

WASTE 2 RESOURCES ADVISORY COMMITTEE
**** MEETING SUMMARY ****
September 15, 2015, 9:30 a.m.

John Sherman, Committee Chair, called the meeting to order at 9:35 a.m. and introductions were made. He asked for a motion to approve the March 17, 2015 meeting notes. There was a motion to adopt them. The motion was seconded and the notes were approved.

W2RAC Chair/Vice Chair Nominations and Affirmation – Laurie Davies
Contact: 360-407-6103; Laurie.Davies@ecy.wa.gov

Laurie said that John Sherman expressed a desire to remain in the Committee Chair position. The Committee agreed that John should continue as Chair.

There is a vacancy in the Vice Chair position and Troy Lautenbach was nominated. The motion was seconded and the nomination was approved.

Legislative/Budget Update – Laurie Davies
Contact: 360-407-6103; Laurie.Davies@ecy.wa.gov

Laurie talked about the present state of the MTCA Account. The reduced price of oil has been the main factor that has driven revenues down. Oil prices aren't expected to rise until 2017-19. We have a gap of about \$18-20 million in the MTCA Account and expect it to grow.

For the 2015-17 Biennium, the Legislature cut funding for CPG almost in half (\$14.9 million). The remainder was moved to the State Building Construction Account. We were fully appropriated for PPG at \$3.5 million.

ESHB 1060 (Litter Tax Revenues) passed. It includes language to return WRRLCA funding to Ecology from State Parks after June 30, 2017.

Laurie talked about work of a stakeholder group on possible legislation to add products to the E-Cycle Washington Program. The group couldn't reach consensus. A bill won't be introduced next legislative session.

Scott Windsor asked if paint product stewardship legislation will be introduced next legislative session. Laurie said that King County is working on it and she heard they're looking for a new bill sponsor. Kevin Kiernan has heard there's interest in building a facility. Laurie said the Environment Committee Chair doesn't seem interested in the legislation.

For WSRA, Troy Lautenbach talked about a committee meeting on October 8 at 2 p.m. to talk about paint and CPG. They are trying to be proactive and open up a forum to discuss the issues. Troy also commended Ecology for their stakeholder work on E-Cycle Washington legislation.

Laurie said the focus of the management plan for MTCA is in the Capital Budget. Conversations are needed about how to prioritize activities. So far there have been conversations with the Port Association and local governments about impacts we're seeing with the account. There will be a MTCA meeting on October 15 to give stakeholders the opportunity to voice their concerns.

The ports have said that if they don't receive grants, then Ecology should take a commensurate cut in staffing. There is still a thought that we can fix the problem with the over-appropriations. If we see an uptick in MTCA, we want CPG funding fully restored.

Art Starry said if we would go back to the original intent of MTCA, we would not have the issues. Appropriation of those funds for other services has caused the problem.

Laurie will share the forecast on MTCA with the Committee when it's released.

John Sherman said that in Tacoma they've already reassigned hazardous assessment staff to other programs, and are evaluating what services are sustainable with limited funding.

Art Starry said Thurston County is doing the same, but they have vacancies to protect individuals. Services are in question.

Suellen Mele said that Zero Waste Washington is continuing to work on paint legislation.

Grants Rollout – Laurie Davies

Contact: 360-407-6103; Laurie.Davies@ecy.wa.gov

Laurie said Ecology is currently writing grants in a new electronic system, Ecology Administration of Grants and Loans (EAGL). EAGL is the result of a Lean process that Ecology underwent.

The CPG Workgroup has worked on options to deal with reduced funding. They decided they want to stick with the 80/20 split.

Laurie talked about a survey Ecology conducted about impacts from the CPG cuts and shared the feedback. There is a significant impact on technical assistance and dealing with illegal dumping. Seventeen enforcement positions have been eliminated. Organics work was most significantly affected.

Laurie shared how much PPG funding was requested and the ranked list. See the handout posted on the W2RAC website.

Regarding SHA grants, Jim Pendowski is waiting to see the economic forecast to determine how much funding will be available.

Rick Hlavka asked about how PPG funding will be managed. Laurie said that we'll move down the ranked list in priority order.

Sandra Cannon asked when grant agreements will roll out to local governments. Jason Alberich said they're in process.

Rules Update – Wayne Krafft

Contact: 509-329-3438; Wayne.Krafft@ecy.wa.gov

Wayne said the -350 workgroup's goal is to have a draft by the end of the year to go out to the public for review in February.

Issues include what is and isn't an inert waste. We are developing criteria for use of impacted soils (everywhere from pristine to those regulated as solid waste) and coming up with options for reuse.

Another issue is the definition of solid waste. We are trying to develop criteria that narrows the "gray area." We are segregating materials that are commodities, e.g. cans. Materials that have actual monetary value will be outside the realm of solid waste, and those associated with a tipping fee will be considered solid waste. The -350 workgroup has developed good language and criteria. We are taking language that stakeholders recommended and working internally on the definition. We hope to complete it by the end of this month to send back out to stakeholders for review.

The soils workgroup is working on a three-tiered system. Concentration levels are set so some soils will not be regulated. The middle tier (e.g. reclamation of gravel pits) will be done under a permit exclusion and regulated as solid waste. We are also looking at inert waste landfills and piles of wood waste. The -350 workgroup is proposing to raise the minimum threshold.

John Sherman asked if the moving parts for -350 are coming together and if the timeline is realistic. Wayne said at this point it looks like we will meet the schedule as planned.

Troy Lautenbach said that the definitions workgroup has talked about scenarios of tire piles in Yakima.

Art Starry pointed out that it'll be important to provide guidance on how to apply the new definition or direction.

Apple Maggot Issue – Laurie Davies

Contact: 360-407-6103; Laurie.Davies@ecy.wa.gov

Brad White and Steve Fuller from the Department of Agriculture joined the W2RAC meeting to talk about the apple maggot issue. Agriculture is currently working on permits for transportation of waste. Brad explained that the apple maggot issue is an evolving situation. Agriculture isn't against compost, only the precursors to compost that can be problematic. Tree fruit in apple maggot quarantine areas has to be treated. The west side is entirely infested and quarantined, and so is Spokane County.

Composting/green waste diversion is new to Agriculture. The issue was raised over green waste going to the east side of the state. Emergency rules were put in place to regulate that waste stream. Assumptions were made in spring based on the biology that there would be some apple maggots present. It was hoped that processes put in place would mitigate the problem.

Kevin Kiernan asked if infested fruit is brought in, how far the maggot can spread. Brad said not that far. Assume if it's in an orchard, it can affect ½ mile.

Laurie talked about how Yakima County is split down the middle (quarantined and nonquarantined). It will really impact Seattle because of the contract with Pacific Clean.

Rick Hlavka said maggots were found in compost from Royal Organics, so now they can't send their compost to the east side.

Steve said there have been challenges with the lack of really good, peer-reviewed science. Despite best efforts, we haven't been able to land on a set of operational mitigations that everyone can be satisfied with. Some of the generators were pregrinding, which seemed somewhat effective at reducing the spread of the apple maggot. Agriculture focused on industries that were not pregrinding. However, inspectors found that pregrinding wasn't as effective as originally thought.

A combination of challenges led to conducting a pest risk analysis. Two consultants from WSDA and one from the UK are working on it. It will take until the end of March to complete. After that, Agriculture will be able to make decisions based on the best available science.

Laurie asked if they are working with the local jurisdictions (those moving the waste). Brad said they're focusing on the receiving end.

Scott Windsor asked how much testing was done in Lincoln County to determine it was a free area. Brad said they have data that demonstrates if quarantine is necessary.

Mary Harrington asked what will be looked at in the risk assessment. Brad said plant regulatory bodies internationally have a set standard to follow if you want to demonstrate risk or no risk. It's important to recognize that they are pest risk analysts. They don't specialize in apple maggots or any other pests.

Steve said that in the future, there will be opportunities. How will we take pest risk and other risks into account when permitting facilities?

Candy Castellanos asked if one goal after the risk analysis is to development BMPs for compost facilities. Brad said they hope so.

Agenda Items for Future Meetings

- Biosolids Research – TBD
- State Plan Implementation – TBD
- Solid Waste Management Planning Guidelines Update – TBD
- Efforts to Encourage C&D Recycling - TBD

Meeting adjourned at 11:47 a.m.

Submitted by: Susanne McLemore