

MSWAC Advisory Committee Meeting

Nov. 8, 2024 - 11:15 a.m. to 1:15 p.m.

Virtual Meeting (Zoom)

<u>MSWAC Members</u>		<u>King County Staff</u>
Troy Linnell	Algona	Eyasu Ayalew, Public Health Seattle/King County
Joan Nelson	Auburn	Nat Bennett, DNRP staff
Jon Gire	Bellevue	Ali Blum, SWD staff
Tamie Deady	Black Diamond	Sylvaine Bucher, SWD staff
Chris Searcy	Enumclaw	Theresa Curry Almuti, SWD staff
Rebecca Kovar	Federal Way	Erin Hislop, SWD staff
Rob Van Orsow	Federal Way	Wen Huang, SWD staff
Sam Tarvin	Issaquah	Patty Liu, SWD staff
Tony Donati	Kent	Misha Lujan, King County Executive Office
Jenna McInnis	Kirkland	Pat McLaughlin, SWD Director
Penny Sweet	Kirkland	Amy Ockerlander, SWD staff
Alana DeRogatis	Mercer Island	Hannah Scholes, SWD staff
Jeff Brauns	Newcastle	Andy Smith, SWD staff
Micah Bonkowski	Redmond	Chris Stubbs, SWD Deputy Director
Aaron Moldver	Redmond	Adrian Tan, SWD staff
Amy Tsai	Redmond	John Taylor, DNRP Director
Meara Heubach	Renton	Katherine Taylor, DNRP
Linda Knight	Renton	Isabelle Trujillo, SWD staff
John MacGillivray	Renton	John Walsh, SWD staff
Genevieve Rubinelli	Sammamish	
Mason Giem	SeaTac	<u>Guests</u>
Paige Scheid	Shoreline	Liz Berry, Washington State Representative
Colleen Minion	Tukwila	Janet Dobrowolski
		Zach Dugovich, Pacific Public Affairs
		Katie Jerauld, Dept. of Ecology
		Jeanette Jurgensen, Bin There Consulting
		Han Kirkland, Waste Management
		Brad Lovaas, WA Refuse and Recycling Association
		Laura Moser, Waste Management
		Rick Vahl, Washington State Recycling Association
		Hans Van Dusen, Consultant
		Kaylie Wallin, Republic Services
		Wendy Weiker, Republic Services

Call to Order and Introductions

Chair Sweet called the meeting to order at 11:24 a.m.

Meeting Minutes

McInnis moved to approve the October minutes. Deady seconded. Minutes passed unanimously.

Extended Producer Responsibility Bill Update

Representative Berry gave this update.

There are existing Extended Producer Responsibility (EPR) programs around the state, but the effort on EPR for paper and packaging is still ongoing. A key problem is with the national companies that create this packaging.

There are a lot of companies and lobbyists that do not want to upend the status quo and Berry believed that this is why this EPR has been so hard to pass. Lawmakers are receiving information from many parties.

A new write-up of the law will look like the recently passed Minnesota bill. In Minnesota, there was a coalition of different parties, including producers. Berry is working to have language on chemical recycling and is pushing hard on funding the system. The producers are fighting back because they don't want to pay it. Labor has been brought in, but we are missing the business voice.

Berry asked everyone to keep speaking with their local elected leaders and for those in local elected positions, speak to legislators, especially in East and South King County. They need to hear that the bill has been reworked. There is a lot of noise around the bill. The more that lawmakers hear from members in the community, the easier it will be. Every person counts.

Sweet said it would be helpful if the elected members on MSWAC could get talking points to support EPR.

Berry said that paper and packaging has been a growing problem producers have been missing at the table. This bill brings them in, and we are working with them. Berry believed that legislators have seen the progress.

Gire reminded everyone that last year, McLaughlin made a great testimony in support of the bill, but some haulers made a statement against it. He asked if there were anything Berry would like to see with the haulers. Berry said that the biggest obstacle in passing this has been the haulers. She asked members to engage with their haulers. There is a state-wide organization, and haulers have hired their own lobbyists. Berry is trying to build a bigger coalition to overcome the different voices.

Berry thanked everyone for their support.

Public Comment

Jerauld shared two items beginning by sharing that the 2025-2027 open application for the Public Participation Grant (PPG) Program is opening early. Applications will be open Jan. 7 at 8 a.m. and will close at 5 p.m. on Feb. 4. PPG provides funding to individuals and nonprofit organizations to increase public understanding and involvement in cleaning up contaminated sites and improve Washington's waste management practice. If you'd like more information, please [visit here](#). The other item is that Ecology is developing a [new rule](#) (Chapter 173-905 WAC) for the Battery Stewardship Program. The new law creates an EPR program that will increase opportunity for people to recycle unwanted batteries. You can review the read-along document that summarizes rulemaking key concepts covered during the [Oct. 21, 2024, meeting](#). The [comment period](#) for this program will run Oct. 17, 2024 at 12 a.m. to Nov. 13, 2024 at 11:59 p.m.

SWD Updates

McLaughlin provided the SWD update.

Tonnage Update

Tonnage is up 1.23% through September (634K tons in 2024 vs. 626K tons in 2023) compared to last year at the same time. That's an additional 8,000 tons increase from last year at this time.

Transactions (573K through September) continue to rebound from a slow first quarter. September was busy at our transfer stations, and we are ahead of last year at this time by 10,457 transactions (an increase of 1.86%).

Yard waste tonnage (almost 13K through September) is still down from this time last year (-1,095 tons, a decrease of 7.83% over last year at this time). However, we are trending in a positive direction. At the end of March 2024, we were 30% behind March 2023. Now we are slightly less than 8% behind last year's pace.

Construction Update

On Wednesday, the newly installed crane at the Algona Transfer Station experienced a failure with the grapple necessitating that we close the station to commercial haulers. The grapple was replaced with a spare, and the spare experienced an additional failure. We are making a temporary repair to get it back into use but will have to make a design change for a permanent correction.

We are working diligently to resume full service at the station and have been sending haulers to neighboring stations. We anticipate that it will reopen to commercial haulers on Thursday, November 14. We have communicated this update with our hauler partners.

We have also made the decision to delay the new crane installation at the Houghton Transfer Station as we continue to work through challenges with the new packer at Algona. We want to ensure a resolution on this apparent design flaw and have follow up testing of the solution. Delaying construction will allow us to feel confident that the new design works and ensure that this next project runs more smoothly.

Today we will be re-notifying the King County Council and Mayors of impacted cities that we are not modifying operating hours at the Houghton Transfer Station next week. The station will continue to have regular hours for both the public and commercial haulers.

5-day update

Beginning in January 2025, SWD will initiate a year-long pilot program to cease weekend hauling and disposal operations at the Cedar Hills Regional Landfill.

The pilot program will allow us to evaluate how we can reduce costs and adapt to new business practices as revenue we get from garbage tipping fees declines due to increased recycling and waste reduction efforts.

Moving to a five-day hauling and tipping operation will not alter any current transfer station operations or services, but will have important benefits to the communities we serve:

- Reducing operational expenditures that will help decrease the amount of future rate increases.
- Reduced weekend impacts to landfill neighbors: less truck traffic, less heavy equipment operations, and fewer associated risks of odors and bird nuisances.
- Faster removal of garbage from stations during the weekday reduces odors, and means the weekends begin with mostly empty stations.

The Solid Waste Division is keeping neighbors in mind with these changes and will prioritize removal of “wet waste” during the week, such as yard and food waste, which typically produces the most odors.

The operating changes will require the storage of waste in trailers at the stations and at the landfill over the weekend, but the amount of garbage that arrives on Saturdays and Sundays is about two-thirds less than weekday tonnage. Most weekend loads are “dry waste” brought in by residential customers, which is less likely to be a source of odors.

The Division will be evaluating the success of the pilot program and will evaluate the overall program at the end of 2025 to make a determination about the feasibility of the 5-day hauling and tipping as part of our normal business operations

WUTC rate increase

In June, a notice of a general rate increase was submitted to the Washington Utilities and Transportation Committee (WUTC) that would impact unincorporated residents and WUTC cities in North King County. As written into RCW, the county legislative authority is responsible for providing periodic written feedback to the WUTC on the adequacy of services provided in unincorporated areas, including rates.

To be diligent on behalf of unincorporated customers, SWD expressed concerns about the proposed rate increase and worked closely with the WUTC on analyzing the rate proposal.

For the final decision, the approved rate increased by approximately 5% from the current monthly garbage service, while recycling and yard waste service remain unchanged. We consider this a significant win for unincorporated customers, given that the original rate proposal was over a 9% increase.

Knight wanted to know if this is something that King County has normally done for WUTC areas or if more emphasis had been placed on this. McLaughlin said that we have been involved for years but we have increased our resources in this area which has allowed us to be more engaged and impactful. Smith added that we have been working in partnership with haulers on our unincorporated King County (UKC) issues for a while and have been engaging with the WUTC. There is an increased interest from the King County Council/Executive and DNRP leadership in better representing the residents of UKC, especially when the WUTC is making decisions around tariffs. In recent years, we’ve increased our resources and are looking at increasing how we are doing community engagement. Next year, you will see more items being brought to the committee for the UKC like policy changes and launching a low-income discount scheme for customers in WUTC areas.

The WUTC has been open to the increased presence of SWD, and this has been seen in the recent success. Smith recognized Kim’s work with UKC. Knight said she is appreciative of the work and while they represent our city residents, they also have customers from UKC that often contact them with issues around their services and it’s always been a little complicated. In 2025, Knight will be appreciating this work from the sidelines.

Bonkowski said that as someone who receives calls from the Redmond Ridge WUTC contract area often, this extra work with the WUTC and the rate filings is appreciated.

McInnis made a few comments beginning by sharing her disappointment with Algona’s issues but appreciated the pause. There are concerns about the pilot and the Houghton MOU. McLaughlin thanked McInnis for her comments.

Taylor shared a brief experience of him being the Director of the Department of Local Services, and said it was like being a City Manager for unincorporated King County but with no control over most of the services. When Taylor joined DNRP, he made engaging with WUTC tariff filings a top priority. Kim and Smith did great work on this for the people in the UKC. In the future, we will be very involved in tariff filing on behalf of the people who live in the UKC. MSWAC members do a great job of representing the interests of those that live in your respective cities and we have a duty to those in the UKC.

Pat's Retirement

McLaughlin announced that he is planning to retire on April 1, 2025. He thanked everyone and shared his appreciation for being a part SWD's important work.

Taylor recognized McLaughlin for his storied career and numerous accomplishments guiding the division. He also announced that DNRP is already working on a recruitment. We're structuring the process to engage with customers, cities, and employees. Based on the recruitment plan, we plan to have someone onboard prior to Pat's retirement to ensure a smooth transition.

Knight thanked McLaughlin for his work and said that any time there is a transition of leadership, there is a settling down period for the organization and the relationship building that happens with all the cities. She hoped that McLaughlin has a joyous retirement and is looking forward to the transition. She appreciated Taylor's thoughtfulness in looking for the next leader of SWD.

Sweet said she values the relationship McLaughlin has built with the cities and the work that they have accomplished. She believes that they are a model for the county and hopes that this can continue with the next SWD Director. Sweet, wished McLaughlin the best and shared her appreciation for the leadership McLaughlin has exercised for the last 12 years.

SWAC Update

No update.

Long-Term Disposal Study: Draft report and city engagement discussion

Liu and Walsh presented this information.

The draft report is available on the long-term disposal extranet. If you don't have access, reach out to Blum or Ockerlander. There is a lag between being approved and gaining access to the extranet so apply as soon as possible.

Our goal is to review and add comments by Nov. 15. The next steps will include a 3-week comment period, followed by a 2-week consultant update where they will create the final report, and then a final report posted to the Extranet and the comp plan website.

There has been an issue with how the leachate has been analyzed. None of the three landfills considered for export in this study put their leachate through wastewater treatment. All use some method of leachate drying. There are no LCA models that analyze leachate drying in landfill operations. None of the landfill operators will disclose impacts of leachate drying. The question is if we should eliminate the water eutrophication criteria since results are now unreliable.

Sweet shared her worry that there are no example models and wondered what the state of the art is for leachate treatment. She wondered if they dry their leachate because it is the state-of-the-art treatment. Liu said they dry their leachate because of the air and climate they are located in.

Knight wondered about the analysis of leachate drying on the environment. Liu asked the consultants that and they said that there are no models that use leachate drying. It is very hard to model and thought that landfill operators would not disclose that information.

Searcy assumed that the leachate dries in a lined pond and wondered if SWD knew what they did with the solids. Liu said based on her research, they put the solids back into the landfill. Searcy asked if the ponds are lined. Liu will research it further but does not know if the landfills are adhering to it. Walsh believed that they are lined and set back from the Columbia River.

Sweet said it would be best for people to think on this until the next meeting and would not be comfortable moving forward with this right now. Walsh said we removed two criteria that were in the original list but the consultants said that there wasn't modeling we could use.

Walsh followed up saying that we met with the subgroup this week. He noted that the group indicated they weren't ready to make a decision and had comments about the analysis and the report. The city presentations next year are intended to share the analysis in the report but not to seek a decision. We recognize that we should have the report of the EIS before making that decision. After the EIS is done, we will want to go back to the cities and talk about the decisions. We have also heard feedback about prioritizing criteria and understand how that can impact the cities. We will be working with the subgroups to implement this feedback and move away from the side-by-side comparison. He reiterated that we don't have perfect information as some things will change in the next 20 years. The study does have a good basis to have a discussion soon.

Knight understood that the leachate drying process impacts both options since the ash from mass burn facilities is also disposed of at mono-fill landfills in the same region as WEBR landfills.

Gire asked if it would be most helpful to add a comment bubble rather than make comments directly in the document. Liu said comments on the side of the draft report would be the best. Gire thanked Walsh for highlighting the issue with mass burn.

Sweet said that we don't talk about the reliance on Re+ that we will have to get there. Whatever we decide on will be dependent on us doing the interim steps for solid waste to be manageable. She does not believe that the study does this very well. As it's been pointed out, the executive summary is over 50 pages. When we get to the point of talking with stakeholders in the community, we must have a firmer grasp. But at the same time, we don't want it to seem that we have a pre-made decision.

When briefing our cities, our objectives are:

- Reach a high-level understanding of the LTD study
- Understand the benefits and drawbacks of waste export by rail and mass burn
- Gain clarity on when the LTD decision will be made, project timelines, previous engagement work, and future opportunities for involvement
- Opportunities for feedback and have questions answered

Next steps:

- Now: Schedule city presentations for Q1-Q3 2025
- November 15: Advisory Committee comments on Draft Report due
- December: Finalize Report and share with cities and Advisory Committees
- December 11: SCA PIC Presentation
- January 2025: Begin SEPA Process
 - Dates TBD: Scoping and Comment Period (4 in-person, 1 virtual)
 - Dates TBD: Draft EIS Comment Period (4 in-person, 1 virtual)
- 2025-2026: Regular EIS updates to Advisory Committees
- Q4 2026: Final EIS
- Early 2027: Seek Advisory Committee recommendations

- Early 2027: Exec Office decision

Reminders:

- LTD criteria surveys due date (TBD)
- Reach out to SWD Gov Relations team to schedule LTD presentation with your City Council

Heubach asked if the only way that cities can give feedback is through their vote on MSWAC or if there is space or a plan for cities to weigh in. Liu said the presentations to the cities would be good opportunities to have the discussions. If they want to schedule one after the final EIS is issues, we are happy to go over that information and use that as an opportunity to receive feedback from our ILA partners.

Knight followed up on Heubach's comment to give her perspective as someone who has sat on MSWAC and other similar committees – the ideal is to have a clear letter that everyone is ok with go to the King County Council and Executive. Our bylaws talk about how we approach tough issues where there might be some dissent – in the past, we have forwarded a letter from the committee, but the letter acknowledges that we have a majority and minority on the support of the issue. To her understanding, if a city is in MSWAC and they are in support of the issue, they would have no problem with being represented as one of the majority members. And if a city is having uncertainty or some level of dissent from their elected body, they would be represented as a minority report. If everyone is against it, we wouldn't be sending a letter of support.

Sweet thought back to the decision of moving forward with NERTS as there was a huge breakdown due to politics. She hoped that with all the work that we are doing, dissent or uncertainty would be less likely because we are trying to make the right decisions. As long as we stay focused, we may find a best solution. As Knight said, there are bylaws that allow cities to weigh in - either for or against the issue.

Member Comment

Knight followed up on the leachate drying issue and said it would impact mass burn and WEBR. Even with WEBR, the ash will modify landfills but some of them are the same landfills that WEBR is going to.

Adjourn

Meeting adjourned at 12:37 p.m.