

MSWAC Advisory Committee Meeting

June 9, 2023 - 11:15 a.m. to 1:15 p.m.

Virtual Meeting (Zoom)

<u>MSWAC Members</u>	
Joan Nelson	Auburn
Jon Gire	Bellevue
Robin Tischmak	Burien
Steve Friedman	Clyde Hill
Rebecca Kovar	Federal Way
Colleen Minion	Federal Way
Rob Van Orsow	Federal Way
Tony Donati	Kent
Jenna McInnis	Kirkland
Penny Sweet, Chair	Kirkland
Phillippa Kassover, Vice Chair	Lake Forest Park
Amy Shaw	Maple Valley
Sheri Healey	Normandy Park
Aaron Moldver	Redmond
Amy Tsai	Redmond
Meara Huebach	Renton
Linda Knight, Vice Chair	Renton
Amy Lam	Sammamish
Genevieve Rubinelli	Sammamish
Doug van Gelder	Sammamish
Mason Giem	SeaTac
Cameron Reed	Shoreline

<u>King County Staff</u>
Eyasu Ayalew, Public Health Seattle/King County
Kelsey Bailey, SWD Staff
Brian Halverson, SWD staff
Amy Ockerlander, SWD staff
Pat McLaughlin, SWD Director
Terra Rose, King County Council staff
Hannah Scholes, SWD Staff
Adrian Tan, SWD Staff
Isabelle Trujillo, SWD staff
Dorian Waller, SWD staff
John Walsh, SWD staff
Dave Ward, King County Hazardous Waste staff
<u>Guests</u>
Lacie Adkins
Jeanette Jurgensen, Epicenter Services
Kazia Mermel, Sound Cities Association
Laura Moser, Waste Management
Tyler Pichette, Pacific Public Affairs
Diana Wadley, Dept. of Ecology
Wendy Weiker, Republic Services

Call to Order and Introductions

Chair Sweet called the meeting to order at 11:18 a.m.

Meeting Minutes

Agenda approved unanimously. Knight moved to approve the May meeting minutes. Lam seconded. The meeting minutes passed unanimously.

Public Comment

Ward introduced himself as the Policy and Planning Manager for the Hazardous Waste Management Program and shared several updates from the Haz Waste Program. On July 20, the program will present to the King County Board of Health, where they will give an overview of the Program and request some code changes. The purpose of these requested changes is to bring the Board of Health code up to date since the Program’s reorganization earlier this year, remove ambiguity and improve transparency of fees to ratepayers, and better align code language to current procedure.

In line with the Program’s recent reorganization, the Program is requesting a code change so that the King County Department of Natural Resources and Parks can collect the solid waste and wastewater fees that fund the Haz Waste Program. Fees are currently collected by Public Health – Seattle and King County. The Haz Waste Program is also requesting housekeeping code changes, including:

- **Clarifying fee language** for solid waste drop-off at transfer stations. The current language does not align with how solid waste fees are charged at King County and Seattle Public Utilities transfer stations. The proposed change will better align code language to current procedure and does not change the fees paid.
- **Updating outdated language**, specifically, changing “sewage” to “wastewater.” Use of the word “sewage” has caused confusion with some ratepayers. Currently, all ratepayers who operate wastewater treatment facilities pay based on wastewater volume, not sewage.

Ward emphasized that there is no proposed change to Haz Waste fees, and all ratepayers will continue to pay the Haz Waste fee at the same rate they currently pay. Most residents should not see these changes. Most of those that see these changes will be haulers. There will be a public hearing at the Board of Health on July 20 before the Board votes. If there are questions, please reach out.

Van Orsow wanted to know how the sewage volume treated vs. the sewage volume removed from the system will increase the rate and revenue. Ward replied that this will not increase the rate. All eight customers that pay on wastewater volume treated are currently paying on wastewater volume. It would be difficult to isolate sewage from the total amount of wastewater.

Wadley shared several updates. First, Ecology approved Seattle’s Solid Waste Management Plan. One of their councilmembers asked them to set a metric in place for how they are going to track their reduction efforts. The report is due next December. When Ecology approved the plan, they encouraged Seattle to use their role as a leader in the state to increase transparency in recycling. In doing so, they referred to the responsible recycling task force, which is referenced in the Seattle plan and is supported in recommendation 13. This recommendation is also related to transparency in recycling. If anyone is curious about the ABC investigative report related to plastic bags and recycling across the nation, reach out to Wadley at Diana.Wadley@ecy.wa.gov.

As of June 1, expanded polystyrene (EPS) for packing peanuts and void fill is [banned for sale and distribution](#) in Washington. On June 1, 2024, the next phase of the ban will go into effect where certain food service products like clamshells will be banned. Lastly, Ecology needs to decide this year as to which areas will have a business collection requirement. This requirement will go into effect on Jan. 1, 2024, and is only for big generators that produce at least eight cubic yards of organics per week. Since King County covers a lot of area, many businesses meet the requirements. Ecology is on track to have a map that shows where this requirement applies. By July 1, 2023, Ecology will post where in the state the Business Collection Requirements will apply.

Information about the business collection requirements on the Organics Management Law can be [found here](#). This folder includes a link to the business collection requirement focus sheet. For more information about the law in general, check out this [overview](#). More details can be found in [Ecology’s Organics Management law library](#). You can subscribe to the [Organics Management newsletters](#) for more information. All previous newsletters can be [found here](#).

Van Orsow commented that it would behoove us to be proactive in making sure that King County’s plan considers the diversion of materials.

SWD Updates

McLaughlin provided the SWD update.

C&D Facility and Salvaged Lumber Tour

On June 14, the Division will participate in a salvaged lumber and Construction and Demolition (C&D) facility tour in the Seattle area. The facilities that we will tour showcase recycling and salvage processes that capture reusable building materials that can be used in new construction, retrofits or recycled. The Division is organizing this tour to better understand what happens with construction and demolition waste in our region. The tour will include detailed descriptions about what is taking place at each stop along the way, as well as a walkthrough of the actual recycling facilities and

warehouses, and discussions with county and facility staff. Facilities toured will be as follows: **Sledge** salvaged warehouse in Ballard; **Earthwise** in South Seattle to see some salvaged building materials ready for reuse; Gypsum recycling facility in the South Park area; **DTG Hudson**, a King County designated facility accept demolition waste and sort out the banned materials; **WM's** Argo railhead.

Tonnage Report

As is normally the case, last month we received more tonnage than the May 2022, because of this we are estimated a slight positive difference (0.5%) tonnage for the year. In 2023, we will receive less tonnage compared to 2022.

According to the Office of Economic and Financial Analysis, the economic outlook for King County in 2023 remains positive, with growth in personal income, population, employment and building permits.

Green Globe Awards

On June 7, eleven individuals and organizations from across King County were honored by Executive Constantine and DNRP with a 2023 Green Globe Award for outstanding work to protect and restore the environment, and contributing to a more resilient, sustainable, and equitable King County. The award show was well attended. One of the awardees was Warren King George of the Muckleshoot Tribe who won the Environmental Legacy Award for providing invaluable perspective over the years on protecting and integrating Tribal cultural legacy, traditional knowledge, and utilizing cultural resources in contemporary project decision-making. We worked very closely with the Muckleshoot Tribe during the South County Recycling and Transfer Station (SCRTS) groundbreaking. Another awardee who we work closely with is Sledge Seattle who won the Leader in Green Building award for rescuing wood and other materials from homes destined to be demolished and thrown away.

Moldver asked if cities could attend the C&D tours. McLaughlin responded that the tours are closed for now but there could be value in organizing a similar tour for committee members. This initial tour would inform future tours and we can come back and see how this will play out. If there is anything that cities would like to see, please let us know in advance of the C&D tours. Moldver followed up by asking if the Division could find out the overall recycling rates.

SWAC Update

Sweet said SWAC was short because they did not have the rate discussion that MSWAC had but covered all the same topics.

2023 Legislative Review

Scholes and Tan provided this review.

As an overview, the bills that passed this 2023 Legislative Session are:

- **SB 5144 Extended Producer Responsibility (EPR) for Batteries.** This is our big win of the year.
- **HB 1033 Work Group on Compostable Products.** This will hopefully move us towards less contamination in our stream.
- **HB 1085 Plastic Pollution Reduction.** This is the bill that would phase out mini toiletries at hotels, require refill stations wherever drinking fountains are required in new buildings, and ban foam-filled docks and floats.
- **SB 5287 Study on the recycling of wind turbine blades.** This will hopefully set us up for the future with recommendations for the future.
- **SB 5187/HB 1140 budget provision,** which includes: recycling, reuse, and source reduction targets study; and community engagement about the state's recycling system. Ecology will manage both studies.

The bills that did not advance are:

- **HB 1131/SB 5154 Washington Recycling and Packaging Act (WRAP).** The deposit return system is the main thing that resulted in the bill not advancing.

- **HB 1132/SB 5464 Right to Repair.** This made good progress and Minnesota has recently passed a Right to Repair bill.
- **HB 1164 EPR for appliances containing refrigerants**
- **HB 1185 Mercury-containing lights & EPR for lighting products.** We have an EPR program for this and this bill would ensure this work could continue and it included all lights.
- **HB 1264 Encouraging equitable solid waste collection rates.**
- **HB 1422 Exempting certain reusable packing materials from sales and use tax**
- **SB 5376 Allowing the sale of cannabis waste.** Currently, you must mix your cannabis waste with similar material like litter. We don't want more organics going to the landfill so a bill like this would help get organics out.
- **SB 5484 technical assistance to farmers and food processors in support of improved voluntary environmental stewardship**

Kassover wanted to know what the Division will be working on in preparation for next year's legislative session for the bills that did not advance and what will be the Division's biggest priorities. Scholes and Tan answered this in the following paragraphs.

We have been having internal meetings to go over our reflections from the 2023 Legislative Session. Scholes stated that we are very excited that the EPR for Batteries has passed. We will be doing a lot of work around the WRAP ACT not passing but we did make progress and there is continued strong engagement. In the 2022 Legislative Session, we had the Renew Act which did not include the deposit system and we are making baby steps towards a bill like the WRAP Act. This year, we focused more starting on the House side vs. the Senate side and a lot of education occurred. This is setting us up well for next year because it has been well socialized on both sides of the legislature. The WRAP Act was a BIG bill that included EPR, a bottle bill, and recycled content requirements. This made things complicated and brought a lot of opposition. Legislators are considering this aspect for the future. In the interim, we expect that Rep. Berry will continue to engage with interested parties and affected groups and we plan to support this through the Northwest Stewardship Council.

Senator Rolfes will no longer be in that seat so there will be change in Senate leadership. We will have to see who fills in that role for a bill like the WRAP Act. Tan added that he was able to participate in a conference called Circularity 23 and Governor Inslee talked about wanting to pass the WRAP Act. There is a lot of groundwork that needs to be done and we need to engage more with interested parties.

The potential bills for 2024 are:

- **EPR for Paper and Packaging (WRAP Act).** Rep. Berry confirmed that the WRAP Act will in some way be in the 2024 Legislative Session.
- **Organics.** We are expecting to see something about the Organics Management Law that did get passed. There are some things that did not get passed and there is a stakeholder group being convened for that.
- **Right to Repair.**
- **Mercury-containing lights and EPR for lighting (HB 1185)**
- **EPR for appliances containing refrigerants (HB 1164)**
- **Wind Turbine Blade Recycling.** We expect there might be a follow up on the wind turbine depending on the results of the study.
- **EV Battery Recycling.** Part of the Battery Bill that was passed included a requirement that Ecology completes a study for Electric Vehicle (EV) battery recycling.

We appreciate any feedback on how committee members felt informed during the legislative session. If you'd like to be involved with any bills, we can help you get connected.

Heubach said that she discussed the Organics Management Law with Cedar Grove when she went on the tour. They had no idea what she was talking about. If we are interested in that, more engagement needs to happen with the composters. Tan replied that in this upcoming series, the composters will be present, but he does not know if the cannabis folk will be there.

Kassover noted that there was previously an organics task force and hopes that the Division will alert interested members in task forces that are actively working on things. It can be very helpful to have city members testify on bills like this; and using Zoom makes it easier for members throughout the state to testify. This can really make a difference. Kassover shared that she is retiring at the end of the year. Tan replied that we can do a better job of working with cities and those close to us.

Sweet echoed Kassover's comments and added that cities can have a profound impact. These bills need to get on cities agendas.

Lam stated that there was a councilmember that signed up to testify for the WRAP Act and due to a schedule change, was not able to make it. If they had known of the schedule change earlier, they could have made it. Lam also supports Kassover's comments.

Reed commented that he has seen a lot of work like this in the [King County-Cities Climate Collaboration](#) (K4C). This work can be complicated if you don't know where to begin and if we can get ahead of this, it can make a big impact. Tan responded that we do provide the dates for public testimony as soon as we know in the monthly updates, but this does not always work with the meeting times. We need to do a better job of sending this information out.

Scholes asked Sweet if there is something that the Division can do to help get the County on cities agendas. Sweet replied that Kirkland has a legislative support agenda, and there must be an overall recognition that that this is city work. Not all cities initially recognize that this is city work.

Kassover echoed these comments and added that these legislative agendas are developed in the fall, so cities can prepare their lobbyists and councils for January. The missing piece over the last year is knowing early enough about the bills that we know are out there and having the ability to engage in task forces. Maybe there could be an email list for those who are interested with daily/weekly information on hearings coming up. The monthly report does not cut it and we need to find another way to keep people engaged.

Van Orsow wanted to know how K4C leads into setting cities legislative agendas, specifically how Kirkland does it. Sweet said that Kirkland is part of K4C, and they make it a point to include recommendations from them into their agendas.

Reed stated that it looks differently in every city and K4C has set of specific things.

Sweet added that Kirkland council adopts a work plan and has a significant emphasis on their Sustainability Master Plan which gets the council involved in that process.

Cedar Grove debrief

Bailey presented this debrief.

Over the month of May, Cedar Grove partnered with the County to host three tours on May 10, 17 and 31. Amongst the three dates, there were almost 25 attendees. There was a good mix of committee members and County employees. An overview of how each morning tour went:

- Safety standards & aerial walkthrough
- Weigh station
- Tipping building
- Negative air piles, aerated piles
- Screening at the "Kraken"
- Final screening for final product

- Compost mix site
- Bagging & sales
- Stormwater ponds

At the tipping building, attendees saw where materials are first dropped when haulers are cleared at the weigh station. As Cedar Grove accepts municipal yard and food waste, contamination is a known struggle. What is not captured in the photos are large items like watering cans, green bins, hoses, and other products that are first pulled by tipping monitors. Cedar Grove then goes through other obvious pieces of garbage like black & white garbage bags, chip containers, dog toys, glass, and other obvious items. These tours are important for people to have that visual trigger to see how each individual action as residents impacts what ends up at the stations.

Skipping ahead through the process quickly, Bailey wanted to show a comparison of the end product. As there are many concerns around plastics and contamination, this was an extreme difference compared to what had come into their facility. Small plastics, fruit stickers, and other film items still make it through the process, so it is certainly not perfect – but the image shows the difference in what comes in and what comes out at the end. Cedar Grove has about a 5% visual contamination inspection amount. If it's more, they will reject it. A lot of these plastic items that get through end up weighing and fitting as organic shapes so it's hard for the machine to differentiate.

To remove that contamination and plastic, Cedar Grove utilizes an Action Screening System (what they call the “Kraken”) that has 22 suction points that removes plastics along multiple conveyer belts. The machine turns out three different products for three different uses– a two-inch product that is utilized for balancing the Carbon Nitrogen ratio when other organics come in, a one-inch product that is used for coverage for the curing of compost piles, and then the finer finished product that was shown on the previous slide. Plastics and contaminants screened there go into that trailer, which is then brought over to Cedar Hills Landfill.

Along the tour, they also were shown the area that houses and mixes all the varied products, which can include mixing in different ratios of sand and other materials to help with holding or filtering more water, etc.

The far-right image shows the final of their three-stormwater pond system that collects and filters the water collected from the property before feeding into the sewer system. They have installed curtains, like that of areas in the Southeast experiencing hurricanes, to keep any additional debris and blown plastic from mixing in. The bottom image shows the bagging plant in the back and pallets of bagged products that are sold to retailers all over.

As Cedar Grove is one of the main compost processing facilities in the region, Bailey felt it was important to offer opportunities for Project Managers to visit their main facility and continue conversations with them as we begin to implement the requirements of the Organics Management Law. There are likely more bills like this to come down the line and it's important that as we have these concerns, we can have that first-hand experience to talk about that.

We know this is a big piece of legislation that is requiring a lot of jurisdictions and partners in the organics and waste sector, so hopefully building this bridge was informational and useful for your future work.

As the Organics Circular Economy Project Manager at King County SWD, Bailey is here to lead in education, outreach, prevention, and compost procurement. Resources and opportunities for more information will be sent out to members via Waller. This includes more detailed information on how cities may access our universal contract with Cedar Grove, which has been a question in past meetings. We have the Washington Organics Recycling Council (WORC)/Tilth Conference in October at Fort Warden. This conference is an annual event bringing together hundreds of farms, food system professionals, composters, researchers, and educators for more than 25 lectures, workshops and panel discussions that highlight Washington's farmers and farm business. To contact Bailey for compost topics, email her at compost@kingcounty.gov. Her direct email is kebailey@kingcounty.gov.

McInnis asked if there are any additional dates planned for Cedar Grove tours and if there are any planned tours of Lenz. Bailey replied that the Division does not have any tours currently lined up. Bailey can help connect McInnis with Cedar Grove to set up another tour for city staff. This is their busy season though, so availability for tours is dropping until the fall. Bailey will include the contact information in her follow-up to Waller with the universal contract details.

Huebach had a question on the contract and wanted to know if contractors can use the County contract like cities can. Bailey responded that she would follow up with this information via email and that only cities or the County can access the contracts, not contractors.

Van Orsow had comments relating to Cedar Grove, HB 1799, and regional commercial compostable service providers. He requested that SWD update/improve the "What Do I Do With" website in relation to listing compostable collection service providers. Since HB 1799 requires compostable generators to divert compostable materials, this could be a key resource to support businesses coming into compliance with the Organics Management Law. At this point in time, most compostable collection in the City of Federal Way is provided by WM and Cedar Grove, and neither of these haulers are listed as providing commercial compostable collection services on the What Do I Do With website. Rather than have each city try to update this information and duplicate efforts, the What Do I Do With website could poll all vendors and better show the local areas where these haulers are willing to provide services.

Bailey will work with the team to get this included.

RE+ Update

Ockerlander gave this update.

We've made significant progress with cities and getting the Re+ pledges signed. Our goal was to give all 37 presentations by the end of June and as of today, we have given/scheduled presentations with 31 cities in King County. With the recent inclusion of Kent and Pacific, we are at 18 cities that have signed the Re+ Pledge by the end of May. Our goal was to have 12 cities sign the Pledge by the end of May. Of the King County cities, 54% have signed on with the Re+ pledge.

As you are aware, we had the Re+ Circular Economy Grant last year. There was \$2 million available for this competitive grant program which was open to private, non-profit, and public entities to support waste prevention and waste diversion. We received 48 applications and funded 14 projects in 2022. The planning for the second cycle is underway and is set to take place in Q1 2024.

The Re+ City Grant applications just closed. There was \$300,000 available in this competitive grant program for cities that have signed the Re+ Pledge. Joint-city proposals were encouraged, and staff are currently evaluating proposals. The awards will be announced this summer.

We have two upcoming meetings scheduled with the cities of Auburn and Skykomish. There are still six cities that remain to be scheduled.

Knight asked how many cities submitted proposals for the competitive grant and how many were joint proposals. Ockerlander responded that we received five total applications with four joint and one single. There was a total of \$150,000 in requests between 12 cities. This showed great collaboration between cities.

Rate Restructure Check-in

Waller led this section.

Waller asked each city for updates.

Van Orsow had no update.

Nelson stated that Auburn is waiting for some draft agreement language from Waste Management (WM). WM is waiting to get everything wrapped up with Redmond before they send a draft. Nelson asked if there were updated tonnage numbers from King County. Waller replied that he is in the process of scheduling a meeting with WM and respective WM cities. An email will be sent out with this information.

Donati noted that they received Republic's amendment proposal with calculations on it and reviewed it. They came up with their own recommendations and are reviewing it. Next, they will bring what they like up their chain of command and set up a meeting with Republic in the coming weeks. They hope to get this to council in late August/early September.

Moldver said that Redmond's legal reviewed it earlier in the week and sent it back to WM for their review. Redmond accepted all their changes. This will be at council in July.

Lam stated that they are going to council in July and are looking to adopt them.

Reed commented that Shoreline is on track for adoption in July. They are in the last round of Ecology and legal review.

Gire said that they are working on the Compound Commercial Rate (CCR) with Republic, and it is moving along.

Shaw echoed similar comments to Reed and noted that they are working through the final language with Recology and are hoping to bring it to their council in July.

Kassover stated that her staff reports that they had a meeting with Republic the previous week and are waiting on updated tonnage data to see what the rate will be. This should be done in the coming months.

Tischmak had no update.

Giem said that they are waiting on updated language from Recology.

Friedman stated that staff are working with Republic on this and are getting the details settled.

Healey was unsure of an update because Normandy Park's Public Works Director is the person working on all the updates with WM.

Knight and Sweet added that their respective cities paid correct disposal fees to King County.

Member Comment

Van Orsow stated that the City of Tukwila has not be able to participate in this committee since the retirement of Tukwila's previous member, but Colleen Minion will now be representing the City of Tukwila and Van Orsow thanked Colleen for the good work done for Federal Way.

Sweet has received questions from constituents about a postcard sent out about the Houghton Transfer Station. The question of how long you have lived in the Houghton neighborhood was asked twice on the postcard, but the surrounding area is the Bridle Trails neighborhood. Sweet assumed that the intention was to see what the agreement will be and then move forward with it. McLaughlin replied that the intention is just to see how long residents have lived in the area. The hope is to hear back from people who live in and around the area to help inform things. This would be a great value to the Division. We are trying to bring community outreach to learn about potential enhancements that are going to happen. McLaughlin doesn't know if this will impact the specific agreements with the ball field, but this is something that we intend

to do with all the neighborhoods we have facilities in, and we started with the community around the existing Houghton facility.

Adjourn

Meeting adjourned at 12:38 p.m.