

## **MSWAC Advisory Committee Meeting**

October 8, 2021 - 11:15 a.m. to 1:15 p.m.

Virtual Meeting (Zoom)

<b><u>MSWMAC Members</u></b>	
Joan Nelson	Auburn
Jon Gire	Bellevue
Emily Warnock	Bothell
Robin Tishmak	Burien
Ed Hawthorne	Enumclaw
Chris Searcy	Enumclaw
Rob Van Orsow	Federal Way
Tony Donati	Kent
John MacGillivray	Kirkland
Jenna McGinnis	Kirkland
Penny Sweet, Chair	Kirkland
Phillipa Kassover	Lake Forest Park
Micah Bonkowski	Redmond
Aaron Moldver	Redmond
Linda Knight, Vice Chair	Renton
Mason Giem	SeaTac
Cameron Reed	Shoreline
Rachel Best-Campbell	Woodinville
Diana Hart	Woodinville

<b><u>King County Staff</u></b>
Nat Bennett, Office of Performance Strategy Budget staff
Joy Carpine-Cazzanti, Haz. Waste Management Program
Jenny Devlin, SWD staff
Jeff Gaisford, SWD staff
Brian Halverson, SWD staff
Patty Liu, SWD staff
Pat McLaughlin, SWD Director
Hannah Scholes, SWD staff
Andy Smith, SWD staff
Adrian Tan, SWD staff
Dorian Waller, SWD staff
John Walsh, SWD staff
Dave Ward, Hazardous Waste Management Program
<b><u>Guests</u></b>
Quinn Apuzzo, Recology
Dylan Gamble
Erin Gagnon, Ridwell
Kazia Mermel, Sound Cities Association
Tristen Pamphlet-Gardner
Diana Wadley, Washington State Dept. of Ecology
Wendy Weiker, Republic Services

### **Call to Order and Introductions**

Chair Sweet called the meeting to order at 11:19 a.m.

### **Meeting Minutes**

Searcy moved to approve the September meeting minutes; Kassover seconded. The meeting minutes were approved unanimously.

### **Public Comment**

Wadley from Ecology said referring to an agenda item regarding the list of contract and operational requirements for the SWD contractor to study when analyzing the long-term disposal options: she would prefer SWD retain the criteria of compatibility with waste prevention and recycling.

### **SWD Update**

McLaughlin provided the SWD update:

**Tonnage Report**

Both garbage tons and customer transactions are up 4% compared to this same time period last year. This increase continues to be driven by strongly growing commercially hauled tonnage (+6% or almost 25,000 tons). The customer verification program is reducing usage of our stations by out-of-area customers. According to a 2019 survey, 14% of SWD customers came from outside the SWD service area. In 2020, after 60 days of verifying customer residency, the survey reported 8%. In 2021, the survey reports 6%.

**Northeast Recycling & Transfer Station (NRTS)**

SWD staff will meet with the Core Cities next week to further discuss our siting process and collect their feedback. We continue to work closely the Core Cities and SAG members to ensure community concerns are addressed and are reflected in the project as we move forward.

**Legislation**

C&D legislation passed thru King County Council's Committee of the Whole this week with 9 yeas votes. It is scheduled to go before the Council for vote October 19.

**Employee Vaccinations**

The County Executive has issued a mandate requiring all SWD employees to be vaccinated against COVID by October 18. This will help to ensure the safety of our employees and the customers we serve. SWD staff will inform advisory committees if contingency plans are activated to cover staff reductions.

Searcy asked if the City of Algona issued Conditional Use Permit for the South County Recycling & Transfer Station. McLaughlin said they did.

**SWAC Update**

SWAC elected Weiker as SWAC Chair and Taylor Atkinson as SWAC Vice Chair.

**Re+**

Tan listed the bills that the SWD knows are being planned for the next state legislative session scheduled January 10 - March 10, 2022. SWD expects there will be an Extended Producer Responsibility (EPR) bill for packaging and paper products. EPR legislation ensures companies and brands that make products are responsible for funding, organizing and improving residential recycling across the state. EPR legislation for packaging exists around the world but is new to the U.S. In Washington, there are EPR programs such as E-Cycle, and unwanted medicine and paint, but not for packaging.

EPR for packaging and paper products is a Re+ fast-start priority action. It will provide financing for residential recycling operations, improvements, and expand collection. It will establish a uniform collection system, where the same products and materials are collected across the state. This will reduce confusion for residents and could lead to less contamination. Also, local governments and residents would save money on recycling. It will also provide more equitable access to recycling services: all ratepayers with curbside service would have curbside recycling at no additional cost.

The proposed policy is outcomes-based since producers of packaging and paper products must achieve certain reuse and recycling rates. Finally, there would be transparency as to what actually happens to recyclable materials: where it goes and what products and materials they become. Cities can get involved with this effort through the Association of Washington Counties (AWC), but also through the Northwest Product Stewardship Council (NWPSC).

The next bill is an EPR bill for batteries. Batteries are a concern because disposal can lead to fires in our trucks and facilities. Batteries are hazardous due to toxic and corrosive materials within, but they also have potential to be a valuable source of recyclable materials. EPR for batteries would make battery producers responsible for the collection, reuse and recycling of batteries in WA. This will increase collection, reuse and recycling of batteries; reduce safety risks for waste management workers and facilities; and save our hazardous waste collection sites money. Several states have EPR laws for batteries. Washington DC also passed an EPR law for batteries this year. Cities can engage with this bill through AWC and NWPSC.

The next bill is another attempt for a Right to Repair bill which would require digital electronic product manufacturers, to provide consumers and independent repair businesses access to parts and tools for products such as smartphones, Kindles, laptop computers and tablets, etc. SWD will track these bills and keep this committee informed during the legislative session. There were no questions or comments regarding these bills.

Smith reminded the committee about the ongoing statewide organics stakeholder process: <https://organicsworkgroup.org/>. Discussions revolve on whether a California-style approach to organics management could work in Washington, food rescue, feedstock sources, and GHG reduction. The meetings are open to all, but attendees need to request Zoom access via the link. Subcommittees look at food policy needs in our state which will lead to bill proposal for eventual legislation sessions.

Liu presented the outline of the draft Re+ Plan which will be written for different audiences. For the general audience, 30-40 pages will focus on the plan's vision, why they should care about the plan, and list the fast start items. There will also be a Briefing Pack which will be two pages per issue and focus on fast start items for decision makers. A Stakeholder and Community Summary will be 6-10 pages written for general audience focusing on key themes. Finally, there'll be a Task Force Summary of five pages written for a technical audience.

The Re+ Plan will need to be compelling for a range of perspectives and will sell SWD's vision for the future of waste management. This plan will define why SWD is doing this work and introduce key topics of circular economy and a community-centered future. When Liu asked if she's forgotten any audiences, it was pointed out that businesses particularly those involved with construction, delivery, and others that generate considerable waste. Liu said businesses would be addressed in the stakeholder and community summary section. Smith said businesses would also want to read the messages in the briefing pack and the portions describing the innovation platform.

SWD staff will be drafting the plan over the next four months with an advisory committee presentation due in December or January for a launch in February or March.

### **Comprehensive Solid Waste Management Plan Update**

Walsh said he was seeking support for the plan for updating the Comp Plan. He reminded the committee of a briefing paper they received in the summer. Support is needed so he can include it in a progress report due to council in December. He reviewed the timeline for developing the Comp Plan again.

The discussion began with concerns about the ambiguities of the Re+ impact on waste tonnage which will narrow the choices available selecting long-term disposal options if Re+ is unsuccessful. Walsh said the plan would consider scenarios where tonnage ranges from 400,000 – 1,000,000 tons. Some city representatives expressed unease about committing to the proposed Comp Plan schedule without knowing how the circular economy concept and associated innovations will be received by decision-makers and the public.

McLaughlin encouraged cities to focus on committing to manage waste resources so the next conversation could then focus on the long-term disposal decision. He shared optimism Re+ would achieve some measure of success because the fast-start items have proven successful elsewhere. Others agreed with McLaughlin that while the timeline seems difficult to meet or has too many variables, there remains a need to secure commitment from city partners now to bolster enthusiasm for legislative support and regional efforts so the long-term disposal options decision can be made. Gaisford noted the briefing packs in the Re+ Plan will describe specific actions where support is needed.

The need for showing a commitment of support before seeing the results of Re+ creates a tension driven largely by the lengthy bureaucratic timeline. The timeline for the consultant study analyzing the long-term disposal options ought to occur soon, because pushing it out another 2-3 years won't necessarily involve new technologies so it will examine the options suitable for the range of expected tonnage.

It was suggested the report to council in December could indicate the cities support this plan for making the long-term disposal decision in theory but have reservations about making commitments given the variables. It was pointed out council's request for this report is appropriate because as a policy-making body, they need to know staff are working towards a recommendation based on studies and informed recommendations. They want to be sure staff have done the work to provide them with the information they will need when the time comes to decide.

If the cities decide they want to retain autonomy over how their waste is managed, then that is what will be conveyed in Chapter 4 (Sustainable Materials Management) in the Comp Plan. The region will need to decide how unified they are behind the momentum for changing how waste is managed. It was acknowledged more momentum would occur more broadly if actions were taken at the statewide level. Sweet said K4C was a good approach, and the bottom line is members need to figure out a way to make these matters important to Fitzgibbons legislative committee.

When it was suggested the long-term disposal option boils down to cost, it was pointed out that while cost is a factor, it is not the final decision-point as environmental aspects have value. Walsh said a section of his council report will indicate this discussion with MSWAC, whereby some feel the timing is too soon

as they want to see the impacts of Re+ before they commit, while others see the need for action now. He will send a draft of the report to the committees.

SWD plans to hire a consultant to analyze long-term disposal options. A briefing paper described what is and is not a long-term disposal option. Namely the technology for removing materials of value from the waste stream is not a long-term disposal option – such as recycling and advanced material recovery (aka Dirty MRF). These options would be pursued under the Re+ Plan and may include a combination of multiple technologies.

The long-term disposal option manages what remains after sorting. The options today include waste export, waste to energy, gasification, and pyrolysis. Gasification and pyrolysis may be inadequate if the waste stream contains over 500,000 tons of waste, whereas waste to energy could handle more tons. SWD is also working on a study with the Port of Seattle to explore turning waste into aviation fuel. It was agreed the consultant could study these options, giving SWD information needed to choose one long-term disposal method for waste management. The EIS may be conducted on only the selected long-term disposal option.

In a 2019 study, the consultant considered a list of 38 criteria under six categories for the long-term disposal option. SWD staff consolidated this list to 22 criteria. Members advised adding track record of environmental and regulatory compliance, and expected length of operating life, compatibility with waste prevention and recycling, water consumption and treatment, and scalability/costs of not meeting minimum operation levels.

#### **2023-24 Rate Restructure: Account Fee vs Fixed Charge**

Halverson said the fixed charge option for the rate restructure was popular with both advisory committees. SWD staff are working with cities and haulers about their concerns. He described the two options for the true-up process in briefing paper. Another new option avoids the true-up process altogether, wherein, city shares of the operating costs would be based on most recent year of complete data. So, the 2023 fixed charge rate would be based on the 2021 shares of tonnage, which would fluctuate each year or biennium. This approach makes it so a true-up would not be necessary. SWD plans to submit the rate restructure proposal to council Nov 18 with hopes they will pass it in Q1 2022, allowing 9-10 months before implementation.

There was a question about what was driving the urgency to get the restructure in place. Members were reminded the purpose of the restructure is to ensure operations are funded by a more stable revenue source than tipping fees to avoid the revenue shortfall when C&D was diverted from the landfill.

SWD seeks a letter of support to council by the advisory committees that expresses general support for the fixed charge option over account fee option, recognizes the need to stabilize the rate restructure for Re+, reaffirms support for Comp Plan projects and programs. The letter acknowledges the restructure is aligned with SWD goals of creating rate stability, revenue neutrality, and incentivizes recycling and waste reduction. Redmond representatives said they would abstain from signing the letter until the true-up process is resolved. There was a request to share copies of the draft plan and ordinance that goes to council, followed by a suggestion the letter could express support for the fixed charge but some reservations regard the true-up process.

Sweet asked for a motion to send a letter saying the committee supports the plan but recognizes a lack of clarity for the true-up process. Moldver made the motion, Knight seconded it. The motion carried with a majority in favor. Committee members will receive a copy of the letter before it is sent.

**ILA/Bond Extension**

Halverson reminded members SWD is spending \$400 million on capital investments for two new transfer stations and expanding capacity at the landfill. SWD proposes an extension of the bond terms out 30 years it reduce debt service payments and reduce projected rate increases by \$8. Current bond terms are based on the expiration of interlocal agreements, not the life of the bonded assets. He asked if the committee is interested in continuing to explore this option or serve on a subcommittee to study it. The county’s bond specialist said interest rates are at historic lows and expects them to go up.

Does the committee want to explore the option? Six voted yea, four voted nay, one abstained. By the numbers, this vote passed and those who voted yay will participate in a subgroup.

In Zoom Chat: From Nat Bennett (King County) to All Panelists: 01:10 PM  
Chris, here is the yield curve we are currently using to estimate future debt service across the County:  
Maturity/Interest Rate

1	1.90%
5	1.95%
7	2.00%
10	2.20%
15	2.50%
20	2.70%
30	2.90%

**2022 Work Plan Topics**

Waller said SWD is drafting committee workplans for next year. He will email members to gather ideas for topics of interest.

**Member Comment**

Moldver reports the city of Redmond recently partnered with Ridwell to host two Styrofoam collection events where 1,200 households delivered 2,000 pounds of Styrofoam, filling four tractor trailers.

**Adjourn**

Meeting adjourned at 1:19 p.m.