

WHATCOM COUNTY SOLID WASTE ADVISORY (SWAC) COMMITTEE MINUTES
April 27, 2017

Members Present:

Barbara Brenner, Riley Grant, Eric Johnston, Amber Jones, Martin Kuljis, Larry McCarter, Mark Peterson, and Greg Young

Members Absent:

Casey Heinle, Troy Lautenbach, and Ed Nikula

Staff Present:

Jeff Hegedus, Janice Deptuch, John Wolpers

Others Present:

Rodd Pemble - SSC, Scott Bissell – Republic Services, Pat Dunn, Adrienne Chambers - Emergency Management, Dianna Wadley - Department of Ecology (via Phone), Polly McNeal- SSC.

Call to OrderThe regular meeting of the Whatcom County SWAC was called to order on Thursday, April 27, 2017 at 5:33 p.m. in the Garden Level Meeting Room by Chair, Mark Peterson.

Approval of MinutesThe minutes for the January 26, 2017 SWAC meeting were approved as written. The motion for approval was made by Barbara Brenner and 2nd by Larry McCarter. Motion approved by all.

Introductions of Visitors

Adrienne Chambers, Whatcom County Emergency Management
Scott Bissell, Republic Services
Pat Dunn, SSC
Polly McNeal, SSC
Rodd Pemble, SSC

Update on Waste Pharmaceutical Stewardship ProgramThe Solid Waste Division has budget in 2017 and 2018 to assess the feasibility of implementing a local waste pharmaceutical take-back and disposal program such as those approved in King, Snohomish, Kitsap and Pierce counties, pending the outcome of state efforts. As an update to past presentations to SWAC regarding state efforts to implement a waste pharmaceutical take-back and disposal program, HB1047 was not approved. Given the failed state effort, and the importance of the issue, the decision must be made to proceed or not at the local level.

Whatcom County Health Department will take the issue to the Public Health Advisory Board meeting on May 4th and ask them how to move forward. There was lots of discussion in the SWAC group regarding this issue. Whatcom County Health Department is looking for motion to proceed forward with hiring a consultant to do the study. Several members were concerned about the cost of the survey.

A motion was made by SWAC to recommend consideration of implementing a stewardship pharmaceutical program at the local level. Larry McCarter made the 1st motion and it was 2nd by Eric Johnston. All in favor (Larry McCarter, Riley Grant, Greg Young and not in favor Barbara Brenner and Martin Kuljis).

Update on Point Roberts Solid Waste Management System

Staffs have been working with the Point Roberts Community Advisory Committee (PRCAC) and community members to assess the effectiveness of the current solid waste management system in Point Roberts regarding curbside collection services, commercial services, and transfer station operations.

Staff attended the March 14, 2017 PRCAC meeting to discuss next steps regarding community engagement, analysis and discussion of potential solid waste management system considerations.

At this meeting, further interest was expressed regarding some form of mandatory curbside collection services and use of property taxes to pay for these services. A unanimous motion was made by the committee to direct staff to consider the feasibility of implementing these options through Public Utility District or special purpose district options.

Barbara Brenner asked if it would be voted on through ballots. Jeff said "Yes, typically is how districts work". Mark asked if we would have more discussion and future updates.

Upcoming Whatcom Tire Amnesty Event

Each year, the Solid Waste Division conducts one or more waste tire collection and recycling events. The purpose of the events is to provide residential generators with an option to clean out historic tire piles, and educate them to dispose of tires promptly rather than accumulate them. Funding for the event is provided by the Department of Ecology, which pays for the costs of transportation and recycling. In 2016, one 2 day event resulted in the collection of 10,200 waste tires from 880 vehicles, many of whom also delivered tires from neighbors. The 2017 event will again be held on April 30 and May 7 at the Birch Bay-Lynden Rd drop box facility.

Solid Waste Excise Privilege Tax A bit of history:

WCC 8.13, *Solid Waste Disposal District* requires that:

8.13.030 Excise privilege tax levied.

An excise privilege tax shall be levied upon the charges paid for solid waste collection by each residential dwelling and by each business or institution in the district. This excise privilege tax shall be levied on a per-ton basis and be billed by certificated or franchised haulers of solid waste, all as authorized by RCW **36.58.140.**

This tax shall be equal throughout the district, and shall not exceed \$8.50 per ton without the approval of all cities and towns in the district. The county council shall set the level of the tax from time to time by ordinance. (Ord. 2014-050 Exh. A; Ord. 97-041 Exh. A; Ord. 90-1 § 3).

WCC 8.13.140 also requires that:

8.13.140 Annual review of tax requirements.

The executive committee shall annually review the tax requirements to fund the solid waste disposal programs and advise the county council of their findings. (Ord. 2014-050 Exh. A; Ord. 97-041 Exh. A; Ord. 90-1 § 14).

Additionally, recommendation 9.1.F of the approved 2017 Comprehensive Solid and Hazardous Waste Management Plan states *'Review the adequacy of the existing excise tax levy and exemptions to address recent State funding reductions.'*

In the 2015-2017 budget biennium, statewide Department of Ecology Coordinated Prevention Grant funding was reduced 47% from \$28.2 million to \$15 million. This resulted in an annual reduction of solid waste operating revenue, used to fund the Disposal of Toxics program and illegal dumping compliance enforcement, of \$151,325.

In the current 2017-2019 budget biennium, a further 33% reduction, from \$15 million to \$10 million in funding, is anticipated. This reduction would translate to an additional annual reduction of solid waste operating revenue, used to fund the Disposal of Toxics program and illegal dumping compliance enforcement, of \$78,124.

Combined, these reductions total an estimated \$229,450 of solid waste operating revenue used to fund critical services.

Back in the early 90's curbside was mandatory. However, they granted an exception to everyone that wanted one, thus reducing anticipated excise revenue to fund services. We have only had three applications since the Whatcom County Health Department has taken over the Solid Waste Division. The Health Department is asking for a recommendation to continue funding the Disposal of Toxics program and other services, and continue compliance enforcement of illegal dumping and solid waste handling standards; the state capital budget cuts must be replaced with another source of revenue. Currently, it is the staff recommendation that the replacement revenue come from an application of the excise tax to include self-haulers, rather than just those participating in franchised collection systems.

There was discussion on who would collect the excise fee. Greg thought it should be up to self-haulers to collect, Jeff said another option would be to pay at the disposal facility. Jeff was asking for input from the group. Mark said leave at \$8.50 per ton, if we continue not to tax recyclables; there would be an incentive to recycle more.

There are two draft options

1. Apply a reduced excise tax across the board to residential and commercial self-haul tonnage and WUTC collection tonnage, rather than just to WUTC collection tonnage.
2. Apply existing excise tax to residential self-haul tonnage and WUTC collection tonnage, rather than just to WUTC collection tonnage.

A motion made by Eric Johnston to spread excise tax across the board, by applying the excise tax to all county solid waste tonnage, excepting recyclables. The motion was 2nd by Barbara Brenner, all in favor.

Curbside Collection Exemption Requirement

Recommendation 9.1.A of the approved 2017 Comprehensive Solid and Hazardous Waste Management Plan states 'Evaluate the existing exemption program for solid waste collection effectiveness.'

WCC 8.11, Solid Waste Recycling and Collection District currently mandates that all residential occupied properties have curbside collection services. Originally, property owners, under significant mitigating circumstances, could apply for and be granted an exemption to the requirement; the owner would submit the approved exemption form to the hauler, and the hauler would not invoice for the services. Although well intended, compliance with the requirement was never enforced; haulers did not invoice property owners without an approved exemption who did not use the services, and the county, over time, approved all exemptions, only requiring a statement that solid waste would be properly managed. The exemption process became an administrative overhead burden that served no purpose, and made irrelevant the mandatory requirement. Additionally, in a solid waste system designed to be funded by an excise tax on solid waste tonnage collected curbside, self-haulers paid no excise tax and contributed no revenue to programs, which is still the case today. Self-hauling is currently considered to be an acceptable practice, and it is recommended that WCC 8.11 be amended to remove the mandatory requirement and exemption process. Jeff Hegedus would like to not make someone fill out the exemption form, since there is currently no utility or value added purpose.

The motion for approval was made to "Prepare an amendment to the ordinance for future discussion". A motion to accept by made by Eric Johnston 1st and 2nd by Greg Young, all in favor.

Open Session, Announcements, Agenda Items

Announcements

Mark mentioned that through Education and Technical fund leverage, ReSources, and Sustainable Connections are starting a project in June with the Ferndale School District. He also mentioned "Love your leftovers" and Earth Day.

Adjournment

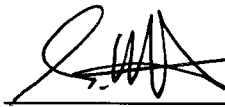
Meeting adjourned at 7:00 p.m.

A motion to adjourn the meeting by Barbara Brenner 1st and 2nd by Amber Jones, all in favor.

CERTIFICATION

*I hereby certify this to be a true and correct copy of the minutes of the
Whatcom County Solid Waste Advisory Committee meeting held January 26,
2017.*

Attest: _____
Janice Deptuch, Clerk III
Whatcom County Health Department



Mark Peterson, Chair
Whatcom County Solid Waste
Advisory Committee

as Chair