

## King County Solid Waste Advisory Committee

October 15, 2021 - 9:30 a.m. to 11:30 a.m.

Virtual Meeting (Zoom)

### Meeting Minutes

| <u>Members Present</u>                    | <u>King County Staff</u>                              | <u>Guests</u>                             |
|---|---|---|
| April Atwood – Marketing Industry         | Jenny Devlin, SWD staff                               | Diana Wadley, Ecology                     |
| James Borsum, Labor Industry              | Jeff Gaisford, SWD staff                              | Kazia Mermel, Sound<br>Cities Association |
| Gib Dammann, Interested Resident          | Brian Halverson, SWD staff                            |   |
| Karen Dawson, Manufacturing Industry      | Patty Lui, SWD staff                                  |   |
| Phillippa Kassover, Cities Representative | Pat McLaughlin, SWD Director                          |   |
| Ken Marshall, Labor Industry              | Rory O’Rourke, Public Health Seattle & King<br>County |   |
| Penny Sweet, Elected Representative       | Aleks Posielski, County Council staff                 |   |
| Heather Trim, Recycling Industry          | Andy Smith, SWD staff                                 |   |
| Wendy Weiker – Chair, Waste Industry      | Dorian Waller, SWD staff                              |   |
|   | John Walsh, SWD staff                                 |   |

### Call to Order and Introductions

Chair Weiker called the meeting to order with introductions at 9:30 a.m.

### Minutes

Trim moved to pass the September SWAC minutes; Atwood seconded. The September minutes were approved unanimously.

### Public Comment

No public comment.

### SWD Updates

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 yea 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.

When asked about the C&D legislation, McLaughlin explained a few years ago legislation required expanded C&D processing, resulting in an increase of processing facilities from two to ten. King County is recycling up to 80% of C&D waste. Over time, the program has evolved based on feedback from stakeholders. This legislation amends the code to reflect how system works, such as codifying accommodations to allow processing at a job site.

There was a request for a presentation about the landfill gas collection system. McLaughlin said he defers to the chair as to whether such presentation is added to the committee workplan. Chair Weiker said she will add the item to the list for further consideration.

### **MSWAC Update**

Last week's MSWAC meeting included a robust discussion about the timeline for the comp plan update and the decision of choosing a long-term disposal options, with some cities expressing concern over the ambiguities associated with the impacts of Re+. They voted to support a rate restructure letter with one adjustment.

### **SWAC Recruitment**

There are three vacant positions beyond the four that may be filled by applicants under consideration at the Executive's office.

### **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 fund, organize and improve 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. Northwest Product Stewardship Council (NPSC) is hosting webinars about this bill for cities and SWACs across the state.

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.

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 might be truth-in-labeling legislation which would prohibit producers to lay claims to the recyclability of their products.

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 wanted to collect feedback and gain support on the plan for updating the Comp Plan. He will include this feedback in a report due to council in December. Walsh said he also wants to collect feedback on the proposed consultant study for the long-term disposal option.

Walsh said his report to council about the Comp Plan plan will indicate feedback from MSWAC where some cities would prefer to delay the Comp Plan update and long-term disposal decision until after impact of Re+ efforts on waste tonnage are clearer; while other prefer to press forward in anticipation of the Re+ impacts. Sweet said Re+ actions are likely to decrease waste tonnage, but Re+ depends also on legislators

and other policy makers who may not regard these matters with the level of urgency needed for SWD's purposes. Other feedback centered on ensuring impartiality of the consultant to be hired to conduct long-term disposal option study, and the timing of the consultant study occurring before statewide organics legislation is proposed.

There was a request to allow the advisory committee to review the consultant applications and advise before SWD makes a hiring decision. Concern was expressed about the time SWD would spend developing the Comp Plan instead of advocating for solutions that are best for the environment. McLaughlin said SWD presents these proposals looking for ways to compromise and balance competing forces. SWD will attempt to gain commitments for bold action through outreach and will accept whatever level of support partners can lend, even if it means falling short of what is possible.

It was noted grassroots action drove the reduction of waste Seattle exports to Oregon from 100 train cars per day in 2006 to 50 train cars per day, as of a few years ago. Even if it might not be possible to achieve the 70% reduction goal, it is important we agree to waste reduction to mitigate climate change. SWD was advised to be strategic about doing outreach to gain the attention and support of city partners and legislators, given the onslaught of competing crises they are managing.

Walsh said he would relay this feedback in the report to council. For now, SWD will present the plan to update the Comp Plan and see if there is stakeholder support for it.

Two members voiced support for planning for the Comp Plan update and hiring the consultant while proceeding cautiously, while one member advocated for a delay of one year for the passage of statewide organics management policies. A draft of the council report will be shared with advisory committee members to make sure feedback was captured correctly.

Walsh shifted the presentation to the list of evaluation criteria for the consultant study. He explained the difference between pre-long-term disposal technologies and long-term disposal technologies. Pre-long-term disposal technology recovers material from the waste stream. Long-term disposal technology is how the residual waste is disposed once the landfill reaches capacity.

The long-term disposal 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.

It was noted gasification and pyrolysis might not exist by the time the consultants start their study but other options might, therefore this list is too limited in scope. It was also pointed out that waste-to-energy would be moot after all Re+ work since it requires a lot of fuel.

Next Walsh presented the list of proposed evaluation criteria for the consultants to compare these options. He said MSWAC advised the inclusion of: compatibility with waste prevention and recycling, operating life of facility, environmental regulatory requirements, water quality/consumption, scalability. It was suggested the cost of not meeting tonnage requirements to operate the technology should be included as a criteria, and social justice and environmental risks of operations.

### **2023-24 Rate Restructure**

Halverson said he is working with stakeholders on the rate restructure proposal and may have found a stable solution that may eliminate the true-up process under the preferred fixed fee option, which could simplify contact negotiations between cities and haulers. He said he would transit the proposal to council on November 18, hoping they will pass it 9-10 months before the rate goes into effect so haulers and cities have time to update contracts.

Halverson asked if the committee would sign a letter of support for the rate restructure. Sweet moved to vote for approval the letter of support, Dammann seconded the motion. The motion passed.

### **ILA/Bond Extension**

This part of the presentation is postponed until the November meeting.

### **Member Comments**

Waller thanked and commended Attwood and Dammann for their years of participation and contributions to SWAC, while each expressed their appreciation for the positive learning experience. Other members shared their regards and well wishes.

The meeting adjourned at 11:34.