

## Administrative Rule # SPU –DR-01-07

### **What Constitutes Beneficial Use for Construction and Demolition Waste Hauling**

#### **Text of Final Rule:**

#### **1.0 Introduction**

Seattle Ordinance # 122446 relating to the regulation of solid waste under the Seattle Municipal Code (SMC) adopted a new definition for “Beneficial Use” and authorizes the Director of Seattle Public Utilities (SPU) to adopt rules designating those uses of solid waste that constitute “Beneficial Use”.

**Beneficial Use** (SMC 21.36.010): means the use of solid waste as an ingredient in a manufacturing process, or as an effective substitute for natural or commercial products in a manner that does not pose a threat to human health or the environment. Avoidance of processing or disposal cost alone does not constitute beneficial use. In accordance with the City’s Administrative Code, Seattle Municipal Code Chapter 3.02, and Seattle Municipal Code Section 3.32.020, the Director of Seattle Public Utilities shall adopt rules designating those uses of solid waste that constitute beneficial use.

The definition for “City’s Waste” was likewise changed under Ordinance #122446 to include a reference to” beneficial use” in addition to recycling:

**City’s Waste** (SMC 21.36.012): means all residential and nonresidential solid waste generated within the City, excluding Unacceptable Waste, Special Waste and materials destined for recycling or beneficial use, which materials shall contain no more than ten (10) percent non-recyclable or non-beneficially used material, by volume. City’s waste includes all such waste, regardless of which private or public entity collects or transports the waste. City’s Waste includes all waste remaining after recycling or beneficial use.

SPU sees a need to establish a three tiered system of recycling (highest end value applications), beneficial use (lower end value applications), and disposal primarily for construction and demolition debris material end market uses, and to clarify what falls under “City’s Waste” for construction and demolition (C&D) waste hauling. This Administrative Rule establishes the criteria used for determining beneficial use and acceptable end uses for C&D materials which can be designated as beneficial use. It also outlines specific uses of C&D materials which are considered “Recycling” as well as specific uses of C&D materials which are not considered “Recycling” or “Beneficial Use”. These lists may be modified periodically by revision of this rule.

#### **2.0 Criteria for Determining Beneficial Use:**

The criteria used by Seattle Public Utilities (SPU) for determining which end markets fall in the beneficial use category include:

- Use of solid waste as an ingredient in a manufacturing process
- Use of solid waste as an effective substitute for natural or commercial products
- Use of solid waste in a way that does not pose a threat to human health or the environment
- Avoidance of processing or disposal cost alone does not constitute beneficial use. When an economic value is questionable, it should be verifiable by one of the following: 1) a sales receipt form from an end user or 2) a sales receipt from an end user for an alternative product that demonstrates the economic value of the substitute product. The absence of verifiable economic value suggests that the use is not an effective substitute for a natural or commercial product and/or that the use is intended to avoid processing or disposal cost.

**3.0 Uses of C&D Materials which are designated “Beneficial Use”**

The following end uses for specific C&D materials are designated as falling within the “beneficial use” category.

<b>Materials</b>	<b>Examples of “Beneficial Use” End Markets</b>
Unpainted and untreated construction wood waste processed into wood chips	<p>Hog fuel for boilers at paper pulp mills that create energy in the form of steam, heat and/or electricity for use in that facility or for resale in the energy marketplace.</p> <p>Fuel for industrial boilers permitted to combust such materials that create energy in the form of steam, heat and/or electricity for use in that facility or for resale in the energy marketplace</p> <p>Manufacture of wood pellets for use in pellet stoves.</p>
Creosote Wood not in contact with brackish or salt water	Industrial boiler permitted by the regulatory air quality jurisdiction to burn such materials that create energy in the form of steam, heat and/or electricity for use in that facility or for resale in the energy marketplace
Fines from processing construction and/or demolition wastes	<p>Land application when material is designated as “beneficial use” by Washington State Department of Ecology through their beneficial use application process</p> <p>Department of Natural Resources (DNR) land and mine recovery when State MTCA, state solid waste regulations and other applicable regulations are met</p>

#### 4.0 Uses of C&D Materials which are considered “Recycling”:

**Recycling** (SMC 21.36.016): means transforming or remanufacturing waste materials into usable or marketable materials for use other than incineration (including incineration for energy recovery) or other methods of disposal.

The following end uses for specific C&D materials are considered to fall within the “recycling” category. They include, but are not limited to:

<b>Material</b>	<b>Examples of Recycling End Markets</b>
Untreated and unpainted Wood Debris as dimensional lumber, pallets, crates, scrap from new construction	Finger jointed lumber Reconstituted panel board Wood/plastic composites Corrugated medium Compost & mulch Erosion control mats Playground chips Animal bedding Road construction
Oriented strand board, panel board, particleboard, clean dimensional lumber	Paper pulp for remanufacture into paper and corrugated medium
New or demolition scrap gypsum which is free of asbestos	New wallboard Cement manufacture when combined with clinker as a substitute for calcium sulfate
Asphalt shingles	Construction aggregate Hot mix paving applications Cold patch applications
Carpet	New carpet Carpet backing
Concrete/masonry	New concrete
Metals	New metal products
Cardboard from construction and demolition activities	Corrugated medium Cellulosic insulation
Pallet Wrap	Plastic Lumber

#### 5.0 Uses of C&D Materials which are not considered “Recycling” or “Beneficial Use”:

The following end uses for specific C&D materials are not currently considered “recycling” or “beneficial use”. Such materials are subject to disposal. They include, but are not limited to:

<b>Materials</b>	<b>Examples of End Uses not Recycling or Beneficial Use</b>
Treated (as CCA) and lead-based	Hog fuel for boilers at paper pulp mills and

<p>painted wood waste</p>	<p>fuel for industrial boilers which are not permitted by regulatory agencies to combust such materials</p>
<p>Unsorted and unprocessed or Sorted and processed construction or demolition wastes</p>	<p>Alternative Daily Cover at a landfill</p>
<p>Unsorted and unprocessed, or Sorted and processed construction or demolition wastes</p>	<p>Structural fill</p>
<p>Fines from processing of construction and/or demolition wastes</p>	<p>Topsoil for public use</p>

**6.0 Who can haul C&D materials for beneficial use and/or recycling?**

Any company is allowed to collect materials destined for beneficial use and/or recycling, however; such collected materials must contain no more than 10% non-beneficially used or non-recyclable material, by volume.

**7.0 City Monitoring of the hauling of “City’s Waste”:** The enforcement of this requirement may include visual inspection of individual construction and/or demolition site drop boxes or detachable containers where appropriate.

**8.0 Effective Date of Rule:** The effective date for this rule is when filed with the Seattle City Clerk.