

ORDINANCE NO. 13696

AN ORDINANCE relating to minimum levels of service for residential recycling collection, amending Section 8.24.020 of the Thurston County Code

WHEREAS, Section 8.24.020 of the Thurston County Code was adopted by Ordinance No. 9753 on April 22, 1991; and No. 11156 on April 15, 1996; and

WHEREAS, it is appropriate to replace Exhibit A to Section 8.24.020 since the residential recycling collection program is now a modified single-stream collection system;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS FOR THURSTON COUNTY as follows;

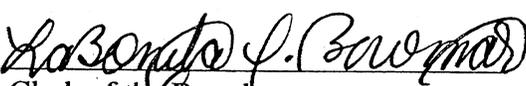
Section 8.24.020 of the Thurston Code is hereby amended to read as follows:

8.24.020 Minimum Level of Service for Residential Recycling Collection.

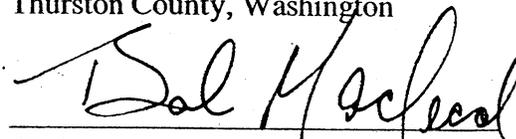
The minimum levels and types of services for the collection of ~~source-separated residential~~ recyclable materials ~~from single family residences and small complexes~~ in the urban and rural areas of Thurston County, excluding the city of Olympia and town of Rainer, through a residential collection program is set forth in Exhibit A, as amended, attached and incorporated into the latest ordinance codified in this section and on file in the office of the clerk of the Board of County Commissioners.

ADOPTED: December 4, 2006

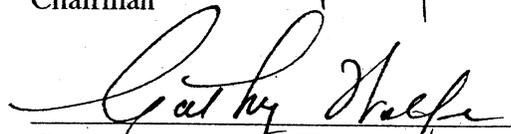
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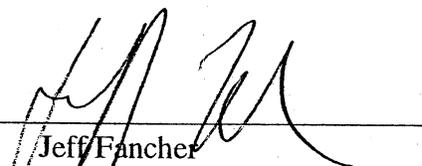

Clerk of the Board

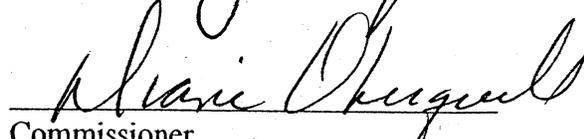
BOARD OF COUNTY COMMISSIONERS
Thurston County, Washington


Chairman

APPROVED AS TO FORM:
EDWARD G. HOLM
PROSECUTING ATTORNEY


Commissioner

By: 
Jeff Fancher
Deputy Prosecuting Attorney


Commissioner

[CODIFY]

EXHIBIT A TO ORDINANCE _____

MINIMUM LEVELS OF SERVICE FOR RESIDENTIAL RECYCLING
AND YARD WASTE COLLECTION

Section 1. Purpose and Intent

- A. The purpose of this chapter is to define minimum levels of service for curbside recycling and yard waste collection, which shall be provided to households serviced by the solid waste collection companies operating in the urban and rural areas of Thurston County.
- B. It is the intent of the Commission to:
1. Establish residential recycling programs as an integral component of the collection of solid waste, incorporating the State's goals to make "source separation of waste a fundamental strategy" and to "make recycling at least as affordable and convenient to the ratepayer as mixed waste disposal."
 2. Increase diversion of recyclables and yard waste from single-family and multi-family residences, mobile home parks, and condominiums in Thurston County.
 3. Expand the residential recycling program to collect additional types of materials;
 4. Make recycling easier and more convenient for residents through use of efficient collection systems;
 5. Retain low-cost strategies to encourage participation;
 6. Encourage the private sector to develop and operate the recycling facilities that are needed to process and market recyclables collected in Thurston County and its cities and towns; and
 7. Establish model residential collection programs suitable for cities and towns to adopt or modify to suit their needs.

Section 2. Definitions

For the purposes of this Chapter, certain terms, phrases, and words, and their derivatives, shall have specific meanings as defined in this Section. Terms, phrases, and words used in the singular shall also apply to the plural. Terms, phrases, and words used in the plural shall also apply to the singular.

- A. "Automated recycling container or cart," means a wheeled, plastic receptacle designated for the collection of recyclables and designed to be picked up and emptied by mechanical means into the company's collection vehicle.
- B. "Cities" means the cities and towns within Thurston County that have signed interlocal agreements with the Board of County Commissioners to adopt and implement the *Thurston County Solid Waste Management Plan*.

- C. "Commodity credit" means the amount of recycling revenue returned to residential customers from the sale of recyclable materials collected through curbside residential programs, as required by the Washington Utilities and Transportation Commission.
- D. "Modified single-stream collection" is the collection of recyclables in two containers, generally with most recyclables commingled in one container, and a single item, such as glass, in the other bin.
- E. "Mobile Home Park" means a tract of land designed and maintained under a single ownership of unified control where two or more spaces or pads are provided solely for the placement of mobile or manufactured homes for residential purposes with or without charge. The mobile home park is billed for solid waste collection service as a whole and not by individual dwelling units.
- F. "Multi-family residence" means any residential structure containing two or more dwelling units with the units joined to one another and where the structure is billed for solid waste collection service as a whole and not by individual dwelling units. This may include, but is not limited to, apartments and condominiums.
- G. "Recycling bin" means a receptacle, smaller than an automated cart, for the collection of a specific, designated recyclable material, which must be lifted by the driver to be emptied into the company's collection vehicle. It may be stackable with other similar bins.
- H. "Recyclable materials" or "recyclables" means those solid wastes that are separated for recycling or reuse and thus diverted from landfill disposal.
- I. "Recycling rate" means the percentage rate achieved by dividing the total tonnage of recyclables by the sum of the total tonnage of waste disposed added to the total tonnage of recyclables.
- J. "Set-out counts" means the number of single-family residential customers that set-out their recyclables or yard waste containers every collection day; or a monthly average of the set-outs as compared to total number of single-family customers.
- K. "Single-family residence" means any residential dwelling receiving solid waste and recycling collection service where the owner or tenant is billed for solid waste collection service to the dwelling as an individual unit. This may include, but is not limited to, duplexes, mobile homes within mobile home subdivisions, or attached single-family structures such as townhouses, row houses, or triplexes.
- L. "Single-stream collection" means the collection of designated recyclables commingled in one container, generally collected with automated or semi-automated trucks.
- M. "Solid waste collection company" means a privately owned solid waste and recycling hauling company or "hauler", which provides collection services in rural and urban

designated areas of Thurston County and is regulated by the Washington Utilities and Transportation Commission (WUTC) under the provisions of Chapter 81.77 RCW. The companies may be collectively referred to as "certificated haulers" and means every person or his lessees, receivers, or trustees, owning, controlling, operating or managing vehicles used in the business of transporting solid waste for collection and/or disposal for compensation over any public highway whether as a "common carrier" or as a "contract carrier."

- N. "Source separation" means the separation of different kinds of solid waste at the place where the waste originates.
- O. "Washington Utilities and Transportation Commission" or "WUTC" means the State agency, which regulates privately owned solid waste collection companies who provide collection service to the unincorporated areas under a G certificate.
- P. "Yard waste or yard debris" means plant material grown on residential properties and commonly created in the course of maintaining yards and gardens through horticulture, gardening, landscaping or similar activities. Yard waste includes, but is not limited to, grass clippings, garden trimmings, leaves, branches or tree limbs, brush, flowers, roots, weeds, and clean holiday trees. It excludes rocks, dirt, sod, sludge, noxious weeds, beauty bark, tree stumps, deceased animals, garbage, branches more than 4" in diameter, pressure treated/stained/painted wood, metals, animal waste, gravel, weed paper, cedar wood, cat litter, table scraps, and plastic.

Section 3. Minimum Levels of Curbside Recyclables Service for Single-Family Residences

The minimum levels of service for single-family residential curbside collection in Thurston County shall include the following:

- A. Modified single-stream collection service.
 - 1. Collection companies shall offer every-other-week (EOW), single-stream curbside collection of recyclables, excluding glass, to all single-family residences that subscribe to curbside service. Curbside collection of glass will be provided every four weeks (EFW) on the same day of the week as the single-stream collection.
 - 2. The collection companies shall provide the curbside recycling collection with all combinations of garbage can service approved by the Washington Utilities and Transportation Commission (WUTC) for their respective certificated areas.
 - 3. The collection services to the customers shall be on the same day as garbage collection, unless the collection company can demonstrate to the County that an alternative collection schedule is necessary because of geographic or development limitations, such as road width or density, that require an alternative truck system or collection schedule.
 - a. The hauler shall identify the location of the area affected; the alternative collection schedule; and the reasons supporting the alternative.

- b. The County shall consider whether the number of customers affected is minimized; that program participation is not adversely affected; whether there is substantial cost savings due to the alternative schedule; whether an alternative collection schedule can result in higher levels of participation and recycling; and other information presented by the hauler.

B. Recycling collection containers.

1. Collection companies shall provide one (1) wheeled container of approximately 96-gallons to each of their single-family customers signed up for curbside collection. The containers shall be made of durable plastic materials and manufactured using a maximum percentage of recycled materials that meet specifications.
2. Collection companies shall provide a process for customers to request and receive an alternative 65-gallon wheeled container for those customers who feel they do not generate enough recyclables to fill the standard size container or who feel its size is too unwieldy for them to move or store. There will be no change in monthly service fees for the difference sizes of recycling containers.
3. All containers shall contain, or have attached, information about the proper preparation of materials and with the name of the certified hauler. The information may be stamped into the container, on a waterproof sticker, a combination of both, or some other alternative, which provides the customer with sufficient permanent information to be able to contact the hauler. If stickers are chosen, hauler shall provide replacements to all customers in Thurston County when normal aging and weather exposure has made them unreadable.
4. Replacement of the containers necessitated by normal use or by container damage due to the haulers negligence shall be the responsibility of the hauler. Replacement necessitated by container damage or loss due to the customer's negligence shall be at the customer's expense.
5. For glass collection, residents may use the stacking bins remaining from the previous 3-bin curbside collection program or provide a container of their own that shall be no larger than 20-gallons and made of durable plastic material.

C. Exceptions: Collection Alternatives for Restricted Access or Storage Situations, or for Residents with Limited Mobility.

1. Criteria: Collection companies shall have a process in place to work cooperatively with residents to tailor the single-stream recycling collection service to meet the needs of residents in situations where:
 - a. Private driveways are inaccessible or incapable of withstanding the weight of collection trucks and collection of recyclables or garbage cannot be provided under the approved drive-in rate tariff for such situations;
 - b. Because of long, steep and/or winding driveways, a resident would have difficulty in moving a large recycling container, manually or by vehicle, from their house to the public access road for collection;
 - c. A resident could not provide a storage place to keep recycling or garbage containers at the end of the driveway close to the public access road;

- d. Truck access or container size is in any way otherwise restricted due to density and road width or where outside container storage is limited by homeowner association covenants, or
 - e. Residents with special needs, such as physical infirmity or physical limitations, with no able-bodied person living in the residence to set out the container, and need reasonable accommodation.
2. Alternatives: Collection companies shall offer alternatives that suit their collection system or the particular customer's limitation. The alternatives may include:
 - a. A drive-in tariff rate for those situations where a recycling truck can negotiate the long-driveway and where the driveway can support the weight of the truck.
 - b. Allowing the customer to use a multi-bin source-separation set-out system with no additional cost above the basic tariffed recycling rate;
 - c. Providing the customer with a 32-gallon container capable of being lifted and dumped by the company's recycling collection truck in the same manner as the 96 and 65-gallon containers with no additional cost above the basic tariffed recycling rate; or
 - d. Any other solution mutually agreed to by the customer and the solid waste collection company per WAC 480.70.366.
 3. Monitoring: Collection Company shall:
 - a. Have a written process explaining in detail how customers may request an alternative and the steps the company will take to work with the customer to develop a solution. This process will also be available online with a working email contact method.
 - b. Maintain an updated list of customers who have requested an alternative collection system, a description of the problem and of the chosen solution, or how the problem was otherwise resolved, and will provide an annual list to Thurston County.
 4. Nothing in this section requires residential customers to participate in the recycling collection program or prevents residents from transporting recyclables to drop-off recycling sites.
 5. Nothing in this section would prevent or require collection companies from developing a centralized drop-off site in neighborhoods, to be maintained by the hauler, where such access problems are clustered or where covenants prevent outside storage of containers.
- D. Materials collected. The following recyclable materials, at a minimum, shall be collected from single-family residences when properly prepared and meeting the material description as specified.
1. Cardboard – corrugated cardboard and Kraft paper, including unbleached, unwaxed paper with a ruffled (“corrugated”) inner liner.
 2. Metal cans – tin-coated steel cans and aluminum cans, excluding aerosol spray cans.
 3. Mixed-waste paper – clean and dry paper, including: glossy papers; magazines; catalogs; phone books; cards; laser-printed white ledger paper; windowed envelopes;

paper with adhesive labels; paper bags; non-metallic wrapping paper; packing paper; glossy advertising paper; chipboard, such as cereal and shoeboxes; and milk-style cartons of the refrigerated variety (non-refrigerated products contain aluminum linings).

4. Newspaper – printed groundwood newsprint, including glossy advertisements and supplemental magazines that are delivered with the newspaper, and juice boxes.
 5. Plastics: Round dairy containers, such as yogurt and margarine tubs. Bottles and jars #1-7: primarily polyethylene terephthalate (PET - #1), such as soft drink, water, and salad dressing bottles; and high-density polyethylene (HDPE - #2) such as milk, shampoo, or laundry detergent bottles; but including any bottle with a neck narrower than its base.
 6. Glass bottle and jars of all colors.
- E. Optional materials. Nothing in this chapter shall prohibit a hauler from exceeding the minimum requirements by collecting additional materials including, but not limited to, food waste, scrap metal, or other types of plastic.
- F. Amending the list of required materials. Prior to proposing any amendments to the list of materials to be collected, the County will discuss any proposed changes with the haulers.
- G. Recycling collection rates. Collection companies shall request the Washington Utilities and Transportation Commission (WUTC) to approve a rate structure, which includes the costs to implement the modified single-stream residential curbside recycling program for all solid waste customers contained in Section 3 of these minimum levels of service. The collection companies shall include the following elements in the tariffs submitted to the WUTC:
1. A rate structure designed to provide customers with adequate options and incentives to reduce their level of solid waste collection service as a result of their participation in waste reduction and recycling programs.
 2. A weekly, 20-gallon mini-can garbage rate combined with every-other-week recycling collection; or a comparable alternative, such as a rate for every-other-week or monthly garbage collection with recycling. The rate for these services shall include the cost of recycling collection but shall be less than the cost of a weekly 32-gallon can garbage service, or, if applicable, a weekly 65-gallon can garbage service.
 3. Collection costs shall be distributed throughout the service area to all single-family ratepayers and should include the collection company's administration costs.
 4. The rates shall include the costs of the containers, stickers, collection equipment and staffing.
 5. Collection rates shall include a separate delivery service fee equal to or less than the replacement cost of the bins. This service replacement cost shall not apply to the first-time delivery of the standard-sized container, or for the first-time delivery of a smaller sized container when the smaller size is requested by the customer.

6. The rates shall include the haulers' costs for the mutually agreed upon coordinated public outreach program, monitoring set-out participation, and any other costs for the data reporting system required by the County.
7. The haulers shall capitalize and amortize the equipment costs as determined by the WUTC.

Section 4. Minimum Levels of Service for Yard Waste Collection from Single-Family Residences

Curbside yard waste collection opportunities shall be available to all residents in the Urban Growth Areas and major housing developments.

Section 5. Bulky Item Collection

Special services for bulky item pickup opportunities shall be available to all residents that subscribe to curbside collection service, for an additional fee. This may include electronics.

Section 6. Minimum Levels of Service for Recyclables Collection from Multi-Family Complexes or Mobile Home Parks

The minimum levels of service for multi-family complexes and mobile home parks collection in Thurston County shall include the following:

- A. Beginning in the fall of 2007, the Hauler, in conjunction with the owners/managers, will evaluate each multi-family complex and mobile home park to determine collection needs based on factors including: number of units; if individual recycling bins will be provided for each dwelling unit or larger joint recycling bin will be provided for joint residential use; and space and access constraints for recycling trucks.
 1. Exceptions: Collection Alternatives for Restricted Access or Storage Situations, or for Residents with Limited Mobility.
 - a. Collection companies shall have a process in place to work cooperatively with owners/managers to tailor the recycling collection service to meet the needs of residents in situations where residents with special needs, such as physical infirmity or physical limitations, need reasonable accommodation.
 - b. Collection companies shall offer alternatives that suit their collection system or the particular complex limitation. The alternatives may include:
 - c. A drive-in tariff rate for those situations where a recycling truck can negotiate the long-driveway and where the driveway can support the weight of the truck.
 - d. Allowing the complex to use approved alternative containers with no additional cost above the basic tariffed recycling rate;
 - e. Any other solution mutually agreed to by the owner/manager and the solid waste collection company per WAC 480.70.366.
 2. Monitoring: Collection Company shall maintain an updated list of customers who have requested an alternative collection system, a description of the problem and of

the chosen solution, or how the problem was otherwise resolved, and will provide an annual list to Thurston County.

3. Nothing in this section requires multifamily complexes or mobile home parks to participate in the recycling collection program or prevents tenants from transporting recyclables to drop-off recycling sites. All multifamily complexes and mobile home parks will be charged the recycling collection rate in Section 6, Item F whether participating or not.

Nothing in this section would prevent or require collection companies from developing a centralized drop-off site in complexes, to be maintained by the hauler, where such access problems are clustered or where covenants prevent outside storage of containers.

The collection companies shall provide the curbside recycling collection with all combinations of garbage service approved by the Washington Utilities and Transportation Commission (WUTC) for their respective certificated areas.

The collection services to the customers shall be on the same day as garbage collection, unless the collection company can demonstrate to the County that an alternative collection schedule is necessary because of geographic or development limitations, such as road width or density, that require an alternative truck system or collection schedule.

- a. The hauler shall identify the location of the area affected; the alternative collection schedule; and the reasons supporting the alternative.
- b. The County shall consider whether the number of customers affected is minimized; that program participation is not adversely affected; whether there is substantial cost savings due to the alternative schedule; whether an alternative collection schedule can result in higher levels of participation and recycling; and other information presented by the hauler.

B. Recycling collection containers.

1. Hauler, in conjunction with the owners/managers, will evaluate each multi-family complex and mobile home park to determine size and types of containers. All containers shall contain, or have attached, information about the proper preparation of materials and with the name of the certified hauler. The information may be stamped into the container, on a waterproof sticker, a combination of both, or some other alternative, which provides the customer with sufficient permanent information to be able to contact the hauler. If stickers are chosen, hauler shall provide replacements to all customers in Thurston County when normal aging and weather exposure has made them unreadable.
2. Replacement of the containers necessitated by normal use or by container damage due to the haulers negligence shall be the responsibility of the hauler. Replacement necessitated by container damage or loss due to the customer's negligence shall be at the complex expense.

3. For glass collection, hauler, in conjunction with the owners/managers, will evaluate each multi-family complex and mobile home park to determine size and types of containers.
- C. Materials collected. The following recyclable materials, at a minimum, shall be collected from multi-family complexes and mobile home parks when properly prepared and meeting the material description as specified.
1. Cardboard – corrugated cardboard and Kraft paper, including unbleached, unwaxed paper with a ruffled (“corrugated”) inner liner.
 2. Metal cans – tin-coated steel cans and aluminum cans, excluding aerosol spray cans.
 3. Mixed-waste paper – clean and dry paper, including: glossy papers; magazines; catalogs; phone books; cards; laser-printed white ledger paper; windowed envelopes; paper with adhesive labels; paper bags; non-metallic wrapping paper; packing paper; glossy advertising paper; chipboard, such as cereal and shoeboxes; and milk-style cartons of the refrigerated variety (non-refrigerated products contain aluminum linings).
 4. Newspaper – printed groundwood newsprint, including glossy advertisements and supplemental magazines that are delivered with the newspaper.
 5. Plastics: Round dairy containers, such as yogurt and margarine tubs. Bottles and jars #1-7: primarily polyethylene terephthalate (PET - #1), such as soft drink, water, and salad dressing bottles; and high-density polyethylene (HDPE - #2) such as milk, shampoo, or laundry detergent bottles; but including any bottle with a neck narrower than its base.
 6. Glass bottle and jars of all colors.
- D. Optional materials. Nothing in this chapter shall prohibit a hauler from exceeding the minimum requirements by collecting additional materials including, but not limited to, food waste, scrap metal, or other types of plastic.
- E. Amending the list of required materials. Prior to proposing any amendments to the list of materials to be collected, the County will discuss any proposed changes with the haulers.
- F. Recycling collection rates. Collection companies shall request the Washington Utilities and Transportation Commission (WUTC) to approve a rate structure, which includes the costs to implement the modified single-stream multi-family complexes and mobile home parks recycling program for all solid waste customers contained in Section 6 of these minimum levels of service. The collection companies shall include the following elements in the tariffs submitted to the WUTC:
1. An incentive rate structure where at any given level the cost of providing garbage and recycling collection services must be less expensive than the provision of garbage alone with one exception. The exception is where the hauler and the owner of a multi-family complex and mobile home park agree that no reasonable recycling collection service can be provided because of the lack of space for multi-material collection containers or lack of site access for collection trucks. Haulers shall notify

the County which complexes cannot receive recycling collection service because of the lack of space or lack of site access.

2. Collection costs shall be distributed throughout the service area to all multi-family complexes and mobile home parks and should include the collection company's administration costs.
3. The rates shall include the costs of the containers, stickers, collection equipment and staffing.
4. Collection rates shall include a separate delivery service fee equal to or less than the replacement cost of the bins. This service replacement cost shall not apply to the first-time delivery of the standard-sized container, or for the first-time delivery of a smaller sized container when the smaller size is requested by the customer.
5. The rates shall include the haulers' costs for the mutually agreed upon coordinated public outreach program, monitoring set-out participation, and any other costs for the data reporting system required by the County.
6. The haulers shall capitalize and amortize the equipment costs as determined by the WUTC.

Section 7. Customer Service Responsibility and Coordinated Public Outreach Programs

Collection companies shall work with the County to develop and implement a coordinated public outreach program.

- A. Haulers' customer service responsibilities shall include, but not be limited to:
 1. Notifications of new service availability, program sign-up, container delivery, bin stickers, explanation of rate structure, schedule of collection days and container replacement information.
 2. Delivery of containers within twenty-one days of a request for service with collection service beginning within thirty-five days of a request.
 3. A telephone hotline for their certificated area, which shall be:
 - a. Accessible to residents for the purpose of providing program information and accepting service complaints, including after hours.
 - b. Capable of responding to a large volume of phone calls.
 - c. Clearly shown on the collection equipment, included in all mailings, and on other publicity materials.
 4. A process to resolve participation problems if access to the program is restricted due to impassable road conditions, other than those occasionally caused by severe weather situations. If the hauler deems the road conditions are regularly impassable by collection vehicles, the hauler will work with customers to determine a mutually agreed upon location for the collection of recyclables or yard waste, preferably from the nearest roadway which is accessible by the hauler's collection vehicle.
 5. Notification to both new and ongoing solid waste customers of: different trash collection service options including bin sizes, frequency, and costs; recycling container provided to all solid waste customers; yard waste collection availability;

and bulky item collection availability. Hauler shall notify solid waste customers of the above during phone calls, in billing inserts and special mailings, on their website and during new service sign up procedures. Hauler will ensure that website is updated and links to Thurston County specific information are working. The website shall also provide a link to Thurston County Solid Waste to provide residents with additional waste disposal and reduction information.

- B. At the initiation of a new collection program to allow for coordination of promotional and educational efforts, haulers shall provide the County with container delivery schedules and collection schedules showing where implementation will begin by geographic areas. Implementation may be staged.
- C. County responsibilities shall include the development of a countywide public outreach program. The program should include:
 - 1. Newsletters mailed to all households and handouts for self-haulers.
 - 2. News releases and an advertising campaign.
 - 3. Coordination of design of brochures and other materials with information on the new program to be mailed to customers via hauler billings or to be distributed with new bins by the hauler. Ongoing design of brochures and other materials, to be included with hauler billings, that educates residents on the curbside recycling program as well as various waste reduction methods above and beyond curbside recycling.
 - 4. An Internet website describing the haulers' services, how to sign-up for the new program, how to resolve a service complaint, and information about drop-off alternatives.
 - 5. An email address to allow residents with opportunity to request brochures or other materials and to ask for additional information or help.
 - 6. Traveling exhibits.
 - 7. Incorporation of information about programs into youth and adult environmental education programs.
 - 8. Presentations to civic groups.
 - 9. Staffing sufficient to provide information to customers with inquiries.
 - 10. Automated telephone information line.

Section 8. Reporting Requirements for Residential Recyclables Collection

Collection companies shall provide the County with regular and accurate reports of data on all residential recycling collection services as determined necessary by Thurston County for evaluating the effectiveness of recycling programs.

- A. Single-family curbside recyclables collection program.
 - 1. At a minimum, quarterly reports will be provided at the end of the month following the quarter and shall contain the following data, broken down by each month and by each certificated area:

- a. The number of single-family solid waste collection customers subscribing to each level of garbage collection service.
 - b. Aggregate tonnage of each recyclable material collected from single-family customers.
 - c. Average of recyclables collected per single-family customer expressed as pounds recyclables per customer.
 - d. Aggregate tonnage of solid waste disposed from single-family customers.
 - e. Residential recycling rate.
 - f. Log of unresolved customer complaints with summary of measures taken to resolve any problems.
 - g. Any percentage residue amounts or contamination problems reported by processing facilities.
 - h. Summaries of tons and value of each recyclable material sold.
2. Annual reports shall include an analysis of the effects of changes in services and areas served or problems that were encountered and any suggested changes to increase efficiency and participation in the curbside program.

B. Yard waste collection program

At a minimum, quarterly reports shall contain the following data, broken down by each month and each certificated area:

1. The number of single-family solid waste collection customers subscribing to yard waste collection.
2. Aggregate tonnage of yard waste collected from single-family customers.

C. Multi-family recycling collection program

At a minimum, quarterly reports shall contain the following data, broken down by each month and each certificated area:

1. The address and number of units for each multi-family complexes and mobile home parks served.
2. Type, size and quantity of each solid waste and recycling container utilized at each multi-family complexes and mobile home parks
3. Log of unresolved customer complaints with summary of measures taken to resolve any problems.
4. Any percentage residue amounts or contamination problems reported by processing facilities.

Annual reports shall include an analysis of the effects of changes in services and areas served or problems that were encountered and any suggested changes to increase efficiency and participation in the curbside program.

Section 9. Processing preferences and disposal limitations

- A. Solid waste collection companies shall use processing facilities that have obtained all applicable local, state, and federal permits. Whenever possible, local businesses shall be given priority and should be used to receive recyclables or yard waste for purposes of processing, handling, or remanufacturing the materials into new products.
- B. The haulers shall not under any circumstances dispose of marketable recyclables or yard waste by landfilling or incineration.
- C. Recyclable materials shall be marketed for highest possible use, as noted in the Washington State Beyond Waste Plan, current solid waste system issues, Chapter 2.

Section 10. County Notification of WUTC Tariff Filings

Whenever a collection company files a proposed tariff revision for solid waste, recyclables, or yard waste collection rates with the WUTC, the collection company shall simultaneously provide the County with copies of the proposed tariff submitted to the WUTC and all supporting materials. Any propriety information provided to the County shall be handled as confidential to the extent allowed by law.

- A. The County shall review the rates for compliance in relation to the *Thurston County Solid Waste Management Plan*, and minimum service level ordinances.
- B. After tariffs are approved by the WUTC, the collection company shall notify the County of the approved rates and the effective dates.

Section 11. Full Program Implementation

If it is determined that the programs specified in this chapter are not fully implemented, the Thurston County Board of County Commissioners, or the Water and Waste Management director shall notify the WUTC that the County will exercise its authority under RCW 36.58.040 to contract for the collection of recyclables from residences in Thurston County.

- A. Full implementation. The programs shall be considered fully implemented when the following conditions are met:
 - 1. The certificated hauler has received approval by the WUTC for its tariff filings for recyclables; and,
 - 2. The services are available to all who want the service.
- B. Contract for collection. In the event that the County is dissatisfied with the implementation of the specified programs and, after having notified the certificated hauler, finds the hauler has failed to cure the perceived omission, the County will exercise its authority to contract for the collection of residential recyclables. The County will:
 - 1. Notify the hauler of the County's intent to exercise its authority.
 - 2. Will select a recycling contract through a request for proposal process that considers, among other factors, experience, qualification, and costs.

Section 12. Commodity Credit

Single-family residents that subscribe to single-family curbside service shall be eligible for the full commodity revenue credit. Owner/manager of multifamily complexes and mobile home parks shall be eligible for the full commodity revenue credit.

Section 13. Severability

If any section, subsection, sentence, clause or phrase of this chapter is, for any reason, found to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Chapter.