

King County Solid Waste Advisory Committee
February 19, 2021 - 9:30 a.m. to 11:30 p.m.
Virtual Meeting (Zoom)

Meeting Minutes

<u>Members Present</u>
April Atwood, Marketing - Vice Chair
James Borsum, Labor
Gib Dammann, Interested Resident
Karen Dawson, Manufacturing
Phillipa Kassover, MSWMAC
Kevin Kelly, Waste Mgmt Industry - Chair
Heather Trim, Public Interest Group
Bill Louie, Interested Resident
Leah Tischler, Public Industry Group
Wendy Weiker, Hauling Industry

<u>King County Staff</u>
Lane Covington, KCC
Jenny Devlin, SWD staff
Jeff Gaisford, SWD staff
Brian Halverson, SWD staff
Lindy Honaker, SWD staff
Pat McLaughlin, SWD Director
John Walsh, SWD staff

<u>Others</u>
Taylor Atkinson - pending member, Interested Resident
Natalie Caulkins, Republic Services
Rory O'Rourke, Public Health Seattle & King County
Ryan, CBE Strategic
Jackie Wheeler, Sound Cities Assoc.

Call to Order and Introductions

Due to technical issues with Chair Kelly’s microphone, Vice Chair Atwood called the meeting to order at 9:34 a.m. McLaughlin introduced newly-appointed members who were confirmed by the King County Council on February 16, 2021. Taylor Atkinson’s appointment is still pending.

Minutes

Dammann made a motion to approve the January minutes, which was seconded by Kassover and approved unanimously.

Public Comments

Natalie Caulkins from Republic Services announced an event she is co-organizing with the Washington State Recycling Association: WSRA’s “To Shred or Not to Shred” Event on March 3rd from 9:30 a.m. – 11:00 a.m. This event is free and open to all who want to attend. It will be about shredded paper, which cannot go in curbside recycling containers because the scraps are too small to sort. This event be about what should and shouldn’t be shredded. Someone from Attorney General’s office will discuss shredding misconceptions. People from the shredding company Shred-It will talk about their process of making paper plates and towels from collected shred. A third speaker comes from Norpack, a paper mill in Tacoma, who will talk about lengths of paper fibers because paper is not infinitely recyclable. They will talk about common contaminates and other issues they have while recycling paper. This event is for recycling outreach educators and for people who want to learn about paper recycling and how to protect your private information while keeping the environment in mind.

Gaisford said he will share information about this event with committee members.

Kelly offered to pay the costs of increasing the limit of online event participants (an estimated \$40) on behalf of SWAC, as a new sponsor to the event.

Updates

Division Director Pat McLaughlin provided the SWD update:

Snow Forecast

The division was prepared for the predicted snow was not anticipating any disruption of service but will notify host cities if the weather affects operations at the transfer station. Haulers were planning on operating on their normal routes, albeit slower given road conditions.

2020 Odor Analysis Report

The division shared a one-page [2020 Odor Fact Sheet](#) including a summary of odor management protocols and statistics collected in 2020. There were 24 odor complaints for the year: seven of which were related to the recycling and transfer stations, 17 from the landfill. The report said the most common sources of odors was compost then smoke in surrounding communities.

NERTS update

- Four candidate sites have been selected for consideration for SEPA. The sites are in Woodinville, Redmond, and two in Kirkland, including the site of the existing Houghton Transfer Station. A decision on which sites to advance to SEPA is expected in April.
- A public survey seeking community members input and comments on the four sites is available on the project website kingcounty.gov/northeast. The survey closure date was extended from 2/9 to 2/18 to give community members more time to participate. Over 2000 responses have been received so far (1.5% in languages other than English).
- SWD staff will continue reaching out to community groups and offer discussions on the project. If you know of a group interested in a presentation, please contact the project at northeast@kingcounty.gov.
- Staff presented at the monthly meeting of the South Rose Hill – Bridle Trails Neighborhood Association on 2/9; neighbors expressed their perspectives in Q&A and comments. Other presentations are planned for the Houghton Community Council (2/22) and the Rotary Club of Kirkland Downtown in March.

Sustainable Salvaged Wood e-Tour

- The e-tour took place on February 5th with over 50 people in attendance, including various MSWAC and SWAC members and King County Councilmember Kathy Lambert.
- We want to thank representatives from Second Use, City of Portland, ReUse Consulting, and Sankofa Lumber, and salvaged wood scientist Raphael Arbelaez, for leading different segments of the tour.
- We anticipate this tour will spark in the attendees the drive to actively support the transition of unpainted/untreated wood from deposition in landfills and use as a fuel to incorporation in new building products.

State Legislative Update

SWD's Recycling and Environmental Services section manager, Jeff Gaisford presented the [legislative update](#), which was emailed to SWAC members.

Atwood said it is hard to keep track of which bill is which, especially the Extended Producer Responsibility-related (EPR) bills. She said it sounds like there is some focus on recycled content but a whole bunch of post-consumer content (PCR) that is not continuing. From what she heard, she said, there does not seem like a lot of responsibility on producer side, only labeling. She asked if there was any remnant of closing the loop.

Gaisford asked Trim if she would explain how the bills have morphed. Trim said 5022 from Senator Das was a big product stewardship bill which takes multiple years, so there is a substitute bill Gaisford described. There

are other bills with different approaches pushed by WRRRA but, she agreed, it is very confusing with all the similar names. Gaisford said the current substitute bill 5022 is still alive and it has post-consumer content requirements for plastics so it advances making better plastic and chips away at other issues in the broader EPR bill. Trim said that bill is aligned with a plastic bottle bill passed in California in August.

Kassover said the whole EPR focus seems to be dribbling away and asked if Gaisford or Trim believe there is still an appetite for EPR, or if it is because everything else the State is dealing with, they have to set it aside. She said it is a big gnarly problem, but it is an urgent one. Trim said because of COVID-19, the House has four priorities this year and climate change getting more of a push, climate bills that have been in the works for many years.

Gaisford said other EPR bills were multiyear efforts, and when the session is done, we will reconvene and discuss the next steps going forward for both the bills that pass and those that didn't.

Kassover clarified that they don't see a waning in interest on the part of the legislators, just a delay. Trim said more or less. Trim said next year it could be a very different bill, it is hard to say at this point.

Trim said there is an organic waste bill meant to be a conversation starter this year about banning a percentage of organic waste disposal at landfills by a certain date, in lieu of that bill, there is a budget proviso of \$300,000 for WSU to research thorny issues in organics recycling such as apple maggot, methane emissions standards for landfills, and soil carbon sequestration, and the municipal use of compost. She said the conversation is alive although the State said anything with a fiscal note is dead on arrival. She said it would be super helpful for moving things forward.

Atwood asked if Gaisford and Trim had any insights where opposition to these bills might have come from. She asked who the players are who are controlling the development of these bills.

Trim said there are ten EPR bills around the U.S. right now. She said there is a lot of flux going on, with the waste producers shifting to support. She said there is an EPR bill Oregon with good legs, and it may pass. There are a lot of moving parts. She said the EPR bill, 5022, in Washington never got heard but there was a stakeholder meeting with 107 participants in December with lot of interest in this bill from positive and negative perspectives, but there is room for constructive dialog when session ends and we see what happens in other states and people do analysis of it. She said she believes there is a path forward but we have to "thread the needle" and address all the concerns of all the stakeholders.

Weiker said it would help to bring stakeholders in on the conversation about Washington's EPR bills earlier, including private industry representatives, instead of letting them hear about legislation in the 11th hour without a robust conversation along the way and being clear about which materials they have issues with, especially plastics. She said having a wider table to begin with is better policy. Trim said that will be starting now and moving forward.

MSWMAC Update

MSWMAC member Kassoer said the agendas for the two meetings were the same; there was a lot of information about the legislative report, and they held elections for the Chair and Vice Chair where the incumbents both unanimously won another term.

Kassoer reported on the feedback the city representatives gave the division about the rate. She said it was interesting the cities had change of heart since early in pandemic, when people wanted costs to rise at a slower, smooth curve. She said now we are looking more hopeful that the pandemic will end and economy hasn't suffered critically as feared, although still not that great. She said people were more interested in being up front with what the real costs of solid waste are and closing gaps in costs and revenues earlier.

McLaughlin said there was a presentation on options for service reductions, which is the only way to save money. He said the general sense he got from cities was there was not much interest in pursuing the service reductions that would be required if we had to make operational reductions. Kassoer agreed and said there is no interest at all on service cuts on the part of cities.

SWAC Membership News

McLaughlin said he has discovered some administrative oversights. He began by describing how SWAC is constructed, per King County code and SWAC bylaws: committee members have to be recommended by the Executive's office and confirmed by county council. He said SWAC has a total of 20 positions and they must have no fewer than nine. The committee is supposed to have broad representation of citizens, waste industry, marketing, recycling, local manufacturing, and agriculture.

He said the clock on the terms never stops running for those 20 positions, whether someone is in that seat or not. He said this meant the four new members joining the committee will be on board for a partial term. Everyone is limited to serving two full terms, three years each, so everyone is allowed to serve six years, but he noted, the partial years don't count toward that limit. When partial terms expire, members will go through a re-appointment process.

He showed a slide with a diagram showing the positions of the SWAC members and their staggered terms. He pointed out vacancies for an interested resident, an agricultural representative, and a near-neighbor position for someone living within a mile of the landfill.

He said there was an election last October, where Kelly was elected Chair and Atwood Vice Chair. But both of their second terms had expired by then and technically they should not be serving on the committee. He said this is a terrible oversight on the division's part and he apologized for that.

McLaughlin said he checked with the Executive's office and received guidance that Kelly and Atwood should continue to serve until the next election in October. He hopes they agree. Atwood agreed, Kelly did too, but added he wants to make sure others in the committee are okay with them staying. Kassoer said she was grateful they are willing to do it.

McLaughlin said they now need to recruit for Kelly and Atwood's positions, not just as committee leaders but those spots specifically representing the waste industry and marketing. McLaughlin said Lee's partial term is expiring soon and will need to confirm his interest in reapplying. Weiker will also need to be reconfirmed soon, and she said she will reapply.

McLaughlin said he will commit to regular check-ins with the members, and suggested they help recruit from their networks, keeping in mind the election is in October.

McLaughlin noted Dammann's term also expired and added while no one is allowed to serve more than two terms, they can take a six-month leave of absence and reapply.

Dammann said when he signed on, he assumed it was a lifetime position, so he is disappointed. He said he believes his term will be up in October because he signed up for a partial term filling-in for Bob Dickson. He added it took him a long period of time before he felt like he contributed to this committee. He noted the graphic shows varied experience among the members, so if the committee is losing Kelly and Atwood too, then SWAC is losing a lot of experience. He asked if there is flexibility to extend terms, maybe by rewriting the bylaws to let people with experience stay on the committee.

McLaughlin said Dammann had a good point and the division has benefited from his active contribution and others in past. He said we need to monitor these terms more closely so the term ends don't sneak up on us, adding the term limits are dictated by the county itself. He said it will be difficult to imagine the conversations without the benefit of his experience.

Kelly noted the committee meetings are open to the public, so former members are welcome to attend and participate. He said all organizations benefit from the addition of new perspectives, adding we need to work harder to share knowledge so others can be good advisors to the county.

Dawson said she agrees with Kelly and the committee needs more diversity of thought, and more diversity on SWAC as a whole. She said it is important terms are turned over and is surprised this lapse happened as it seems straightforward and easy to monitor. Dawson said the point of these being open meetings means you can get involved as much as you want. She said she thinks it would be great to bring in new ideas and think about the future of SWAC and cultivating new people to join and not just when someone's term expires in a month.

Kassover said she also believes in letting terms expire and getting new people involved is very important. She said if you look at public service, in any country, it gets to a point where channels are blocked, and new young people are not allowed to lead. She asked, seeing several citizen positions open and knowing a few people who would be good candidates, how should she talk to them about the committee and how to nominate them.

McLaughlin said he will forward a [link](#) to a recruiting brochure describing this committee and how it works. He said to tell any potential candidates to get in touch with either him or Joy and they will walk them through the application process, provided they met the requirements. He added it would be great if we could have good broad coverage of county.

Kassover asked if she should communicate with her council member regarding these kinds of positions. McLaughlin said yes, if she thinks that would help in terms of broadening awareness, and they might have other opportunities to engage with other community members who want to serve. He noted this virtual mode makes it easier to participate. He said it was difficult to recruit for these positions partly because of the logistics of traveling to downtown Seattle.

Kassover clarified said she meant her King County council representative, Dembowski. She asked if he would need to need to know if there are potential candidates. McLaughlin said anyone can nominate someone to apply, but it would be the Executive who makes recommendations to the council.

Kelly said he participates on a nonprofit board that does not meet as frequently as SWAC, but they always discuss the status of the board and recruitments. While, he said, he does not know what would be the right tempo for that conversation, but maybe SWAC could have quick update in the packets, at least for the next couple of months for if we wait until summer, it will be too late. McLaughlin agreed and said the division will send a report summarizing the recruitment status.

2022 Rates

SWD's Strategic manager, Brian Halverson said his presentation will begin with a review of the preliminary rate presentation in January, followed by a discussion about recycling fees and then about the consequences if there was no rate increase in 2022.

Last month, Halverson presented about tonnage forecasts being better than anticipated when the division submitted the budget to council which now leads to increased projections about 129,000 tons over the next three-year period than anticipated during the last forecast.

On the capital-spending side, Halverson reminded committee members that the division is entering a high-spending phase from 2021 - 2026, spending an estimated \$500 million, which will increase debt service, so the division expects to increase the rate by \$32 by 2026. The capital projects include two recycling and transfer stations which will broaden access to recycling, extend the life of the landfill, and provide up to 1,400 jobs.

Halverson said these were bond-funded projects, with another \$60 million for non-bond funded projects. Halverson described the division's environmental investments including \$7 million toward the division's goal of zero waste of resources which could also create new jobs if more people needed to be hired at material sorting facilities, for example. The division also plans to spend \$2 million toward carbon neutrality.

Halverson noted the division also identified over \$40 million in savings over the biennium, but these were one-time savings and it is unlikely the division will find those savings in the future.

Then Halverson presented a review of the three preliminary rate scenarios: No Increase, the Middle Path, or the scenario used to build the Adopted Budget. Halverson said regardless of what scenario is selected, the division will wind up in the same spot.

He then reviewed the list of pending decisions and information that will affect projected rates such as the updated tonnage forecast update, whether or not flow control matters are resolved, the revenues from the sale of surplus property, the costs of relocating landfill support facilities, and the labor savings resulting from potentially shifting to five-day operations.

SWD's Strategy, Communications, and Performance manager John Walsh presented on the division's goal to recover costs from recycling yardwaste and mattresses. The division's yardwaste fee has been \$75 a ton since 2013 and thus the division has spent \$300,000 more on yard waste and wood waste than what is collected in 2019 - 2020. The more yardwaste collected, the more money the division spends. In 2019, it cost an estimated \$112 per ton to recycle yardwaste but it is probably closer to \$114 per ton since Cedar Grove increased their rates last year.

Walsh said the committee discussed two options to address cost recovery: an aggressive option (going from \$75/ton now toward \$100/ton then up to \$115/ton in 2023) and a gradual option (incremental increase over five years instead of two). The downside of the gradual option is the division will continue to lose revenue on recycling yardwaste so the tipping fee will need to be raised higher to cover the costs.

Kelly asked for questions or thoughts from committee members. Dammann said the more we charge people, the more we incentivize people to not properly process their nonorganic waste.

Borsum said he agrees with Dammann and said the gradual approach makes sense because it's a better pill to swallow.

Gaisford asked Walsh how many customers pay the minimum charge as compared to the minimum garbage charge. Walsh said over the past three years, 40% of our customers pay the minimum fee so about half of these transactions would be paying \$16, not \$100 per visit.

Trim asked how these rates compare to adjacent counties. Walsh said looking online, Seattle charges \$21 minimum, or \$113/ton. Kelly says [Ecology has nice map](#), last updated in 2017, showing the tipping fees in each county.

Dawson asked if it was illegal to dispose of yardwaste in the garbage in King County, and if so is this a moot point. Gaisford said there are two answers: curbside customers cannot put yardwaste in garbage, and self-haul customers who come to transfer stations, if there is recycling services offered, they have to recycle the yardwaste. Otherwise, such as at Houghton, it would have to go in the garbage, but at Factoria, it would be recycled. Gaisford noted the division is stepping up customer engagement at those stations so customers know to do the right thing.

Dawson said that is awesome and asked if the county publishes other recycling options for consumers. She said she recycled two mattresses through Recology for \$22.50 each. She noted it is cheaper to go to the Maple Valley facility with yardwaste. She said consumers should know what their options are.

Gaisford said the division has a "What do I do with..." webpage listing all the options searchable by materials, which happens to be the division's most visited webpage. He said the haulers do a good job of communicating options.

Kassover asked who is bringing yardwaste to the transfer stations, and does anyone actually bring a whole ton, besides the haulers. Gaisford asked Walsh if the division captures that information. Walsh said there are landscaping companies with commercial accounts. Kassover says she sees landscapers at the transfer station, but they usually have just one load, which is not likely a whole ton.

Dammann said the delivery of yardwaste to transfer stations depends on if people have curbside service. He said he figures most of the yardwaste deliveries to the transfer station on Vashon comes from small ¼ - ½ acre properties in the back of a half-ton truck, while probably 20% of trips are from landscapers.

Caulkins said it depends contract to contract as to whether yardwaste service is embedded in curbside garbage collection charges. She suggested since the division is looking at the zip codes of transfer station customers to ensure they live within the King County system, it would be good if that information was

captured, so the division has a sense of who is not required to have curbside service, and if that is why they are using the transfer station because it is more economical for them.

Pivoting the discussion from yardwaste to mattresses, Walsh said mattresses are big and bulky, and according to the waste characterization study, there could be 300,000 mattresses disposed in our system a year. Last year the division proposed a \$30 handling fee at the transfer stations, picking that amount because the processors charge around \$25-30 if a customer goes directly to their facilities. He said he was reluctant to imagine recouping \$9 million in mattress fees, so they will estimate 150,000 mattresses for now and asked if there were any thoughts if we charged a mattress handling fee at our stations.

Kelly said it makes sense to him since mattresses are probably about the worst thing put in a landfill.

To clarify the definition of handling a mattress, Walsh said the division piloted mattress collection at Bow Lake last year, where the division accepted mattresses and box springs and loads them on a truck for delivery to the processor. At stations where there is no recycling, such as Houghton, the mattresses would be disposed of at the landfill. Once a decision is made, the recycling fees will be posted on the website and on a menu at the transfer stations.

Walsh said his next two slides were in regard to considerations for committee members should the division were to go a second year without a rate increase in 2022, which means the 2023 rate would need to be increased by 22.5% and be unlikely to pass. To reduce the large increase, the division would need to implement cost savings measures to buy down the rate increase. The first slide described a variety of service reductions, such as closing the transfer stations between Friday and Sunday, which could save \$2.5 million a year and lower the 2023 rate by 4%. While it would reduce the rate increase to 18%, self-haul customers would need to line up during the week with the commercial haulers, increasing traffic and wait times. Therefore, the division may have to hire flaggers, and haulers may increase their rates or reduce their curbside collection. The division risks losing customers because people may take their business elsewhere.

Walsh also offered the division could close transfer stations that receive low tonnage and let nearby stations absorb those customers, such as the Cedar Falls drop box which receives less than 1% of the division's tonnage. Walsh suggested those customers could be directed to the transfer station in Factoria. The Renton transfer station receives 7% of the tons, so if that station closes customers can go to Factoria or Bow Lake. The division could also consider closing the overnight shift at Bow Lake.

Walsh said another consideration could be the discontinuation of recycling services at the transfer stations, which could save \$4 million a year. While this would reduce the rate increase by 7%, if goes against the division's environmental goals and lessen the life of the landfill. This was attempted a short while about ten years ago but there was a big outcry, and this would involve staff reductions.

Kelly noted Atwood used Zoom chat to ask if a mattress fee might increase illegal mattress dumping. Gaisford said illegal dumping is a chronic problem not necessarily related to fees, but other factors contribute to it.

Atwood asked what happens during the overnight shift at Bow Lake. Kelly said when the SeaTac airport is in full operation, they need garbage disposal service at the Bow Lake station nearly 24/7.

Trim asked if there is a problem with college students leaving mattresses for free on the street during move-out in the spring. Gaisford said he did not have an answer for that. Kelly said that problem is typically a

problem for UW. Trim said she did not think it was unique to UW, but maybe as part of the zero waste of resources discussion, but what are we doing to help groups of people in those situations.

Weiker asked if there was a sense among staff as to which of these options would be better or worse. The first two options would affect the haulers who would have to raise their rates anyway, and the idea of no recycling is unpalatable, but it would be an obvious signal that recycling requires expensive infrastructure.

McLaughlin said the division is not recommending any of these options. This presentation was to illustrate the types of reductions necessary to avoid any increase in 2022. Since three-quarters of the division's costs is in operations, any reduction in costs would require operational change. He said the division thinks these are all really bad ideas, but if we really wanted a second year of no rate increase, the division needed to find out if there was an appetite for these changes.

Atwood asked about the feasibility of closing the overnight shift at the Bow Lake stations, since the airport usage is lower, maybe the need for that shift is reduced. Walsh said it has felt like it has been that way for a while and wondered if we can get by without it. It had been kept open because it is status quo, but Atwood makes a good point, maybe the tonnage from the airport is less. He noted that any changes presented today would need to be ongoing change going forward, and not just for one year.

Atwood said she appreciated the division looking at the status quo and asking if it is what we need, as with the landfill being open on the weekends.

Borsum said it is inevitable there will be a rate hike as wait times and traffic at Algona's transfer station are already tough. He said getting rid of recycling goes against the division's mission. The point is we are going to have to see a rate increase. All three of these options have a lot of issues.

Walsh presented a second group of potential cuts: delaying investments and capital projects. The first on his list was the elimination of investments in zero waste of resources and carbon neutrality. Currently, there is \$3.5 million budgeted a year for achieving zero waste of resources – of reducing the approximate one-million tons of garbage a year closer to 300,000 tons of garbage by 2030.

The division also wants to become carbon neutral by 2025, which is about \$1 million a year. This proposal defunds these investments and making those goals highly unlikely to achieve in the next five to ten years. Walsh said we need to invest in these goals if we're to make progress on them. If we don't pay for these investments, we could potentially reduce the rate by 7.5% but it means we won't make those goals and would eventually need to reduce staff.

Walsh said the division could also eliminate city grants used for funding and promoting recycling events, which is \$1 million a year. The last proposal involves postponing the debt service on the large capital projects another year, which reduces the rate increase by 2%. The transfer stations in Houghton and Algona are the second and third busiest stations and they do not have any recycling services, plus these projects create jobs.

Trim said they all look like drastic bad things, but in regard to the city grants, she asked if they are a pass-through of state funds. Gaisford said the grants are separate from state, as the funds comes from SWD's tipping fees. He said the cities use three funding sources grants from SWD, the state and hazardous waste. Trim asked how much money those other grants provide. Gaisford said about \$500,000 – 700,000, the division grants are the largest chunk.

Kassover said when the city representatives looked at these options no one said these were in the best interest of their communities, and she agrees with them. She recommends none of these cuts get made. Borsum agreed.

Kelly acknowledged this was early in the process for the discussion and asked if the division was looking for formal recommendations or advice from the committee in regard to how this situation is progressing. McLaughlin said the unofficial feedback so far indicates there is no desire for the division to make these reductions, but no one has flat out said “bring on an increase,” and cities and county want to be cautious and conservative with financial planning. He said there are indications there will be funding coming to cities from the federal level. It seems we need to bring forward a rate increase. The division will continue to shape a recommendation for the Executive. Assuming the division recommends a rate increase, McLaughlin said he hopes it represents the voice of this committee perhaps with an accompanying a letter of support.

Weiker said other counties are also probably looking at increases and asked if there is a way to benchmark what they’re doing. McLaughlin said it is difficult to do an apples-to-apples comparison with other jurisdictions given the number and types of facilities we have. Our magnitude is different, but we will keep an eye on what others are doing and will share the information.

Flow Control

McLaughlin said flow control is legal provision the state to provide authority to cities and counties to control what waste is allowed in their systems. Controlling the flow is important for several reasons, first - we have responsibility to manage waste disposal in a responsible and legal way. Second, we pay for our operations, infrastructure, and investments with the garbage coming across our scales. Third, it is about service level, we only want the waste from our system, which is why we commenced a validation process. It is not that we want all the waste, just the waste in our system. We do not want other customers coming into our system. Even though it would mean more money. He said we need to limit the use of our landfill and services to those we serve.

McLaughlin said this puts the division in conflict with the city of Seattle who operates their own solid waste system. However, two of our hauling partners Recology and Republic Services operate within Seattle’s jurisdiction, yet they are processing waste from our system when customers inadvertently mix their garbage with their recycling. Seattle says the waste separated from the recycling is created in the material recovery facility (MRF), so it should stay in Seattle system. He said both haulers willing to comply but cannot comply with both Seattle and King County’s codes which are in conflict, but at present, they are complying with ours. Seattle has sent letters telling them they need to be in compliance with them by March 1.

McLaughlin said it was unclear how this conflict will be resolved, but all the parties are invited to the table to resolve it. He noted there was a rate impact associated with this situation, as we learned last year when the division received 25,000 tons of garbage when the haulers complied, but the money is not our motivation. He said the division needs to protect flow control in all dimensions, keeping garbage that does not belong in our system out, but also require any waste created in our system to stay in it. He said there are representatives from the hauling companies attending today’s meeting and he does not want to speak on their behalf.

Trim asked why Seattle wants the garbage if they have to pay for it to go to their landfill. McLaughlin said since they collect tipping fees like SWD does, the waste represents about \$2 million to them, for us, the fee is about \$140/ton of which only about \$35 of that is disposal costs, the rest pays for other parts of the system.

Weiker would love it if the entities could figure it out before they lawyer up. McLaughlin agreed. Kelly said the lawyers are involved already and it is a sticky situation. He said all four parties would benefit from more conversations and fewer letters.

Trim said if we are successful in getting garbage diverted from the landfill, we are going to need more MRF capacity. She asked if those MRFs could be built in King County and the waste could stay in our system instead of Seattle. McLaughlin said MRFs are impressive facilities, designed to sort out specific marketable commodities and the kind we want would require different capacity as well.

Kassover said this is a matter of whose contract is primary. She said while she appreciates that people are averse to lawyering up, the problem is essentially a legal one and will need to be resolved thru legal system, or one of the parties will need to change their contracts, which will also require lawyers since they are the ones who can solve the problem.

Weiker said this is a unique situation in King County with all the entities and contracts; it's complicated. Kassover said she agreed it's all about the contracts and somehow it has to be resolved. She said she hopes all four parties in discussion will find a solution.

Member Comments

Weiker shared three upcoming events: March 3rd is WSRA's To Shred or Not to Shred event, and on March 5th Sound Cities Association is having a recycling update and on March 10th SWANNA with Karen Dawson is having a compost update.

Adjourn

The meeting adjourned at approximately 11:30 a.m.