

MSWMAC Advisory Committee Meeting
April 13, 2018 - 11:15 a.m. to 1:15 p.m.
King Street Center 8th Floor Conference Room

Meeting Minutes

<u>MSWMAC Members</u>	
Joan Nelson	Auburn
Bill Peloza	Auburn
Joyce Nichols	Bellevue
Sarah Ogier	Bellevue
Sabrina Combs	Bothell
Emily Warnock	Bothell
Pedro Olguin	Burien
Brian Roberts	Burien
Robin Tischmak	Burien
Barre Seibert	Clyde Hill
Rob Van Orsow	Federal Way
Penny Sweet – Chair	Kirkland
John MacGillivray	Kirkland
Phillippa Kassover	Lake Forest Park
Diana Pistoll	Maple Valley
Jason Kintner	Mercer Island
Carol Simpson	Newcastle
Gary Schimek	Redmond
Linda Knight – Vice Chair	Renton
Maia Knox	Sammamish
Rika Cecil	Shoreline
Uki Dele	Shoreline
Alex Herzog	Woodinville
Paula Waters	Woodinville

<u>King County Staff</u>
Jamey Barker, SWD staff
Jenny Devlin, SWD staff
Jeff Gaisford, SWD staff
Beth Humphreys, SWD staff
Pat D. McLaughlin, SWD Director
Meg Moorehead, SWD staff
Yolanda Pon, Seattle-KC Public Health
Terra Rose, Council staff
Christie True, DNRP Director
Kim van Ekstrom, SWD staff
Dorian Waller, SWD staff
John Walsh, SWD staff
<u>Guests</u>
Cynthia Foley, Sound Cities Association
Laura Moser, Waste Management
Emily Newcomer, Waste Management
Janet Prichard, Republic Services
Jeff Wagner, Republic Services

Minutes

The March minutes were unanimously approved.

Updates

Solid Waste Division (SWD)

SWD Director Pat D. McLaughlin gave the following SWD updates:

ILA

We anticipate the 37th and final ILA to be signed by the Town of Yarrow Point in the upcoming weeks. Once this is completed we will have all of the 2028 ILAs extended to 2040.

Wood waste “Hog Fuel” Pilot project

Wood chips (aka hog fuel) is used at Cedar Hills Regional Landfill as road bed for constructing temporary roads between the paved roads throughout the landfill to the active working face. Hog fuel is placed directly on top of the garbage and then rock is placed on top of the hog fuel. The hog fuel is a barrier between the garbage and the rock to prevent the rock from becoming contaminated with garbage allowing it to be removed when the temporary road is no longer needed and reused to construct another temporary road. The second use of the hog fuel is as daily cover. The used hog fuel can either be left in place as daily cover or it can be removed and used in a different location in the active face as daily cover.

SWD proposes to separate contaminated wood (painted, stained, treated wood) and process into hog fuel for its own use at Cedar Hill. Currently, there is no beneficial use of contaminated (“dirty”) wood and this material is being disposed as garbage at Cedar Hills.

SWD has spent close to \$400,000 over the past two years purchasing hog fuel for use as temporary road bed. We anticipate this pilot project will be cost saving for the division and will save landfill space.

Washington State Association of Counties Solid Waste Managers meeting

Last week, McLaughlin attended a meeting with solid waste managers from around the state. He reported this working group meet a few times every year. They discussed the reduction of grant funding from the state that many cities rely upon to run their solid waste programs. The working group established a task force to explore the issue and possible solutions. The working group also discussed the China Sword situation, which is a common interest for all the solid waste managers in the state. A task force was also established around this issue to see if it is possible to adopt a more singular recycling strategy across the state to minimize contamination, maximize diversion, and focus on priority materials. This task force will be a resource MSWMAC can use because we will not have to solve this challenge alone. This unification means solid waste agencies can work with industry and regulators like the Department of Ecology with a unified voice. More information will be available.

Local Hazardous Waste Management Program (LHWMP)

Recycling and Environmental Services Section Manager, Jeff Gaisford reports LHWMP is revising their rate proposal because they heard from the advisory committees the rate was too high and the frequency of rate increase requests is too long. They are drafting an alternative proposal to present to the Board of Health; while it has not been decided upon yet, it will be smaller and will last for two years. In 2020, LHWMP will be adopting a new comprehensive plan and will potentially seek another rate increase that could take effect in 2021. There will be a MCC meeting on Tuesday, April 17 where MCC members will learn about the rate proposal and if approved, it will be presented to the advisory committees before it goes to the Board of Health for their approval.

Solid Waste Advisory Committee (SWAC)

MSWMAC Chair Penny Sweet said that the agenda for SWAC’s meeting in February was the same as the last MSWMAC agenda. She noted the SWAC conversation might have been more heated than MSWMAC’s because haulers had representation at the meeting. She shared a

general sense of concern was about moving ahead with the draft Comp Plan while the China Sword situation is unresolved.

Bill Peloza asked Gaisford for a discussion about latex paint recycling. Gaisford said there are [now 13 locations](#) in King County where residents can take back their unwanted cans of latex paint for a fee that varies by location. He mentioned there is a latex paint recycling event in [Kirkland at 9am this Saturday](#). All paint collected will be delivered to a Colorado company, GreenSheen, with a new location in Kent. Gaisford credits SWD staff Lisa Sepanski for initiating the relationship with GreenSheen. Peloza said the Ace Hardware in Auburn is one location where residents can recycle latex paint. He learned in speaking with the General Manager of the store that GreenSheen is not yet processing recycled paint, but when they collect enough, they'll process the paint into 16 colors and sell it for half the price of what it normally sells for in stores.

China Sword Workgroup

Sweet said after last month's advisory committee meetings, there was a decision to pull together a work group for an open and honest discussion about the implications of China Sword and pull together as a body to influence policy solutions. Sweet announced the work group needs representation from elected officials. Seeing how both she and Phillipa Kassover are elected officials who serve on both advisory committees, and are both heavily interested in the topic, she proposed MSWMAC members nominate the two to serve on the work group. Peloza made a motion and John MacGillivray seconded it; and with a unanimous vote Kassover and Sweet will participate in the work group.

Strategic Communications and Performance Section Manager Meg Moorehead shared her thoughts on moving forward with the draft Comp Plan, given the China Sword situation. She said this region will recycle because it not only protects the environment by reusing materials but it also creates value for reusable materials. The draft Comp Plan is written to push those goals for the long term, a 20-year horizon. It is written to weather uncertainties. Moorehead said we are not in a situation where no recyclables can be marketed. This is a situation where we must work to reduce contamination and find other places to ship materials. These are the situations the built-in flexibility of the plan was written to accommodate.

The draft Comp Plan does not include deadlines but a menu of approaches so when one approach does not work, there are other approaches to pick. SWD's economist has noted fluctuations for the marketability of recyclables have occurred before and will happen again. Moorehead likened the draft Comp Plan to investment advice for retirement: a financial advisor would ask an individual to set goals, take actions to reach those goals, and understand those actions take place in markets that will occasionally make one grit their teeth but they should stick it out for the long haul.

If the Comp Plan were delayed to address China Sword issues it would not just affect recycling options, but also would delay time-critical decisions such as long-term disposal and services in the northeast. Meanwhile, there are several approaches to China Sword: in the immediate term, the China Sword task force works on communications to sustain recycling and reduce contamination, then in the near term, the task force can work to identify what can we collectively do to address this immediate situation, then in the long term, we can look to

exercise action 26-s in the draft Comp Plan where we can develop a process to amend the list of designated recyclables to reduce the confusion causing people to make recycling mistakes.

Barre Seibert mentioned a concern about how China Sword impacts the timing of the long-term disposal decision since the life of the landfill would be affected if recyclables continue to go there. Moorehead said this would be a topic for next month's meeting, but timing of decisions is always a concern; a factor like the economy changing also affects these decisions, as the landfill receives more waste when the economy is doing well. McLaughlin said the long-term disposal question is very much a time-sensitive decision as we have less than 10 years to act on the decision, so we must move forward on finalizing the draft Comp Plan now so we can build planning for the decision into the budget.

Seibert said he thought we concluded the landfill solution was the best option. McLaughlin said the decision had not been made yet but it must be made. McLaughlin said he appreciates the thought that went into the Comp Plan making sure it can weather disruptions like the China Sword and the regional organics issue. He said it would be worth bolstering Plan actions to include King County actively working with cities to harmonize strategies, such as the list of designated recyclables. He says the policy framework of the draft Comp Plan can withstand storms such as changing markets for recyclables. Diana Pistoll asked if when he says recyclables, does McLaughlin also mean organics, too. Yes, said McLaughlin. He said both wonderful partnerships with private investments are sharing similar challenges: both are challenged by contamination and capacity infrastructure and the root is confusion. McLaughlin asked how can we simplify it for them. Empty, clean, and dry. Sweet agreed, and said we need the same message at the city, county, and state level.

Gaisford said the task force is formed and will meet monthly for two hours to talk about near, mid, and long-term strategies to address restrictions place by China Sword – the largest being plastics #3-7 and mixed paper. He said the work of the Plastics Summit in January will be brought to the task force, as will the consultants who facilitated the summit. The first meeting will be April 30 at King Street Center. Advisory committees will receive regular updates at every meeting. The task force have meetings through the summer. The task force includes Sweet, Kassoover, April Atwood from SWAC who is also a professor of marketing at Seattle University, representatives from Republic Services, Recology, Waste Management, and from the cities of Renton, Bellevue, Seattle, Bothell, Kent, Shoreline, and Federal Way. There will also be other representatives from the county, haulers, and other outside people perhaps like someone from a secondary MRF from California.

Peloza asked if China Sword only affects plastics. Gaisford said no, many items, mostly plastics #3-7, but also mixed paper which is about 30-40 percent of the recycling bin.

Comprehensive Plan Response Summary

Moorehead [presented](#) a high-level overview of the division's responses to the formal public comments submitted during the draft Comp Plan public comment period from January 8 through March 8. She noted Advisory committee members recently received an email that includes a 123-page Responsiveness Summary addressing the formal comments received. Showing a slide with the Comp Plan schedule, she said she heard several concerns about council's budget proviso that stipulated \$1M would be withheld from the division until SWD

transmits the Comp Plan to council by March 31, and clearly we have passed that deadline. The division felt the benefit of obtaining feedback from the public and regulators was important and so requested an extension until July. Moorehead also shared that because the Executive has made no decisions yet on disposal and NE transfer options, those chapters will be discussed in the May advisory committee meetings.

Moorehead said there used to be a central place to store large files to share with advisory committee members, but that no longer exists. Meanwhile, copies of the formal comment letters will be available to committee members and instructions on how to access them will be emailed. Staff will be available to walk anyone through the process.

Moorehead noted there was a lot of interest in the draft Comp Plan. In 2001, the county received 16 letters; this year they received nearly 70 formal comments from agencies such as the Puget Sound Clean Air agency and Washington Agriculture. Informal comments were collected via an online questionnaire hosted by Peak Democracy. Respondents to the questionnaire came from all service areas, but largely from the East and Northeast. Moorehead also said people like recycling and had a lot of ideas. They also want a lot of services at transfer stations, preferring a new station or combination of facilities in the Northeast instead of keeping Houghton "as is." Most people also preferred Waste to Energy for disposal, followed by further development of Cedar Hills and waste export. Peak Democracy results are not in the responsiveness summary and there are no names associated with the comments. The responsiveness summary may mention themes from Peak Democracy but there will be no individual responses.

As for the formal letters themselves, many included requests for information or clarification which are responded to as appropriate without requiring discussion by the advisory committees.

There was the matter of representation on the advisory committee meetings from unincorporated King County; there is one member of SWAC from the unincorporated area, and one vacant Agriculture position, which could be filled by someone from the unincorporated area. There simply needs to be someone willing from that area. SWD's Government Relations Administrator Dorian Waller is looking for members who can bring diversity in knowledge and geographic representation.

About a third of the formal comments were about recycling and collection, generally offering a lot of support for recycling, and many comments either arguing for or against certain approaches. Many comments were to support education and extended producer responsibility. There were mixed reactions to frequency of collection and regulations. The policies as written are broad enough to cover the range of proposed actions, and there may be actions to be added, depending on what the regional task force McLaughlin spoke about decides about a list of common recyclables.

Pistoll noted the webpage for the online survey stated it would take about three minutes to complete; she wondered if there was a way to track how long people took to read the materials on the webpage. SWD Communications Manager Kim van Ekstrom said there was not a way to track that information, but we can track how many people visited the webpage

and how many clicked through to the survey. Joyce Nichols asked how long the survey was online, Moorehead replied January 8 to March 8.

Moorehead addressed an issue over the formula used when cities are voting to finalize the draft Comp Plan. She noted that the formula (*per Interlocal Agreement Section 11.6.b "...approved by cities representing three-quarters of the population of the incorporated population.." of the jurisdictions that take action within 120 days*) has not changed since it was spelled out in the Interlocal Agreements (ILA) all the city partners signed, so this is the agreed-upon process.

Moorehead also noted the draft Comp Plan tonnage forecast made in 2016 will be updated in the next version of the Comp Plan for four reasons:

1. Tonnage is already higher than when the 2016 forecast predicted.
2. Bellevue and the four Point Cities are staying in the regional waste system through 2040.
3. There are new model inputs and economic variables.
4. Recycling rates are lower than predicted.

In 2016, SWD predicted the recycling rate would be 57 percent. The state Department of Ecology recently announced data from 2015: while the recycling rate had been stuck at 52 percent since 2012, it reached 54 percent. While it is good news the number is going up, it is only a one-year data point and given China Sword, the division wants use the more conservative 52% to allow for better capacity planning at facilities.

Moorehead then brought up harmonizing a discrepancy between the ILA and an RCW about when the division can change financial policy. The RCW guiding comprehensive planning has a prescribed years-long update method while the ILA allows for changes outside of that prescribed method. In the ILA, finance policies can be changed time to time outside of the comp plan process.

She has in mind a simple solution: Finance policies in the draft Comp Plan are in the finance section in Chapter 7. Moorehead proposes converting the finance goal into a finance policy, and converting the finance policies into finance actions by relocating them from the finance policy section to the action section. The Comp Plan says that actions are things that can evolve, but policies are supposed to stand the test of time until the next Comp Plan update. Brian Roberts suggested the division test each finance policy individually with that question so we don't inadvertently make something less of a policy than what it was intended to be. Moorehead agreed.

The next month's meeting will include a discussion about disposal options, transfer services, the DEIS, and Ecology's comments which are due on May 7.

2019-2020 Rates

Moorehead announced the division is considering a 2019 – 2020 rate proposal. She anticipates a lot of questions from MSWMAC since a rate change will affect their rates. For now, there is no decision yet to go forward with the proposal. Moorehead introduced SWD's rate analyst William Chen who said that although the Executive has not decided yet about

going forward with a rate proposal, the Executive knows of the advisory committees' preference for smaller and more frequent rate increases. Chen said if the proposal goes forward, the rate will be at or below what was projected for 2019 in the last rate proposal (\$142/ton). The proposal would include a projection through 2024 to help cities with longer term planning. County Council would be asked to approve the rate proposal by the end of September so cities and WUTC will have time to incorporate the new rate into their rates and billing systems. Chen says he will brief advisory committees in May, and June if needed. He offered briefings to any individual city that request them.

Chris Searcy asked about the health of the division's reserves. Moorehead said they are healthy because actual tons received have been higher than projected. Searcy then asked how many labor unions are represented in the division. McLaughlin said there are 10, all of whom recently renegotiated under a Master Labor Agreement. Searcy said the CPI is bouncing toward 4 percent so labor costs are a concern. Chen said the increased cost of services is one reason for the possible rate increase. Sweet asked how much of an increase. Chen said around 4 percent.

Member and Public Comment

Before adjourning the meeting, Sweet recommended everyone see the new Isle of Dogs movie.

Cynthia Foley shared the Sound Cities Association is hosting a SCA forum about recycling and the implications of China Sword with city staff and elected officials on the 27th at 10 a.m. on Mercer Island. Sweet asked Foley to give the information to Dorian to share with the committee.

The meeting was adjourned.

Respectfully submitted by: Jenny Devlin