

WASTE 2 RESOURCES ADVISORY COMMITTEE
**** MEETING SUMMARY ****
September 20, 2016, 9:30 a.m.

Andy Comstock, Acting Vice Chair, called the meeting to order at 9:35 a.m. and introductions were made. He asked for a motion to approve the May 24, 2016 meeting notes. There was a motion to adopt them. The motion was seconded and the notes were approved.

Committee Chair, Vice Chair, & Membership – Laurie Davies

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

Laurie reminded the Committee that we reaffirm the Chair and Co-chair or take nominations for new ones in September each year. A motion was made for Troy Lautenbach to continue as Chair and Andy Comstock to continue as Vice Chair. The motion was seconded and their appointments were approved.

With Suellen Mele's retirement, Heather Trim will represent Zero Waste Washington on the Committee. We have selected two eastside health representatives: Matt Schanz and Ray Byrne. We are working to find a replacement for Wendy Mifflin because of her retirement. We are also looking for a representative for agricultural interests and a westside public works representative to replace Pat Campbell.

Budget/Legislative Update - Laurie Davies

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

Ecology submitted budget requests to OFM last Friday. For the Waste 2 Resources (W2R) Program, we are requesting \$28.6 million for CPG out of MTCA. MTCA is still down with a \$57 million budget gap. We put forth a bond package to move bond related activities off of MTCA to fund CPG.

At the end of last legislative session, OFM was tasked to produce a report on MTCA. They are due to deliver the report to the Legislature by December.

The W2R Program also put forward a request for WRRLCA funding, since the \$10 million diverted to State Parks sunsets in 2017. We are requesting \$4.5 million for the biennium. We are also requesting \$1 million for tire pile cleanup, \$28.2 million for CPG, and PPG funding at maintenance level.

Ecology only has three pieces of request legislation: a well drillers' fee increase, raising the fee for wastewater treatment operator certification, and an Oil Spill Account long-term fix. The Paint Product Stewardship Council is working on paint product stewardship legislation. There is also solar panel legislation in the works.

Art Starry asked if the MTCA situation could lead to some sort of legislation. Laurie said it could.

Suellen Mele asked about the \$57 million gap in MTCA compared to the current biennial budget. Is this an additional gap? Laurie said the revenue forecast is based on new revenue. The difference between new revenue and what is currently in the account is the gap.

Secure Medicine Proposed Legislation & Rulemaking – Margaret Shield
Contact: 206-499-5452; Margaret.Shield@CEHstrategies.com

Margaret made a presentation to the Committee on secure medicine return and pharmaceutical stewardship. See Margaret's presentation posted on the W2RAC website.

Secure medicine disposal is needed to prevent poisonings and deaths, prevent misuse and addiction, and prevent pollution. Under the October 2014 DEA rule on disposal of controlled substances, opportunities for take-back include secure collection receptacles at locations such as pharmacies, take-back events held by law enforcement, and mail-back programs. The DEA rule defines security procedures and authorized entities for secure collection and transport. USDOT also regulates transport.

Current medicine take-back includes DEA prescription drug takeback events twice a year. The next one is on October 22. There are ongoing drop boxes at some police/sheriff stations and some pharmacies, and return mailers (limited availability and usage).

Margaret talked about county pharmaceutical stewardship ordinances, including Snohomish County's secure medicine return ordinance. See the handout posted on the W2RAC website. She also talked about the producers' stewardship plan accepted by King County in March 2016. The launch date is now slated for January 2017.

Washington State's legislation has not yet passed. It was first introduced in 2008. Another bill will be proposed in 2017 and modeled after the Snohomish County ordinance.

Jody Snyder said this is a much needed activity. She asked about landfill leachate data. Does Margaret have any? Margaret said she points to the USGS study where they surveyed landfills and found low levels in landfill leachate. Currently municipalities aren't required to test for these drugs. Jody would like a link to the studies.

Art Starry asked if the pharmaceutical industry is more accepting of state legislation. Margaret said yes. If we can pass a good state law, local jurisdictions wouldn't need to pass their own.

Andy Comstock said Tacoma-Pierce County Health is working on an ordinance to be passed in December of this year.

Scott Windsor said Spokane has dealt with the materials by rendering them unusable and disposing of them in waste to energy plants.

Art Starry said that Thurston County is looking at this issue. Studies are very expensive to conduct.

Candy Castellanos said it's less about the safety of drugs going to the landfill and more about secure disposal.

Jody Snyder emphasized that she isn't saying that the drugs should go in the trash.

Laurie Davies added that we don't want people flushing the drugs down the toilet.

WRRLCA Outreach – Julie Robertson

Contact: 360-407-6132; Julie.Robertson@ecy.wa.gov

Julie talked about Ecology's efforts to restore WRRLCA funding and what the funding will be used for if we are successful. See Julie's handout posted on the W2RAC website.

Laurie said that we're reaching out to stakeholders to ensure they understand the intent of WRRLCA funding. If we are able to have WRRLCA funding restored, grants will be associated with this, including CLCP and a new grant program.

CPG Rule Update – Peter Lyon

Contact: 360-407-6381; Peter.Lyon@ecy.wa.gov

Peter explained that we are folding -313 into -312. We met with local government officials in April and asked for input on the rule and implementation. We are about a month away from sending a draft out for informal review. There was a delay with the departure of our CPG Coordinator. Our goal is to have a final rule in place before the next CPG application period.

Laurie talked about the 80/20 split. She also asked the committee for input on changing the name of CPG since it has been perceived as a luxury ("prevention grant"). The intended purpose is solid waste implementation at the local level.

Peter said one result of the revised rule will be unrequested funding that we previously had in the off-cycle will be available at the beginning of the regular cycle.

-350 Update – Kyle Dorsey

Contact: 360-407-6559; Kyle.Dorsey@ecy.wa.gov

Kyle briefed the Committee on -350, including who responded to provide feedback on the draft rule, issues of greatest concern, and next steps. See Kyle's briefing paper posted on the W2RAC website. Topics that generated the greatest interest or concern include:

- Soil and sediment criteria and use.
- Collection and recycling of scrap metal.
- Managing things in piles.
- Section 110 regarding determining when something is a solid waste, and related refinements to definitions in Section 100.
- Permitting.
- Economic impacts.
- Effective dates.

If the rule isn't ready for the Economist by October 16, the process will be significantly delayed. Our goal is to have the rule out for formal public review in December. However, management will assess in the first week in October if we are ready to proceed.

Suellen Mele asked if there's a way to make comments we have received public. Kyle said we plan to prepare a high-level Response to Comments. Suellen asked if anyone knows what the legislative link is. Laurie said she has been contacted by staffers in the House. They are planning a work session.

Suellen said it would be useful to explain what the impacts will be if the revised rule passes. Laurie said it would violate the Administrative Procedures Act to do so. However, a Concise Explanatory Statement will be issued.

Exempt Facilities Work under National Estuary Program (NEP) – Megan Warfield
Contact: 360-407-6963; Megan.Warfield@ecy.wa.gov

Washington applied for grant funding from EPA for restoration of Puget Sound. This is the second round of funding, and we have submitted a proposal to look at exempt facilities and their impact on the ability to restore or protect Puget Sound. It would be a two-year project. King County worked on a similar project a few years ago.

There is an advisory committee presently ranking all project proposals. If we receive the grant funding, we will want input from W2RAC. Art Starry said we should consider a subcommittee under W2RAC to serve that purpose.

***Solid Waste Managers Organizing under Washington Association of Counties
(WSAC) – Laurie Davies***
Contact: 360-407-6103; Laurie.Davies@ecy.wa.gov

Laurie explained that Wendy Mifflin started a conversation last summer about organizing the eastside and westside public works managers similar to how the environmental health directors are organized. Laura Berg and Eric Johnson from WSAC have been looking at organizing solid waste managers under WSAC to increase their voice. Laura plans to have a more formal conversation and/or vote at the annual WSAC meeting in Spokane the week of November 15.

Agenda Items for Future Meetings

- Solid Waste Management Planning Guidelines Update - TBD
- Efforts to Encourage C&D Recycling - TBD

Meeting adjourned at 12 p.m.

Submitted by: Susanne McLemore