

MSWAC Advisory Committee Meeting

January 14, 2022 - 11:15 a.m. to 1:15 p.m.

Virtual Meeting (Zoom)

<u>MSWMAC Members</u>	
Joan Nelson	Auburn
Jon Gire	Bellevue
Emily Warnock	Bothell
Rob Van Orsow	Federal Way
Toby Nixon	Kirkland
John MacGillivray	Kirkland
Jenna McGinnis	Kirkland
Penny Sweet, Chair	Kirkland
Phillipa Kassoover	Lake Forest Park
Amy Shaw	Maple Valley
Robert Clark	Newcastle
Earnest Thompson	Normandy Park
Micah Bonkowski	Redmond
Linda Knight, Vice Chair	Renton
Mason Giem	SeaTac
Cameron Reed	Shoreline
Diana Hart	Woodinville

<u>King County Staff</u>
Kobi Amo-Mensah, SWD staff
Nat Bennett, Office of Performance Strategy Budget staff
Mai Bui, SWD staff
Joy Carpine-Cazzanti, Haz. Waste Management Program
Emily Coleman, SWD staff
Jeff Gaisford, SWD staff
Kathy Hashagen, 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
Terra Rose, King County Council Staff
John Walsh, SWD staff
Selina Yang, SWD staff
<u>Guests</u>
Laura Moser, Waste Management
Kazia Mermel, Sound Cities Association
Diana Wadley, Washington State Dept. of Ecology

Call to Order and Introductions

Chair Sweet called the meeting to order at 11:20 a.m.

Meeting Minutes

Giem moved to approve the December meeting minutes; Reed seconded. The meeting minutes were approved unanimously.

Public Comment

Wadley said the new law about single use service ware went into effect Jan 1. More information is available at <https://ecology.wa.gov/Waste-Toxics/Reducing-recycling-waste/Waste-reduction-programs/Plastics/2021-plastic-pollution-laws/Food-service-ware>

Information about the 2021 State Solid and Hazardous Waste Management Plan is available at <https://ecology.wa.gov/Regulations-Permits/Plans-policies/Washington-state-waste-plan/About-the-plan>. All County and City Solid and Hazardous Waste Management Plans (as well as the State Plan) are now accessible in one location on BOX: <https://app.box.com/s/jmclql49c8h8xbtof64p3jqcgrmdw9hd>

SWD Update

McLaughlin provided the SWD update and welcomed Robert Clark, a newly elected Councilmember from Newcastle to MSWAC. He also announced the retirement of Jeff Gaisford, member of MSWAC since its inception and thanked him for his more than three decades of service.

Weather Events

- SWD persevered through the recent weather events and surge of Covid cases. We appreciate the consistent communications received from haulers as they too dealt with similar issues.

Republic Strike

- A labor dispute involving Republic Services that began in San Diego moved into the Seattle area yesterday. Employees with Republic Services in San Diego picketed several of Republic's local facilities as part of a sympathy strike effort. The labor dispute is not an action against or involving King County Solid Waste Division.
- The dispute comes at a time when commercial haulers are recovering from the service of the recent snowstorm. It is not known how long the dispute will last.
- We are staying in close contact with Republic and will keep you informed of any significant updates.

Tonnage Report

- Preliminary end of year tonnage is 880,766 tons, which up by almost 2% from 2020 (+16,000 tons).
- December 2021 snow events reduced tonnage by almost 9,400 tons (13.3%) compared to December 2020.

February Officer Elections

- In February you will elect officers (Chair and Vice-Chair). Please reach out to Dorian if you are interested in serving.

Mattress Recycling

- New mattress recycling fees went into effect at all stations Jan 1.
- SWD added mattress recycling services to Bow Lake, Enumclaw, Factoria, Shoreline and Vashon. But regardless of where they come in the system, there is a \$30 handling fee per piece in effect at all SWD locations.

Legislation

- Wednesday the 12th, the Regional Policy Committee (RPC) discussed Ordinance 2021-0267: establishing an advisory committee to make recommendations about how the county's regional solid waste system could make the transition to using waste to energy technology. This ordinance was proposed by Councilmember Dunn.
- McLaughlin said that per Council direction, SWD has submitted a regional plan about determining long term disposal options that has benefited from extensive advisory committee input. He shared highlights from multiple studies conducted over the past few years evaluating different disposal alternatives.

While those studies were conducted by third party experts with deep insights to the subject matter, they did not reach the same conclusion in all areas. However, there was one fact that is undisputed; any disposal alternative will be more expensive than our current local management of waste at Cedar Hills.

The most pressing work is to divert the hundreds of thousands of tons of recyclable materials being buried as waste. That not only creates jobs and is great for the environment, it also diverts tons from disposal. Then, when we eventually transition to the next and more expensive disposal solution, we will put substantially less through it and save tens of millions of dollars.

- There were a few comments about the proposed ordinance from RPC members. I would encourage you to [watch those testimonies directly](#).
- MSWAC members said the proposed advisory committee is narrowly focused on incineration without considering other options. If we're going to have a committee, perhaps it should consider a wider selection of options. They also asked that SWD highlight about proposed legislation of this type to allow them more time to respond.
- Each of the studies performed by third party experts resulted in different GHG results. The studies were done from different perspectives and assumptions and used different models which results in different conclusions. Each study brought value. Rather than trying to resolve the differences, our task is to identify them and the associated assumptions and use the information provided to inform choices.
- After discussion, Kassover moved "That this committee communicate with the King County Council that we are ready and able to provide advice on the next generation of disposal for King County." Thompson seconded the motion which passed unanimously.
- Sweet will suggest a similar motion at the SWAC meeting. SWD will provide staff support to draft the message so long as the advisory groups direct the content. Sweet will work with McLaughlin to create the content. Members interested in providing feedback will contact Sweet.

Legislative Update

Tan and Scholes briefed MSWAC on the 69th session of the Washington State Legislature. It is a "short" 60-day session that began on Monday, January 10, 2022, and runs through March 11, 2022.

Scholes will email the legislative update document with more detail to members.

SB 5697 The RENEW Act – including EPR for packaging and paper products

Extended producer responsibility (EPR) system for consumer packaging and paper products will require corporations to pay for the costs of residential recycling in WA. It will:

- Provide sustainable financing to recycling, saving money for local governments and residents
- Create a harmonized list of material collected from residents across the state, reducing confusion
- Provide access to recycling services to all residents across the state
- Increase reuse and recycling rates; and
- Ensure that materials are recycled responsibly

SB 5658 Truth in labelling and recycled content requirements

It will:

require accurate claims about recyclability on products and packaging

- add recycled content requirements for plastic tubs, thermoform plastic containers and single-use plastic cups.

Kassover mentioned she would be willing to testify on this bill. Sweet said more MSWAC members may be willing to do so. Tan will determine who is coordinating testimony.

Tan noted that SWD supports the elements of SB5658 but would prefer SB5697.

HB 1810 Right to Repair

It will:

- Require manufacturers of digital electronic products (i.e., those with a screen) to provide owners and independent repair businesses with access to parts, tools and specifications.

HB 1801 Repairability Index

It will:

- Require manufacturers of digital electronic equipment to provide a repairability score for the purposes of diagnosis and consumer information.

HB 1663 Landfill methane gas reduction

It will:

- Require landfills to install a gas collection and control system and/or submit an annual report based on their size and amount of methane emissions.

SWD has landfill gas collection and control systems and continues to evaluate this bill. We are in favor of advancing environmental controls but are looking closely at the details to see the impact of implementation. There is no funding associated with the bill.

The landfill gas collected at the Cedar Hills Regional Landfill is sent to a private entity called BioEnergy Washington (BEW.) BEW leases space at Cedar Hills and [transforms the landfill gas](#) into pipeline quality natural gas. They insert the natural gas into a nearby pipeline and sell it to PSE. We have a contract to sell BEW the landfill gas through at least 2030. We are familiar with the Port of Seattle's interest and are working with them on a study to create sustainable aviation fuel.

SB 5492 EPR for wind turbine blades

It will:

- Establish an extended producer responsibility program for recycling wind turbine blades.

HB 1799 Organic materials management.

It will:

- Require changes to divert organic material from landfills and reduce methane emissions such as:
 - Providing organics collection services to certain populations
 - Local governments must buy back finished compost from processors
 - Some businesses must separate organic waste
 - Reducing legal liability for food donations
 - Establishing the Washington Center for Sustainable Food Management
 - Update compostable products labelling
 - Creating a compost reimbursement program for farming operations

The bill does not focus on specifically on organics from multi-family residences but provides organic solid waste collection to all residents in jurisdictions such as King County. However, it does change the definition of what food can be donated to focus on safety and allows entities to sell goods at reduced prices to foodbanks. The stakeholder group that is involved includes food banks and food rescue entities.

Thompson is interested in seeing the details to ensure it doesn't conflict with the interests of small businesses such as dollar stores.

EPR for Batteries

It will:

- Establish an Extended Producer Responsibility (EPR) for batteries that requires battery producers to fund and organize the collection and reuse and recycling of batteries in WA.

The bill makes manufacturers responsible for collection and recycling costs and expands the types of batteries beyond what is currently collected at city halls and other locations.

Other bills

- HB 1686 - Allowing the labeling of biodegradable products that are supported by recognized national or international test methods.
- HB 1830 - Exempting certain reusable packing materials from sales and use tax
- SB 5837 - Removing plastic bags as an option for use at retail establishments.

Re+

Lui asked the committee to provide feedback on the Re+ introduction briefing document once it's been distributed to members.

The [application](#) period for the Re+ community panel is underway. We are looking for a diverse group of community leaders from across King County to shape how Re+ implements initiatives and strategies. If you know of anyone that would be interested in creating a more just and waste free King County, please forward the application information.

The Consultant Work Order RFP is on track to be signed in 2022 and will focus on mixed waste processing.

NextCycle Washington soft launch will occur later this month. There will be an open forum meeting in February. The Codesign process which reflects community priorities completes in March.

Shortly, we will also ask you to spread the word about the LinkUp Circular Economy Grants. These grants support local business/community projects to prevent or divert organics, plastic, and paper. There will be a simple online application process and grantees are expected to be announced in the second quarter of 2022.

Preliminary Rate Proposal

The objective of the presentation was to help attendees understand the preliminary 2023-24 rate proposal. That includes a preview of the rate and remaining assumptions/decisions needed. It also included a timeline.

The assumptions used in creating the preliminary rate proposal included updated tonnage, Capital Improvement Project (CIP) cash flow, inflation impacts, and budget adds. The tonnage forecast includes the impact of Re+.

- Tonnage: There are two scenarios; one with lower diversion of recyclable materials and one assuming a higher rate of diversion. The preliminary proposed rate is based on the diversion with a lower diversion rate. Remember that a higher diversion rate results in higher rate per ton.
- CIP cash flow: Capital costs will raise the rate by approximately \$39 per ton by 2028 assuming the South County Recycling and Transfer Station, the Northeast Recycling and Transfer Station, and landfill development projects continue on schedule.
- Inflation rate: We used a 4% inflation factor in the preliminary proposed rate. Ultimately, we will use the rate provided by the King County Office of Economic and Financial Analysis.
- Budget adds: This is based on historical averages.

With the proposed rate restructure, commercial haulers would pay a fixed annual charge in addition to a per-ton tipping fee. Halverson reminded attendees that there will be two smaller rate increase – one each year, instead of one larger one as has been done historically.

Pending decisions that may affect project rates include a yard waste increase to \$115 per ton, an update to the capital spending plan, a final tonnage forecast and decisions on budget saving and additions.

Council will consider the rate restructure in the first quarter of 2021. If passed, the cities and haulers need to update contracts and billing systems during the balance of the year. We will update the rate model and proposal and discuss it with advisory committees through May. In June the rate is transmitted to Council. Rates are planned to be adopted in September and the communication about new rates is sent in October.

The fixed annual charge will be paid by the “billing entity” which is whoever is billing residents. In most cases, it’s the hauler. If a city sends the bill, it may be the city. The billing entity will need to recover the annual fixed charge which may result in a change in the cities’ contracts with haulers. It all depends on how the disposal portion of the bill is escalated.

We encourage cities to meet with haulers on this topic. SWD is happy to provide technical support. However, how the billing is done and the contracts between the cities and haulers belongs to those parties.

Sweet said that because of the pandemic, she would be hesitant to make any statement regarding financial projections for Kirkland. Kassoover agreed, regarding Lake Forest Park. She also reminded members of the 1% limit on property tax increases which won’t cover inflation and will impact both cities and the County.

Member Comment

Members discussed responses for the Republic Services labor disruption. Some members said they were meeting daily with Republic Services. Others are creating drop off points for the citizens that can take advantage of that service. The labor disruption is due to picket lines at Republic Services locations in

Snohomish and King Counties. There is a contract dispute in San Diego and local drivers are honoring those picket lines.

Members were reminded of the elections at the next meeting. If you are interested, reach out to current officers, McLaughlin or Waller.

Adjourn

Meeting adjourned at 1:19 p.m.