



Solid Waste Advisory Committee Meeting Summary November 18, 2020

Call to Order & Introductions - Troy Lautenbach & Laurie Davies

Troy Lautenbach, Committee Chair, called the meeting to order at 9:31 A.M. The previous meeting minutes were not reviewed or approved. Laurie noted that local government attendance may be limited at this meeting due to a conflict with the Washington Association of Counties (WSAC) meeting. The SWAC will consider scheduling at a time next year that doesn't conflict.

Legislative & Budget Update

Laurie Davies - Cell: 360-704-0807, laurie.davies@ecy.wa.gov

Budget Requests

Our goal is to restore funding to Local Solid Waste & Financial Assistance (LSWFA). This program provides grants to local governments, formerly called Coordinated Prevention Grants (CPG). This morphed into one grant program when the Model Toxics Control Account (MTCA) was revised and LSWFA moved from the capital to operating budget. During legislative negotiations, full funding was reduced to \$10M, becoming the base and remained in the carryforward every biennium for the grant program. We requested in \$15M in the supplemental budget that passed, which the Governor vetoed in April in response to COVID. For the next biennium, we requested \$15M and stated that funding is used for traditional standard programs that health departments and solid waste departments need to fill the hole over the last eight years.

Other funding requests:

- Contamination Reduction Outreach Plans (CROPs) and homeless encampments.
- Biosolids permit fee (mostly paid by wastewater treatment plants and septage companies). Request for funding is to update the general permit to implement and maintain funding for the FTE in Headquarters, and to help regions with coverage under the general permit.
- Recycling Development Center - \$620,000 for funding to hire staff to issue grants for business assistant, research, and contracts to help develop markets. The contract and hiring freeze is a partial hindrance. We hope the freeze will relax heading into the new biennium.
- Waste tire pile prevention will be in the December forecast. The statute holds \$1M and the remaining \$7M to \$8M balance is given to WSDOT for roads.
- Public Participation Grants (PPG) amount is set at \$1.29M.

Legislative Proposals

- No any agency request legislation is being proposed except for an air fee increase.
- The Washington Association of Counties is making two proposals with ramifications:
 - Full funding and reduced match requirements for LSWFA. They are looking into full restoration of LSWFA with relief from the 25% match, which will require a statutory change. We are discussing how to work with the counties and the match to help rural and economically less advantaged counties, maybe by offering a sliding match or relief for disadvantaged counties. Discussions will likely be held in the LSWFA workgroup to come to a consensus and avoid a

legislative change. Direct appropriation of funding is not a new issue and has been brought up in the past.

- Another proposal is for a solid waste tax to be put into a public trust account. The original legislation has money for solid waste infrastructure, but was not used that way (it was diverted to public work projects like drinking water, small communities, and a variety of other small uses). Many counties have a need to upgrade infrastructure and facilities, such transfer stations and hazardous waste facilities.
- A requirement for the plastics study was in response to a bill introduced in 2019 for a plastic packaging EPR program. The report is out with full findings from an independent contractor, including legislative and policy recommendations. Several stakeholders are considering putting forward a proposal for a paper and plastic packaging EPR bill in next session, and has sponsors for the bill. It is a large bill with recycled contents, deposit takeback program, and many elements. The Governor vetoed a recycled content bill that passed in April, but we could see a separate polystyrene bill.
- Other possible bills include batteries, sharps, bottles, and food waste composting and contamination.
- Session is entirely virtual this year, and only legislators with connectivity issues will be at the capitol. Voting and hearings will mostly be done remotely. A House Environment, Energy, and Technology session is scheduled on December 1. Ecology and the consultant on the plastic packaging study will present the results.
- An update on bills we are working on implementing since the end of last session will be provided.

LSWFA Grant Workgroup Membership Changes

The Snohomish County Westside representative is leaving, and the workgroup is trying to fill the vacancy.

Paint Product Stewardship Update

Megan Warfield - Cell: 360-701-9683, megan.warfield@ecy.wa.gov

Megan Warfield is the lead staff. The law passed in 2019, codified as Chapter 70A.515 RCW. Why care about paint?

- Willing industry
- Top 5 materials collected by MRW programs
- Drying out paint is inconvenient and messy
- Expensive for MRW programs to manage
- Latex paint is very recyclable and disposing it in the trash is a waste of resources

PaintCare is the stewardship organization implementing program on behalf of paint manufacturers. PaintCare Inc. is a 501(c)(3) non-profit. As the stewardship organization, PaintCare:

- Establishes collection network
- Provides training to collection sites
- Writes Program Plan
- Manages program operations
- Promotes the program to the public
- Manages program revenue
- Provides reports to Ecology

The law is specific about who can participate in the program. There are two general categories of paint:

- For latex paint, anyone can bring their latex to a collection site – households and businesses of any size.

- For oil based paint, it is slightly different because many oil based paints designate as dangerous or hazardous waste. Therefore, only households and small businesses can bring their oil based paints to a collection site. Sometimes called small quantity or conditionally exempt small quantity generators.

The program will accept architectural paint (defined in the law). The program will not accept some more hazardous type products such as thinners and solvents. The program specifically excludes aerosol cans. PaintCare also will not accept leaking, empty or containers without an original label. More specifics about what types of materials are in or out is on [PaintCare's website](#).

The program will be funded by an assessment on each container of paint sold in Washington. The **proposed** fees are in line with the fees in Oregon.

- Half pint or smaller – no fee.
- Larger than half pint up to smaller than 1 gallon – 45 cents.
- 1 gallon to 2 gallon – 95 cents.
- Larger than 2 gallons up to 5 gallons - \$1.95.

Ecology is reviewing PaintCare's financial information and a report from an independent auditor to determine if these proposed fees are adequate to sustain the program. Approving the assessment is a critical part of Ecology's review and ultimately plan approval.

The program will operate a voluntary collection network.

- The law includes a convenience standard that guides the distribution and density of collection sites around the state. The standard is that 90% of the population must live within 15 miles of a collection site and that urban areas must have one additional site for every 30,000 residents.
- Based on GIS analysis, PaintCare will need about 170 sites to meet the convenience standard. A majority of these sites will be paint retailers, but MRW and other solid waste facilities will have an important role to play. There will also be a small number of reuse stores.
- PaintCare is required to hold collection events in areas of the state without a permanent collection site.
- PaintCare will operate a large volume pickup for businesses or households that have over 200 gallons to be picked up at any one time. This prevents collection sites from being overwhelmed.

The law requires the paint to be managed according to the waste hierarchy:

- Reuse: Many MRW facilities have reuse sheds or shelves where material in good condition is offered to residents for free.
- Paint to paint recycling: Where latex is recycled back into latex paint.
- Use in other products: Some paint recyclers are experimenting with incorporating latex into concrete applications such as landscape materials.
- Energy recovery/incineration: Almost all the oil based paint will be burned for energy recovery or incinerated.
- Landfill: The amount of paint that remains will be landfilled.

Facilities and companies that PaintCare is partnering with:

- Reuse: MRW facilities and reuse stores.
- Transporters: Clean Earth Systems, ACT enviro, Clean Harbors.
- Recyclers: Metro Paint, Green Sheen, GDB, Visions, Amazon.
- Energy Recovery/Incineration: Cadence Environmental, Systech Environmental, Rineco, Buzzi Unichem, Green America, Clean Earth, Clean Harbors.
- Disposal: Waste Management, US Ecology.

What's Been Done So Far?

- Ecology: Facilitated stakeholder outreach, published regulatory guidance, launched a website and listserv, began plan review.
- PaintCare: Build collection network with solid waste facilities and retailers, contract with transporters, submitted program plan to Ecology, develop Washington-specific outreach.

PaintCare has been a success nationally.

- The law has passed in 11 jurisdictions – 10 states and the District of Columbia.
- Program operating in Oregon for 10 years and California for 8. West coast now covered.
- Collected 37 million gallons of paint.
- 1758 year-round collection sites.
- 4755 collection events.
- 3531 large volume pickups.
- 25% of US population has access to this program.

What can you do?

- Visit PaintCare's website: www.paintcare.org.
- Visit Ecology's [paint stewardship website](#).
- Join the [list serv](#).
- Review and comment on [PaintCare's stewardship plan](#) by DECEMBER 7 (access plan on Ecology's website listed above).
- Program will start April 2021, pending Ecology's approval of stewardship plan.

Washington State University Research Projects

Marni Solheim - Cell: 509-385-9142, marni.solheim@ecy.wa.gov

The Solid Waste program provides funding from the supplemental budget item under 2005 Waste to Fuels Technology. The MOA has been in place since 2009. Two projects were completed: biomass inventory to use bio based energy, and anaerobic digesters. Funding is also used for other organic waste projects. A short list of other projects was reviewed. Two projects were funded this biennium. The first project is wood waste recovery. About thirty experts gathered to recommend best technologies. A final report focusing on different sectors will be done in July. The second project is to assess compost sampling techniques for future emissions data. Air authorities are currently using California emissions factor data, which is a very expensive permit. California composters are different, but their data is the only data available and approved by EPA.

Our priority for funding is to measure emissions to gather a Washington data set. WSU applied for other funding, and we hope to get appropriate data. We are targeting funding for new research that doesn't only target organic waste. Staff brainstormed internally for potential funding ideas. The program managers decide on ideas that will receive funding. Research ideas were requested from the SWAC. The SWAC expressed interest in influencing these types of decisions to do research on issues. The Recycling Development Center is also looking into working with WSU. The amount of funding has been steady and we have been able to roll out good projects. Laurie Davies and Jeff Gaisford from King County will discuss a consumption based inventory. Troy will talk with Marni about end market issues. Marni mentioned another interesting issue about wind turbines being virtually indestructible, and are not an option for landfill disposal.

Plastics Study Report Recommendations

Alli Kingfisher - Cell: 509-960-1290, alli.kingfisher@ecy.wa.gov

The 2019 Washington Legislature passed the Plastic Packaging Evaluation and Assessment law directing Ecology to hire an independent third-party consultant to study how plastic packaging is managed in

Washington, and to recommend options to meet the goals of reducing plastic packaging waste. The law set three plastic packaging reduction goals to be met by 2025.

- Achieve one hundred percent recyclable, reusable, or compostable packaging in all goods sold in Washington.
- Achieve at least twenty percent postconsumer recycled content in packaging.
- Reduce plastic packaging when possible and optimizing the use to meet the need.

To meet these goals, the study needed to recommend legislative actions that could be implemented by January 2022 to meet the 2025 goals. The law specifically directed the assessment to include examination of options that include industry initiatives and product stewardship. Ecology hired a team led by Cascadia Consulting to conduct the assessments, consultation, and research required in the law. Cascadia met the requirements in the law in a series of five reports that total more than a thousand pages of research, analysis, and assessment. These reports provide a comprehensive examination of plastic packaging, best practices for its management and ten recommendations for charting our path forward in Washington.

Throughout the process, stakeholders were kept informed through a variety of channels including a listserv and a dedicated website of research and findings. They were asked to contribute data and other information, and to complete a comprehensive survey of policy and technology options. Stakeholders also had the opportunity to provide targeted input on draft recommendations. Stakeholder comments were considered by the consultants and incorporated where appropriate. There wasn't time to go into detail on each Cascadia report. The rest of the presentation focused on Cascadia's recommendations. Please reach out to Alli if you would like to discuss any of the reports in detail.

Cascadia's ten recommendations are separated into four categories: Primary recommendations, interim recommendations, complimentary recommendations, and specific recommendations for agency action by Ecology. The three primary recommendations would require legislative action and would be best implemented in combination, though any one could stand alone. These three recommendations provide the best approach to achieve the 2025 legislative goals in the law. While the legislative directive required recommendations for plastic packaging, Cascadia recommended that actions apply to all types of packaging: plastic, paper, glass, and metal. Policies focused exclusively on one material type would cause market distortions and could lead to unintended consequences due to potential packaging substitutions with materials whose impacts are unknown, poorly understood, or which have higher environmental lifecycle impacts. Therefore, the first two recommendations cover packaging of all material types, not just plastic.

First, extended producer responsibility requires producers to manage their materials at the end of life. EPR programs are required to meet recycling targets, take the burden off local governments, and incentivize a circular economy. Second, deposit return systems – or “bottle bills” – also involve the producers in the management of their packaging. In addition these programs provide incentives for consumers to properly manage the bottles, which results in less contamination, and cleaner recyclables which are better for remanufacturing. The third leg of the primary recommendation stool requires recycled content in all plastic packaging. This is similar to HB2722 the recycled content bill that passed last year, requiring increasing recycled content in beverage containers.

The second category of recommendations are two interim policy recommendations. The interim options are initial steps that could be taken before reaching all the way to extended producer responsibility, a deposit return system, and recycled content for plastic packaging. Both of these recommendations would require legislative action. These two options would not be required if recommendations 1, 2, and 3 are enacted. Enacted separately, they would be initial steps towards the primary recommendations.

The third set of recommendations are complimentary to the primary policy recommendations. While these are not necessary, they would help reach the 2025 goals in the law. These recommendations would also

require legislation. Trash bags are not generally considered packaging. Adding trash bags to the recycled content mandate would boost demand for recyclable plastic. Some types of plastic packaging may be best managed through a ban. There are several national collaborative efforts bringing together public and private partners to look at problematic plastic packaging and determine what types of packaging can be eliminated. Once the lists are determined, the State could advance these efforts by mandating elimination of these packaging types through legislative action. As we have seen with the increase in takeout in recent months, plastic is ubiquitous in food service products and intended for one-time use – items such as condiment packets, plastic cutlery, and straws—are often automatically included in takeout and delivery orders. Requiring customers to ask for these disposable serviceware items instead of being automatically included – will reducing their use when they are not needed.

The last two Cascadia recommendations focus on actions specific to Ecology where Legislative action is not required. However, it is important to point out that these efforts would require additional Ecology resources. Ecology collects data from regulated facilities involved in collection, sorting, and processing recyclable materials. We do not currently collect information on the end destination or remanufacturing of those recyclables. However, we do have the authority to request additional information from our regulated facilities. This may require rulemaking and would require changes to our current data collection process. Finally, the materials management hierarchy puts reduce and reuse above recycle. Developing systems to improve reusables in place of recycling disposables is an area where Ecology can increase emphasis. We would need to increase allocated resources for this work.

Recycling Development Center & Recycling Steering Committee Discussion

Kara Steward - Cell: 564-999-0555, kara.steward@ecy.wa.gov

Dan Weston - Cell: 360-407-7683, dan.weston@ecy.wa.gov

The Recycling Development Center was developed from at the Governor’s request from agency-request legislation in 2019 (HB1543) to address the recycling crisis. The Center’s focus is market development – moving recyclable materials to end users to make new products. The work is conducted in partnership with the Department of Commerce. Ecology’s efforts are on policy analysis, stakeholder work, and analysis of actions that we could bring to Washington to improve our markets. Commerce works with businesses and investors to provide services that meet their specific needs. The Center consults with a 14-member advisory board. Over the first year, the Center focused on logistics – hiring staff, partnering with Commerce, convening the board and developing online materials. The focus of Center work in 2021 is on outreach, data analysis and research, continued business assistance, and identifying financing opportunities.

Common themes for the Recycling Steering Committee and the Recycling Development Center:

- Several organizations are involved in both efforts – as committee or board members.
- Recycling Steering Committee had a focus on recycling, contamination, and performance.
- Recycling Development Center focus is on business, policy, financing, R&D, pilot projects, and regional/national coordination.

Differences between the Recycling Steering Committee and the Recycling Development Center:

- Each works on different sections of the system.
- Steering Committee is meant to recommend near-term solutions: recycling programs, contamination, and performance measures.
- Development Center is generally thinking more long-term: research and development, policy and research analysis, business assistance, and regional markets.

The Steering Committee was convened in July of 2018 in response to market impacts from Chinese import restrictions. The purpose of the group was to examine problems in the recycling system and develop recommendations for proposed actions for policy makers, recycling program planners, private industry, and the public. The scope of the group included the entire residential and commercial recycling streams excluding organics, but these were the specific topic areas it intended to address.

- Contamination.
- Lack of Markets.
- Recycling is not free.
- Lack of knowledge about the realities of recycling.

The way to address the issues would be to produce a report with various action items and recommendations with the following goals and objectives in mind.

- Identify near, mid, and long-term.
- Establish a commitment across the state to responsible recycling.
- Create a successful WA-focused recovery system.
- Restore and maintain public trust and confidence in the recycling system.

An overview of the timeline of the steering committee from its creation to present status and how it relates to other work being done.



The future of the group remains uncertain because many of the issues the group was meant to address have either already been addressed elsewhere, or are currently being addressed by other groups. While the recycling system still has issues that need to be fixed, if the steering committee is going to continue, it might need to examine what its role should be going forward.

Waste Not Washington School Awards

Heather Church - Cell: 509-202-6946, heather.church@ecy.wa.gov

These awards are similar to the Terri Husseman Sustainable School Awards, but are different because they are awards and not grants, which makes them easier to apply for. The Waste Not Washington School Awards is an awards program intended to help build and improve waste reduction, recycling, and other sustainability programs and curriculum in Washington schools. Ecology has \$50,000 dedicated to this program, and applicants may receive up to \$5,000 in award funds for successful proposals. There are three awards categories for this program:

1. Seed Awards category awards funds to implement school waste reduction and recycling programs. K-12 public, private, or tribal schools can apply in this category to buy educational aids and equipment for waste reduction/recycling programs. Examples are: reusable silverware/trays/flatware in school cafeterias, food waste reduction through bulk dispensers for milk/juice/water, educational signage, and composting equipment.
2. Sustainable School Program Awards category recognizes a K-12 public, private, or tribal school or school district's ongoing efforts to maintain and expand waste reduction, composting, and recycling programs.

This is intended to not only recognize a school for their past efforts, but to support the continuation and future goals of their programs. Ecology may recognize sustainable school programs created and implemented within five (5) years of the application date.

3. Creative Curriculum Awards category awards funds to generate newly created and original curricula:
- Introduces students, teachers, staff, and administrators to the concepts of waste reduction, composting, recycling, green chemistry, sustainable design, or circular economy.
 - Strives to inspire a sense of environmental stewardship in the students and staff.
 - Materials must be publicly available through the Open Educational Resources (OER) Commons portal.

Examples:

- Waste Reduction: Waste audits, replacing single-use items in schools with durables, environmentally preferable purchasing, reusable bag promotion, curriculum on “What is Waste?”.
- Food Waste Reduction: Bulk food/beverage dispensers, food waste audits, lunchroom education campaigns, “shared food” programs.
- Recycling: Installing recycling programs, recycling waste audits, curriculum on recycling and it’s process.
- Compost & Gardening: Composting programs, school gardens.

All applications are due December 22, 2020. Ecology is launching mass outreach to procure all interested applicants. January 31: awardees announced. June 30: all awards must be issued. July 30: monitoring and project reports due.

Next steps are to do outreach and promotion. Heather will send an email to the recycling coordinators to send to communities. She will also work with the OSPI science coordinators and tribal liaisons. We hope to get as many interested parties as quickly as possible due to tight timeline. The [external website](#) acts as the main platform for publications, allows for online submissions of applications (preferred process), and provides info about the program. Please reach out to Heather if there are questions.

Washington State Recycling Association Annual Conference

Megan Smothers - Office: 206-622-8425, Direct: 360-519-3265, recycle@wsra.net

Megan gave an update on the annual conference, which was held virtually. The content was adapted to an online format and discussed with the Board of Directors to determine what attendees were interested in, and how to make it happen in a convenient and timely format. The schedule changed from three and a half days to a full two day event. There were 12 breakout sessions and 3 keynotes. Topics covered legislation and implementation, food waste, and contamination reduction. Sessions were recorded and posted on the WSRA website under the conference drop-down. Networking options were provided including an attendee list, chat, virtual business card exchange, video chat, links to LinkedIn, bios, and organizational websites. There were many options to personalize and discuss topics via forums. All content including questions, chat, etc. is available for another four months. Feedback was positive about the flexibility of watching sessions and options to watch recordings later. The registration was relaunched to give people a chance to catch up. They also offered a student rate. The 2021 conference will also be virtual, due to ongoing pandemic health concerns and uncertainty of risk. If you attended and didn’t complete the survey, please fill it out so results can be used for 2021 planning. Contact Megan at recycle@wsra.net or by phone at the numbers above with any questions.

Member Roundtable and Public Comments

Troy Lautenbach: Please suggest agenda topics for future SWAC meetings.

Bryan McKinnon: COVID has presented challenges. We are rebranding and developing sector specific outreach materials that focus on becoming on unsiloed (adding paint care, brochures/focus sheets, and thinking about solid waste programming). Laurie Davies suggested that Bryan should connect with the Washington Association of Counties Solid Waste Managers (WACSWM). They are developing household hazardous waste guidance and are sharing with their counties. Laurie will give him a contact.

Rich McConaghy: A neighborhood cleanup did not happen due to the pandemic. As an alternative, a bulky item pickup of 90 tons over 13 weeks from 1600 households was done.

Art Starry: The Environmental Health Directors are trying to figure out the legislative agenda and are working to support Ecology’s efforts for Local Solid Waste Financial Assistance (LSWFA) funding.

Becci Piepel: The WACSWM guidance that Laurie mentioned is valuable. She will reach out to WACSWM and ask if they are ready to share the document.

Laurie Davies: We will post slides on the [SWAC web page](#). The minutes were not reviewed or approved, but the new roster is noted in the minutes and includes the reelected Chair and new Vice-Chair. Please reach out to [Julie Robertson](#) or [Laurie Davies](#) if you have agenda items for the next meeting. Will have virtual meetings until at least July. We appreciate everyone’s attendance and feedback. It is important to continue connecting with participants and their constituents moving forward.

Adjourn

The meeting adjourned at 11:32.

Attendees

Committee Members	Department of Ecology Solid Waste Management Program
Jay Blazey, Cedar Grove Esther Beaumier, Tacoma Pierce County Health Department Holly Chisa, NW Grocery Assoc. & Inst. of Scrap Metal Recyclers Amy Clow, Department of Agriculture Laurie Davies, Department of Ecology Jeff Gaisford, King County Solid Waste Division Steve Gilmore, Republic Services Catherine Holm, Washington Food Industry Association Troy Lautenbach, Lautenbach Industries Kristine Major, Spokane Regional Solid Waste System Rich McConaghy, City of Vancouver Bryan McKinnon, Kitsap Public Health District Julie Robertson, Ex-Officio Member, Department of Ecology Art Starry, Thurston County Environmental Health Jay Simmons, NORPAC Megan Smothers, Washington State Recycling Association Heather Trim, Zero Waste Washington Rod Whittaker, Washington Refuse & Recycling Association	Heather Church Beth Gill Shannon Jones Alli Kingfisher Monica Martinez Tina Schaefer Kara Steward James Rivard Marni Solheim Megan Warfield Dan Weston Steven Williams