



Report and Recommendations of the King County Illegal Dumping Task Force

To Executive Ron Sims

Approved

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Report and Recommendations of the King County Illegal Dumping Task Force

Executive Summary

A number of County agencies are responsible for addressing illegal dumping issues and complaints. While some informal interagency cooperation exists, a more coordinated approach would better address the needs of County residents and achieve more efficient and effective service delivery.

In March 2003, the Executive convened the King County Illegal Dumping Task Force (IDTF). The objective of the task force has been to develop a set of recommendations to improve coordination and delivery of services to County residents, protect the environment, and ultimately reduce the incidence of illegal dumping.

Staff from the following agencies participated in the task force:

- Department of Development & Environmental Services (DDES), Code Enforcement Section
- Department of Natural Resources and Parks (DNRP), Water and Land Resources Division (Storm Water Services Section and Local Hazardous Waste Management Program), and Solid Waste Division
- Department of Transportation (DOT), Road Services Division, Roads Maintenance Section
- Prosecuting Attorney's Office (PAO), Civil and Criminal Divisions
- Public Health – Seattle & King County, Environmental Health Division
- Sheriff's Office

Key Issues

The task force met ten times. We reviewed each agency's authority and methods for responding to illegal dumping, heard presentations from staff in other counties on their programs, and developed subject-specific subcommittees.

The task force discussed these key issues:

- Making it easier for residents to contact the appropriate agency
- Avoiding duplication of services (caused by residents contacting multiple agencies, overlapping authorities, and limited communication between agencies)
- Adjusting efficiently to staff reductions due to budget cuts

- Improving personal safety for investigators
- Clarifying each agency's jurisdiction and authority
- Increasing support to and from the PAO
- Identifying the gaps in ordinances for authority and enforcement; deciding if new ordinances are needed to ensure effective enforcement
- Improving interagency coordination on complex cases
- Expanding public education and prevention efforts

Recommendations

Based on information gathered, review of successful programs and ensuing discussions about key issues, the task force developed and unanimously supported four recommendations. All but one of the recommendations can be implemented using existing County resources.

The recommendations and their key benefits are:

1. Create a centralized hotline telephone number for citizens to report illegal dumping and link it to an intranet database for agencies to coordinate response

- A hotline number will improve customer service and reduce duplication of agency response
- An intranet database will provide the ability to track illegal dumping data countywide and coordinate agency response; a supporting Web site will be developed so that complaints can be reported via the Internet
- The appropriate agency will be assigned to each case; other affected agencies will be notified but will not necessarily be the lead – this should eliminate duplication of services.

2. Increase emphasis on field investigators' safety

- Increase mandatory safety training
- Formalize a protocol for using Sheriff escorts and the "buddy system"
- Improve interagency communication regarding possible hazardous and unsafe conditions at sites via the database

3. Make the County enforcement system more effective

- Set up an enforcement committee to examine the County's enforcement approach and possibly draft proposed code amendments
- Require mandatory training of agency field staff on conducting investigations and documenting cases
- Add a client funded, full-time deputy prosecuting attorney position with dedicated funding for illegal dumping enforcement

4. Develop an illegal dumping prevention and education outreach program

- Increase communities' awareness of the impact of illegal dumping on property values and the environment
- Provide education on lawful waste disposal options
- Develop easily available information about what to do if your property is "dumped on"
- Gradually advertise the new hotline telephone number after all hotline staff have been trained and the database has been thoroughly tested and modified

Conclusion

We believe all County residents and our environment will be better served by adopting and implementing the task force recommendations. In addition, the County will be able to use existing resources more efficiently by eliminating duplication and gaps, enhancing the safety of investigative staff, and strengthening enforcement and public outreach activities.

The task force members worked hard and willingly on this project. We all learned about each others' agencies and where they fit into the illegal dumping puzzle. We gained an understanding of how each agency can do more with less by coordinating our resources and knowledge. We have discovered important contacts in other agencies and identified County resources we didn't know were available to us. We all have vital information we will take back to our agencies to make them more knowledgeable and efficient.

A more detailed description of each recommendation follows.

Recommendation 1: Create a Centralized Hotline Telephone Number for Citizens to Report Illegal Dumping and Link it to an Intranet Database for Agencies to Coordinate Response

Current Situation

King County does not have a single, easy-to-find telephone number or hotline for citizens to report illegal dumping, which creates two undesirable results:

- Citizens don't know which agency to contact and often end up calling the wrong agency. King County agencies have had a limited, informal, interagency communication network on illegal dumping issues. This sometimes leads to a frustrating chain of referrals where the citizen is passed from agency to agency. Some citizens have been forwarded to as many as six agencies before they reach someone who can help them. Often, by this time they are irate.
- Some citizens, wanting to ensure their complaint is addressed, call several agencies and register their complaint. This often leads to a costly duplication of effort by County staff when multiple agencies respond to the same complaint. Sometimes several citizens call about a single issue; this can also cause duplication.

Also, King County lacks a coordinated system for responding to and tracking data on illegal dumping. While each County agency that responds to illegal dumping has their own system, their efforts are not formally coordinated with other County agencies. A coordinated County-wide system for logging and responding to complaints and tracking data would decrease duplication, improve customer service, and give the County the ability to track illegal dumping data comprehensively.

Recommendations

Create a Centralized Telephone Hotline Number for Citizens

A centralized telephone number or hotline, staffed by trained employees who enter the information into the King County intranet-shared database, would help solve these issues. Citizens with illegal dumping complaints would have one easily located number they could call to ensure their complaint is properly received by the appropriate agency. Citizens will also submit their complaint via the Internet.

Link the Hotline to an Intranet Database

Information about each complaint would be entered into the database and assigned to the most appropriate lead agency for follow up. This method would minimize the duplication of investigative and administrative efforts. Other agencies could be notified about the complaint, but only one agency would be the lead.

The hotline would be a new telephone number, transferable between agencies that have agreed to staff it. The database will be located on the King County intranet system allowing all involved agencies to access it. County-wide illegal dumping information would be available to all agencies through the centralized system.

The database will give inspectors critical information that is currently not available, such as other agency involvement, prior actions, known safety issues and other precautions reported from multiple King County agencies about specific locations.

Agencies and their Roles

Agency	Role
DNRP, Solid Waste Division	Have developed and will monitor database. Develop training documentation and train hotline staff and agencies' inspectors in use of database. Staff hotline as needed.
DOT, Roads Services Division	Staff hotline on holidays, evenings and weekends.
Public Health – Seattle & King County, Environmental Health Division	Staff hotline during weekday business hours.

Staffing

The responsibility for staffing the hotline 24 hours a day, 7 days a week, will be shared by staff from the agencies involved. Based on the number of calls received by the agencies now, existing staff are expected to be able to absorb the anticipated number of additional calls. Existing Solid Waste Division staff have developed a draft database, demonstrated it to the task force and received comments. The database will continue to be refined and will require staff time to test and incorporate changes to the database.

Cost and Budget Considerations

Agencies will use existing employees and equipment to staff the hotline. Agencies that use the hotline and database should see efficiencies from eliminating duplication, fewer complaint calls, and better coordination.

Recommendation 2: Increase Emphasis on Field Investigators' Safety

Current Situation

Mandatory Safety Training

Most of the safety training deemed necessary by the task force for all illegal dumping field staff is currently offered by the Department of Executive Services, Human Resources Division, Safety & Claims Section. However, only a few of these classes are mandatory, including:

- First aid and CPR (no longer considered mandatory for Code Enforcement Officers)
- Defensive driving and vehicle safety training
- Hazard communication and personal protective equipment

There is no County-wide policy for field staff safety training. All other training provided to illegal dumping investigators is optional and depends on a combination of perceived need and supervisors or department's discretion and budget.

Protocol and Training for Using Sheriff Escorts and the "Buddy System"

The majority of field staff works alone. There are no safety protocols to help determine when field staff should not investigate a site alone and how to request support. To the task force's knowledge there is no County-wide policy for when a co-investigator is needed to accompany them to a potentially unsafe site. The way investigators learn now is through another investigator. The need for standardized policies about requesting a Sheriff escort and using the "buddy system" was identified. Agencies have not formally expressed support for using safety escorts, and many staff are unclear on whether this is an acceptable practice.

Recommendations

Increase Mandatory Safety Training

The task force identified other specific safety issues for which they believe all field investigators should receive mandatory training from the Department of Executive Services, Human Resources Division, Safety & Claims Section. These classes include but are not limited to:

- Dealing with persons of concern, confrontation documentation
- Protection from dangerous animals

- Site safety awareness: location and situation, escape routes, vehicle access
- Effectively using a buddy system or requesting a police escort

Managers and supervisors should determine and provide both legally required and King County policy required safety training for their staff. Also, it is their responsibility to identify appropriate staff, track, and document receipt of this training.

Make Supplemental Safety Training Available

Other training can supplement the mandatory training listed above, depending on need, safety regulations and a supervisor's discretion. Most of these classes are offered by the Safety & Claims Section. These classes include, but are not limited to:

- Hazardous materials and hazardous waste awareness and safety (chemical, fire and explosion, bloodborne, biological, and radiological hazards)
- Confined space entry
- Awareness of asbestos, lead and other chemicals of concern
- Fall protection and prevention
- Hearing conservation for people working in high noise areas
- Traffic safety and traffic control flagging
- Policies and procedures for exposure to potentially hazardous materials
- Respirator fit testing and appropriate use of respirators

The task force recommends that all departments, division managers and supervisors with field staff who address illegal dumping be made aware that this training is available for their staff as appropriate, and receive information on the types of activities inspectors do that would make such training appropriate. They should be encouraged to take advantage of this free training.

Formalize a Protocol for Using Sheriff Escorts and the "Buddy System"

The task force recommends that representatives from all agencies with field staff meet and develop a protocol for when and how to either request a Sheriff's escort and/or request that a co-investigator accompany them to an unsafe site. When developed, all affected agency managers should be requested to "sign off" on that policy before presentation to the King County Executive for becoming official County policy. Once County policy, the Department of Executive Services, Human Resources Division, Safety & Claims Section should be notified of the policy and procedures for training purposes.

The task force's safety subcommittee would be willing to coordinate this effort.

Agencies and their Roles

Agency	Role (same for all agencies)
DDES, Code Enforcement	<ul style="list-style-type: none">➤ Identify mandatory training for staff➤ Include additional core mandatory training➤ Maintain training documentation➤ Participate in protocol development
DNRP	
DOT	
Public Health – Seattle & King County	

Staffing

Field staff would be attending additional training. Staff from each agency would participate in developing an escort/buddy system protocol.

Cost and Budget Considerations

Most, if not all, recommended training is already offered by King County to its employees. Several agencies provide versions of these training courses internally. There is no charge for this training other than employee time.

Recommendation 3: Make the County Enforcement System More Effective

Current Situation

The task force discussed many issues involving enforcement including:

- Is there a need for stronger enforcement options
- How to streamline referrals to the PAO
- How to decrease the length of time (in some cases up to 10 years) to get a large dumpsite cleaned up – even with multiple agencies working together
- Should field investigators be able to write field citations and would it be cost effective and aid in achieving compliance
- The pros and cons of a civil approach to enforcement vs. a criminal approach
- Whether the PAO has enough staff resources to address illegal dumping issues

There is no County-wide policy for training inspectors to prepare cases for enforcement action. The task force found that many field staff lack comprehensive training on how to prepare and document cases to ensure that successful enforcement action can be taken.

Recommendations

Set up an Enforcement Committee to Further Examine the County's Enforcement Approach

This Committee will examine Title 23 in depth and determine whether changes such as adding criminal provisions should be recommended. The Committee will, if necessary, draft King County Code amendments needed to implement the task force recommendations adopted by the County Executive. The Solid Waste Division will coordinate this Committee.

The task force would also like this committee to:

- Consider the benefits, if any, of drafting a King County ordinance for monetary penalties or restitution to provide property owners a means of recovering cleanup costs
- Examine Pierce County codes because that county recently adopted and implemented code changes expanding their illegal dumping enforcement program
- Research the possibility of violators being charged for the investigator's time
- Develop a protocol for coordinating enforcement agencies efforts when dealing with complex multi-agency sites

Make Training of Agency Field Staff Mandatory for Investigation and Documentation of Cases

The U. S. Environmental Protection Agency (USEPA) offers a three-day training program, Basic Investigators Training, The Fundamentals of Environmental Compliance Inspections, that focuses on the inspection/investigation process, including interviewing, professional conduct, right of entry, principles of administrative and criminal law and proceedings, defensible documentation and report writing.

The King County Interagency Regulatory Analysis Committee has negotiated an agreement with the USEPA to provide this training to all King County agency field staff for no cost except the employee's time. A comparable training program offered by the County Council on Licensure Enforcement and Regulation would cost approximately \$400 per employee, in addition to their wages.

Establish a Client-Funded, Full-Time Deputy Prosecuting Attorney Position

Currently, many enforcement cases are initiated but resources are insufficient to bring them to closure. Establishing a new, client-funded, full-time dedicated position for handling both criminal and civil cases involving illegal dumping in King County would increase the number of enforcement cases successfully completed.

Agencies and their Roles

Agency	Role
DDES, Code Enforcement Section	Participate in enforcement committee. Code Enforcement Officers participate in USEPA training.
PAO, Civil and Criminal Sections	Participate in the enforcement committee.
DNRP – Storm Water Services Section, Local Hazardous Waste, and Solid Waste Division	Solid Waste Division coordinate and other DNRP agencies participate in the enforcement committee. Investigators participate in USEPA training.
DOT – Roads Services Division and Roads Maintenance Section	Participate in enforcement committee. Investigator(s) participate in USEPA training.
Public Health - Seattle & King County, Environmental Health Division	Participate in enforcement committee. Investigators participate in USEPA training.

Staffing

Additional staff time would be directed to the enforcement committee and mandatory training. Adding a new staff position is requested in PAO to respond more assertively to enforcement issues.

Cost and Budget Considerations

The costs include employee time to participate in the enforcement committee and the mandatory training, as well as funding of an additional full-time employee in the PAO. Possibly some funds could be generated through the collection of civil penalties.

Recommendation 4: Develop an Illegal Dumping Prevention and Education Outreach Program

Current Situation

A review of the national literature on illegal dumping shows that every successful illegal dumping program has an aggressive community outreach component. These programs range in scope from describing consequences for the dumper, education on preserving environmental quality and property values, and outlining steps citizens can take if they witness or want to report illegal dumping, to teaching anti-litter and illegal dumping classes in elementary schools. Currently, King County offers some anti-litter education through brochures, Web sites, and classroom instruction, but much more can be done.

Recommendation

The Solid Waste Division receives funding for the Community Litter Cleanup Program from the Department of Ecology. A portion of this funding for 2004 can be used to launch a community outreach and prevention program on illegal dumping. Tentatively called "Community Pride," this program can:

- Increase communities' awareness about the impact of illegal dumping on property values and the environment
- Provide education on lawful waste disposal options
- Make information easily available about what to do if your property is "dumped on"
- Gradually advertise the new hotline telephone number (after all hotline staff have been trained and the database has been thoroughly tested and modified)

Also, the Task Force has requested that the Solid Waste Division's management consider offering 1) a reduced tipping fee for those citizens who have had their property illegally dumped on and 2) a lien program for those citizens who are low income and for whom property cleanup is a significant financial burden.

Agencies and their Roles

Agency	Role
DNRP – Solid Waste Division	Increase public awareness of the impact of illegal dumping. Advertise hotline number.

Staffing

Existing staff will be used to carry out this program.

Cost and Budget Considerations

Funding will be provided in part, by the Department of Ecology's Community Litter Cleanup Program. Additional funding in the form of grants will be sought.

Agency Sign Off

The undersigned support the proposed recommendations of the Illegal Dumping Task Force and will commit agency resources necessary for its implementation.

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Date

Theresa Jennings, Director, Solid Waste Division

Date

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Date

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