

SWAC/MSWAC Joint Advisory Committee Meeting

November 17, 2022 - 9:45 a.m. to 11:45 a.m.

Virtual Meeting (Zoom)

<u>SWAC Members Present</u>	
Taylor Atkinson, Vice Chair, Citizen Representative	
April Atwood, Marketing and Education	
Jay Blazey, Manufacturer	
James Borsum, Labor Representative	
Robin Freedman, Waste Management	
Phillippa Kassover, Local Elected Official	
Bill Louie, Citizen Representative	
Brian Martin, Citizen Representative	
Ken Marshall, Labor Represenative	
Leah Tischler, Public Interest Group	
Heather Trim, Recycling Industry	
Wendy Weiker, Chair, Waste Industry	
<u>Guests</u>	
Tony Donati, City of Kent	Brad Lovaas, WA Refuse and Recycling Association
Jeanette Jurgensen, Epicenter Services	Kazia Mermel, Sound Cities Association

<u>King County Staff</u>
Eyasu Ayalew (Public Health Seattle/King County)
Brian Halverson, SWD staff
Eliza Kruszynski, SWD staff
Andy Smith, SWD Staff
Adrian Tan, SWD staff
Isabelle Trujillo, SWD staff
Dorian Waller, SWD staff

SWAC Business

Waller began with stating that the non-landfill related citizen representative position is open. This position can be filled by a landfill neighbor, but it doesn't have to be. If members know if anyone who is interested, send their name to Waller. The landfill neighbor position is also still open, and we are going to start having the conversation with King County Council to extend the mile radius. We will have to get approval from Councilmember Dunn because he is the person who created the ordinance.

Atkinson said that she met with a staff member of Dunn and this staff member believed that extending the radius to three miles is a good idea. Atkinson also added that she had previously had some people in mind for the position, but the time commitment was a concern. Now that these meetings are mostly on Zoom, these people might be interested again. The staff member will meet with Dunn to discuss extending the radius.

Waller stated that the agricultural position that is still open. Historically, this been the most challenging position to fill. Trim asked if this position could be filled by someone in food waste. Waller responded that he would check in with McLaughlin and see what he thinks. If anyone comes to mind, please let Waller know. The committee is still looking for someone to replace Atwood.

Atkinson led the election and nominations. Trim nominated Atkinson to continue being Vice Chair. Louie seconded. The nomination passed unanimously. Atkinson nominated Weiker to continue being Chair of SWAC. Kassover seconded. The nomination passed unanimously. Vice Chair and Chair will go into their second terms.

<u>MSWAC Members</u>	
Joan Nelson	Auburn
Jon Gire	Bellevue
Cheryl Paston	Bellevue
Emily Warnock	Bothell
Steve Friedman	Clyde Hill
Mary Connolly	Clyde Hill
Laura Techico	Des Moines
Rob Van Orsow	Federal Way
Tony Donati	Kent
John MacGillivray	Kirkland
Toby Nixon	Kirkland
Penny Sweet, Chair	Kirkland
Phillipa Kassover, Vice Chair	Lake Forest Park
Amy Shaw	Maple Valley
Jeff Brauns	Newcastle
Aaron Moldver	Redmond
Amy Tsai	Redmond
Linda Knight, Vice Chair	Renton
Genevieve Rubinelli	Sammamish
Mason Giem	SeaTac
Cameron Reed	Shoreline
Jason Rogers	Snoqualmie
Diana Hart	Woodinville
Rachel Best-Campbell	Woodinville

<u>King County Staff</u>
Eyasu Ayalew (Public Health Seattle/King County)
Brian Halverson, SWD staff
Eliza Kruszynski, SWD staff
Patty Liu, SWD staff
Hannah Scholes, SWD staff
Terra Rose, King County Council staff
Andy Smith, SWD staff
Glynda Steiner, SWD Deputy Director
Adrian Tan, SWD staff
Isabelle Trujillo, SWD staff
Dorian Waller, SWD staff
<u>Guests</u>
Phil Allen, non-representative citizen
Carolyn Bowie, Washington State Dept. of Ecology
Jeanette Jurgensen, Epicenter Services
Han Kirkland, Waste Management
Brad Lovaas, WA Refuse and Recycling Association
Kazia Mermel, Sound Cities Association
Laura Moser, Waste Management
Diana Wadley, Washington State Dept. of Ecology

Call to Order and Introductions

Vice Chair Atkinson called the meeting to order at 9:56 a.m.

Meeting Minutes

The agenda was reviewed. Sweet moved to approve the agenda. Knight seconded. The agenda was approved unanimously.

Weiker moved to approve SWAC minutes. Sweet seconded. The meeting minutes were approved unanimously. Knight moved to approve the MSWAC minutes. Best-Campbell seconded. The meeting minutes were approved unanimously.

Public Comment

Wadley shared three updates beginning with the compost procurement ordinances. The City of Seattle shared their draft and write up of wisdom gained. If you want a copy of their draft, reach out to Wadley. The municipal resource services and the Sound Cities Association are available to help with the City of Seattle's draft procurement ordinance. Regarding extended producer responsibility, there are a couple videos related to paint care that can be shared and they are great resources for answering questions about the program. There is an interactive map for paint care where you can see where you can take back your paint, and there is now a mapping feature for e-cycle waste. Lastly, if you're on the statewide email list, Ecology launched a Bring Your Own Bag (BYOB) campaign which runs through the end of December. The campaign has a simple message of reduce waste, save money, bring your own bag. Feel free to share this message and reshare on social media.

Wadley shared several things in the chat starting with her email at Diana.wadley@ecy.wa.gov. For more information on HB 1799 (includes compost procurement ordinances), reach out to her. King County can also reach out to the Sound Cities Association (SCA) at kazia@soundcities.org for support or to share lessons learned. The SCA is interested in collecting example ordinances from cities, identifying common challenges cities are facing, supporting cities looking to coordinate with other cities on collective compost purchasing agreements, and will be partnering with Cedar Grover to offer a training. You can also share or post these videos from the Department of Ecology's BYOBag social media posts on [Instagram](#), [Facebook](#), and [Twitter](#). Ecology will be posting on each of these platforms at least twice a week. They will also be adding new images to the [Bag Ban Toolkit webpage](#) soon.

SWD Updates

Steiner provided the SWD update.

Monthly tonnage

Our tonnage has declined by 7% (-2,800 tons) in the first half of November 2022 compared to the same period last year. The year-to-date tonnage continues to be below last year's tonnage and we are almost 8,600 tons below the 2021 results (-1.1%). Since mid-year, we've been below the forecast. As expected, the restrictions put in place and higher interest rates have caused a reduction in the amount delivered to us in the regional direct and in the self-haul category.

The high interest rates and slowing housing market has led to less material coming to transfer stations. People are becoming more conservative in their spending, and we've found that waste received at transfer stations is a leading figure in people's spending and the market.

BNSF Railways

In August, the emergency board appointed by the president, recommended wage increases across the board. The threatened labor strike was avoided by a tentative deal made at the end of September, which was subject to ratification by the unions. All 12 unions must ratify this deal. Of the 12, seven voted yes, three voted no and two are in the process of voting and there could be an answer as early as Monday, Nov. 21.

Members of the third-largest rail union (Brotherhood of Maintenance of Way Employees Division) recently rejected the proposed five-year contract 56% to 43%. Both sides have agreed to resume negotiations, and railroads are expected to continue operating normally in the meantime. As early as Nov. 28, the railroads could begin slowing down in their pre-railroad strike. We will continue to monitor the situation and work to assess how to support regions around us if the strike happens.

Cascade Recycling Center Closure

King County was made aware of the temporary closure of Waste Management's Cascade Recycling Center in Woodinville starting on Nov. 14. The materials that were going to Cascade Recycling Center will be hauled to Waste Management's JMK MRF in Tacoma/Pierce County. We are also aware of and discussing the proposed surcharge to customers to cover their transportation costs during the temporary closure of the Cascade facility. We will be discussing with the UTC over this because it's not appropriate that our customers bare the weight of this business decision.

Electric Fleet Process

Recently, staff at Cedar Hills Regional Landfill (CHRL) took possession of our first all-electric tractor truck and anticipate a few all-electric pickups in the coming weeks. We will use the new zero-emission commercial truck to haul materials from the Enumclaw Transfer Station to CHLR. The pilot project will provide staff members with operational experience while measuring the performance of the battery powered tractor-trailer combination for transferring solid waste. The battery pack that powers the 536-horsepower motor can be recharged in about three hours at the new charging station at the Cedar Hills Regional Landfill.

South County Recycling and Transfer Station (SCRTS)

We are at 100% design and are ready to advertise for our construction contractor. We are two years behind schedule with a lot of the setback due to the COVID-19 pandemic. We are currently waiting for the 404 water quality check. We originally expected an answer by the end of September but now expect it at the end of November. The Muckleshoot Tribe has had issues with the stream and habitat improvements, and we are in negotiations with them to offer additional off-site mitigations.

North County Recycling and Transfer Station (NERTS)

We've narrowed down the sites to three, one in Woodinville and two in Kirkland. We are moving forward in the EIS process.

Kassover asked if discussion was already underway between SWD, City of Seattle, and Snohomish County regarding the potential strike and if the County will be providing relief. Steiner responded that we are already in discussion with them. A rail strike would have significant impacts for hauling in the Puget Sound area and we are currently taking waste from Snohomish County because they are already suffering consequences from limitations with the railroad companies. The issue is that the County is getting close to filling Area 8, and we have to develop the next disposal areas. We want to be a good partner and help other solid waste jurisdictions, but we want to make sure that we don't fill our air space and not leave space for our constituent's waste. We are currently doing flyovers to assess the air space.

MSWAC/SWAC Update

Sweet said that SWAC and MSWAC were very similar. The topics were the same, but the discussions were different. Kassover added that the topics are the same, but there's always different conversations.

2023 Legislative Preview

Adrian Tan and Hannah Scholes provided the 2023 legislative preview.

A reminder that the 2023 session is a long session. The 2022 session was a short session that didn't allow for a lot of agenda items. The session begins Jan. 9 and ends April 24.

Sweet commented that it would be in our best interest if the committee had a document that they could send out to the cities for their support agendas to send to Olympia. Having a list of these support items would be helpful.

Currently, about 1/3 of materials currently going to the Cedar Hills Regional Landfill is packaging and paper products which could be recycled. Most of these materials (e.g., paper, PET, HDPE, metal and glass) are readily recyclable and recycling rates have stagnated over the past decade. We aren't seeing improvement even though we know there are materials that could be recycled. Households in unincorporated King County pay \$88 - \$175 per year for recycling services which has increased on average 36% over the past five years. Residents are confused and have started to distrust recycling. Depending on where you live, different materials are/aren't recyclable and there are even some areas in the County that don't have curbside recycling.

The Washington Recycling and Packaging Act (WRAP) would address some of these issues. The backbone of the bill would require corporations to fund and coordinate residential recycling in WA. This would provide sustainable financing to recycling, which would save money for local governments and residents. It would create harmonized list of materials collected from residents across the state, helping to reduce confusion and improve access to recycling services to all residents across the state. This would increase reuse and recycling rates; and ensure that materials are recycled responsibly. This bill will be sponsored by Representative Liz Berry and State Senator Christine Rolfes.

This would work by beginning with a needs assessment that will determine changes needed to meet recommended recycle and reuse targets. The producers would form a PRO to coordinate and fund statewide recycling. The PRO would make a plan based on the needs assessment and the producers would pay fees based on the packaging and paper products they

sell or supply in Washington. If the packaging is harder to recycle, they will pay more versus if it's easier to recycle. PRO will then collect the fees and reimburse local governments for residential recycling services. Rather than residents paying for the service, the PRO will pay for it.

There will be time for adjustments to be made and for the contracts to be adjusted for the PRO plan. There will also be an option for governments to opt out and have residents continue to pay for recycling. The Dept. of Ecology oversees the PRO program and there will be an advisory council that advises on the program with a diverse panel of experts. Every five years there will be a PRO plan update.

The EPR for packaging and paper products is not a new concept but is relatively new to the United States. Over the past couple of years, the U.S. has been catching on and there's four states where EPR for packaging bills have been passed and several other states that have bills pending.

Wadley posted in the chat the map of E-Cycle collection sites created by E-Cycle's PRO: <https://ecyclewa.org/>

Hart asked what state legislators will be sponsoring legislations like this in the coming year. Tan replied that he is not sure yet.

Sweet commented that you can put EPR into vote tracker and you will be notified if any bill drops with EPR in its name or description. Weiker chimed in that AWC will have a legislative recap every Friday which is available on their website. Trim added that during session, Zero Waste Washington maintains updates on these bills so if you go to the [Zero Waste Washington](#) website, you can track them and sign up for emails for status updates.

Kassover wondered what the Solid Waste Division will be doing as these bills come before the legislature and if the division will be testifying. Tan responded that the division has a contract lobbyist specifically for this and they will work with other businesses with similar interest.

Waller stated that members have expressed wanting to be more informed and wanted to know how often members want to be informed and how involved they want to be involved.

Weiker added that the haulers are supportive of sustainability and zero waste but are concerned on the rate restructure. When you're having these conversations, please include your haulers. Tan said that he's happy to provide information.

Martin commented that there was talk about how people get confused on recycling because it changes over time and based on jurisdiction. The unsustainability of our garbage system over decades has increased pressure on individuals to make decisions. Martin wanted to know what kind of research has been done and how are we mediating this complexity of constant decision making. Tan responded that the responsible recycling task launched in 2018 has done a lot of EPR work in 2019 and 2020 for recycling. The main thing that is that our waste system and recycling hasn't included the producers and having them at the table and working towards solutions has helped jurisdictions that have EPR. Some drivers for change have come with packaging for glass, aluminum, and mixed materials that aren't as recyclable. Tan added that he is happy to provide the reports.

Along with wanted to see the reports, Martin added that there's a lot of variability and the goal must be to render this information comprehensible and actionable by the public. We must give them clear trends and clear indications on what to do, and the information must be so simple that it's unquestionable. We need to make sure that this is the end result, or we won't really drive down the recyclables and it'll just make people resentful. An example is unifying packaging that allows for systems to identify and track these materials.

Knight added that she doesn't believe we can make great progress until we get the producers involved. They often mislead the consumers on what is recyclable and what isn't. It is time that we look at EPR and we will see system improvements. We already have EPR for other products and when we involve the producers, we will improvements in the system overall.

Weiker commented that a huge part of this work is the outreach to folks at home. We have a solid infrastructure and need to help people figure out where to put things on the front end. Tan replied that it is time for a systemwide approach because there are individual counties and cities that won't be able to do it alone.

Kassover would appreciate if the division could share public good stories of where recyclable products are ending up and what's happening to them with committee members. We need more stories so that the public understands that the effort they are going through is paying off. Tan responded that we recycle bottles almost at the same rate that we recycle glass and paper. We can do better and there's been a pilot with plastic film. There are many things we can do and can provide more information. Kassover followed up by saying that the stories need to be told. People need to hear what's happening to the materials, if they are being used, and if there's a good market for them. That is where the distrust is starting to build. These are the stories we need to hear. Tan replied that there is a lack of transparency, and we can provide more information.

Steiner commented that under the Re+ program, we've been issuing grants to different entities to try sustainable projects. For example, WSU is working on a project that will turn plastic into asphalt. Steiner has been in contact with the professor and can share more information if that is of interest. Martin stated that he would love to hear the information and learn what's happening with microplastics and how it is working turning it into asphalt.

Weiker added that you can reach out to your local hauler and see what's happening with the material being picked up.

Regarding EPR for Batteries, our Haz Waste program collects all types of batteries. Household batteries represent 18% of King County's hazardous waste collection. The main issue is the toxicity and corrosive materials which can cause fires at in our waste trucks and waste facilities. There's evidence that shows that there's an increase of fire when these batteries are disposed of incorrectly. In 2019, 457 tons of household batteries were sent to the Cedar Hills Landfill. Only %12-15% of rechargeable batteries are recycled in the U.S. despite having a voluntary take back system. So, this is potentially a valuable source of recyclable metals and critical raw materials. There is a growing number of batteries expected to arrive on the market, and we need to prepare for that. The idea is to establish a Battery Stewardship Program for batteries that requires battery producers to fund and organize the collection and recycling of batteries in WA.

We will be following the Right to Repair bill. Currently, manufacturers have reduced access to repair of digital electronic products and there's restrictions to parts, tools, and information about how to repair. There are many electronic products that could be repaired to extend their life and use but due to the digital divide, there is inequitable access to technology resources. Often the repair locations are in the cities and hard to get to, especially for people who live further out.

This bill would 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. This will allow people to do their own repairs if they want. New York just passed their own Right to Repair Act and are waiting for their governor to sign it.

The next policy we are waiting for is on compostable products. HB 1799 established clear content on what can be labeled as compostable, but there are still many issues that need to be dealt with. Firstly, contamination in compost streams is a major issue as it's expensive to remove and can lead to plastic pollution. Secondly, composability of products and packaging and lastly, residents are confused with labeling. There is a stakeholder advisory committee being convened that will make recommendations on the development of standards for managing compostable (plastic) products by organic management facilities.

Trim added that the big challenge we had with part one of HB 1799 is that we have a patchwork of what is accepted by companies across the state. It's confusing to the consumers and since our goal is to get the food waste and recyclables out of the landfill, we need to get the experts and those being impacted by it around the table.

Comp Plan Chapter updates

Halverson provided this update.

We started this conversation earlier in the year when we talked about criteria that we are going to task the consultant doing this work. We started a list of major policy related items to discuss further in 2023. It's focused on everything, but long-term disposal option is on a separate track and is based on the study we are conducting looking at different options. This will help us map out discussions throughout 2023.

Examples of Major Items that we are looking for in February:

- Creating a harmonized recycling list
- Pursuing mixed waste processing
- Updating for the rate restructure

NOT Major Items

- Updating visuals and graphs
- Adding updated information about new studies (e.g., waste characterization)
- You used "there" instead of "their"

We ask committee members to review the briefing paper with the list of items SWD came up with and bring any additional items to the February meeting. In between now and the February meeting, please take this list back to your respective groups and add/take away any items and come back to the February meetings with your list. We'll agree on the final list in the March meeting.

For Chapters 1-3, there's nothing major to update. These are more background or summary-type chapters so no major items just smaller content updates. If you feel there are things that should be updated, please bring it back in February.

For Chapter 4, Sustainable Materials Management, we created a harmonized recycling list/minimum collection standard across the whole system and an update for Re+ actions. We will be focusing on Fast Start actions and some of these will be added as policies or recommended actions. There will be discussion of adding every other week garbage collection, every other week recycling and organics collection throughout the system. The other fast start actions include the food waste ban, mixed waste processing, non-residential food waste recycling, and extended producer responsibility for packaging.

Regarding Chapter 5, Solid Waste Transfer and Processing, we will include more language about zero tolerance for racism at our facilities. We will also update the narrative around Renton, and this will be based on how the Renton Redevelopment Project goes. We will also add a narrative confirming that we are preserving our capacity at our stations for King County system users (e.g., customers verification) and add a narrative about electric vehicles, equipment, and infrastructure.

For Chapter 6, Landfill Management and Solid Waste Disposal, we will discuss what is the highest and best use for landfill gas. There will be some adding language about "loaning" our capacity if other jurisdictions can't export their waste. As a reminder, the decision on the next long-term disposal method is a separate discussion from the rest of the items on this list and will be driven by the consultant helping us analyze our options.

On Chapter 7, Solid Waste System Finance, we will be adding a narrative about the rate restructure, and we talked a little bit about this previously. We were hoping to get it in with the regular rate restructure but there were many challenges and had to shelve it for the time being. We still really want to do this and are hoping to tackle it. There will also be an added narrative about pursuing a curbside low-income discount program.

Waller will send out a 2-page document about what we talked about and instruction on what to discuss between now and February.

Re+ updates

Liu provided the Re+ updates.

We are releasing a bundle of information for Re+, with the main part being the Re+ strategic plan. The comments received were very helpful and Liu incorporated as many pieces as she could. There were a couple items that couldn't be incorporated because we are still working on it with the state. The strategic plan is meant to be a comprehensive overview for the general audience. To capture a level of detail for people more interested, we created the Re+ action briefing papers. This is meant more for city decision makers and those interested in a deeper dive. For those who aren't interested and just want an overview of Re+, we are creating the Re+ story map. All of these will be posted on the Re+ website and this website will have a new look by the Re+ launch. The plan has been sent to the Executive, but they just have the core plan and did not receive any graphics. We are hoping to have the finalized plan by Nov 23.

The launch has been confirmed for Nov. 29 and there will be a media event at the Factoria Recycling and Transfer Station. The Executive and the Mayor of Issaquah will both be in attendance and will be speaking.

Discussion: Rate Restructure matrix

Waller led this discussion.

As many of you know, our council has approved giving cities longer to work on the agreements. To get feedback from the committee related to your respective city, Waller created a matrix.

Even though there's been an extension, it does take time for negotiations and recommends beginning negotiations sooner rather than later. The King County Council has told us that they do not want to grant another extension, so this must happen this upcoming year.

Moldver said that they will be adopting a new legislation and updating hauler contracts. Waller added that you can do the process however you want, and this is just a proposed timeline. Gire asked if the templates will be sent to the cities. Halverson responded that it will be sent very soon to the cities.

Possible milestones	Possible timelines
Begin Contract Negotiations	Q4 '22 – Q1 '23
Complete Contract Negotiations	Q1 '23 – Q2 '23
Introduce City Legislation	Q2 '23 – Q3 '23
Adopt City Legislation	Q3 '23

Member Comment

Kassover has been very interested in the reports that we've been getting from the liaisons with the state. She wondered if the chairs that work with the division can review the agendas to include time for a state representative to speak. As things begin to get passed, there will need to be more coordination.

Atkinson replied that they can discuss this at their next agenda setting meeting.

Gire added that there's an announcement for a \$100 million recycling EPA grant and there can be a discussion about this at the next meeting if anyone is interested.

Knight followed up to Gire's comment and asked if King County is thinking about submitting any applications for programs and projects. Smith responded that we aren't, but we are looking at what our future programs are looking like. The budget passed this week, so we are deep in work for future planning.

Gire added via chat that the grant with WSU is to help evidence the benefits and impacts of using plastics in road surfaces. One of the things we want to do is to re-run our e-Tours/presentations to the advisory groups in 2023 with the awarded grants and our work with NextCycle. We can work with the advisory group chairs/vice-chairs on when in 2023 to do the report out. Creating sustainable and more circular end markets is a key part of the mission. He also provided a link to the [Bipartisan Infrastructure Law: Transforming U.S. Recycling and Waste Management](#) webpage.

Adjourn

Meeting adjourned at 11:14 a.m.