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HOUSE BILL 2411

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State of Washington

65th Legislature

2018 Regular Session

By Representative Doglio

Prefiled 01/05/18.

1 AN ACT Relating to reducing wasted food in order to fight hunger  
2 and reduce environmental impacts; amending RCW 70.95.090; adding a  
3 new section to chapter 70.95 RCW; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that the wasting  
6 of food represents a misuse of resources, including the water, land,  
7 energy, labor, and capital that go into growing, harvesting,  
8 processing, transporting, and retailing food for human consumption.  
9 Wasting edible food occurs all along the food production supply  
10 chain, and reducing the waste of edible food is a goal that can be  
11 achieved only with the collective efforts of growers, processors,  
12 distributors, retailers, and consumers of food. Inedible food waste  
13 can be managed in ways that reduce negative environmental impacts and  
14 provide beneficial results to the land, air, soil, and energy  
15 infrastructure. Efforts to reduce the waste of food and expand the  
16 diversion of food waste to beneficial end uses will also require the  
17 mindful support of government policies that shape the behavior and  
18 waste-reduction opportunities of each of those participants in the  
19 food supply chain.

20 (2) Food waste represents an oft-overlooked human tragedy in a  
21 world where millions of people go hungry on a daily basis. Worldwide,

1 the United Nations food and agriculture organization has estimated  
2 that if one-fourth of the food lost or wasted globally could be  
3 saved, it would be enough to feed eight hundred seventy million  
4 hungry people. Recent data from the department of ecology indicate  
5 that Washington is not immune to food waste problems, and recent  
6 estimates indicate that seventeen percent of all garbage sent to  
7 Washington disposal facilities is food waste, and eight percent of  
8 all garbage is food that was determined to be edible at the time of  
9 disposal. In recognition of the widespread benefits that would accrue  
10 from reductions in food waste, in 2015, the administrator of the  
11 United States environmental protection agency and the secretary of  
12 the United States department of agriculture announced a national goal  
13 of reducing food waste by fifty percent by 2030.

14 (3) By establishing state food waste reduction goals and  
15 developing a state food waste reduction strategy, it is the intent of  
16 the legislature to continue its national leadership in solid waste  
17 reduction efforts by:

18 (a) Fighting hunger by more efficiently diverting surplus food to  
19 feed hungry individuals and families in need;

20 (b) Reducing the cradle-to-grave greenhouse gas emissions  
21 associated with wasted food; and

22 (c) Making more efficient use of the state's food waste  
23 management infrastructure by reducing the volumes of food waste that  
24 flow through those facilities.

25 NEW SECTION. **Sec. 2.** A new section is added to chapter 70.95  
26 RCW to read as follows:

27 (1) A goal is established for the state to reduce by fifty  
28 percent the amount of wasted food generated annually by 2030,  
29 relative to 2017 levels.

30 (2) The department may estimate 2017 levels of wasted food in  
31 Washington using any combination of solid waste reporting data  
32 obtained under this chapter and surveys and studies measuring wasted  
33 food and food waste in other jurisdictions. For purposes of measuring  
34 progress towards the goal in subsection (1) of this section, the  
35 department must adopt standardized metrics and processes for  
36 measuring or estimating volumes of wasted food and food waste  
37 generated in the state.

38 (3) By October 1, 2020, the department, in consultation with the  
39 department of agriculture and the department of health, must develop

1 and adopt a state food waste reduction plan designed to achieve the  
2 goals established in subsection (1) of this section.

3 (a) The food waste reduction plan must include strategies, in  
4 descending order of priority, to:

5 (i) Reduce the wasting of edible food by residents and  
6 businesses;

7 (ii) Help match edible food that would otherwise be wasted with  
8 food banks and other distributors that will ensure the food reaches  
9 those who need it; and

10 (iii) Support productive uses of inedible food materials,  
11 including using it for animal feed, energy production, or other  
12 commercial uses, and for industrial or on-site compost production.

13 (b) The food waste reduction plan must include suggested best  
14 practices that local governments may incorporate into solid waste  
15 management plans developed under RCW 70.95.080.

16 (c) The department must solicit feedback from the public and  
17 interested stakeholders throughout the process of developing and  
18 adopting the food waste reduction plan. The department may designate  
19 a stakeholder advisory panel to assist with its food waste reduction  
20 plan development responsibilities.

21 (d) In conjunction with the development of the food waste  
22 reduction plan, the department must consider recommending changes to  
23 state law in order to achieve the goals established in subsection (1)  
24 of this section. Any such recommendations must be explained via a  
25 report to the legislature submitted consistent with RCW 43.01.036 by  
26 December 1, 2020.

27 (4) The definitions in this subsection apply throughout this  
28 section unless the context clearly requires otherwise.

29 (a) "Food waste" means landfilled, incinerated, or otherwise  
30 discarded inedible organic material that spoiled or was produced as a  
31 by-product of organic material that was intended for human  
32 consumption.

33 (b) "Wasted food" means landfilled, incinerated, or otherwise  
34 discarded edible food that was intended for human consumption.

35 **Sec. 3.** RCW 70.95.090 and 1991 c 298 s 3 are each amended to  
36 read as follows:

37 Each county and city comprehensive solid waste management plan  
38 shall include the following:

1 (1) A detailed inventory and description of all existing solid  
2 waste handling facilities including an inventory of any deficiencies  
3 in meeting current solid waste handling needs.

4 (2) The estimated long-range needs for solid waste handling  
5 facilities projected twenty years into the future.

6 (3) A program for the orderly development of solid waste handling  
7 facilities in a manner consistent with the plans for the entire  
8 county which shall:

9 (a) Meet the minimum functional standards for solid waste  
10 handling adopted by the department and all laws and regulations  
11 relating to air and water pollution, fire prevention, flood control,  
12 and protection of public health;

13 (b) Take into account the comprehensive land use plan of each  
14 jurisdiction;

15 (c) Contain a six year construction and capital acquisition  
16 program for solid waste handling facilities; and

17 (d) Contain a plan for financing both capital costs and  
18 operational expenditures of the proposed solid waste management  
19 system.

20 (4) A program for surveillance and control.

21 (5) A current inventory and description of solid waste collection  
22 needs and operations within each respective jurisdiction which shall  
23 include:

24 (a) Any franchise for solid waste collection granted by the  
25 utilities and transportation commission in the respective  
26 jurisdictions including the name of the holder of the franchise and  
27 the address of his or her place of business and the area covered by  
28 the franchise;

29 (b) Any city solid waste operation within the county and the  
30 boundaries of such operation;

31 (c) The population density of each area serviced by a city  
32 operation or by a franchised operation within the respective  
33 jurisdictions;

34 (d) The projected solid waste collection needs for the respective  
35 jurisdictions for the next six years.

36 (6) A comprehensive waste reduction and recycling element that,  
37 in accordance with the priorities established in RCW 70.95.010,  
38 provides programs that (a) reduce the amount of waste generated, (b)  
39 provide incentives and mechanisms for source separation, and (c)  
40 establish recycling opportunities for the source separated waste.

1 (7) The waste reduction and recycling element shall include the  
2 following:

3 (a) Waste reduction strategies, which may include strategies to  
4 reduce wasted food and food waste that are designed to achieve the  
5 goals established in section 2(1) of this act and that are consistent  
6 with the plan developed in section 2(3) of this act;

7 (b) Source separation strategies, including:

8 (i) Programs for the collection of source separated materials  
9 from residences in urban and rural areas. In urban areas, these  
10 programs shall include collection of source separated recyclable  
11 materials from single and multiple-family residences, unless the  
12 department approves an alternative program, according to the criteria  
13 in the planning guidelines. Such criteria shall include: Anticipated  
14 recovery rates and levels of public participation, availability of  
15 environmentally sound disposal capacity, access to markets for  
16 recyclable materials, unreasonable cost impacts on the ratepayer over  
17 the six-year planning period, utilization of environmentally sound  
18 waste reduction and recycling technologies, and other factors as  
19 appropriate. In rural areas, these programs shall include but not be  
20 limited to drop-off boxes, buy-back centers, or a combination of  
21 both, at each solid waste transfer, processing, or disposal site, or  
22 at locations convenient to the residents of the county. The drop-off  
23 boxes and buy-back centers may be owned or operated by public,  
24 nonprofit, or private persons;

25 (ii) Programs to monitor the collection of source separated waste  
26 at nonresidential sites where there is sufficient density to sustain  
27 a program;

28 (iii) Programs to collect yard waste and food waste, if the  
29 county or city submitting the plan finds that there are adequate  
30 markets or capacity for composted yard waste and food waste within or  
31 near the service area to consume the majority of the material  
32 collected; and

33 (iv) Programs to educate and promote the concepts of waste  
34 reduction and recycling;

35 (c) Recycling strategies, including a description of markets for  
36 recyclables, a review of waste generation trends, a description of  
37 waste composition, a discussion and description of existing programs  
38 and any additional programs needed to assist public and private  
39 sector recycling, and an implementation schedule for the designation

1 of specific materials to be collected for recycling, and for the  
2 provision of recycling collection services;

3 (d) Other information the county or city submitting the plan  
4 determines is necessary.

5 (8) An assessment of the plan's impact on the costs of solid  
6 waste collection. The assessment shall be prepared in conformance  
7 with guidelines established by the utilities and transportation  
8 commission. The commission shall cooperate with the Washington state  
9 association of counties and the association of Washington cities in  
10 establishing such guidelines.

11 (9) A review of potential areas that meet the criteria as  
12 outlined in RCW 70.95.165.

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