

SWAC Advisory Committee Meeting

Jan. 19, 2024 - 9:30 a.m. to 11:30 a.m.

Virtual Meeting (Zoom)

SWAC Members Present		King County Staff	
April Atwood, Marketing and Education		Sylvaine Bucher, SWD staff	
Jay Blazey, Manufacturer		Nori Catabay, SWD staff	
Amy Lam, Local Elected Official		Kinley Deller, SWD staff	
Brett Lohrman, Labor Representative		Fanny Silverio Gonzalez, Seattle/King County Public Health	
Bill Louie, Citizen Representative		Brian Halverson, SWD staff	
Laura Mork, Local Elected Official		Elka Peterson Horner, King County PSB staff	
Heather Trim, Recycling Industry		Quest Joliffe, SWD staff	
Wendy Weiker, Chair, Waste Industry		Patty Liu, SWD staff	
		Laila McClinton, SWD staff	
		Pat McLaughlin, SWD Director	
		Amy Ockerlander, SWD staff	
		Andy Smith, SWD staff	
		Adrian Tan, SWD staff	
		Isabelle Trujillo, SWD staff	
		John Walsh, SWD staff	
Guests			
Jeanette Jurgensen, Bin There Consulting		Andi Parnell, Sound Cities Association	
Brad Lovaas, WA Refuse and Recycling Association		Diana Wadley, Department of Ecology	

Call to Order and Introductions

After introductions, Chair Weiker called the meeting to order at 9:41 a.m.

Meeting Minutes

Weiker had some minor edits to the December joint minutes. First, changing Trim’s member affiliation to Zero Waste Washington. Second, make Weiker and Freedman both affiliated with Waste Industry or both of their respective agencies (Republic and Waste Management). Lastly, Weiker asked for more narrative in the legislative section around HB 1900 in case members need more information.

Louie moved to approve the agenda with above edits. Mork seconded. The minutes were approved unanimously.

Public Comment

Wadley shared that last fall she went to the Snohomish County SWAC and heard that they would be conducting interviews in December for a flow control officer. You may also be aware that Seattle is investing in a lumber reclamation warehouse that will support the deconstruction and reuse of lumber. They received almost \$4M from an Ecology Protection Agency (EPA) grant and will be utilizing almost \$1M in local solid waste financial assistance funds from Ecology as well. Next, Washington’s Sustainable Food Center is being officially launched and there will be a webinar and feedback session on Monday, Feb. 5, at 1:15 p.m. Please [register and join](#) to learn more about the Food Center Launch and how you can engage with the work ahead. Lastly, the single use serveware [reporting application](#) is now live. If you are at any type of restaurant and you automatically receive single use utensils, condiments, straws, etc.

(and other items covered in the law), you can report it. Ecology will reach out to reported businesses with an educational letter or phone call. They know that many businesses don't know about it yet.

Weiker said that Christie True is retiring and SWAC and MSWAC are planning to write a letter to thank her for her contributions. If there is any input for the letter, please let Weiker know.

SWD Updates

McLaughlin provided the SWD update.

Welcome to 2024! As you may know, this year is one of big change as our Department Director, Christie True will be retiring at the end of this month. For 39 years, Christie has been a dedicated King County employee, moving up the organization to be DNRP director for the past 13 years. While we are sad to lose Christie's leadership, her legacy of environmental stewardship will live on for generations. In Solid Waste, she has been a staunch supporter of our zero-waste efforts that eventually saw the launch of our Re+ program. The county is well into the selection process for a new Director and there are two finalists that will be touring facilities on Monday, Jan. 22.

There is exciting news from SWD as we welcome our new Deputy Director, Chris Stubbs in just a couple of weeks. Chris is coming to us from Hennepin County, Minnesota, where he has been in the solid waste industry for 15 years. He began his career as a scale operator, holding several roles over the years. His most recent role was serving as the business manager, overseeing several functional areas in the department including financial management and working on reimagining Hennepin County's solid waste system. McLaughlin looks forward to introducing him to you, hopefully at next month's meeting.

As an update to last months' news and media story on arsenic at Cedar Hills Regional Landfill, our first phase of testing is complete. After extensive testing at Cedar Hills and transfer stations, there were NO detects found. While this is great news, we are also finalizing a plan to do further monitoring of arsenic and other chemicals and compounds in the coming months. Employee safety is our number one priority, and I am pleased with the results that arsenic has not been present in the air.

Furthermore, we are inching closer to the construction of Area 9 at the landfill. With that comes a significant project relocating several of our onsite facilities to a location in Renton. This has taken a significant amount of planning and coordination from our Project Management team, with work expected to begin at the end of February and completion expected within the first 2 weeks of March. As a reminder, this move will help us extend the useful life of the landfill by developing Area 9, providing an onsite location for solid waste until a long-term disposal option is selected and executed.

I'm also pleased to share that the King County Council has approved the Seattle Residuals Interlocal Agreement (ILA). The agreement was addressing flow control for materials that originate in King County but pass through the Material Recovery Facility (MRF) in Seattle and is now with the Seattle City Council for final approval. We expect the agreement to be finalized in the next couple of months. This will help with our flow control.

On Wednesday, Jan. 10, our team presented an update on our long-term disposal options and Waste-to-Energy. This presentation was on request from Councilmember and Chair Pete von Reichbauer. We fielded many great questions and received requests from councilmembers that will help us communicate more effectively with you, our ILA partners, on this very important issue.

Lastly, we are nearing our release of the Northeast Recycling and Transfer Station project (NERTS) DRAFT Environmental Impact Statement (EIS). As a part of public outreach, there will be two in-person meetings and a virtual public meeting to review the EIS and provide public comment.

Update on Climate Pollution Production Grant (CPRG)

The CPRG is an EPA grant looking to distribute \$4.3B. The Puget Sound Clean Air Agency (PSCAA) is the lead coordinating agency for our region. PSCAA has encouraged applications that do not compete with each other, so we have been working to include material management in other leading agency proposals. The King County Executive Climate Office is working on a County-wide building related grant proposal and we are hoping to have salvaged wood and our overall Re+ strategy included.

Washington state is also working on a statewide proposal that would include a significant food waste component. The state was originally considering distributing the same sum to each county and their largest city in each state e.g. King County and Seattle would get the same sum as Garfield County and Pomeroy.

We have been working with the state to encourage more funding to be distributed based on need/population. We are also in the midst of discussions to have dedicated additional carve out of funds for Seattle and King County to support:

- Low carbon food procurement to help reduce wasted food
- Food waste prevention & diversion: supporting HB 1799 implementation, research and scale commercial engagement
- Funding for compost markets on agriculture and cities implementing the compost ordinance

We should know in the next few weeks if these proposals make it to the EPA and will use the recycling coordinators meetings to help plan and coordinate.

WRR Grants for 2025

In 2025, King County will have a single year budget as a result of the King County Council election cycle. As a result of this, for WRR grants, we will need 1-year budgets and work plans from cities covering 2025. We will return to the usual biennium budget cycle in 2026-27. We want to continue to align the WRR grants with budget cycles, so we do not intend to roll any WRR funds from 2025 into 2026.

As you will learn more about later in this meeting, the legislative session is in full swing.

Lam wanted to know if McLaughlin meant that no arsenic was detected during the testing at the landfill. McLaughlin replied that there is arsenic in the landfill due to what is brought to the landfill. The concern that was raised was if the arsenic was/is posing harm to employees and community members. We tested this in 2021 and there was no exposure back then, but we wanted to confirm that that there is still no exposure. Many employees volunteered to wear arsenic monitors throughout their workday, and data collected was taken to a lab where no arsenic was detected over the three-week testing period.

Lam asked if BEW is going to resume operations. McLaughlin responded that we hope they will. We are still flaring gas and are continuing our mediation efforts. We have made some progress and will return to the table on Jan. 26.

Trim wanted to know if the county has legal recourse to say that we are going with another company. McLaughlin answered that we are in litigation with BEW and have legal claims against them. We believe they have violated their contracts in many ways, especially by not accepting our landfill gas. We are on a legal and mediation pathway to get this resolved.

Atwood saw a presentation on TV of SWD employees talking about Waste-to-Energy and wanted to know why there is so much effort around this and what role the regional policy committee plays. McLaughlin replied that back in October we received a request to give a presentation on Waste-to-Energy due to the addition of the newest councilmembers. There, we suggested that there was a broader conversation to be had and there was a strong interest in Waste-to-Energy. We expect this will be a magnetic conversation as we go through this process and are monitoring what is happening across the U.S. in respect to Waste-to-Energy.

Weiker stated that the MRF residual issue is related to King County having a different flow control system than the City of Seattle. We are conserving the King County landfill by having Seattle take all of the residuals. This is an operational and jurisdictional practice coming together to create this ILA.

MSWAC Update

No update.

Discuss 2024 Workplan

Ockerlander led this conversation.

There are many big-ticket items this year. In essence, every month will have short updates from Director McLaughlin and other key staff. There will be many rate conversations beginning in February, where we will come to the committee to talk about what to include in the rate. The advisory committees will be led through the rate process and the role of the committees are to provide continual feedback and have the committee agree with the rate and draft a letter of support.

For bills throughout the year, the committee or individual members might want to take action.

The top load station banning materials is

There will be several NERTS updates which will include an overall schedule and general updates. And there will be information on how the committee can provide feedback and when to provide feedback moving forward. There will also be a South County Recycling and Transfer Stations (SCRTS) update partway through the year.

Next, the committee will be asked to provide feedback on changes to King County Code that sets out minimum expectations for service levels in the Utilities and Transportation Committee (UTC)-regulated areas of King County. This will also involve some of the policies coming from that Re+ strategic plan and this will work on decreasing food waste from single families. In 2023, we completed public engagement on three different ideas. We hope the committee will provide input and make recommendations throughout the year. King County Code sets minimum service levels and SWD will be reviewing the code to see if there are changes that need to be made. The role of the committee for this is to consult and affirm the approach.

We will continue to look at the Comprehensive Plan throughout the year. In September, we will ask members to vote on a Preferred waste disposal option. During this time, we will also be holding Chair/Vice Chair elections for SWAC. In November, staff will present the division's long-term disposal method. In December, we will finalize this work plan.

If there are any items that committee members would like to include, please let Ockerlander know.

Trim said that this meeting is missing reports on how we are doing in terms of reduction for different materials e.g. organics, glass, plastics, etc. Walsh replied that we typically do a waste characterization study every three years so we would have to see how we can get this information without doing the study. Trim followed up saying that it is also about

what actions we are taking. Walsh responded that we are already talking about what actions and measures we want to track and we can figure out how to present on those.

Smith echoed Walsh's comments and stated that we are currently looking at how we are identifying options. We went through an extensive process to develop the Re+ task force and there are some actions that we want to go through and revisit. Smith agreed with Trim that we need to look through the jurisdictions and see what actions need to be taken. Like every jurisdiction, we have to prioritize our resources and we are prioritizing it around organics right now.

Trim asked if the committee could get Re+ updates every couple of months. The updates can be creative.

Lam wanted to know if the committee will be getting updates on the new Organics Management law that passed. Smith responded that we were going to do an update on how the broader technical assistance is happening at the county level. We will take this question back and see how we can give more updates to the group. Lam followed up asking if there will be another Construction & Demolition (C&D) fee conversation. Smith answered that after the presentation today, we will fold the C&D conversation into the rate setting presentations because it is part of the same process. Anytime there is a rate update, the committee will receive a C&D update.

Atwood seconded the Re+ update requests because it would be interesting to show how things are going since it impacts many decisions that are being made. She knows that one of the topics that will be presented later in the year is on long term disposal and would appreciate if the committee could see what the criteria is leading up to the discussions that will occur later in the year.

Liu added that there is a memo for the long-term disposal criteria, and they address the minuet categories. Ockerlander will send this memo out to committee members.

Weiker asked if there would be an update from Tetra Tech in March. Liu said there will be, but it will be delayed. Weiker said that the haulers are working with cities on what they can do to get this going and they are waiting on guidance from Ecology.

Construction and Demolition Fee

Deller provided this update.

A recap of previous discussions:

- Construction and Demolition (C&D) recycling rates declining
- Contaminating is increasing
- C&D fee is unchanged since 1993
- Include wood and C&D in Re+
- Request comments from advisory groups for discussion

We are beginning to include wood in the C&D program and have been asked to come and provide an update. There is significant potential for change – using wood as an example. This is material that is coming from job sites in King County.

- 61,000+ tons of dimensional lumber in KCSWD system
- 43,000 tons+ in private system under KCSWD flow control

Residual rates from C&D MRFs are extremely high – in 2020, Mixed Solid Waste (MSW) Material Recovery Facility (MRF) were at 12% residual rate. In 2023, C&D MRFs were at 54% residual rates. There is a declining impact from our current approach. The diversion rate started in the high 50's in 2017. Following China Sword, markets went back up again, and things have been in decline.

There are significant potential co-benefits from diversion.

- Climate: 140, 241 MTCO₂e avoided if 50% clean wood processed as salvaged wood
- Jobs: 280+ regional wood reuse green jobs could be created by the 100,000 tons diverted
- Material: Almost 11,000 tons additional recycled drywall displacing mined gypsum.
- Landfill space: There's around 8 trucks full of clean wood heading to the landfill each day that could be diverted

To increase diversion, several key challenges remain:

- In the last 15 years, there's been an increase in commingling of C&D materials that has increased contamination and decreased material value (ex. Gypsum drywall).
- Enforcement needs have become more diverse
- Frontline communities continue to experience increased exposure to toxic building materials from demolition
- There's a lack of workforce capacity and experience in salvage, deconstruction and reuse

To increase diversion, several key barriers need to be overcome:

- Significant upfront expense and effort is needed to unlock circular economies for C&D materials
- Lack of infrastructure for salvaged materials
- Recycling markets have declined
- Lack of competition for C&D processing
- Economic disincentive for higher C&D diversion
- C&D diversion transparency and verification is time intensive
- Lack of workforce capacity and experience in salvage, deconstruction and reuse

To transform diversion rates, there has to be a system change. This will include:

- Community
 - BIPOC and frontline community involvement
- Creativity and Innovation
 - C&D source separation innovation
 - Market Development
 - Sustainable economic development
- Compliance
 - Code compliance
 - Reducing King County liability
 - Staffing

Fee funded programs could play a role in this transformation:

- Community
 - Green jobs support
 - Community funding for deconstruction
 - Demolition community impacts research
 - Expand C&D collection
- Creativity
 - Innovation grants
 - Jobsite collection systems – getting things separated at the site
 - Circular economy business park
 - Increase gypsum diversion for new drywall
- Compliance
 - Direct reporting for scale house – information going directly from scale house to the collection office

- Regional C&D container tagging system
- Strengthen deconstruction policy framework

The problem is that the fee level is still consistent with 1990's needs but not with today's needs. The MSW rate has increased over time while the C&D rate has remained the same. King County's is \$4.25/ton, Seattle's C&D transfer tax is \$13.27/ton, and Portland's fee is \$30/ton.

There are some potential impacts that could come with a fee increase. If the fee is raised:

- C&D waste transfer facilities would raise their tip fee by the full amount of the increase
- C&D processing facilities (with a 50% diversion rate) would likely raise their tip fee by 50% of the increased fee amount.

There would be minimal impacts to the cost of:

- Customers with small C&D loads at King County transfer stations
- Deconstruction/demolition projects with high diversion rates
- Contractors who separate out the majority of their recyclables
- Contractors doing prefab or panelized construction

There would be a greater cost impact and opportunity for behavior to:

- Contractors who don't recycle C&D
- Traditional demolition projects where the majority of materials are landfilled
- Contractors who commingle C&D – the majority – moderate cost increase

In summary, companies handling their C&D appropriately will see little impacts and companies handling their C&D poorly will see a significant impact.

Currently, there is essential work that is not funded:

- Impactful utilization of untapped resources i.e., recyclable/reusable resources that are being wasted
 - Nearly 11,000 tons of wasted drywall could be recycled into new drywall
 - Over 100,000 tons of landfilled and fuel lumber could be reused or remanufactured into new building materials
 - Asphalt shingles could be recycled into hot mix asphalt
- Meaningful partnerships with frontline communities to support community health, resilience, and employment opportunities
 - Green jobs
 - New and expanded businesses being created
 - Advancing economic development opportunities
 - Foster wealth equity and just transition efforts
- Minimization of King County liability
 - Gypsum creating hydrogen sulfide gas in landfills
 - PFAS from demolitions in waterways. More studies need to be done on this.
 - Lead and asbestos dust in neighborhoods
 - Climate and health impacts of wood used as fuel

Some other additional impacts to consider are:

- Cost effectiveness increases for the following:
 - Penalization and prefab construction (which has lower climate impact, better working conditions, more easily designed for disassembly, and better control over future health impacts)
 - New C&D recycling businesses will be more cost effective to begin

- Existing C&D waste transfer companies reviving their C&D recycling operations
- Deconstruction of buildings rather than demolition
- If C&D processing facilities continue accepting C&D waste loads, diversion rates at these facilities could continue to decline
- Flow control leakage may increase (by companies not wanting to separate recyclables)

Louie wanted to know if we are looking to use the fee increase to fund some of the unfunded efforts. Deller replied that is correct. Trim shared her excitement about getting organic material out of the landfill and her sadness over good wood being destroyed instead of being reused.

Lam enquired on how much we are looking to generate with the fee increase. Kinley replied that we'd ideally like to be at \$30/ton. We have a budget set out for what we can do with that and have looked at other amounts between what we have now and \$30/ton because we realize that it is quite a jump. Depending on what the advisory committees say, it might make more sense to spread that increase out over several years. However, raising it to \$30/ton now might be what is needed. Lam stated that there is obviously concern that if we raise the fee too quickly, companies might dispose of materials illegally. Deller said that is a possibility.

Lam asked what the builders association and other similar associations thought about this fee increase. Deller replied that he has spoken with the Puget Sound Sustainable Construction Leaders and their view is that the fee would hurt initially but in terms of increasing diversion, they see it as a positive overall. We have not taken this to the Builders Association yet because we are waiting to get more clarification on what fee we might be searching for and what our timeline might be for increasing the fee.

Mork wanted to know what the rate would be if we used inflation since 1994. Joliffe replied that it would be roughly \$55-\$60/ton. Mork said that we should have this number more readily available for the public. Mork did not think Lam's previous question had been fully answered and asked how much money the county need to collect to support these programs. Smith said it would be really great to have Portland level funding because we would be able to do many things that we think are needed but we do recognize that there are two things to align on – 1) what is the appropriate rate and 2) what is the way we get. For 2025, we are looking for the first steps to get us to dealing with the most acute challenges we have in C&D. In the coming months, we will be talking about this more. Once we have done this first step, as a region, we need to find out how we more routinely address the fee. To Mork's first question, if we did an inflation increase for the C&D waste every time we increased the MSW, we would not be having this conversation. This is what we want to get to. Smith would imagine that we are looking at a smaller step initially and then looking at a more long-term sustainable solution.

Blazey stated that collectively, the recycle rate needs to go up significantly. The 54% rate does not seem like effective recycling and can see the room for supporting the fee increase. The rate needs to go up and the fee should help by getting people to recycle things that are recyclable. Blazey hopes that a portion of the money received from the increase would be allocated to enforcement and monitoring. His understanding of construction sites are that they are a one bin system so enforcing a two-bin model would make sense because not everything is recyclable and the recycling numbers reflect that.

2025 Early Rate Outlook

Honaker gave this update.

The prior projection had a net of 9.6% annual increase; we predicted this will continue over the next few years and will be the baseline as we continue work on the rate proposal. Since the election cycle is changing, we need to reset the budget

cycle to pair up with the election cycle. In 2025, we will immediately move into planning for the next biennium. This will be a big of a compressed schedule.

Tonnage is down relative to the earlier projection. The expectation is that tonnage would gradually increase through 2024 and then gradually decrease by 2027 as Re+ actions take effect. The overall level of tonnage will remain what we predicted in the last rate cycle. There will be a new tonnage forecast in February and there will be an update to Re+ policy impacts using the new waste characterization data and current implementation plans. It is important to remember that we are looking at lower tonnage numbers moving forward.

Some other changes to the Financial Outlook:

- 21-22 biennium was better than projected due to underspending
- We are estimating to receive a decline in landfill gas revenue as it has been suspended during BEW shutdown
- The division has issued less debt than expected
- The slower than expected capital spending has pushed project spending into later years, with higher borrowing costs and increased escalation
- Projections for bond interest rates have increased. The inflation forecast has tempered a little.
- The new regulatory requirements may require new investments from the division. Re+ and climate goals will require continued support to meet those goals.

Early rate outlook and next steps

- Early projections suggest revenue increases of 12-15% would be needed but these are early projections.
- Focus on the next few months will be on refreshing data and assumptions while mitigating need for revenue increases
- Strategies include:
 - Reallocation of existing resources to fund new budget requests
 - Improve forecasting for Capital Improvement Projects (CIP) to more accurately model debt in rate model
 - Analyzing cost/benefit for new investments to support Re+ climate and other strategic priorities

We will be talking with the committees about the rate throughout the spring so there will be more opportunities for comments.

Trim said it is great news that tonnage is decreasing and thought this was because of the new rate restructure that is being added in. Honaker replied that it is related to the new rate restructure, but it is not necessarily being driven by tonnage. For the per ton rates, we are looking at the '23-24 rate models and losing 50,000 tons does impact us. But overall, less tonnage is a good thing.

Loaning Landfill Space (Comp Plan)

Ockerlander presented on this topic.

For background, there was a rail container and worker shortage that began in spring 2022. This rail strike went through the end of 2022 and there were regional discussions regarding resiliency. The current King County Code allows for the Receipt of Solid Waste upon prior written authorization of the Division Director and payment of fees.

SWD seeks to ensure continuation of being a good regional partner by formalizing policy to loan landfill capacity under exceptional circumstances. We are looking at the public health and safety issues posed with situations like the rail worker and container shortage e.g. trash back up.

Impacts:

- No substantive changes to current practice
- Under this amendment, King County will continue to reserve capacity for existing customers.
- Loan space would be only utilized if there is no net loss to Cedar Hills e.g. emergencies where waste can't be disposed of in other ways.
- Any agreement would contain safeguards to ensure our ability to serve customers and limit extra congestion in our system.
- Net-zero increase in tonnage received at Cedar Hills.

Policy goals:

- Be a good partner, providing an option for temporary assistance and relief in extreme circumstances.
- Maintain excellent customer service.
- Ensure non-disruption to our customers through facility and operations management.
- Seek full cost recovery to any financial impacts to our system.

Our current King County code allows this, but the intent is to not loan landfill space but provide the opportunity in emergency circumstances to temporarily assist other agencies. A recent example of this is what happened with Snohomish County and the Roosevelt landfill.

The reason for this policy inclusion is because formalizing the intent of the Application of KCC 10.08.020 will help safeguard landfill capacity and that of any future long-term disposal options that the county may pursue.

Lam asked what is considered an exceptional circumstance and wanted to know when exceptional circumstances have happened in the last five years. McLaughlin replied that these circumstances rarely happen and the only recent situation that meet this exceptional circumstance was when we loaned space to Snohomish County in 2022. There have been instances of regional outages and people have just shown up but that was more of an imposition rather than a loan. An agreement like this would be at the ultimate discretion of the receiving entity so we would always have the ability to determine if the circumstance has met that level. We are always going to be cautious about loaning out space because we believe it's important to retain our capacity for landfill space and for service capacity for our customers. We are always going to be looking at the reasonableness of these situations and will help determine if the availability should be extended and for what duration.

Trim enquired about the downsides. McLaughlin answered that taking in additional customers can cause congestion and there is an added administration effort. The biggest risk would be a service disruption for our own core customers.

State Legislative Update

Tan provided this update.

The 2024 legislative session started on Jan. 8 and goes until March 7. This is a shorter session of 60 days. There are several bills that we will be following during this session. We believe these will have the most impact/relation to Solid Waste:

- HB 2049 - ReWRAP Act. This is the Extended Producer Responsibility (EPR) for packing and paper products.
- HB 2144 - Deposit Return System for beverage containers
- HB 1900 - Improving Recycling (first three deal with residential recycling stream)
- HB 1933 - Right to Repair
- HB 2301 - Organics Management Pt. II. This was scheduled for a public hearing on Jan. 23 in the Senate Committee on Environment, Energy and Technology and the House Committee on Environment and Energy.
- HB 1185 - Mercury Light Bulbs. This was scheduled for an executive session in the House Committee on the Environment & Energy on Jan. 25.

- HB 1935 - State Green Schools Program
- HB 2069/SB 5919 - Biogenic Carbon Dioxide
- HB 2207 - Unlawful Solid Waste Dumping. This was scheduled for an executive session in the House Committee on Environment and Energy.
- SB 5844 - Recreational Vehicle Disposal Program

HB 2049 WA Recycling and Packaging (ReWRAP) Act includes three main points. This is a Re+ fast start action and builds on last year's WRAP efforts by Rep. Berry. It was scheduled for a public hearing in the Senate Committee on Environment, Energy & Technology on Jan. 23.

- Outcomes based policy requires that producers:
 - Reach statewide recycling and reuse targets
 - Fund curbside residential recycling everywhere garbage service is offered
 - Use Post-Consumer Recycled Content (PCRC) in thermoforms, tubs, single-use cups, roll carts, plant pots & trays
 - Unsure accurate labelling about recyclability (Truth in Labeling).
 - Partner with processors to ensure that materials are managed responsibly
- Ecology would oversee the program including:
 - Conducting a statewide needs assessment
 - Defining a statewide list of accepted materials
 - Facilitating the Advisory Council
 - Approving PRO plans
- Local governments:
 - Retain authority over residential recycling and are reimbursed by producers
 - Existing Utilities and Transportation Commission (UTC)
 - Contracts between cities and haulers can remain in place

This bill had a hearing on Tuesday, Jan. 9, and is being moved out of the House Committee on Environment and Energy. It has a hearing in the Senate next week. A few minor amendments and a substitute bill were passed through.

HB 2144 is regarding the Deposit Return System for beverage containers. This was part of the WRAP act last year but was broken up into its own bill due to feedback. With this bill, consumers could pay a 10-cent deposit on beverage containers and redeem the 10-cents at drop-off locations. The beverage distributors will run the beverage container recycling and reuse system, funded by unredeemed refunds and distributors. This is similar to what Oregon has and there are several states that have similar deposit return systems. This was passed out of the House Committee of Environment and Energy. A few amendments were passed with some specifications and clarifications.

HB 1900 pertains to improving recycling in Washington but is not an EPR, which means no funding will be coming from producers. This bill has been pre-filed and is supported by the Washington Refuse & Recycling Association (WRRRA). There is nothing about reuse in this bill and local governments and residents will still bear the cost of recycling. This bill is sponsored by Rep. Fey and most of the waste industry. The intent is that the funding will come from the Climate Commitment Act. There are several parts to this bill:

1. Statewide needs assessment
2. Post Consumer Recycled Content (PCRC) requirements
3. Truth in labeling
4. Producers must register and report to the Dept. of Ecology
5. Packaging Recycling Rate and Recyclability Standard
 - a. 60% statewide recycling rate goal for packaging
 - b. Reduce sale or use of packaging that does not meet new labeling/recyclability standards by 50% by 2030 and 75% by 2035

6. Statewide curbside recyclables list

HB 1933 is the Right to Repair Bill. This requires manufacturers of electronic products, appliances, agricultural equipment, and wheelchairs to provide owners and independent repair businesses with access to parts, tools and specifications. This bill is an attempt to bring all the best parts of similar bills from other states together. This had a public hearing and there is work ongoing with this bill.

HB 2301/SB 6180 is part II of the Organics Management Law (HB 1799). It is sponsored by Rep. Dolio. On Jan. 11, it was referred to the Environment and Energy Committee in the House. This bill is aimed at reducing methane emissions coming from food and organic decompose in the landfill. This will:

1. Provide funding via grants for food waste prevention, food rescue, and organics collections and processing.
2. Require residential and multifamily food and yard waste collection. There are exceptions for some rural areas throughout the state. Most residents in King County would be impacted.
3. Bin color alignment. This would have a phased in approach.
4. Ban certain herbicides from compost feedstock.
5. Ban non-compostable producer stickers. This is one of the biggest contaminants in compost cycle right now.
6. Standardize date labelling on food e.g. best by, use by, sell by etc.
7. Set up a group to study food donation by businesses

This will have a hearing in the House and Senate next week.

Light Recycle, launched in 2015, is the statewide EPR program for fluorescent tubes, compact fluorescent lights (CFLs) and high intensity discharge lights (HID)s from households and small quantity generators, and is due to sunset in 2025. This was carried over from the last legislative session and the scope is reduced. This bill would:

- Remove the environmental handling fee paid by consumers. We call it EPR, but it is more extended consumer responsibility.
- Ban most mercury-containing lights by Jan. 1, 2026.
- Extends the existing product stewardship program for mercury-containing light. The lights already installed will have a collection system when they come to their end of life.

Some other bills that we are tracking are:

- HB 1164 – Responsible Management of refrigerant gases
- HB 1935 - State Green Schools Program. This offers funding for schools to implement conservation programs, with up to \$50,000 per school. It is not clear total amount of funding.
- HB 2069/SB 5919 - Biogenic Carbon Dioxide. This regards the ability to sell certain products that come out of bio-gas capture of the landfill.
- HB 2207 - Unlawful Solid Waste Dumping. This bill focuses on the type of penalties which can be used to fund clean-up.
- SB 5844 - Recreational Vehicle Disposal Program.

And other bills that are still to be expected are:

- HB 2401 – Responsible Management of Refrigerant Gases. This is scheduled for a public hearing in the House Committee on Environment and Energy on Jan. 22.
- HB 2049 - Electric vehicle batteries
- Wind turbine blades

Trim added in the chat that Zero Waste Washington keeps their website updated with the status of bills [here](#).

Trim stated that one of her favorite bills relates is SB 5376 relating to the sale of cannabis waste. This bill was introduced last year and somewhat advanced in the Senate. It just passed in the Senate and will be going to the House. Currently, cannabis farms are not allowed to dispose of their waste unless they dilute (often with kitty litter), and they are not allowed to make compost out of it and sell it. The bill would allow them to do that, and this will have a big impact on the state.

Weiker added that everyone is always welcome to go to leg.wa.gov add comments.

Member Comment

Tan said the deadline for the NextCycle circular grant is on Jan. 26. This is a great way to move forward with any projects that could qualify. Please send this to anyone who would be interested in [applying](#).

Adjourn

Meeting adjourned at 11:25 a.m.