

KING COUNTY METROPOLITAN SOLID WASTE MANAGEMENT ADVISORY COMMITTEE

September 8, 2006

11:45 – 2:15 p.m.

King Street Center, 7th Floor Conference Center

Draft Unapproved Minutes

Members in Attendance

<u>Name</u>	<u>Agency</u>	<u>Title</u>
Sharon Hlavka	City of Auburn	Solid Waste Supervisor
Bill Peloza	City of Auburn	Councilmember
Alison Bennett	City of Bellevue	Utilities Policy Advisor
Debbie Anspaugh	City of Bothell	Administrative Coordinator
Dan Bath	City of Burien	Capital Projects Manager/Engineer
Don Henning	City of Covington	Councilmember
Rob Van Orsow	City of Federal Way	Solid Waste and Recycling Coordinator
Elaine Borjeson	City of Kirkland	Solid Waste Coordinator
Jessica Greenway	City of Kirkland	Councilmember
Jean Garber	City of Newcastle	Mayor
Jon Spangler	City of Redmond	Natural Resources Division Manager
Nina Rivkin	City of Redmond	Senior Policy Analyst
Linda Knight	City of Renton	Solid Waste Coordinator
Dale Schroeder	City of SeaTac	Public Works Director
Frank Iriarte	City of Tukwila	Deputy Public Works Director
Mick Monken	City of Woodinville	Public Works Director
Valarie Jarvi	City of Woodinville	Public Works Maintenance Supervisor

Others in Attendance

Solid Waste Division

Theresa Jennings, Solid Waste Division Director

Jeff Gaisford, Recycling and Environmental Services Manager

Kevin Kiernan, Engineering Services Manager

Brad Bell, Landfill/Shop Operations Manager

Thea Severn, Transfer/Transport Manager

Mark Buscher, Lead Planner

Tom Karston, Finance and Rates Analyst

Diane Yates, Intergovernmental Relations Liaison

Gemma Alexander, Staff

Robert Dutton, Staff

Alexander Rist, Staff

Bill Reed, Staff

Josh Marx, Staff

King County Council Staff

Merri Ann Osborne

Mike Reed

Mike Huddleston

Guests

Helen Spiegelman, Product Policy Institute

1 **Call to Order**

2 MSWMAC Chair Jean Garber called the meeting to order at 12:10. Everyone present
3 introduced themselves.

4
5 **Approve August Meeting Minutes and Review Agenda**

6 *MSWMAC member Jessica Greenway moved approval of the August minutes.*

7 *The minutes were unanimously approved.*

8
9 **ITSG Update**

10 ITSG and MSWMAC member Rob Van Orsow reported that ITSG has been meeting on
11 two different tracks. The first track met on August 18 to review and prepare materials for
12 MSWMAC. ITSG focused primarily on the rate study, and viewed a presentation by
13 division staff Alexander Rist and Bill Reed. ITSG did not have any further input on the
14 Transfer and Waste Export System Plan. The second track has been meeting to discuss
15 governance issues as defined in Ordinance 14971, including: possible changes to the
16 Solid Waste Interlocal Forum, dispute resolution, financial policies, host city mitigation,
17 potential impacts of the Transfer and Waste Export System Plan on the Interlocal
18 Agreements (ILAs) and potential amendments to the ILAs. To date the cities have been
19 caucusing, with assistance from county council staff Mike Huddleston. The cities expect
20 to hold one more meeting to caucus before asking for input from King County.

21
22 Van Orsow said that ITSG has drafted a very rough outline of its report to the county
23 council, but will not be able to complete the report before the September 28th deadline.
24 He suggested that a placeholder progress report could be submitted to council on that
25 date, together with a suggested new deadline.

26
27 Garber asked why ITSG will be unable to meet the deadline.

28
29 MSWMAC member Nina Rivkin said that ITSG had been focusing its efforts on
30 completion of the Transfer and Waste Export Plan. She said ITSG members have not yet
31 reached consensus on recommendations for the issues that will be included in the report,
32 and added that there is no opportunity for MSWMAC to vet the report before September

33 28. Rivkin suggested that since ITSG was charged with preparing the report, ITSG
34 should craft a letter to council suggesting a new deadline. ITSG will develop a specific
35 schedule for completion of the report at its next meeting, but Rivkin said her sense is that
36 a realistic deadline would be near the end of the year.

37

38 **SWAC Update**

39 Intergovernmental Relations Liaison Diane Yates said SWAC's agenda was the same as
40 MSWMAC's. Like MSWMAC, SWAC decided that if they vote to approve the Transfer
41 and Waste Export System Plan, it will be a conditional approval pending the results of the
42 third party review.

43

44 **SWD Update**

45 Solid Waste Division Director Theresa Jennings reported that the division briefed the
46 Regional Policy Committee (RPC) meeting yesterday on the preliminary
47 recommendations for the Transfer and Waste Export System Plan and waste reduction
48 and recycling background and goals.

49

50 Kiernan said his presentation clarified how the recommendations, which focus on the
51 transfer system, feed into the Comp Plan, and emphasized for RPC the fact that the
52 recommendations are flexible.

53

54 Jennings reported that Waste Management mechanics are on strike and the company's
55 drivers are honoring the strike. Residents in the north end did not receive garbage service
56 today. Negotiations are scheduled to resume on Monday. So far, the transfer stations
57 have not received a rush of self haul loads.

58

59 Jennings said that First NE reconstruction is on schedule. One third of the pile driving is
60 done, and no complaints have been received so far. As part of the SEPA process for the
61 Bow Lake Transfer Station Master Facility Plan, there will be a public meeting on
62 September 14 from 6:30-8:00PM in the Tukwila Community Center. Bow Lake is in two
63 jurisdictions; the scalehouse is in SeaTac, while the main facility is in Tukwila. An area

64 just outside the entrance to the station is in unincorporated King County, under Kent's
65 growth management area.

66

67 **Transfer & Waste Export System Plan and Response to Ordinance 14971 Section 5**

68 Garber asked if there were any questions about the plan before discussion.

69

70 MSWMAC member Jon Spangler referred to the intermodal section, where the plan
71 states that decisions will be made five years before Cedar Hills' closure. He asked if an
72 intermodal facility can be sited in five years, and asked what will happen if not.

73

74 Kiernan said that an intermodal facility requires considerably less construction than a
75 transfer station, and should not take as long to complete. He added that the plan also
76 states the division will continue to monitor local intermodal capacity. If siting appears
77 problematic or if capacity decreases, the division may take action sooner.

78

79 A draft letter prepared by Rivkin conditionally approving the plan was distributed to
80 members as a replacement for the draft letter provided to members in advance of the
81 meeting. Rivkin said MSWMAC is considering conditional approval because members
82 need to see the results of the third party review. She suggested that the approval be
83 conditional subject to the results of the third party review and any amendments that the
84 county executive or council may make after MSWMAC's approval.

85

86 Greenway said she is comfortable with the approval being conditional subject to the
87 results of the third party review, but she is less certain that approval conditional to the
88 legislative process is appropriate. She said MSWMAC's role is to make
89 recommendations to council.

90

91 Rivkin said that she wants to ensure that, should council make changes to the plan, the
92 amended plan not be considered approved by MSWMAC. She added that the plan only
93 addresses the transfer system, and she wants to make it clear that MSWMAC's approval
94 does not extend to issues that have not been addressed.

95

96 Garber said Rivkin’s letter reflects that concern by stating explicitly what has always
97 been MSWMAC’s approach; approval of a draft in a moment in time. She suggested that
98 everyone take a minute to read the letter, and if the letter is approved, it will define the
99 motion for approval of the plan.

100

101 **MSWMAC member Bill Pelozza moved that MSWMAC accept Rivkin’s letter and**
102 **forward it to the county council.**

103

104 Greenway asked if any changes made to the plan by the Executive or council would come
105 back to MSWMAC.

106

107 Garber said that the plan will not come back to MSWMAC. What MSWMAC approves
108 is what we see at this point in time. Any changes that are made later are not presented to
109 or approved by MSWMAC.

110

111 Rivkin said MSWMAC is endorsing the plan now without giving the county license to
112 say that MSWMAC approves whatever final form the plan may take. But MSWMAC is
113 not requesting that the plan be sent back for additional review.

114

115 *The motion was approved unanimously.*

116

117 MSWMAC member Mick Monken said that MSWMAC has had no discussion of
118 Woodinville’s comments on the SEIS for the plan.

119

120 Garber said that MSWMAC never contemplated the idea of commenting on the SEIS,
121 because there is a well established separate process for input from individual cities. She
122 added that the level of detail in the SEIS is typical for a programmatic EIS, and that the
123 information requested by Woodinville would typically be included in a project-specific
124 EIS. She asked if other MSWMAC members had any concerns. Hearing none, Garber
125 said that while she appreciates Woodinville’s concerns, they appear to be specific to
126 Woodinville and not shared by other cities.

127

128 MSWMAC member Valarie Jarvi said that traffic will come from Snohomish County
129 through Woodinville to a new NE Lake Washington transfer station.

130

131 Garber replied that if a site is considered near the county line, the potential for residents
132 of Snohomish County to use the new transfer station would certainly be part of the
133 analysis of that site. She said she understands that this is a concern for Woodinville, and
134 while she would not recommend it, if the concern about the EIS is great, there is probably
135 an appeal process Woodinville could follow. However, she said that is a separate issue
136 from MSWMAC's approval of the Transfer and Waste Export System Plan.

137

138 **Rivkin moved that MSWMAC conditionally approve the Transfer and Waste**
139 **Export System Plan, including the Ordinance 14971 Section 5B Response.**
140 **MSWMAC's approval is conditional pending the outcome of the independent third**
141 **party review and any unanticipated amendments to the plan that may be submitted**
142 **by the Executive or RPC.**

143

144 Rivkin suggested that MSWMAC go through the document section by section, saving the
145 summary for last.

146

147 *Background:* No comments.

148

149 *Process:* No comments.

150

151 *Timeline:* Rivkin commented that she likes the layout of page 13, but there is no
152 reference to the Comp Plan. She said the Comp Plan should be included in the boxes to
153 provide the big picture.

154

155 Jennings said the last Action Item is dependent on the completion of the Comp Plan, so
156 the Comp Plan should be included in the box, above that item.

157

158 ***MSWMAC approved the change by consensus.***

159

160 *Transfer System:* MSWMAC member Dale Schroeder asked if the “replacement
161 capacity” referred to in the last sentence in the box on page 15 could come from extended
162 hours at other stations.

163

164 Kiernan replied that Algona and Houghton will close only when their replacement
165 facilities have been built. Renton will not close until all of the new facilities are
166 operational. However, that does not preclude temporary closures during construction,
167 especially at Factoria, during which time replacement capacity could be provided through
168 additional hours at other stations.

169

170 Spangler said that compaction should be mentioned in this section since it is a primary
171 reason for the system upgrades.

172

173 Kiernan suggested that it could be mentioned on page 15.

174

175 Rivkin said that the division must ensure the “Background” and “Summary” sections are
176 updated to be consistent with changes MSWMAC makes throughout the document.

177

178 Spangler commented that language regarding replacement facilities and capacity should
179 be consistent throughout the document.

180

181 Pelosa commented that items on the bullet list on page 19 end with a period, while other
182 bulleted lists do not have punctuation.

183

184 Greenway said that is because the list on 19 consists of complete sentences, while the
185 others are simple lists that do not require punctuation.

186

187 Rivkin said the note on page 19 should be worded more strongly. MSWMAC has
188 discussed how the Executive’s rate commitment ends with the closure of Cedar Hills and
189 it is known that rates will increase at that time.

190

191 Jennings suggested adding the phrase “beyond the rate of inflation.”

192

193 ***MSWMAC agreed to the changes by consensus.***

194

195 *Public/Private:* Rivkin said the third statement in the box on page 23 could be more
196 artfully phrased, and should be more consistent with the other items in the box.

197

198 ***MSWMAC agreed to the changes by consensus.***

199

200 *Capacity:* No comments.

201

202 *Long Haul:* No comments.

203

204 *Intermodal:* Rivkin suggested adding the language “It is anticipated that” before the first
205 sentence on page 35 to allow for the fact that timing may be affected by the conditions
206 that the division will be monitoring.

207

208 Spangler said that if trucks are used for long haul transport an intermodal facility will not
209 be needed.

210

211 Lead Planner Mark Buscher suggested adding “if barge or rail is chosen” to the end of the
212 first paragraph.

213

214 ***MSWMAC agreed to the changes by consensus.***

215

216 *Early Export:* No comments.

217

218 *Next Steps:* Rivkin said she would like to insert language that the process used to date
219 with input and revision by MSWMAC and all stakeholder groups listed will continue.
220 She suggested reworking the paragraph on process to that effect, specifically stating this,
221 and that the division will work with the listed stakeholders to determine the timeline for
222 submittal to King County council of reports on issues that have been identified.

223

224 Jennings said the last paragraph identifies issues for the Comp Plan. She said the division
225 would like to work on these issues with MSWMAC but not will draft chapters of the
226 Comp Plan for MSWMAC’s review until all of the issues have been discussed, because
227 the issues are interrelated.

228

229 Rivkin suggested that as recommendations for each section are developed, the division
230 may take interim reports to council in order to “take the temperature” on the issues.

231

232 ***MSWMAC agreed to the changes by consensus.***

233

234 *Appendix B:* Pelosa suggested that the headings be numbered to relate back to the nine
235 issues identified in the ordinance. Rivkin added that the issues should be listed at the
236 beginning of the document as well.

237

238 Pelosa said that on page 3 of the appendix Cedar Hills’ closure date is identified as 2015,
239 while the plan uses 2016 as the closure date. He also suggested that a reference to the
240 specific law should be included after mentioning SEPA on page 5.

241

242 ***MSWMAC agreed to the changes by consensus.***

243

244 Hearing no other proposed changes, Garber called for a vote on the main motion to
245 conditionally approve the Transfer and Waste Export System Plan, including the
246 Ordinance 14971 Section 5B Response. MSWMAC’s approval is conditional pending
247 the outcome of the independent third party review and any unanticipated amendments to
248 the plan that may be submitted by the Executive or RPC.

249

250 ***The motion was approved unanimously.***

251

252 Van Orsow asked if council staff could give a brief update on the third party review.

253

254 Council staff Mike Huddleston said the third party review will not be completed by
255 September 28. He expects it to be finished in October. Council has a draft RFP that

256 MSWMAC can review. He asked MSWMAC members to send their comments to him.
257 On Tuesday the Growth Management and Natural Resources Committee will review the
258 draft RFP. The new chief of staff has been briefed on the review.

259

260 In response to a question, Kiernan said the main point of agenda item #8 is that the next
261 step is to reach consensus on process, which will be discussed at the next ITSG meeting.

262

263 Rivkin said that in past Comp Plans, the division has worked with Recycling
264 Coordinators, who are not always included in ITSG. She suggested the division make
265 sure cities know that they should begin sending their Recycling Coordinators to ITSG to
266 participate in Comp Plan discussions.

267

268 **Product Stewardship**

269 Gaisford said MSWMAC is beginning to talk about recycling goals, and to that end it is
270 useful to know what other jurisdictions are doing. Today Helen Spiegelman of the
271 Product Policy Institute will talk about Vancouver's programs. Next month staff from
272 the City of Seattle will attend MSWMAC to discuss the City's recycling programs.

273

274 Spiegelman's presentation is available at:

275 <http://www.metrokc.gov/extranet/dnrp/swd/SPIEGELMAN.ppt>

276

277 In response to a question, Spiegelman said the original Bottle Bill in 1970 was a result of
278 pressure from the agricultural sector. Now, household hazardous waste, including paint,
279 oil, pesticides, e-waste and tires, are recycled. Industry has not been a barrier to
280 implementing these programs. She said in Canada the biggest barrier has been in the
281 mental view of citizens and elected officials.

282

283 In response to another question, Spiegelman said Canada is a small, resource based
284 country where most products are imported, so it has been dealing primarily with multi-
285 and transnational companies in implementing product stewardship laws. She commented
286 that in some ways it is good to be small and isolated, because it may be easier to make
287 changes without receiving much notice. She suggested that communities begin product

288 stewardship efforts by focusing on a product that “gets under people’s skin.” In Portland,
289 that product is currently sheet rock.

290

291 **Adjourn**

292 Garber said the remainder of the agenda will be postponed. She suggested that members
293 review the handout of the draft Comp Plan process for the next meeting.

294

295 The meeting was adjourned at 2:00 p.m.

296

297 Submitted by:

298 Gemma Alexander, SWD Staff