

SOLID WASTE ADVISORY COMMITTEE
**** MEETING SUMMARY ****
May 15, 2019

Troy Lautenbach, Committee Chair, called the meeting to order at 9:30 A.M. and introductions were made. He asked for a motion to approve the January 23, 2019 meeting notes. There was a motion to adopt them. The motion was seconded and the notes were approved.

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

Legislation

HB1543 Sustainable Recycling (agency request legislation) changed the litter tax distribution of the WRRLCA account to 40% for litter prevention and pickup; 40% for waste reduction and recycling programs, education, and outreach; and 20% for local governments for litter pickup on city and county roads and WRRED grants. The bill creates a Recycling Development Center to research and expand recycling markets and the requirement for a statewide recycling Contamination Reduction and Outreach Plan (CROP). Also, the bill requires local governments to include and implement CROPs in their solid waste management plans or use the state CROP.

Ecology will enter into an Interagency Agreement with the Department of Commerce (Commerce). Commerce will provide technical assistance, establish contracts for research and technology, establish processes for better upstream recycling processes, and do recycling market research. Ecology contracted with University of Washington Evans School of Public Policy and Governance students to research approaches to setting up the center. We hope to use some of their recommendations.

The Recycling Development Center's Advisory Board will provide input on contracts research, management of the center, and the work plan. The board won't be appointed until the lead is hired. Position descriptions are currently being written with the goal of having the lead hired by July 1.

The Recycling Steering Committee was supposed to sunset at this point, but the group has decided to keep meeting. The committee discussed interaction with various stakeholder groups. It was suggested that groups should be merged to streamline involvement instead of scheduling multiple meetings.

The new recycling CROPs for local solid waste management plans are intended to reaffirm recyclables that can be managed within local government systems and identify what are considered contaminants. Local Solid Waste Management Plans have to be updated or amended by July 1, 2021 to include a CROP. We also added grant funding for WRRLCA, so counties don't have to use Local Solid Waste Financial Assistance (LSWFA) grants. Grants will be competitive (25% match like LSWFA). Priority consideration and extra points will be given to CROP plan development.

The plastic packaging bill started as an EPR bill and is now a study bill. \$300,000 was given to do the study. An independent contractor is required to do the study, and there will be consultation with stakeholders. The study must be complete by December 2021.

Food waste was originally introduced last session and came back this session. The goal is to reduce food waste, combat hunger, and reduce environmental impacts. It establishes a goal for Washington to

reduce waste by 50% by 2030, and Ecology must look at adopting standardized metrics. The Pacific Coast Collaborative is working as a region to combat the impacts of climate change. We hope to partner with them to inform our plan. We are required by the legislature to partner with the Departments of Health and Agriculture on food and health safety issues. We must solicit feedback from stakeholders and interested parties. The Department of Commerce is required to complete a study, and Ecology will develop and implement the plan. This work will begin immediately.

Paint producers will be required to participate in a paint stewardship plan. The stewardship organization will implement the bill with Ecology providing oversight.

The marketing degradability bill prohibits the sale of packaging with misleading terms, and requires environmental marketing claims for plastic products to follow specific standards for compostability and biodegradability. The bill goes into effect July 1, 2020.

Budget

The budget was positive in some aspects and not in others. In the 11th hour before sine die, the legislature amended SB5993 and changed how MTCA is distributed and used. The changes resulted in eliminating three accounts and created new operating, capital and storm water accounts. The distributions were changed, and storm water gets the least funding. LSWFA was taken out of the capital budget and put into the operating budget at a base of \$10 million (not the \$28.2 million Ecology requested). A fiscal growth factor was also added that will increase every biennium to change what we did not get in the base. We will request the additional amount next biennium that we didn't receive. Since there isn't sufficient revenue to request in the supplemental, we have to wait until 2021 to ask for a policy add. Current revenue projections indicate there will be sufficient funds to request. The legislature also politically set up an account for \$50 million to go to DOT for storm water infrastructure projects before anything is distributed to Ecology. This will remain a funding mechanism until a comprehensive DOT budget is passed to address storm water.

Local Solid Waste Financial Assistance (LSWFA) Grants Information – Tami Ramsey
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LSWFA grants received \$10 million for 2019-2021, which adjusts the split to 71/29. A minimal amount of money goes to the health departments and leaves about \$7 million for planning and implementation. The total amount is about the same for each side. The allocation table adjusted and skewed slightly because each jurisdiction wants 1% or not less than \$100,000. On the enforcement side, they recommended a fixed amount of \$37,500 with a cap at \$300,000.

The application period opened a little later on May 8, and is expected to close June 7. We are waiting for the final state budget to reduce workload and changes. It is not a competitive program and will allow extra time under the condition of eligibility to request additional funds. Expediting of executed agreements was implemented. Agreements are being offered as soon as they are drafted and local governments are signing due to a long signature process. The anticipated effective date is July 1.

There have not been many changes in the program this time. Some clarification on the guidelines was done. There were some glitches in EAGL, where forms could be filled out but not submitted. With written authorization, Ecology can submit on the applicant's behalf.

Metrics Changes – Gretchen Newman, Contact: 360-407-6097, gretchen.newman@ecy.wa.gov

The SWM program is planning some big statewide metrics changes. Data sets will be available. The state plan says we should adopt sustainable materials management as a framework. RCW 70.95 requires us to report and establish a 50% recycling goal. Focus on these rates has caused a “wishful recycling” concept. If the goal is maximum beneficial impact to the environment, we need to encourage waste reduction and recycling, and reset the baseline. The best way to measure is to discontinue the MSW rate. Other states are making similar changes. The best way is to focus on the waste generation metric and have a recovery rate. The recovery rate is a better representation of what is happening with materials, and a better way to piece the puzzle together. Example: some materials are sent to energy markets and burned. There is no good way to track what happens to materials at recovery facilities. In many cases, we don't know where things end up. The waste generation metric is calculated as pounds per person per day, and is the main metric we will focus on.

FAQs will be posted on the SWAC site. The communication plan is to inform statewide recycling groups, and discuss at upcoming meetings. Reception has been good so far. Gretchen and Ecology planners are available to provide technical assistance on metrics for local jurisdictions.

The Waste breakdown chart is not updated with the new format. The MSW data point won't be provided as outreach, but it can be calculated and broken down by line item. Some local governments have requested assistance to calculate it. We will recommend shifting to a new system and phase out the MSW rate. The spreadsheet will be publicly available on the website with historic numbers, and moving forward with new rates. A question was asked about a typo on the chart. It was clarified that tons are 16.9 million and pounds per person per day is 12.9. A request was made to correct the typo to avoid confusion, or make two separate charts.

Waste generation is based on materials entering the solid waste system. A question was asked about what data is used to get a generated number, and how incineration is incorporated. Waste generation is based on materials entering the solid waste system. What is reported is recycling from facilities and what might have started as recycling but was incinerated, and any disposed materials like MSW or other reported disposed materials. The only items not included are materials that go to the landfill no matter what, such as biosolids and cleanup waste like asbestos and petroleum contaminated soils.

Litter is not being measured unless it's picked up and put into the system. We historically measure litter by doing a survey. We are required to do it, but haven't had the money. It's on the list, but not part of the overall waste generation. We do measure what is reported as reused (clothing, household items, retread and tires). Some facilities report litter, but some have a hard time measuring. Food rescue is considered part of the reuse category and won't be counted. Incineration is counted in MSW exposed, not recovery. Any mixed solid waste is counted as disposal. Haulers are not required to change what they report.

Medicine Takeback Rules – Megan Warfield, Contact: 360-407-6963, megan.warfield@ecy.wa.gov

An update was given on the status of the Secure Medicine Return Program. The House bill passed last session and the law took effect in June. We only have a supporting advisory role focusing on the disposal portion. The law creates a statewide drug takeback limited to households, and is financed and coordinated by pharmaceutical manufacturers selling in the state. Department of Health (DOH) is administrating, evaluating, and handling according to federal and state laws. Before this law passed, several local governments pass local ordinances. All counties are in various stages of implementing their own programs. Regulations were drafted last summer and workshops are scheduled in fall. Comments were submitted, filed, and formatted for a draft proposal on April 3. The comment period/public hearing was on May 8. The rule is expected to be adopted the week of May 20. Manufacturers are required to submit a program plan on July 1 and be operational 180 days after the plan is approved. Anticipated implementation is May next year across the state.

MED-Project is expected to be the stewardship organization. King County was the first to launch in 2017. They collected 17 tons of unwanted medicine. They are already pushing for alternate disposal options. Ecology met with DOH to provide information based on our experience implementing a stewardship program. We participated in their workshops, gave comments on draft rules, and advised on disposal methods and the petition process. We submitted formal comments on the draft rule. The language that DOH presented deviated substantially from statute. We commented and proposed language without violating interstate commerce or federal regulations. Federal regulations are required to be adopted by 2022. Regulations state that medicine must go to an incinerator or MSW. There will be gray area until states adopt the rule. We have no indication of the process moving forward. It may be extended, but there is extreme pressure to adopt.

Recycling Steering Committee and Statewide Recycling Contract Update – Alli Kingfisher
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We hired C+C and are developing the Recycle Right Campaign. The campaign is building off King County to be consistent with messaging. The barriers in Washington are that people are so invested in recycling, think they know how to do it right, and don't need to look at messaging. The idea is to approach them from their perspective and motivate them to do the right behavior. A question was asked about contaminants. At this level of the campaign, we can only affect a couple small behaviors. We narrowed down to the most high-level issues that were consistent state wide. King County hasn't come out with plastic bag messaging, so we didn't want to be in conflict until they get their messaging out. We are addressing a type of contamination, but not everything. Women are mostly being targeted because studies show they are most likely to do the waste management in households.

The billboard will be up on May 20 on I-5 in the Fife curve. Cost is \$8,000 for 3 or 4 weeks. Alli will follow-up with details. The media plan is in both English and Spanish, and covers the entire state. We aren't targeting efforts in King County, but there will be some overlap. Messaging will be TV and radio spots, and digital ads. Southwest Washington will be different because it bleeds into the Portland market, and they are doing their own messaging. Online advertising includes Pandora, Facebook, and Instagram. The campaign kick starts on May 27. We have to spend money by June 30 as part of the current budget. We hope to have more money next biennium from WRRLCA. This money was part of the supplemental budget. The original RFP was just to research and design the campaign, but we got additional money to do more. We are making template materials that local jurisdictions can use and

brand. A survey was done asking what key materials would be useful. We are in the process of determining how much can be made within the budget and timeline by June 30. We aren't tracking metrics because it requires a large amount of money. There will be a website with more info in English and Spanish. Videos will be available to health districts on May 27.

Recycling Development Center Research – Sophia Ahn, Emily Coleman, Katy Ricchiuto, and Katherine Walton - University of Washington Evans School of Public Policy & Governance

There was discussion about coordinating with the SWAC, Recycling Steering Committee, and Center's Advisory Board. A question was asked about using public funds, if other states have similar prohibitions or restrictions, and if we can replicate a good model. CalRecycle does offer financing models and could be a comparison. There might be a couple avenues for private companies, but it's pretty narrow in Washington. Market development programs in Pennsylvania were researched. They are more established and aligned with the Clean Washington Center on communication and assistance, rather than truly attracting manufacturers. The focus in this case was on market development and less on public outreach/communication.

Roundtable

Keith Johnston – There is a lot from the UW presentation that could be done in conjunction with the Recycling Steering Committee regarding the contamination issue.

Holly Chisa – Working on number of environmental bills. There is a lot of effort on banning plastic bags, but couldn't get bill through the House. Local haulers testified in support. Could use more local support.

Steve Gilmore – Republic has been using Empty, Clean, and Dry campaign and sees improvement.

Dave Bennett, Communications Consultant at Ecology, introduced himself.

Agenda Topics for Next Meeting

Dangerous Waste 303 changes.

Meeting adjourned at 11:42 a.m.

Submitted by: Beth Gill