

**King County Solid Waste Advisory Committee  
August 18, 2017 - 9:00 a.m. to 11:25 a.m.  
King Street Center 8th Floor Conference Center**

Draft Meeting Minutes

<b>Members Present</b>	<b>King County Staff</b>	<b>Others</b>
April Atwood	Jamey Barker	Cynthia Foley, Sound Cities Association
Gib Dammann	Krista Carmenzind	Ian Sutton, Parametrix
Karen Dawson	Jenny Devlin	
Jean Garber – Chair	Jeff Gaisford	
David Hill	Beth Humphreys	
Kim Kaminski	Ross Marzolf	
Kevin Kelly – Vice Chair	Pat McLaughlin	
Keith Livingston	Meg Moorehead	
Barbara Ristau	Terra Rose	
Penny Sweet	Eben Sutton	
	Christie True	
	Kim van Ekstrom	

**Minutes:**

Chair Garber submitted a correction to the Third-Party Review portion of the minutes in order to attribute comments to advisory members. After several minor amendments to the correction, the July minutes were unanimously approved as amended.

**Updates**

David Hill announced that his SWAC term expires at the end of September and that he has asked the Sound Cities Association to appoint another member to SWAC. He said that he will still attend MSWMAC. Chair Jean Garber’s term also expires at the end of September.

Chair Garber also announced the recent passing of Joan McGilton, a former mayor and council member of the City of Burien and a long- time member and Chair of MSWMAC.

Garber attended the recent Teamster meeting where Councilmember Kathy Lambert was scheduled to present on waste to energy facilities but left as all non-union members were asked to leave before the meeting started. She also shared that through a public disclosure request with the King County Solid Waste Division she learned the contract with Normandeau, Inc. for third-party review of waste to energy options for possible long term disposal was not for \$233,000 as originally reported, but \$250,000. SWD Director Pat McLaughlin stated that the contract is only currently authorized at \$233,000; per his discretion it can be raised to \$250,000 if a need arises, but that is not anticipated. Keith Livingston expressed an interest in seeing Normandeau’s scope of work for the contract. The committee was reminded that the scope of work was distributed by email on July 6, 2017.

## **SOLID WASTE DIVISION (SWD)**

### **SWD detects elevated methane levels at Duvall Closed Landfill**

During quarterly monitoring at the Duvall Closed Landfill, SWD detected elevated levels of methane at one of its gas probes that exceeded allowed regulatory limits. Out of an abundance of caution, SWD dispatched engineers, communications specialists, and its third-party consultant, AMEC Foster Wheeler, to test for methane in homes within 1,000 feet of the probe. In all the homes that were tested, no methane was detected. SWD has added advanced monitoring equipment and installed a treatment system to filter the methane near the probe site.

### **SWD receives historic amount in rebates**

In June, SWD saw a historic high (\$42,735) in the monthly amount paid by Republic Services as a rebate against hauling costs. SWD receives rebates from Republic Services because both the county and the contractor recognize the importance of using recycled materials rather than virgin materials. The county's practice is to negotiate contracts where both the county and the contractor share the risk and the reward of changing commodity markets. The hauler retains a percentage of the rebate amount to cover their operating costs with the balance being paid to the county. In this case, the rising commodity prices for cardboard are off-setting a larger portion of the hauling cost, which remains relatively fixed. If the prices fall too far, the hauler retains a base amount to cover the hauling cost, so higher commodity prices mean lower hauling costs. The total amount deducted has risen because of a combination of increased amount of materials recycled, mainly cardboard, as well as an increase in commodity prices, mainly cardboard but also mixed paper in some cases. SWD has received a total of \$206,792 in off-setting rebates the first half of this year which is \$90K higher for the same period last year.

### **Water issues at Factoria**

Last week, SWD employees at the new Factoria Recycling and Transfer Station noticed discolored water in the misting system at the station. As a precaution, the division provided bottled water for drinking and sanitation stations for hand washing. Water samples were sent to the lab for testing. Results of that testing are expected by Wednesday. (UPDATE: Lab tests confirmed water to be safe. Discoloration was caused by a bad filter. All systems are now back to normal)

### **Staff Update**

SWD Intergovernmental Liaison Olivia Robinson took a new position in King County Wastewater Treatment Division. Recruitment for her replacement will begin immediately.

### **MSWMAC Update**

MSWMAC Chair Penny Sweet noted the August MSWMAC meeting shared the same agenda as the August SWAC meeting. She will notify MSWMAC of Garber's amendment to the July SWAC minutes.

## **Comp Plan Presentation: Transfer and Finance Policies**

Today's presentation is the last in a series of discussions about policy proposals put forth by the division prior to drafting the Comp Plan; importantly, it is not the last opportunity for advisory committee members to provide input, since there will be further discussion on the Draft Comp Plan and there will also be a public comment period.

Beth Humphreys, SWD, delivered a [review](#) of an earlier presentation on the proposed policies outlined in the Transfer chapter of the Comp Plan.

The first policy of the chapter is: *Provide solid waste services to commercial collection companies and self-haul customers at transfer stations, and to self-haul customers at drop boxes.* There were no questions, comments, or concerns with this policy as proposed.

The second policy: *Provide solid waste transfer services in the urban and rural areas of the county based on local and facility conditions and interlocal agreements with King County cities.* There were no questions, comments, or concerns with this policy as proposed.

The third policy: *Work with cities and communities to develop mitigation measures for impacts related to the construction, operation, and maintenance of transfer facilities, as allowed by applicable local, state, and federal laws.* There were no questions, comments, or concerns with this policy as proposed.

The fourth policy: *Build, maintain and operate Solid Waste Division facilities with the highest green building and sustainable development practices.* Garber asked if the highest green building standards were different than the LEED Platinum level. Humphreys noted the Cascade branch of the Green Building Council which administers the Living Building Challenge - is higher than LEED Platinum in that facilities built under that program are built to be restorative, meaning that they must produce their own energy and provide wastewater treatment on-site, among other environmentally sound practices.

Gib Dammann commented that the first three policies ought to include communications and customer satisfaction components. Karen Dawson said it would be great if the fourth policy included landscaping. Humphreys noted that Salmon Safe is another rating system that incorporates landscaping practices. Garber said the policy should include the word "properties." Barbara Ristau asked if the first two policies include recycling in the phrase "solid waste." Humphreys noted that recycling is included in the phrase "solid waste" and in addition, there is a separate policy addressing recycling as it is fundamental to SWD's business.

The fifth policy: *Provide for collection of recyclable materials at all transfer facilities – recognizing resource limitations, availability of markets, and service area needs – focusing on maximum diversion of recyclables from the waste stream and on materials that are not easily recycled at the curb or through a readily available producer or retailer-provided program.* There were no questions, comments, or concerns with this policy as proposed.

The sixth and final proposed transfer station policy is new to the updated Comp Plan: *Maintain a public and private mix of solid waste transfer and processing facilities.* There were no questions, comments, or concerns with this policy as proposed.

There was general agreement these proposed policies are sufficient for inclusion in the draft Comp Plan.

### **Comp Plan Presentation: Transfer and Finance Policies**

Meg Moorehead, SWD, presented the Comp Plan's finance policies. Beginning with the creation of four finance categories, the existing 17 policies are now either revised policies or were converted into actions.

The first policy proposed: *Assess fees for use of the solid waste transfer and disposal system at the point of service.* There were no questions, comments, or concerns with this policy as proposed.

The second policy: *The fee charged to customer classes will be the same at all facilities, unless the Metropolitan King County Council determines a change in the rate structure is appropriate.* There were no questions, comments, or concerns with this policy as proposed.

The third policy: *Utilize the assets of the Solid Waste Division exclusively for the benefit of the solid waste system. If the division's assets are used by others, require full reimbursement for the value associated with the use, transfer, or sale.* There were no questions, comments, or concerns with this policy as proposed.

The fourth policy: *The County General Fund will not charge use fees or receive other consideration from the Solid Waste Division for use of any transfer facility property in use as of November 5, 2013. The division's use of assets acquired by other separate County funds is subject to use fees. If the division ceases to use a property, all proceeds from the sale or other use of such property are due to the owner of record.*

Livingston asked if there was pressure on SWD, as an enterprise fund, from King County to transfer more money into the General Fund. Moorehead said SWD would not contribute to the General Fund unless there was a specific benefit received by the division, for example SWD buys central county services such as IT administration. Kevin Kelly noted the State of Washington does not allow enterprise funds to fund general fund budgets. Moorehead reiterated only in the case of the enterprise agency receiving a specific benefit for the funds.

The fifth policy: *Maintain a Solid Waste Division financial forecast and cash-flow projection of four years or more.* There were no questions, comments, or concerns with this policy as proposed.

The sixth policy: *Maintain reserve funds and routinely evaluate the funds for long-term adequacy and set contributions to maintain reasonable rate stability.* There were no questions, comments, or concerns with this policy as proposed.

The seventh and final policy: *Finance capital projects using various options including an appropriate combination of cash and debt.* Livingston asked if SWD uses capital bonds to fund projects. Moorehead said the division uses general obligation bonds.

There was general agreement these proposed policies with the suggested amendments were sufficient to include in the draft Comp Plan.

### **Comp Plan: Schedule and Next Steps**

Moorehead presented a proposed schedule change to the next 4-6 months of the Comp Plan planning process. The division requests that the two advisory committees hold joint meetings to discuss text and policies in September and October. This change will give the division more time to incorporate input, format the draft Comp Plan so it can be ready for the 60-day public comment period from mid-December – early February.

Garber would like time added to the schedule to review the third-party review of mass incineration options. Moorehead explained the findings from the third-party review would be incorporated into the draft comp plan in the chapter discussing long term disposal options in a side by side comparison with waste export and expanding the Cedar Hills landfill.

Dammann wanted to know about the division's plans on outreach ahead of the public comment period. Moorehead said there would be three public meetings. Kim van Ekstrom, SWD's communications supervisor announced the division will be using a new online tool provided by the county to allow people to read the Comp Plan and make comments, and comment on other people's comments. There is a draft communications plan in development that also includes social media and multilingual outreach. Dammann asked that a copy of the communications plan be made available for advisory committee comment. (Request noted, will provide a copy when it is completed)

Dawson wanted to know how many public comments the division received regarding the scoping document for the EIS advertised in the Maple Valley Reporter. Humphreys said 20 comments were received. Dawson suggested the public comment period for the Comp Plan run from January to March since there will likely be none made during December. Moorhead said the public comment period will likely run between mid-December to early February. The comment period is required to be at least 30 days and after consultation with the Department of Ecology, the division is making it 60 days. Dawson suggested the division consider scheduling the public meetings for different times of day and provide child care to obtain diverse feedback beyond the usual homogenous group of 55+ year olds who attend public meetings.

Kim Kaminsky asked if there would be a draft plan to review in September and October to discuss in an advisory committee meeting. Moorehead explained that Humphreys has been editing the 2013 Transfer Plan as a base for the Comp Plan since March 2017. The 2013 Transfer Plan has a lot of the Comp Plan text, although some of it is outdated. It is available online if anyone wants to read it. Moorehead proposed the advisory committees consider meeting jointly twice in October in order to have more time to discuss the draft Comp Plan. McLaughlin said an electronic copy of the draft plan may be available for the September meeting. Moorehead expressed a willingness to host an advisory committee meeting over Skype in

October. Garber expressed gratitude to those members who take time from their jobs in order to attend advisory committee meetings. Sweet commented that city representatives have access to listservs the county can use to promote the public comment period.

Sweet also wanted more clarification on how the Normandeau study will affect the Comp Plan. McLaughlin explained that the findings from the study of waste to energy options will be presented alongside waste export and expanding the Cedar Hills Landfill in the long-term disposal option chapter. The chapter likely will look different than the other chapters to highlight options for policy makers. It will reflect analysis conducted by SWD staff. Garber asked if the Comp Plan would include policies about long-term disposal options. Moorehead explained the advisory committees have seen all the proposed policies.

Garber asked if developing Area 9 would involve changing permitting. McLaughlin replied that the landfill option includes a variety of ways to expand capacity such as making the landfill higher or wider. Sweet asked if the Comp Plan was leaving the long-term disposal option as a Maybe. McLaughlin said the chapter would identify what circumstances would trigger a decision in a particular direction. He reiterated SWD needs feedback from the city of Kirkland (whom Chair Sweet represents on MSWMAC) and other stakeholders as much as it needs to hear from King County Council; the public-draft Comp Plan provides context for a decision in the final plan.

Dammann asked the division to consider adding attachments or the background work the division has already done on multi-family housing since adding it would provide key valuable information to the Comp Plan and would be an opportunity to build on and showcase that good work.

Livingston expressed concern the 60-day public comment period and the Department of Ecology's 120-day comment period would not allow the division enough time to reconcile comments. Moorehead explained Ecology receives the public responses and generally provides comment on the process of the Comp Plan and whether the plan meets state requirements. Livingston asked if the advisory committees will get to have their own reconciliation. Moorehead said all comments from the public and Ecology will be shared with the advisory committees. Livingston asked if March 2019 was a hard deadline. Moorehead said no, the state process is very extensive.

Livingston expressed concern that the advisory committee was being railroaded with the third-party review since they were not part of the dialogue and are not given time to read the review. Moorehead said the results of the review will be shared with the advisory committees when it is finalized. McLaughlin reiterated the review is Normandeau's work product, which will be considered for inclusion in the draft plan alongside the other options. The advisory committees will see the draft Comp Plan two months before it goes to the public so that it will ultimately reflect the needs of the region. Garber shares Livingston's concern.

Garber asked if HDR's food waste anaerobic digestion study would be part of the draft Comp Plan. Moorehead said it would be part of the disposal chapter, but it is expected to be only a

small part of the long-term disposal method. She is available to talk about it with SWAC once the Comp Plan is off the agenda. Garber asked that the topic get scheduled on a future agenda.

### **Rate Restructure Discussion**

The fact that the division is funded by revenues assessed on a per ton disposal charge is at odds with the fact that the division has policies aimed at reducing the number of tons disposed. Since 2000, recycling and waste prevention efforts have diverted almost 2 million tons from the landfill, thus the challenge to bring in enough revenue to fund facility maintenance, and ongoing waste prevention and resource recovery programs.

The division hired a consultant, FCS Group, to study the best rate structure for the division while meeting these goals:

- Restructure collects same dollar amount as current structure
- Improves rate stability to smooth future rate increases
- Better matches revenue to division's fixed and variable costs
- Allows for low-income discount option for self-haul customers

Although the study is not yet complete, a preliminary draft proposes a mixed revenue stream consisting of a curbside account fee, and a container volume fee. It also includes a transfer station access fee for self-haulers (the division's only retail customers) and continued per ton fees. The division, as a wholesale provider, needs to know how a new rate structure would affect communities, businesses, and cities and what other factors ought to be considered on the retail end before deciding whether to implement study recommendations.

Kelly asked how much of the recycling rebate mentioned during SWD updates at the beginning of the meeting goes toward recovering the costs of hauling recyclables. Jeff Gaisford, SWD, said the rebates largely come from tin, aluminum, and plastic and offset some of the cost of hauling recyclables. Last month was the first month SWD did not have to pay for hauling for recycling services.

Livingston commented he found the graph in the presentation confusing since it showed a forecast of lost revenue due to recycling but it did not reflect the current 50 percent recycling rate.

Garber asked if the cubic yard fee would be based on the size of a container. Moorehead said yes, and also upon frequency of collection. Gaisford said it was basically a capacity charge.

Livingston asked for a hauler's perspective on how to incentivize curbside recycling with this proposed restructure. Kelly said that when haulers set a rate on a 32-gallon container they are taking a gamble on how a homeowner will fill it – whether it is full of bricks or feathers – their customer pays the same since they pay on capacity volume, but the hauler would pay for the actual tonnage to the landfill. Livingston said ultimately this rate restructure trickles through and wondered how it would affect the haulers' operations. Kelly said it would not affect it that much from a rate standpoint; curbside customers can still reduce their rate if they reduced their cart size as they do today.

Moorehead pointed out that the effect on most curbside customers would be negotiated in the contracts between cities and the haulers. Livingston suggested that a lot of discussion needs to take place. Moorehead agreed and said this was only the very beginning of the conversation. Ristau suggested the division has signage at the transfer stations that clearly states what self-haul customers can anticipate paying. Dammann expressed concern that the proposed rate restructure looks like people are paying twice for the same waste disposed. Garber said a per ton charge is easier to explain to people and utilities can add a conservation rate to cover fixed fees. Sweet said there are other agencies that charge rates the same way the consultants are proposing SWD do and that it is easily transferrable; although there are the usual concerns about change, this proposal represents a long-term strategy that needs to be looked at.

### **Open Forum**

Dammann gave a shout out to Cedar Grove who gave members of Vashon's community a tour of their facilities where they learned an incredible amount. He says Cedar Grove is doing a tremendous job. He also spoke about the matching grant victories for the new anaerobic digester on Vashon Island designed by Impact BioEnergy.