http://www.ecy.wa.gov/maillist.html).

**Appeal procedures**

This adoption can be appealed under procedures described in the Administrative Procedure Act (RCW 34.05.330). For additional information about appealing this adoption please contact Jerry Thielen, Ecology's Regulatory Affairs Manager at (360) 407-7551 or by email [jthi461@ecy.wa.gov](mailto:jthi461@ecy.wa.gov).