

WASTE 2 RESOURCES ADVISORY COMMITTEE

** MEETING SUMMARY **

March 15, 2016, 9:30 a.m.

John Sherman, Committee Chair, called the meeting to order at 9:34 a.m. and introductions were made. He asked for a motion to approve the January 19, 2016 meeting notes. There was a motion to adopt them. The motion was seconded and the notes were approved.

Legislative/Budget Update – Laurie Davies

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

The Governor called for Special Legislative Session. We are anticipating a reduction to Ecology's budget with the shortfall in MTCA because of the continued low oil prices. Coordinated Prevention Grants (CPG) and Site Hazard Assessments (SHA) are impacted. Ecology was looking for a revenue fix for MTCA and it doesn't appear that will happen.

Laurie talked about legislation that passed:

- *ESSB 6605 – Solid Waste/Disease & Pests.* The bill directs Jurisdictional Health Departments (JHD) to send a copy of solid waste permit applications to Agriculture for facilities located in an areas that are not under a quarantine for pest management when the facility will receive material for composting from an area under a quarantine. Agriculture will review these applications to determine if the facility presents a risk of spreading disease, plant pathogens, or pests to areas that are not under a quarantine and make recommendations for mitigation.

The bill directs Ecology to provide Agriculture with a copy of any draft solid waste management plan for review and comment. The bill adds “*status under a quarantine, as defined in RCW 17.24.007*” to the factors Ecology must consider when siting solid waste facilities. The bill adds agriculture to the list of interests to be represented in county solid waste advisory committees.

Agriculture is given the authority to review and comment on applications for beneficial use and soil amendments for quarantined areas as defined under RCW 17.24. The bill adds a violation of the rules of Agriculture as one of the reasons a solid waste disposal permit may be subject to suspension by the JHD.

- *EHB 2400 – Steel Slag from Electric Arc.* The bill was proposed by Nucor Steel. It adds a new section to Chapter 70.95 RCW that excludes steel slag from the solid waste management law. This bill identifies steel slag as a product when managed as an item of commercial value and an item to be placed in commerce for use or further processing. This bill clarifies that Chapter 70.95 RCW does not apply to steel slag as long as it is not abandoned, discarded, or placed in the solid waste stream.

Suellen Mele asked about the impact of the budget cut. Laurie said that of \$5 million, W2R's share is \$340K. We think it will likely come as a proviso that we will take with FTEs. We don't think the cut will come from Public Participation Grants (PPG). Suellen asked if we have signed PPG contracts. Laurie said no. We were asked to hold all MTCA funded contracts until we have a budget.

Input on Potential Solid Waste Summit – Laurie Davies

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

Changes are forthcoming, such as the -350 rule revisions and new legislation to implement. Also, the diversion of WRRLCA funds to State Parks will sunset and we will work to get those funds back. We will have policy discussions on how to use the funding. These are good reasons to hold a solid waste summit. Timing will be late summer/early fall. Laurie asked the Committee for ideas for an agenda.

Danny Joe Stensgar talked about the Go Green Summit and how valuable it was. Rod Whittaker asked Laurie what level of participation she's looking for. Laurie said she would like all interests to participate.

Art Starry emailed a list of suggested agenda items for the summit prior to the W2RAC meeting, which John Sherman shared:

1. Funding for CPG and SHA. How do we stabilize funding and reduce vulnerability to Legislative whims and re-appropriations? What do we (the BIG we) do if state funding is not available?
2. Pharmaceutical wastes disposal alternatives - Product stewardship efforts.
3. 173-350 Revisions status - Summary of substantive changes.
4. Ecology regulatory training for 173-350 after adoption of the revisions - Periodic training for local health jurisdictions.
5. Review of State Comp Plan priorities - Progress toward meeting those priorities.
6. Revision to State Comp Plan priorities.
7. Apple maggot quarantine issues and impacts on solid waste permit decisions (including SB 6605). What are the results of the WSDA study?

Kevin Kiernan suggested two more:

1. Landfill post closure issues.
2. Greenhouse gas rules and solid waste.

Jody Snyder suggested stormwater discharge.

Suellen Mele said the financing study could be a good conversation.

Rod Whittaker suggested an overview of the transporter law and -350.

Laurie will see what items we can support with staff and talk about them at the May W2RAC meeting. She will send the list of proposed agenda items to the Committee in advance.

If you have additional suggestions for agenda items for a solid waste summit, send them to Julie.Robertson@ecy.wa.gov.

Rules Update – Kyle Dorsey, Peter Lyon

Contact: 360-407-6559, Kyle.Dorsey@ecy.wa.gov; 360-407-6381, Peter.Lyon@ecy.wa.gov

Kyle gave the Committee an update on the rules we are working on. We are revising 8 of the 14 rules we deal with. See Kyle's Rule Development Activity Update posted on the W2RAC website for full details.

Peter gave an update on the beginning of efforts to revise the CPG rule, and 173-312 and -313. He explained there are a few technical fixes we need to make, such as changing language from "calendar year" to "fiscal year." We would also like to do away with -313 (roll it into -312). Ecology will convene a workgroup for the process.

Rod Whittaker asked about the internal review for -350. Kyle explained the internal review is to allow for coordination among Ecology programs. Rule changes we consider could impact other areas of the agency.

Financing Study – Janine Bogar

Contact: 360-407-6654, Janine.Bogar@ecy.wa.gov

Janine gave the Committee a presentation on the potential solid waste financing study. Janine asked the Committee for input on what we need to look at. See Janine's presentation posted on the W2RAC website.

Pat McLaughlin said King County has initiated work with a third party to look at options for their rate model. They are interested in collaborating and will have a draft report later this year. They are looking to reduce their reliance on tonnage.

Rod Whittaker asked how these options stack up against the existing system.

Jim Hutchinson mentioned that commodity prices are a big issue and Republic Services is looking at this nationally.

Pat McLaughlin commented that recycling isn't free, but we're promoting it as if it is. The system isn't working as it's currently designed, even though it's a good one. Partner cities want predictable rates. It could be possible to build in commodity assumptions and adjust accordingly.

John Sherman said we need to recognize differences across the state. Look at select communities to reflect diversity and use them as models.

Kevin Kiernan said there are statutory limits.

Janine hopes to roll out an RFP in the next couple of months. Provide her with any other comments by email or phone (above).

Suellen Mele suggested a discussion at the solid waste summit: impacts on the waste stream and how people have dealt with them.

Future W2RAC Meetings – Laurie Davies

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

Laurie has received feedback about W2RAC meetings and asked for input, including how often we should meet and the value of the meetings. She explained that the committee was originally established by statute. Many years later, Governor Gregoire eliminated many boards/commissions, including this one.

Linda Dennis said there's great value in the meetings. Jan Gee said she looks for what Ecology needs from the Committee. Kevin Kiernan said we shouldn't be afraid to cancel meetings when we don't have an adequate agenda.

Jan Gee asked if any upcoming issues would need additional representation. Laurie said litter/litter prevention, financing, and recycling issues.

Jody Snyder said she likes the meetings and frequency.

Rod Whittaker said he has found meetings informative. He would like to see a more detailed agenda.

Agenda Items for Future Meetings

- Solid Waste Summit – Laurie Davies, May 2016
- Solid Waste Management Planning Guidelines Update - TBD
- Efforts to Encourage C&D Recycling - TBD

Meeting adjourned at 11:16 a.m.

Submitted by: Susanne McLemore