

APPROVED

Skagit County
Solid Waste Advisory Committee (SWAC)
Meeting Minutes
WEBINAR/CONFERENCE CALL
Tuesday, April 12, 2022

Members Present

Andy Hanson
Brian Dempsey
Carolyn Bowie

Leo Jacobs
Margo Gillaspay
Matt Koegel
Marcella M
Todd Reynolds
Torrey Lautenbach

Representing

City of Mount Vernon
City of Burlington
Department of Ecology,
Western Washington Reduction & Recycling Specialist
City of Sedro-Woolley, SWAC Vice-Chair
Skagit County Public Works/Solid Waste Division, ex-officio
City of Anacortes, SWAC Chair
Public Sector Manager, Haulers/Waste Management
Skagit Steel & Recycling, Recyclers
Lautenbach Recycling, District 1 Citizen

Members Absent

Britt Pfaff-Dunton
Scott Thomas
Tamara Thomas
Not Represented
Not Represented

Representing

Skagit County Health Department, ex-officio
Town of La Conner
District 2 Citizens
District 3 Citizens
Agriculture Representative

Visitors

Carolyn Moulton
Dave Bader
Harry Werber
Olivia Karras
Pinky Vargas
Sarah Garrison
Troy Lautenbach

Representing

Lautenbach Recycling, Community Relations
Lautenbach Recycling
Ridwell, Bellingham City Manager, Whatcom & Skagit Operations
Department of Ecology, Regional Planner & Grant Manager
Republic Services, Skagit County Account Manager
Citizen
Lautenbach Recycling

Introductions

Margo Gillaspay, requested introductions of all in attendance. Names and business titles were offered by each attendee prior to addressing agenda items.

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Call to Order

Ms. Gillaspay, called the meeting to order at 2:00 p.m. via Webinar/Conference Call, Mount Vernon, Washington.

Public Comments

Ms. Gillaspay, opened the floor for public comments.

There were no Public Comments.

Review and Approve Minutes

Ms. Gillaspay opened the floor to discuss the February 8, 2022 minutes.

Ms. Gillaspay, requested a Motion to Approve the February 8, 2022 minutes as written.

A Motion to Approve was made by Torrey Lautenbach, Lautenbach Recycling to approve the minutes as written. The Motion to Approve was seconded by Brian Dempsey, City of Burlington. By a vote of the Membership, the Motion was unanimously passed. Ms. Gillaspay, declared the minutes of February 8, 2022 to be approved as written.

Agenda Items

A Solid Waste Advisory Committee meeting, open to the public, was held on April 12, 2022 for anyone to speak on any topic on the agenda, or items not listed on the agenda:

a. **Organics Bill Discussion**

The goal of the Bill is to increase food recovery and to reduce organic waste disposal in Washington State by 75% by the year 2030. That list includes yard, food, edible food, wood, and manure waste.

By the year 2027, local governments will be required to offer source separated organics collection services. Local government will also be required to adopt compost procurement standards. Other parts of the Bill addresses improving compost labeling and updated standards for food donation. This Bill will possibly impact the composting industry and Skagit County's local government and businesses.

i. Presentation by Troy Lautenbach, Lautenbach Recycling

*The presentation addresses the eight parts of the Bill.

Part 1 Establish State-Wide Goals

Definitions

Organics Collection

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- Cities with Solid Waste Management Plans
- Ecology-WA population density by County
- Local Government Solid Waste Management Plans
- Part 2 Businesses
 - Study: Adequacy of local government funding
- Part 3 Strengthen Washington Good Samaritan Law
- Part 4 Washington Center for Sustainable Food Management
 - Model Ordinances
- Part 5 Sustainable Farms & Fields Grant Program
 - WSDA Compost Grants
 - Public Works Board
- Part 6 Growth Management Act (GMA)
 - Comprehensive Plan updates
- Part 7 Procurement: Ordinances
 - Procurement: Priority 1
 - Procurement: Priority II
 - Procurement: Bi-Annual reports
- Part 8 Labeling for Compost ability

*Each Section has its' own function of addressing certain things.

This is a big 8-part Bill intended to reduce organic waste by 75% by the year 2030, and is extremely ambitious.

From the Department of Ecology's perspective, they are working as quickly as possible to develop a clear and helpful communication and guidance for this Bill. They are also in the process of developing a timeline and resource for everyone to help navigate the Bill and to have a better sense of what's coming and how it will impact all the jurisdictions across Washington State. The Department of Ecology is encouraging contacting them with questions which will be compiled into a "Frequently Asked Questions" resource.

Expansion and capacity are issues that will need to be explored in the near future to determine if Skagit County will be able to meet these requirements.

The front-end stuff of how much material that's still out there and needs to be diverted is part of the conversation.

Skagit Soils is already collecting a lot of organics within the County. Lautenbach Recycling is already collecting bulk recycling organics from Tri-Dent Seafoods. Skagit River Steel is currently taking in seed products. It's already being taken care of in a lot of regards; this Bill is giving more teeth to it.

Mandatory service for residential customers may have an impact on customers already paying for an increase for mandatory recycling. It is unknown if an impact cost study was conducted when the Bill was being written.

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It is unknown how it will be determined how much material a commercial customer has in order to determine if they fall under organics. It may be necessary to wait for more guidance.

The Department of Ecology's role will enable them to grant waivers to overburdened communities who cannot afford the extra cost.

The collection will be provided by the Haulers. The majority of the Haulers are already providing a curbside service.

Organics curbside service is already offered in all Cities and the County west of Highway 9. The one difference is that it would apply to all of Skagit County so anyone that is signed up for garbage service east of Highway 9 will then be able to get the organics collection. Currently, recycling is not required east of Highway 9, but organics will be required.

Skagit County is a GMA county, so therefore, the entire county falls under the GMA category. Skagit County's population density is 76.2 and the cut-off is 75, so therefore, applies to the whole county.

The Department of Ecology will be providing more guidance on this Bill within the next couple of months.

According to the 2020-2021 State-Wide Characterization Study, state-wide organics made up over 22% of the waste stream. Edible food waste was much higher at over 6% of the entire waste stream.

The Skagit County annual tonnage for 2021 was 125,000 tons.

This Bill is based off the 2015-2016 numbers as provided by the Department of Ecology Waste Characterization Study.

The City of Mount Vernon is slightly different in that they have a yard waste facility that they transport, along with curbside service. The Town of LaConner hauled 14,000 yards of yard waste last year.

It has been very difficult for non-profits who are trying to collect edible food. We have food that is still edible and is currently going to the landfill. It would be a big win to take out this food and feed people.

b. Junk Haulers in Skagit County

We've seen them as people that are possibly operating a solid waste vehicle hauling garbage, and not a certified Hauler. Or, we see Haulers coming in and removing solid waste from Skagit County. These can both be issues of concern.

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The City of Mount Vernon has reached out to its legal team and Development Services regarding business license in Mount Vernon.

A recent Hauler in the City of Mount Vernon was in clear violation of what was being hauled out of the City. The SCC in Bellingham was contacted. This Hauler has hauled out multiple times out of the territory of SCC. The Hauler has been reported to the UTC, with just a slap on the wrist. This activity is a civil penalty and a penalty of fine in the City of Mount Vernon. The City is going to move forward with any junk hauler, or what appears to be that. It could be a violation to Municipalities. The City is trying to get to a level of consistency with junk haulers to make sure everyone is in compliance. The City of Mount Vernon did reach out to the Hauler to explain operating procedures in the City of Anacortes, the City of Sedro-Woolley and Skagit County.

Information is needed from the UTC to determine if a drop-box containing roofing materials plastic wrap and roofing material sheeting is understood to be construction/demolition.

At what percentage, or how do we evaluate how much of that paper is solid waste and should go into a Solid Waste container and not into a junk hauler container. More follow-up work needs to be done with the Cities Legal Department on how to proceed and what action the City should take.

Until this activity is regulated or policed by the County, Haulers will continue this activity if they know there is no penalty or no one to enforce a penalty.

Junk haulers operating in Skagit County could be operating illegally if the loads are going to the Skagit County Transfer and Recycling Station, unless they have residuals. There should be a way to regulate this dumping.

A clean-out business truck hauling junk is legal using a box van. A hand-load service is considered a service and is legal. A drop-box can be left by any vehicle and as long as you are being paid to load it(that's the service), you are loading it and it's not being loaded by a contractor or someone else, and you are loading it yourself, that is legal.

Waste Management is concerned when people are hauling something that is WM's responsibility. Most contracts in Skagit County work similarly to those in Snohomish County, with an "exclusive right" clause. Waste management would reach out to the City in the event that someone is in violation.

Where services are not mandatory and self-hauling is allowed, as long as the owner or occupant is hauling that service, it would be considered self-hauling, which is allowed.

Shark Roll-Off, out of Burlington, has a roll-off container in an alley in Mount Vernon, currently being loaded with garbage and solid waste. That is considered a roll-off vehicle. If you have a roll-off container; that's a roll-off vehicle. Whether it has a chain hoist or a continuous pick, its being rolled off on a flat bed and being transported to the

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Transfer Station, that is solid waste. If he had a dump trailer and had someone loading it, it would have not been noticed. When there is a roll-off box at a location, then that is a solid waste vehicle, however you're transporting it. That seems to be a violation of our Management Plan.

Ben with Hungry Buzzard just did a roof job which is considered construction-demolition debris. Where do we have the discussion on that to determine the percentage of recycling involved.

We would love to drop off a City of Mount Vernon box anywhere in the County and be ok with that, but we respect the boundaries of where we're at and the operations. We need to be educated a little bit more to determine if that's ok. If you have a dump trailer and you're loading up, our driver would not have said anything. With 12 drivers and 7 collection routes, our drivers are pretty good at telling us if there's a box somewhere. We want to make sure we have an understanding, so we are in compliance on how to proceed forward and what actions need to be taken.

The job referred to by the City of Mount Vernon should be reported by Waste Management to Kathy of the UTC. The job is a clear violation. It should be UTC territory unless it is a contract between Waste Management and the City of Burlington, which changes things up a bit, which is a grey area.

Regarding the service element, the UTC heard 1-800-GOT JUNK years ago because there was an argument as to whether they needed a G-certificate to be able to provide a service of hauling junk away from someone's garage. It was determined that as long as you are providing an additional service, other than just setting a drop-box there and hauling it away, that the service is loading of the material whether it is a demolition job by excavator or some other way, that is a legal service and a certificate of convenience is not needed, which is a G-certificate.

If you're just setting up a box and only providing transportation of solid waste, that is illegal.

The box left on site was clearly within the boundaries of the City of Mount Vernon. The conversation with the gentleman was not overly pleasant at the end. It was an attempt to reach out to educate him. The City of Mount Vernon wants to ensure that they are in clear compliance of their own Ordinance in their Solid Waste Management Plan, and what the boundaries are of what we can and can't do. We may need to move forward internally. The City of Mount Vernon doesn't want to see this same issue happen to the City of Sedro-Woolley, the County, to Skagit River Steel or to Lautenbach's facility. It may be a matter of education. According to Ted with the SSC, the UTC told the gentleman that he was in violation. This is a topic of conversation to continue to move forward on.

It was good to get the extra clarification. It would not work out well for the Scale House to be policing for all of the Cities.

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If there was a clear definition of junk versus solid waste and a solid waste vehicle versus a junk vehicle, we might be able to have a little more clarification on that.

There are those that have been in the industry longer, but my understanding is that a roll-off container is a solid waste vehicle no matter how you're transporting that vehicle to it. When we look in the dumpster, and see solid waste being picked up weekly, then that's solid waste and a violation of our Municipal Code.

This may need to be handled internally with an Ordinance. It might not be possible to get something Skagit County wide for a definition. All the Cities would need to be involved as well.

In reviewing the County Code to locate where it defines what a solid waste vehicle is, the definition wasn't found in the County Code, but is defined by the UTC for that certified area.

Would any recycling expert present explain the definition of what they would consider junk in solid waste?

Waste Management is not familiar, but will check internally.

If its not construction-demolition debris, if its not recycling going into our recycling stream, if it's not organics, then we are left with either solid waste or junk. If it is junk removal within the boundaries of where we're operating from, if it's in a solid waste vehicle, then it's a violation.

No matter the vehicle, if there is no recycling facility that accepts that material, and it's hauled to the Transfer Station, and its not a product that they loaded themselves as a service, then they're in violation.

If they are being contracted to clean up or load up a jobsite and its their roll-off box and their employees and they are being contracted to do that, then that's a legal thing to do.

If they drop off a box, hired by a contractor to bring in a roll-off container, and the contractor loads a bunch of garbage in there and they can't recycle it, then they are in violation. Legally, they are required to tell that contractor to unload the box into one of your boxes so it can go to the dump.

The UTC deals with the Cities as well regarding jurisdictions.

So, the issue is only when they do only the hauling of the solid waste and they're not actually providing any other service with it, just being a solid waste hauler.

It might be helpful to contact the UTC to help with some language or a way to assist within the City of Mount Vernon.

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This is the first time that a 20-30 yard dumpster was seen completely full of solid waste. There have been multiple vendors in doing projects with no problems. There have also been multiple projects that required contact to ensure they follow the proper guidelines, and we had no further issues. This specific issue was clearly two guys emptying out a house in white jumpsuits. It is assumed that it went to the Skagit County Transfer Station. There have been some pictures of them rolling into the Transfer Station.

Recently, roofers and other have had projects in Sedro-Woolley and reported that they are hauling the materials to King or Snohomish County.

There is roofing recycling in Tacoma that Lautenbach Recycling hauls roof materials to. There is a facility there that grinds it up and uses it for patching at their asphalt patching plant. It's not economically viable, but it is done in certain situations. There is opportunity to recycle comp roofing. It is unknown if the materials from Sedro-Woolley are being taken to this facility, but there are opportunities to recycle roofing materials.

If the roofers are hauling materials to the Solid Waste Transfer Station, it is legal. When roofers have their employees remove a roof, load it into their truck and haul it to the Transfer Station, it is legal.

There is no Ordinance in the Solid Waste Management Plan which states that recycling must remain in the County.

Announcements/New Business

Ms. Gillaspay, opened the floor to address any announcements or new business. The City of Sedro-Woolley has adopted the Amendment to the CROP. The remaining Cities still need to respond.

Public Comments

Ms. Gillaspay, opened the floor to address any public comments.

There were no public comments.

Unfinished Business

Ms. Gillaspay, opened the floor to address any unfinished business.

The Department of Ecology will have a state-wide Recycling Coordinators Meeting on April 28, 2022 at 9:00 a.m. – 12:00 noon.

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The WSRA Conference will take place in the middle of May. There are two days left to get the Early Bird registration price.

The Department of Ecology will conduct a state-wide Characterization Recycling & Organics Study this summer. Completion should be in June, 2023.

The LSWFA Biennial Report is available to share the grant impact.

The Department of Ecology has made all Solid Waste Management Plan's available for viewing for all Counties and Cities across the State.

Adjourn

Ms. Gillaspy, thanked everyone. The meeting adjourned at approximately 3:10 p.m.