

Proposed Agenda
MSWMAC ILA Workshop
July 13, 2012

10:00

1. Introduction, including purpose of the workshop. *Joan McGilton*

The objective of the workshop is to provide a common understanding of how the System operates, and the legal/regulatory framework for solid waste management, to inform future ILA discussions. This includes:

- Providing information about the roles and responsibilities of cities and the county regarding solid waste management
- Describing how King County has fulfilled its responsibilities for the King County solid waste system
- Explaining the process for environmental cleanup and resolution of liabilities under state and federal cleanup laws

10:10

2. Explain the legal framework for roles & responsibilities of Cities and Counties in solid waste management and how the ILA fits into that framework. Also describe the primary federal/state/local environmental laws and permits that apply to operation of the solid waste system. This will include a brief overview of relevant provisions of the following laws and their implementing regulations:

- RCW 70.95 (State Solid Waste Management Act), and RCRA (federal landfill requirements implemented/enforced through state law) (permitting/regulatory operational requirements for landfill and transfer stations; closure and post-closure requirements)
- RCW 36.58 (county authority)
- RCW 35 and 35A (city authority)
- RCW 81.77 (UTC regulation of collection companies)
- Federal and State Clean Water Acts
- Federal and State Clean Air Acts
- MTCA and CERCLA (brief introduction; cleanup process discussed in detail in #4 below).

Presenters:

Kathy Gerla
Senior Deputy Prosecuting Attorney
King County Prosecuting Attorney's Office

Jim Haney
Attorney at Law
Ogden Murphy Wallace, P.L.L.C

11:05

3. Explain how the King County solid waste handling system has been designed to satisfy legal/regulatory obligations mandated under local, state & federal law.
- Establishment of system of transfer stations, rural landfills and Cedar Hills

- Transfer stations replace local dumps. Hold solid waste less than a day and consolidate loads for disposal. Regular inspections by Health Department and Department of Ecology
- Rural landfills operated into the 1990's when they were closed and in some cases replaced by transfer stations
- Cedar Hills Regional Landfill began operating in the mid-1960's accepting waste primarily from transfer stations
 - From mid-1960's to 1986 disposal was in unlined, uncovered areas
 - Beginning 1984 groundwater monitoring network established and continually expanded- Kevin will describe monitoring program
 - In 1986 first lined area- Central Pit- Kevin will describe liner and cover systems; and leachate and gas systems.
 - From mid-1980's to mid-1990's older areas receive cover systems and environmental controls. Provide order of magnitude costs
 - Capacity through 2025

Presenter:

Kevin Kiernan

Director, King County Solid Waste Division

11:45

Break

12:05

4. Provide an explanation of how cleanup processes work in general (from discovery of a release of hazardous substances through allocation of liability and ultimate cleanup of site).

Presenter:

*Mike Dunning**

Attorney at Law

Perkins Coie LLP

1:00

5. Provide an explanation of financial policies.
 - Financial policies supporting solid waste system- fund figure from Comp Plan
 - Enterprise fund supported by rates
 - Landfill reserve fund accumulates cash for new area development and landfill closure
 - Landfill post-closure reserve, required by state and federal law (cite) sets aside funds for post-closure responsibilities- monitoring, cover maintenance, environmental control systems

- Transfer system funded by debt, general obligation bonds
- Insurance coverage- discuss the Division's current insurance policy

Presenter:

Kevin Kiernan

Director, King County Solid Waste Division

1:15

6. Provide an explanation of King County's self-insurance program.

Presenter:

Jennifer Hills

Director, King County Office of Risk Management

1:35

7. Wrap up. *Joan McGilton*
 - a. Did the workshop meet the goals and objectives?
 - b. Did the workshop identify other topics that should be discussed in the workshop format?

1:45

8. Next MSWMAC meeting is August 10, 2012

**This attorney will not be legal counsel for any city or county or able to give legal advice or opinions as to specific issues in ILA negotiations. Discussion will be on general overview of cleanup process.*