

# King County Solid Waste Advisory Committee

May 18, 2012 - 9:30 a.m. to 11:30 a.m.  
King Street Center 8<sup>th</sup> Floor Conference Room  
*Next SWAC meeting – June 15, 2012 - 9:30-11:30*

## Meeting Minutes

<b>Members</b>
Jerry Bartlett
Joe Casalini
Tim Crosby
Jean Garber
Matthew House
Craig Lorch
Joan McGilton
Suellen Mele
Philipp Schmidt-Pathmann
Relaena Sindelar
Stephen Strader
John Taylor
Bill Ziegler

<b>Others</b>
Kathy Hashagen, SWD Staff
Kevin Kiernan, SWD Director
Grace Reamer, King County Council Staff
Thea Severn, SWD Planning and Communications Manager
Kimberly Shanley, Waste Management
Thomas Wray, Teamsters 117

### **Approve March Meeting Minutes; Review Agenda**

The group approved the March minutes as written. There were no changes to the agenda.

### **Updates**

#### **SWD**

The Solid Waste Division Annual Report has been sent to Council. Contact the division if you would like a hardcopy. An online version is available [here](#).

The legislation allowing the division to pursue an alternative procurement process for the Factoria Recycling and Transfer Station (RTS) is being transmitted to Council. This alternative process allows qualifications to be considered in addition to cost. It has been used successfully at Bow Lake where, as is planned for Factoria, the station continues to operate during construction.

Approximately 20 people attended the Wednesday, April 25 Cedar Hills Community Meeting and received an update about landfill activities. BioEnergy Washington (BEW) was invited to attend. In response to a comment Kiernan noted that BEW hopes their landfill gas to energy plant at the Cedar Hills Regional Landfill will be operational in June.

Approximately 15 people attended the tours of the Cedar Hills Regional Landfill offered April 21, during Earth Week. The tours lasted about an hour and explained how the division's state-of-the-art landfill protects human health and the environment.

Soon, the division will begin recruiting members for the Citizen's Advisory Committee (CAC) for siting the South County Recycling and Transfer Station. Citizens in addition to commercial haulers, school districts, businesses, environmental groups and more will be invited to participate. CACs ensure the choices made are reflective of community values.

SWAC members are invited to suggest members for the CAC. South county cities have also been invited to suggest members and include information about the CAC in their newsletters or other internal media.

## MSWMAC

Much of the May MSWMAC meeting was devoted to a discussion of the ILA process. There is agreement on about 80 percent of the ILA but two sticking points remain; flow control and liability.

Kiernan spoke from the [ILA Drafting Document 5-10-12](#) which was jointly developed by the ILA Drafting Committee.

- The negotiating group and their attorneys have met twice since the April MSWMAC meeting. One of these meetings was in the form of mediation with the parties in separate rooms. The second was a meeting of the principals, together, for a general discussion about options for moving ahead.
- Although the original policy issues the group was tasked with last August have all been addressed, none of the outstanding items mentioned at the April MSWMAC meeting have been resolved.
- The group has agreed that rather than to continue the current dialogue, it may be more productive to take a break from negotiations and instead focus on getting a broader informational grounding on the risk and liability issues. These “informational workshops” could take a number of forms, including but not limited to briefings at MSWMAC, and could include interested stakeholders, both including and in addition to MSWMAC members.
- Given that the division will be very focused in the next month on finalizing the 2013-2014 rate proposal, the workshops are unlikely to be held before mid-June.
- The negotiating group would like to work together to develop a more detailed scope and plan for the workshops, and is open to hearing suggestions from MSWMAC in this regard.
- As discussed at the April MSWMAC meeting, absent an extended ILA, the County’s rate proposal for 2013-2014 will be based on an assumption that ILAs are not extended and that 15 year debt will be issued for the Bow Lake Transfer Station Project. There will be a modest rate impact associated with this (estimated at < \$2/ton).
- As discussed at the April MSWMAC meetings, if an extended ILA is reached before the Bow Lake bonds need to be issued, (March 2013), the Bow Lake bonds could be for a longer, 20 + year term.

## Draft Timeline for Moving Ahead

- Map out scope of information to be presented, target audiences (May – early June)
- Identify speaker(s) (May – early June)
- Schedule workshop(s) and any additional briefing dates and locations, (May - early June)
- Present proposal to MSWMAC for feedback/concurrence (June)
- Conduct workshops, briefings (June-July)
- De-brief and determine next steps (July-August)

Kiernan noted that flow control and liability came up later in the ILA Drafting Committee discussions and that the committee did not have the benefit of direction from MSWMAC when

attempting to address those issues. The proposed workshops would provide the necessary information on liability and will hopefully result in policy direction. Kiernan will share briefing papers from the workshops with SWAC.

In response to a question Kiernan said that flow control is a foundational issue for the division. The waste stream guaranteed by flow control allows for system planning and investment. The current ILA says flow control is designated by ordinance. The issue for the extended ILA appears to be about how flow control would be ensured; contract or ILA.

McGilton noted that retaining the current ILA would mean that current rate payers would pay for facilities in the next fifteen years that are expected to last for a further 25 years. Whether future users should pay for their portion of the infrastructure is a significant regional policy question. She noted that MSWMAC agreed to a joint meeting with SWAC in the fall.

Members noted that cities have arranger liability and couldn't avoid superfund liability. Changing the ILA would not absolve them of current liability for waste that has already been disposed.

### **Tour of Bow Lake Recycling and Transfer Station**

In May, the division will begin training employees in the new transfer building which will be open in July. SWAC agreed to tour the new Bow Lake Recycling and Transfer Station building in lieu of their regularly scheduled meeting on Friday, July 20<sup>th</sup>. MSWMAC members have also been invited to attend.

Parking is available but limited. Carpooling is encouraged. The Solid Waste Division will also provide transportation to Bow Lake from King Street. More detail about the tour will be sent via email. Additional information about the Bow Lake Project and driving directions are available [here](#). SWAC will also be invited to the Grand Opening of the Bow Lake facility currently planned for the summer of 2013.

In response to a comment Kiernan noted that the footprint of the new Bow Lake transfer building is larger than the building at Shoreline. He said the division intends to increase recycling at Bow Lake, including mining the waste stream for some recyclables, when the entire facility opens. While construction continues only interim recycling is available in the new building.

### **Zero Waste of Resources Grants: Ethics Question**

During comp plan discussions advisory groups asked the division to prioritize voluntary approaches to maximizing diversion. There was particular interest in incentive-based strategies to encourage the desired behaviors. As a result, the 2012 comp plan includes a policy to establish an additional competitive grant program to fund innovative projects and services that further the WRR goals outlined in the plan.

In March MSWMAC members were asked to be involved in the grant program design. Member asked if involvement in designing the grant program would preclude their organizations from eligibility to receive a grant. The division asked the King County Ethics Board staff for advice. After reviewing previous Ethics Board Opinions they said it would not be appropriate for SWAC members or representatives from their company or groups to participate in the development of a grant program to which they ultimately can apply and

benefit. However, it is appropriate to ask the group to provide input on a draft of the grant program after it has been developed since they would be providing input as a group and the division has the ultimate authority to finalize the grant program elements.

During discussion about ethics related to the Zero Waste of Resources Grant, Casalini noted that he had received a letter from a SWAC member asking for information regarding how decisions are made about SWAC presentations. The following excerpt from November 2010 SWAC notes provides detail.

The group discussed four proposals for having commercial presentations during SWAC meetings. The proposals included

1. SWAC will not allow commercial presentations during the meeting.
2. Commercial presentations may be made only during the open forum period at the end of the meeting and must be limited to three (3) minutes.
3. Commercial presentations may be made during a meeting if the preconditions are met and the committee agrees to hear the presentation. *(It was made clear in the discussions that this proposal does not preclude vendors from speaking during the open forum.)*
4. Presentations to SWAC, other than those given or provided for or by the Solid Waste Division staff, shall be at SWAC's request as determined by a majority vote, provided that any member of the public may make comment during the public comment period at the end of the meeting. *(It was made clear in the discussions that this proposal does not preclude vendors from speaking during the open forum.)*

Discussion included

- the need to have balanced presentations that provide information as opposed to marketing presentations,
- the importance of ensuring that presentations do not stop the group from accomplishing the work plan,
- the value of learning about new technologies,
- the benefit of having a majority vote of the group determine if a presentation, other than those provided through SWD staff, will be heard by the group, and
- the value of the Open Forum.

The fourth proposal passed.

Members were reminded that forecasted future SWAC agenda topics appear on the bottom of the agendas.

### **Rate Proposal**

Planning and Communications Manager Thea Severn spoke with MSWMAC about the rate proposal (the rate). She discussed the assumptions used to plan for the new rate, with the caveat that they may change.

- The rate will be planned to coincide with the new biennial budget process. The decision about the rate period and its amount will be made by the Executive.
- The division is proposing a rate that supports the adopted [Solid Waste Transfer and Waste Management Plan](#). The rate assumes that all bonds would be paid by 2028 at a cost of approximately \$8.75 per ton. That amount includes bonding for the construction at Bow Lake in March of 2013.
- The Landfill Reserve Fund (LRF) is used for new development, closure and post closure expenses at Cedar Hills. The LRF needs an additional contribution of about \$3.00 per ton in response to low interest earnings and inflation.

- The Post Closure Fund is used to monitor and maintain closed and custodial landfills and is required by law. Monitoring and maintenance hasn't stopped even at landfills that have passed the 20 year post closure date. The division is working with regulators to determine options for those landfills. Pending the outcome of those discussions, additional funding may be required in a future rate request.
- The Capital Equipment Recovery Fund pays for the replacement and rebuild of major equipment. Additional funds are needed to pay for the rebuild of major landfill equipment which should then last through the projected life of the landfill.
- The current rent schedule for Cedar Hills ends in 2014. The rent is approximately 9.1 million in 2013 and 3.4 million in 2014. Assuming a new rent schedule for the period 2013-2025, the rent would begin at about 2.9 million per year in 2015.
- The rate includes a proposed amount for mitigation of full garbage trailers traveling on city streets. Based on information received from the Department of Transportation Roads Division the proposed amount is 25 cents per ton mile.
- The rate restores funding for some Waste Prevention and Recycling Programs that were cut in response to the economic downturn. It also includes funds for education to underserved communities and restores some customer surveys and studies that were trimmed.
- Changes to recycling services are included in the rate. The division is proposing to add scrap metal and appliance recycling services to a number of transfer stations and restoring collection of the curbside mix. The costs of restoring that service is expected to be offset by the added revenue from scrap metal recycling and cost savings from changing how some materials are handled.
- The division is not proposing any cuts to services or hours.
- There are other inflationary increases as well. The impact of inflation in 2013 and 2014 would increase the basic fee from \$109 to \$112.75 per ton.

Severn distributed graphs showing the [estimated cost per ton for debt service 2013 – 2028](#). She said the darker portion of the bars reflects debt service for existing debt; mostly Shoreline. The lighter portion of the bars reflects Bow Lake and the debt needed to complete the system as it is defined in the [Solid Waste Transfer and Waste Management Plan](#). Severn distributed a graph [comparing debt service cost per ton for different bonding periods](#).

In response to comment Severn said the division will bond for Bow Lake in 2013 and will bond for the planning and design of the Factoria Recycling and Transfer Station in 2014.

Kiernan noted that the division would discuss options with the Executive and could then discuss details and the figure proposed for the rate with others. Before doing that, the division would like to gather feedback from SWAC and MSWMAC about concepts. Input from the advisory groups will impact the Executive's process.

In response to questions Kiernan noted:

- Tonnage is projected to be flat with gradual growth. Household size, disposal fees, household recycling, population changes and more are all included when projecting future tonnage.
- The division is pausing in the process of transmitting the comp plan to Council because of the uncertainty related to the ILAs.

- The projected debt over time is the amount required to pay for current debt including Shoreline, to pay for Bow Lake and also to implement the rest of the facilities in the Solid Waste Transfer and Waste Management Plan.

### **Transfer Station Siting**

Neil Fujii, the manager of the Transfer Facility Engineering Unit and Lisa Williams, the project manager for the Northeast and South County Recycling and Transfer Station (RTS) Siting Project presented information about siting those facilities.

The 2007 Solid Waste Transfer and Waste Management Plan provides a blueprint for county's solid waste transfer system. In accordance with that plan, the Shoreline has been completed and the Bow Lake and Factoria stations are being replaced at the existing sites. The Northeast and South County stations identified in the plan have no specific sites. URS Consultants have been selected to support the division during site selection for those locations which involves siting, environmental assessment, public involvement, and property acquisition services.

The division is targeting late 2012 or early 2013 as the completion date for the division to develop a recommendation for the Executive regarding the south county site selection. The schedule shows design in 2013, construction in 2015 and the anticipated opening of the new station in 2017. For purposes of this siting process, Federal Way, Pacific, Algona, Auburn, Des Moines, Covington, Kent and neighboring unincorporated areas are identified as South County.

Recently, the division purchased the Interwest Development property adjacent to the current Algona transfer station to preserve it as an option subject to the site selection and SEPA processes. Algona's Mayor Hill supports the use of this site.

Northeast county site selection is targeted for 2013-2014 with an anticipated station opening in 2018. For purposes of this siting process Redmond, Woodinville, Kirkland, Bothell, Duvall, Carnation and neighboring unincorporated areas are identified as Northeast County.

More information about the site selection process and the Bow Lake project is available [here](#). Click on the following file name to view the presentation (May 18-2012\_SWAC-FINAL.pptx).

In response to a question Kiernan said that the division is anticipating doing an EIS. Whether or not that needs to occur will depend on what site is chosen. In the past the division has sometimes used a Mitigated Determination of Non Significance (MDNS) if the host jurisdiction agrees and there is no disagreement from the public.

### **Bow Lake Construction Presentation**

Fujii introduced Tom Creegan, the Bow Lake Recycling and Transfer Station Project Manager. Creegan said the Bow Lake project was divided into four phases. The first two phases will be complete when the new transfer building is open to customers. The next phases include deconstructing the old transfer building, creating the south processing area, and replacing the scale plaza. Construction is expected to be completed in August of 2013.

More information about the Bow Lake project and the site selection process is available [here](#). Click on the following file name to view the presentation (May 18-2012\_SWAC-FINAL.pptx) and on the following file name to view the video (bowlakeupdate.wmv.)

Michelle Miller, the Transfer Station Recycling Program Manager spoke about recycling at Bow Lake while the construction is in progress. This interim recycling will change when the entire facility is operational. When the new transfer building opens to customers this summer it will accept scrap metal, yard waste from residential customers and landscapers, and appliances for recycling. There will also be an expansion of a cooperative venture with CleanScapes and Bike Works that recycles used bicycles and bike parts at Shoreline. Additionally, the division will collect used sharps from residents for safe disposal.

When the facility is fully operational, the division expects to use the north processing area to bale cardboard, film plastic and mixed paper. The north processing area is for loads from commercial haulers and larger loads from self-haulers. The South processing area is intended for self-haulers with smaller loads.

The discussion included:

- Which recycling services are offered by the division are influenced by many things including requests from cities, the markets for the collected materials, service gaps, and the costs and associated revenues for the materials. The division attempts to avoid competing with private businesses that provide recycling services.
- The new facility is flexible and the type of materials accepted for recycling will continue to evolve as markets and needs change.
- The tire wash system has an underground vault where the water is filtered and cleaned. The tire wash inside the building drains to the sanitary sewer. The new facility will collect rainwater for use in washing down the floor and perhaps for the tire wash.

### **Open Forum**

Thomas Wray the Business Representative for Teamsters Local 117 said that the union is bargaining with Waste Management and Republic. The current contracts expire on May 31.

Crosby noted that Waste Management has opened their second CNG (compressed natural gas) facility in Auburn where it will fuel their collection trucks. The facility is also open to the public. They expect their third CNG facility to open in Woodinville June 28.

Schmidt-Pathmann said the Intergovernmental Panel on Climate Change (IPCC) has a hierarchy focused on recovery rather than disposal. As such the group favors waste to energy rather than energy from landfill gas.

Schmidt-Pathmann discussed a recent study quoted in “Waste Recycling News” saying that multi stream recycling is more effective than single stream. He said single stream recycling results in approximately 25 percent of the materials being diverted into landfills. He said the percentage is related to the quality of materials sent to the markets. A copy of the article he referenced is available [here](#). Crosby disagreed with that disposal percentage saying that less than 6% of materials from single stream recycling are disposed from the Cascade Recycling Center. Casalini said that the disposal rate at 3<sup>rd</sup> and Lander is approximately 5%.

Rabanco has received the Gold Award from the King County Department of Natural Resources and Parks, Waste Water Division for their exemplary compliance with the terms and conditions of their industrial wastewater discharge permit.