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Skagit County
Solid Waste Advisory Committee (SWAC)
Microsoft Teams Meeting Minutes
Skagit County Conference Room, 1800 Continental Place, Mount Vernon, WA
Wednesday, July 12, 2023

Members Present

Andy Hanson
Carolyn Moulton
Dale Patrick

Margo Gillaspay
Nick Harbert
Olivia Carros

Shelly Jensen
Torrey Lautenbach

Representing

City of Mount Vernon, Solid Waste
District 1, Citizens, *on-line*
Environmental Public Health, Skagit County Public Works,
non-voting
Skagit County Public Works/Solid Waste Division, *non-voting*
Waste Management, Hauler
Department of Ecology, Regional Planner & Grant Manager,
non-voting, on-line
City of Anacortes
Lautenbach Recycling, District 3, Citizens, *on-line*

Members Absent

Brian Dempsey
Kate Smith
Leo Jacobs
Marcella Manibusan

Pinky Vargas
Scott Thomas
Todd Reynolds

Not Represented
Vacant
Vacant
Vacant

Representing

City of Burlington
Agriculture
City of Sedro-Woolley
Waste Management, Hauler/Public Sector, Manager
Republic Services, Municipal Relations,
Skagit County Account Manager
Town of La Conner
Skagit River Steel & Recycling, Recyclers
District 2, Citizens
Town of Lyman
Town of Hamilton
Town of Concrete

Visitors

Callie Martin
Heather Lopes
Landon Campbell

Representing

Skagit County, Public Works, Solid Waste
Skagit County, Environmental Health
City of Mount Vernon, Solid Waste

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Robin Freedman Waste Management, *on-line*
Troy Lautenbach Lautenbach Recycling, *on-line*
Whitney Latimer Skagit County, Public Works, Solid Waste

Introductions

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

Call to Order

Ms. Gillaspay, called the meeting to order at 1:00 p.m. at the Skagit Conference Room, 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 minutes of May 11, 2023.

Ms. Gillaspay, requested a Motion to Approve the May 11, 2023 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 Andy Hanson, City of Mount Vernon. By a vote of the Membership, the Motion was unanimously passed. Ms. Gillaspay, declared the minutes of May 11, 2023 to be approved as written.

Agenda Items

A Solid Waste Advisory Committee meeting, open to the public, was held on July 12, 2023, for anyone to speak on any topic on the agenda, or items not listed on the agenda:

a. Organics Update

Presently, there are not items requiring a vote. There are some new developments.

It is important that everyone has seen the Map of the 2024 Business Organics Management Areas, released by the Department of Ecology within the last couple of weeks. The DOE contacted the Counties and Cities to verify the areas where businesses

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agreed to collect organics. The Map is slightly different from where curbside collections is for residents as it includes a bigger area around Lake Cavanaugh and Big Lake that is not serviced for residents. If there is any feedback or concerns regarding the service area, it can be reported to the DOE. Effective January 1, 2024 businesses generating at least 8 cubic yards of organic material waste per week, must arrange for organic materials management service. It is expected that only a small percentage of businesses will be impacted in 2024, and will include large grocery stores, institutions, and large food processors. Cities with large grocery stores may see a larger impact.

Effective January 1, 2025, businesses generating at least 4 cubic yards of organic material must arrange for the service.

Effective January 1, 2026, businesses generating at least 4 cubic yards of solid waste must arrange for Organic Materials Management Service.

Compliance:

The DOE is developing a Tool Kit that will assist support local governments, haulers, and industry associations to help provide assistance to businesses identify ways to reduce organic waste. It is still uncertain whether the Health Department will start the enforcement. It is likely that Health will start with some form of education and outreach.

How does Skagit County fit in as a business:

Is Skagit County considered a business, is the whole County considered one business, or does it go by building?

Who is responsible for the procurement? There may be some language in there about Municipalities and Bids being required to use compost products on the backside.

I think part of the Bill talked about the Counties, the Bid Projects, the Cities, the people that are producing it are using a certain amount of the material as well for landscaping and things like that. That way we are not just taking it in and building huge piles and have no where to go with it. I'd like to know whose enforcing that, as what kind of programs are being put in place to ensure that will happen because it is a very important part of this Bill.

That is intended to be covered under their Compost Procurement Ordinance, which the County has passed. It focuses on how we are going to use compost in our own County projects. I don't believe that there is a requirement that we have to buy back a certain percentage. That may be added at a later date. There was talk about it. We have to report the amount of compost, that we are using in projects, road construction, landscaping, Parks and Recreation Facilities projects.

I thought that there was some language stating that as long as it was the same cost as other similar products, then they would suggest/require that the compost product be used.

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That kind of language is in there, every jurisdiction wrote the Ordinance a little bit differently. Some of them may have put a certain amount that they didn't want it to be more than.

Where would we go to find language for each Municipality?

That is a good question. The DOE was collecting some examples of Ordinances to put on their website. As far as looking up for each Jurisdiction, I can ask and get back to you, unless DOE wants to weigh in.

I'm happy to. You are welcome to reach out to the Counties or Cities where you're required to adopt a CPO if you haven't done so already. The DOE is collecting all of the Compost Procurement Ordinances that have been adopted. The ones that have been adopted are in file and can share since they are publicly available. If you have any specifically that you are interested in looking at, you can reach out to me, or the County or City directly involved in adopting the CPO.

Is there a requirement that the Cities and Counties, through their Procurement Ordinances, are required to buy compost from the material that they generated? Are they required to buy it from the composter they took it to, or one in the County? Is there a restriction?

The County prefers that it came from a Composter that took waste from Skagit County, but we did not make it a requirement.

So, the State doesn't require it like in the individual Procurement Ordinance?

No, that's not a requirement.

Not every County has a Composter problem.

Is the DOE tracking the facilities that are composting it and diverting it back, or is it the Municipalities or the Governments? I thought there was some language in there as well on who was tracking and how that was going back to the Community and Cities and Government Agencies.

We are tracking it. Right now, we are collecting all of the information on which facilities have the capacity to accept additional composting. The tracking I am currently aware of is which facilities are accepting compost or have additional capacity to accept more compost into their facilities. We have information on the Facilities that exist that are out there collecting that information was well.

When we dispose, is it the responsibility of the Municipalities and the Government to track it? If we back-haul 30 yards per year to report that, or is that on the Facility we are taking it to, to track how much is going back out to the Communities and report it?

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I can't answer the question of which facilities are reporting, I just know that what activity is specifically being reported specific to the Compost Procurement Ordinance (CPO). I know that volume and cost of compost purchased each year, as well as the source and the total tons of material diverted from disposal each year. I know that is what is specifically being reported in the CPO reports. I couldn't speak to specifically what is reported by the Facilities when it comes to the information, but I think the County is getting the information from the Facilities they are working with. A lot of the time, the County doesn't have this data. It's being received the Facility. If you were working with a Hauler and they are tracking this information you would work with them to get the information to report in your Compost Procurement Activity Reports.

What I am hearing is that both the Hauler and the Compost Vendor will be reporting numbers to the County. Is that correct?

It would be; however, the County is working with some Counties, their Hauler is involved in organics collection. So, they are receiving the data specific to the material. If the Hauler you are working with is not involved in organics collection with the County, then you wouldn't be reporting on that because you are not working with them on that. That is what they are tracking and reporting. It can be multiple.

It is pretty much the same reporting mechanism to DOE that recyclers have been doing for years ow. We have our Annual Ecology Report for where the material came from and where it went.

Yes.

It is the same thing so. Does the Hauler do that same report as well? We do it just from a Facility standpoint.

It wouldn't be a requirement. DOE is not requiring that Haulers to report this information to us. It's just the Cities and the Counties that have adopted the CPO.

To clarify, for example, Skagit Soils accepts material from Skagit County. Anything that goes out, we have to make sure we are diligent in saying 10,000 yards went to Skagit County, 5,000 yards went to Island County, so forth, correct? The facility reports that are sent to the DOE every year.

The facility reports coming into DOE specifically. I haven't reviewed those so I couldn't speak specifically to those. I know that the Facilities will be providing this information to the Counties and Cities, and they will report this information to the DOE. There may be a different system in reporting the information that you are referring to related to the recycling information and data, but I'm not sure what they requirements are when it comes to what the facilities are required to provide.

Is this a separate reporting requirement aside from the current DOE reporting mechanism we do every year?

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I think this information you are tracking would be submitted to the County and they would submit it to DOE.

We have to submit the report.

That's what we currently do. We submit it to the County to Solid Waste and we also submit it to DOE.

It would be the same as that.

The Haulers from the collection site, we generate a report to the Cities and Counties to what we collect, its not reported to the State.

Solid Waste reports how much was collected in the County and then what we end up purchasing for our various projects which we are going to have to figure out how to track internally. Cities do it separately.

For those interested, the Organic Procurement Ordinance is Skagit County Code: **12:18.070**, due December 31, 2024.

Waste Management will report the unincorporated hauling numbers to Solid Waste.

Clear as mud, right? If not signed up for e-mails, make sure you are and take a look at the business map. We will be getting more information coming down the pipeline. Especially about Outreach and Education to those businesses.

b. Solid Waste Management Plan

We are due for an update of our Solid Waste Management Plan. The last one was set for 2018-2023, knowing that our hauling contract was up in 2023 and that we would be looking at possibly a new vendor. We have a new vendor with new rates, and we'll be looking at a new Plan. I've asked Olivia to give us a rundown of what this MP process is going to look like.

Skagit County Plan Update Guidance

Olivia Carros, Regional Planner, July 12, 2023.

Olivia is a Regional Planner and Grants Manager with the DOE. Her role is assisting Counties in the Northwest Region, Skagit, Whatcom, Kitsap, Island and Snohomish. Her role is to work with five other Counties on their Plan updates, and other general updates such as they Organics Management Law. She also manages the Local Solid Waste Financial Assistance Grant program (LSWFA). Today, I would like to review the Guidance the DOE has developed for those interested in starting their Plan Updates.

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Table of Contents

- 1) Starting the Plan Update
- 2) Role of the SWAC
- 3) Role of Ecology
- 4) Plan Timelines
- 5) Plan Requirements
- 6) Plan Recommendations
- 7) Ecology Resources

Starting the Plan Update

- 1) Coordinate with the local SWAC, Ecology, elected officials, and other interested parties, such as Haulers, tribes, recyclers, and various other businesses and individuals not on the SWAC.
- 2) Define the planning area.
- 3) Develop inter local agreements.
- 4) Clearly identify responsibilities (or lack thereof) of participating Municipalities.

This section comes from the DOE's 2010 Guidelines, currently being updated. A large part of the content is required by Law, therefore will not change drastically. It is hoped to find ways to streamline this process to make it easier, smoother, and less burdensome. The first step is to *Develop Scope of Work and Define Responsibilities*". The next sequence of Steps rotates in the following order:

Involve the SWAC, develop a Preliminary Draft, Public Comment & Ecology Review, Respond to comments and Complete SEPA, Adopt Plan & Ecology Final Review, Approval and Implementation, Maintain the Plan, Plan review.

It is helpful to begin early to develop Inter Local Agreements to make sure everyone is aware of the responsibilities they have during the Plan Update process.

Role of the SWAC

Chapter 70A.205 RCW/Section Authorizing SWACS: 70A.205.110

The RCW were reclassified in 2020. 70A.205 is the principal legislation that governs Planning and Management of Recycling in Washington State. It describes what local Government and Ecology has to do in relation to Planning for Recycling and Solid Waste Programs. Legislation specifically calls out the Role of the SWAC and the Requirements that the SWAC must follow, which includes having 9 (nine) Members and representatives that represent a balance of interest, which are listed in this RCW.

The role of the SWAC during the Plan Update process, the legal relationship is actually to the County Commissioners and not to the City itself and the County. It's an advisory role to the County Commissioner. The SWAC does not set policy or budget for the Solid Waste system, it is here to assist in the Programs and Policies. The SWAC is a connection point to the Community in providing the Public with notice of SWAC meetings. Also, being familiar with some of the different local rules and regulations, inter local agreements, and some of the DOE Guidelines. It could be helpful to be familiar with some of the other County Plans.

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The DOE's role (Ms. Carros) will be to comment on the Plan, as its being developed during informal review. The timeline can be streamlined if involvement of the Ecology Planner is early on.

The Ecology Planner can provide technical assistance, reach alternatives, and ensure that the Plan is meeting the RCW requirements to avoid excessive edits. The Planner also serves as the liaison to the UTC and WSDA, who will also be involved in review and will be responsible for sending the Preliminary Plan to them for review.

General Planning Timeline

- 1) Prepare Preliminary Draft and submit to Ecology for formal comment.
- 2) Ecology has 120 days to comment. Ecology submits Plan to UTC and WSDA, and they have 45 days to comment.
- 3) Hold public comment meetings on Preliminary Draft (can be concurrent with Ecology review).
- 4) Prepare Final Draft Plan. Review WRR element with SWAC.

After we have the Draft and Ecology has reviewed it, then we have to com back and just go over our Waste Reduction and Recycling Chapter with the SWAC?

Yes, after DOE has provided Comment. This is, at some point before you submit the Final Draft to DOE, you must review the Waste Reduction and Recycling. Its an easy thing to miss by multiple Counties. The Review just needs to be an e-mail to the SWAC letting them know that this is the Final Draft Chapter. It does not need to b anything formal. There is nothing to vote on or approve. The Plan does not get technically approved by the SWAC, it just has to be reviewed by the SWAC.

Amongst this Timeline, we also have the Skagit County Commissioners who have to approve by Resolution before submittal. Since we have the Governance Board, it has to go through them as well.

That would happen once, as you know, once the DOE comments are back and you have addressed that you're working on the Final plan. It depends on what is in your specific internal processes and requirements.

Checklist of Required Planning Elements

The DOE is hopeful that the new Planning Guidelines will be completed soon. It is unknown if thy will be done anywhere near when you are drafting your Plan. Once you officially begin drafting your Plan, you would not be required to follow the new Planning Guidelines.

- 1) RCW 70A.205.045
- 2) Found in Appendix K of current 2010 Planning Guidelines
- 3) Checklist includes items, such as:
 - a. Six-year capital and acquisition projection
 - b. List of designated recyclables

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- c. Description of markets for recyclables
- d. Waste reduction and source separating strategies.
- e. 20-year solid waste handling projection (facility needs)

Organics Management Law

Required Elements in Plan

1) Organics Management Law (HB 1799)

a) State Targets and OM Collection Requirements

This relates to the State targets and the Organics Management collection requirements. Essentially, your Plan would need to address the new Requirement to provide organics collection to residential and non-residential customers. Because your Plan will be looking into the future 5 years, it's important that you look at the Requirements that are in the Organics Management Law up, until that point. So that you have addressed how the new dates and the Law will impact the County. Specifically, the 2027 requirements is one that would need to be addressed. Also, you need to address how you've considered transitioning to assist in diverting more organics from the Landfill.

b) Organics Materials Management Facility Siting

It is important for the County to identify priority areas to locate new Organics Management Facilities and provide evidence that site would not occur in over-burdened communities.

c) WA Health Disparities Map

It would be a good time to use the WA Health Disparities' Map. There is no requirement to construct or build anything.

2) Strategies to inform residents about the value of compost and how Kitsap County uses compost in its operations.

This is a requirement that is in the Law. The DOE has information on the value of using and making compost on their website.

Recommended Elements

1) Review minimal service level ordinance related to curbside recycling and organics.

Kitsap County has a specific minimum service level ordinance that relates to curbside recycling organics.

2) Market development activity related to CPO reporting.

This is a Recommendation that you would want to reference this activity that you are reporting in your Compost Procurement Ordinance. At some point you will need to address that if you want to expand collection services for organics in the future. There is a Markets related section for recycling. Mirroring that to over organics could be really helpful.

General Recommendations from Ecology

- 1) Executive Summary
- 2) Glossary of Terms
- 3) Acronyms and Abbreviations
- 4) Relationship to other Plans

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- 5) Periodic Plan check-up in Implementation Plan
 - a) Annual SWAC review
 - b) Plan Check-Up Guidance/Checklist available
- 6) Vision and Goals
 - a) Skagit Climate Action Plan; Swinomish Climate Change Initiative
 - b) WA State SW & HW Plan
 - c) Ecology's sustainability, equity, and climate goals
- 7) Region Approach
 - a) Align recycling or HHW programs within the same region (San Juan, Whatcom)

Data Specific Recommendations

- 1) 2018 Waste Generation Data
- 2) 2020-2021 WA State Waste Characterization Study
- 3) 2021 State Solid and Hazardous Waste Plan
- 4) Use Food Well Washington Plan
- 5) Local Recycling Program Survey (on BOX)
- 6) Ecology provides Haz Waste Inventory data and map.

EJ-Specific Recommendations

- 1) Equity and environmental justice considerations
 - a) EJSCREEN tool, WA Health Disparities Map
 - b) Translation
 - c) Accessibility / Plain Talk
- 2) Early inclusion of tribes in Skagit County, such as Swinomish Tribe
 - a) Land acknowledgement
 - b) Tribal history and current state
 - c) Tribal SW programs
 - d) Collaboration and coordination with tribes

Ecology Resources

- 1) We are here to help!
- 2) Box Library
 - a) Sample Designated Recyclables Lists
 - b) ILA Examples
 - c) Education and Outreach Program Examples
 - d) Resolutions of Adoption Examples
 - e) Planning for Sea Level Rise
 - f) Environmental Justice Language Examples
 - g) All approved Plans in one central location
 - h) Organics Management related guidance

The BOX Folder account library can be accessed by anyone through a FREE account. SWAC Members are free to join and review these resources. There is also a folder of all the Compost Procurement Ordinances. BOX is used for a lot of resource sharing.

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Anyone is welcome to contact Peter Gutchen, Statewide Planner, who is very familiar with the BOX account.

All approved Plans are in one folder and can be reviewed, such as any County and City Plans that exists.

c. Rate Study

Skagit County has received three different Proposals from different companies and is in the process of evaluating those Proposals.

d. Long Haul Contract

On July 11, the County Commissioners did vote to approve the Resolution to award the contract to Waste Management.

The next step is to finish the contract and have it signed by the Commissioners.

Announcements/New Business

Callie Martin, Skagit County Public Works, Solid Waste Division
Solid Waste hired Whitney Latimer this Summer as the Solid Waste and Recycling Outreach Intern.

Whitney has been busy working on Outreach Coordination and bringing us up to speed with fresh eyes, which has been outstanding.

We had a jumpstart on our Instagram. Instagram, Facebook and Next Door are all Skagit County Solid Waste platforms. We participated in the Mount Vernon Farmers Market over the weekend. Solid Waste will also have a booth at the Skagit County upcoming Fair. This month is “Plastic Free July”, so we are doing something called “Simple Swaps”, which is a video series addressing plastic free solutions for workplace items, home and while grocery shopping. “Compost Critter of the Week” describes all the things living and working in compost bins that make the process happen.

The long-term goal plan is to do Outreach around the Organics Management Plan.

Whitney is entering her senior year to earn her Bachelors in Applied Science and Environmental Conservation at Skagit Vally College. She will graduate in Spring.

Whitney started working at the Skagit County Transfer and Recycling Station in late June, and we are very happy to have her on board.

The Solid Waste Management Plan has addressed the need for a second coordinator position for many years. Her pilot position is the first step in that direction.

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Public Comments

There were none.

Adjourn

Ms. Gillaspy, thanked everyone and called the meeting to an end.

The meeting adjourned at approximately 1:55 p.m.