



## Solid Waste Advisory Committee Meeting Summary September 16, 2020

### Call to Order & Introductions - Troy Lautenbach & Laurie Davies

Troy Lautenbach, Committee Chair, called the meeting to order at 9:33 A.M. Approval of the previous meeting summary was skipped. Laurie welcomed everyone and reviewed the agenda.

### Advisory Committee Member Roundtable – Troy Lautenbach

The committee members introduced themselves and addressed the following questions.

- Your name, organization, and who you are representing
- How long have you been on SWAC?
- What presentations would you like to hear this upcoming year?

| Name                            | Organization  | Representing   | SWAC Length                           | Presentations  |
|---------------------------------|---|--|---------------------------------------|--|
| Troy Lautenbach                 | Lautenbach Industries                                       | C&D recyclers, current Chair                               | 6 years or more                       | More proactive, less reactive. New industry settings/standards, innovative approaches.   |
| Quinn Apuzzo                    | Recology King County  | Recycling Industry   | 6-7 months                            | Work happening around contamination reduction and EPR policy.  |
| Jay Blazy                       | Cedar Grove   | Compost processing   | 6-7 months                            | Packaging compostable and recycling overlap.   |
| Holly Chisa                     | NW Grocery Association & Institute of Scrap Metal Recyclers | Larger retail community                                    | 7-8 years                             | How folks plan to implement different programs (EPR, clean recycle streams) as they relate to retail community. Learn how they will be done without putting pressure on industry.  |
| Amy Clow                        | Department of Agriculture                                   | Apple maggot quarantine and how it relates to waste stream | A couple months                       | More projects going on in the state.   |
| Laurie Davies                   | Department of Ecology                                       | Solid Waste Management                                     | 30 years, 12 years as Program Manager | Variety of legislation, programs, and policy initiatives that move at rapid pace in last 7-8 years.  |
| Lisa Sepanski for Jeff Gasiford | King County Solid Waste Division                            | Westside Solid Waste                                       | 3-4 years                             | Rate restructure funding mechanisms of zero waste to resources goal and how to reconfigure rates. Other studies and research. Zero waste to resources plan to fund recycling, education, contamination, and legislation. |
| Steven Gilmore                  | Republic Services   | Municipal Relationship Manager                             | 2-3 years                             | More proactive on items happening in industry and engagement with key legislators on solid waste issues.   |

| <b>Name</b>     | <b>Organization</b>                       | <b>Representing</b>                    | <b>SWAC Length</b>                       | <b>Presentations</b>   |
|-----------------|---|--|--|--|
| Cat Holm        | Washington Food Industry Assoc.           | Food Industry                          | WFIA for long time, Cat for 1 year       | Impact of COVID-19 on industries and things we can do with plastic. We are part of multiple stakeholder groups and studies. Some recommendations don't take into consideration impact on consumers and industries. Would like to learn more and come to the same conclusion. |
| Patti Johnson   | Kittitas County Solid Waste Maintenance   | Central Region Public Works            | Long time - can't remember               | CROP Implementation and how it will work for everyone across the state, implementation of bag ban during COVID – need to look at timelines. Keep up on effects of upcoming legislation counties and everyone in the state.   |
| Ann LaRue       | Utilities & Transportation Commission     | Utilities & Transportation             | Long time                                | On the Recycling Development Center and Steering Committees. Difficult to keep track and stay up to date on what everyone is working on.   |
| Kristine Major  | Spokane Regional Solid Waste              | Eastside Cities                        | Almost 5 years                           | Ways to be truly advisory so we can use collective expertise to support state in vision for the SW industry.   |
| Rich McConaghy  | City of Vancouver                         | Westside cities                        | 5 plus years                             | Contamination reduction market development, statewide EPR programs and how we move to the next thing.  |
| Jay Simmons     | NORPAC                                    | Printing, writing, and packaging paper |  | EPR effort trying to be active in all areas and directions. Crossover with Oregon.   |
| Megan Smothers  | Washington State Recycling Association    | Washington State Recycling Association | WSRA for many years, Megan is new        | No frame of reference to know what is of interest, but echoes others (legislation, implementation of laws, and staying up to date on projects).  |
| Heather Trim    | Zero Waste Washington                     | Public interests                       | 4 years                                  | Echo others. SWAC has ability to look at different issues than other committees. Would like to focus more on our own agenda and less on other committee updates. What resources does Ecology have, what do they need, and where are areas that we can help them?             |
| Rod Whittaker   | Washington Refuse & Recycling Association | Solid Waste Industry                   | WRRRA since beginning, Rod for ~ 4 years | EPR issues, # of well-researched voices that we could hear from, new paradigm re: single use packaging, more of an advisory role.  |
| Peter Godlewski | Association of Washington Business        | Washington businesses                  | 1 <sup>st</sup> meeting                  | Rod and Cat had good points, COVID impacts.  |
| Domenic Calabro | EPA Region 10                             | Materials Management Team              |  | EPR, market developments, actions and opportunities in WA and regionally.  |

## **Nominations & Election of the Chair & Vice Chair – Laurie Davies**

*Cell: 360-704-0807, [laurie.davies@ecy.wa.gov](mailto:laurie.davies@ecy.wa.gov)*

Troy Lautenbach was nominated. He stated he is willing to continue, but is happy to step aside if others are interested. Becci Piepel was nominated in absentia. Nominations were accepted. Please send suggested agenda topics a couple after each meeting, or a couple weeks or more before the next meeting. Laurie will contact Becci to confirm if she accepts the nomination.

## **Legislative & Budget Update – Laurie Davies**

*Cell: 360-704-0807, [laurie.davies@ecy.wa.gov](mailto:laurie.davies@ecy.wa.gov)*

The legislative and budget update is a standing topic on the agenda to request feedback from the SWAC, and to allow members an opportunity to speak about their legislation.

The Solid Waste Management Program is not proposing legislation for the 2021 session. There is only one agency request legislation for a spills fee that the Spills Program has been working on for a couple of years.

Our greatest concern and main focus is the budget and the freeze on spending. The 2019-2021 biennial budget reduced LSWFA to 10 Million. We asked for full funding (\$26.8M). Also, the legislative changes to MTCA moved LSWFA from the Capital budget to the operating (new program and activities to fund). We requested an additional \$9M in the supplemental budget to fill the hole that was left by the reduction, and for homeless encampment funding. The request passed the Legislature but, was vetoed by the Governor due to COVID impacts on general fund. Our budget requests will include a \$10M carryforward into the operating budget, and we are requesting an additional \$15M for LSWFA. We are hopeful this request will be funded because the June forecast has a “plus up” in MTCA of an additional \$54M. This is a one-time request since it is only based on a forecast and is uncertain if revenue will follow.

In the 19-21 budget, we were successful in getting back all WRRLLCA litter tax funding that was transferred to parks. This was not vetoed. We are excited to bring back the prevention campaign, increased litter pickup funding and contracts for waste characterization study. We were moving and implementing contracts, then the Governor implemented the hiring and contract freeze. Litter pickup was dramatically reduced because we could not hire kids that were out of school due to COVID, and adult crews were reduced due to social distancing in vans. The litter campaign contract was almost signed prior to being frozen. We requested an exemption because the funding was dedicated only to the campaign, but OFM denied the request. One concern is there will be a significant fund balance in WRRLLCA that may be attractive to the legislature.

Additional funding for the Recycling Development Center is also being requested in 21-23. Legislation passed a couple years ago creating a partnership, and the Advisory Board is developing a work plan. The Center was not fully funded in accordance with the fiscal note and was shorted about \$600,000. We will request that money that is still in the WRRLLCA fund balance. If the legislature does not take other portions of the fund balance, we will ask for the full amount including the \$600,000.

Other requests include an increase with the fiscal growth factor for biosolids. It has been 8 years since a fee increase, and we are asking for an increase to help with issuing permits and addressing septage issues in the program. We are also requesting an appropriation increase on air operating fees. Multiple programs use the fee. SWM is taking the lead on the air operating permit because the largest number of permittees are in our Industrial Section.

The agency budget package is going to OFM this week. We will not know what is accepted until the Governor’s budget comes out in December. We will do a series of briefings with stakeholder groups in the fall.

Legislation that passed includes a bill to develop a plan to reduce food waste by 2025, and is tied to the Pacific Coast Collaborative. The bill calls for working with partnering agencies (WDOH, WSDA, Commerce, and OSPI). Due to partners pulling away to focus on COVID response, the group developed several recommendations but were not able to flesh out steps/goals. The agencies agreed to delay and engage stakeholders over the next year to develop recommendations, steps, and goals. Legislators are comfortable with the plan, and there will be outreach this fall on the next steps/timeline. The plastic bag ban passed and was signed into law creating a ban deadline for January 1, 2021. Ecology’s role is to develop education and outreach materials for grocers, restaurants, and retail businesses regarding the ban and

allowable substitute carry out bags. Businesses have a year to use up their current supply of paper and plastic bags. Enforcement of the ban will be complaint-driven, no inspections. We are in the final stages of completing the CROP. The legislature asked for an independent study on plastic packaging. The report is due in October, and the draft report will be posted by the contractor this week. The Recycling Development Center is up and running, and is meeting more regularly. Meetings are just with the Advisory Board, but the public is invited to attend and have an opportunity to comment.

The legislature decided to cleanup RCWs in Health and Safety Title 70A RCW. The Solid Waste Management Act was RCW 70.95 and is now RCW 70A.205. The cleanup passed and the code reviser moved the content, but there has not been a good crosswalk. If you are looking for statutes, they are now in title 70A. Julie is working on a focus sheet to find new statutes with the correct reference numbers, and will be sent to the SWAC and local government partners in the next couple of weeks.

## **Recycling Contamination Reduction & Outreach Plan (CROP) Update – Peter Guttchen**

*Cell: 564-999-3287, [peter.guttchen@ecy.wa.gov](mailto:peter.guttchen@ecy.wa.gov)*

Peter recognized local government partners and the Ecology team for their contributions. Root causes of contamination including consumer confusion, doubt, and good intention were reviewed. Harmonizing materials lists, policies, and programs will help reduce contamination by establishing consistency across regions and the state. CROP includes tools to support regional planning. Data from Ecology's facilities database and other sources were used to identify what MRFs are handling curbside materials. More regional coordination is emphasized. MRF shed maps were reviewed. A statewide action plan is included. The local CROP template provides a framework to local governments to develop their own CROPs. A Best Management Practices (BMP) and Resources companion guide and a recycling contamination resource library were also developed to support local governments.

The public comment period closed at the end of August. The final draft is expected in September, and publication in October. Public comments were positive regarding the background, context, root causes, resources, data associated with strategies, clean streams, harmonization, MRF shed maps, BMPs, and the resource library. Changes to the current draft included many suggestions for improvement including adding more information to address environmental and social benefits, and additional content and resources to highlight tools such as life cycle analysis to help local governments make better informed decisions about what to collect in their programs. Many new ideas were suggested for BMPs and the resource library. Clarifications were made regarding county authority for residential hauling and additional information was provided to identify options for collecting data on recycling contamination and its impacts. There was some confusion about how to use the template. Clear direction will be provided in the final draft. Clarification will also be provided on how to crosswalk the template with the requirements and regional planners will reach out to their local partners to ensure they have the support they need to complete their CROPs.

## **Plastics Study Update – Alli Kingfisher**

*Cell: 509-960-1290, [alli.kingfisher@ecy.wa.gov](mailto:alli.kingfisher@ecy.wa.gov)*

The RCW was updated to 70A.520. Cascadia Consulting Group is the independent third party contractor hired to conduct a study. The scope of work included five tasks. COVID presented challenges with getting information from plastic manufacturers as they were retooling to make PPE. The timeline shifted due to COVID, but is only behind by about a month and we are catching up on lost time. Many research tasks were running concurrently. Final recommendations were delivered Monday September 14<sup>th</sup> and are published on the website. We are in the process of repackaging all reports into one final report to the legislature. The stakeholder report will be posted in the next two weeks.

When considering the recommendations having sustainable funding mechanism recommendations was important. There are ten overall recommendations in four "buckets". Primary and interim recommendations were reviewed. There were multiple options for stakeholders to provide comments. All final materials are posted on the EZ view page. You can sign up for email updates and track the study on the site, or direct questions to Alli. She is now the point of contact (not Cascadia, as was indicated on the slide).

Questions: Is there a focus on circular economy? The focus was on how to meet the goals stated in the law. The primary recommendation from the contractors was for full EPR for all packaging. Expanding policy action beyond plastics comes

out of a real concern for potential market distortions and unintended negative environmental consequences that could result from regulating plastics in isolation. In addition, materials in most of the state are collected in via single stream. It is difficult to separate out the materials. The contractors did the research and felt that the whole waste stream should be looked at. The legislature and Ecology did not direct them to look at it in a particular way. Was the King County report used? Yes, where relevant. They used information from that report. However, the report is still being finalized. The King County report has similar recommendations and looks at similar waste streams, goes more into depth because they are working on it longer and have a wider scope. We feel they are delivering the report the legislature asked for. Were there changes or additions based on stakeholder feedback? They were incorporated into the report that went out on Monday. The legislature and the sponsor Senator Rolfus were very clear they did not want an advisory committee and wanted a stakeholder consultation process and not a stakeholder engagement process. It was not an expectation to incorporate comments into the report. Under the recommendations, what do you see under the private sector MRFs? We are not sure if we have a policy position on that. A lot could be proposed for legislation, but we do not know the possible specifics at this time. Why was the litter tax fund omitted in the study? We do not plan to include it in this report. We are aware of the importance of the litter tax fund and how it was set up to be used under statute. There needs to be a policy discussion with all stakeholders if a bill comes forward. We do not know that they were directed to look at the litter tax account. This was not a decision by Ecology and was done by an independent consulting firm. Ecology can definitely consider it.

## **Bag Ban Update – Shannon Jones**

*Cell: (360) 742-9874, [shannon.jones@ecy.wa.gov](mailto:shannon.jones@ecy.wa.gov)*

Outreach materials are in draft form and will be available as a tool kit October 1. Timeline for implementation is in the material distribution and gear-up phase. We are setting up an enforcement plan, complaint hotline, social media plan, and content. The website will be in the next day or two. There will be a report in 2024 to the legislature that discuss implementation and current requirements. The ban passed this March and is effective January 1, 2021. The law bans all single-use plastic bags. A stakeholder meeting is scheduled on September 22 to showcase outreach materials and get feedback. Most materials are geared toward business owners and not the general public. Feedback will be incorporated and made available online through the tool kit. A flyer will be included that is sent to the Department of Revenue about requirements. Shannon will reach out to businesses individually with more than one location in Washington. The hope is that they will provide feedback to associations and post signs. Draft materials were shared and were recently updated based on new comments received. Materials will be posted on the website and in translated versions.

Questions: Why is Bothell not one of \$.10 cities? Shannon is not sure, and may have missed it.

Comments: Retail grocery stores are a huge proponent of this legislation and appreciate Ecology's support. There is a potential shortage/delay in January with reusable totes. Totes can be used – just not handled by checkers (they must be self-bagged). There may be guidance in public outreach with a culture of self-bagging. There is an issue that restaurant partners have because they are doing a majority of takeout now. This creates a significant bag shortage on paper and especially plastic. We will need help and support to figure out a path forward. Shannon is reaching out to manufacturers. Ecology will work with businesses to ensure this is not a burden and can be complied with. It will not be punitive for elements outside of business's control. It was suggested to reach out both to manufacturers and distributors.

## **Public Comments**

No comments

## **Adjourn**

Laurie Davies stated that she appreciated everyone's attendance and feedback. She said it is important to continue connecting with participants and their constituents moving forward. The meeting adjourned at 11:54.

## Attendees

### Committee Members

Quinn Apuzzo, Recology King County  
Jay Blazey, Cedar Grove  
Holly Chisa, NW Grocery Assoc. & Inst. of Scrap Metal Recyclers  
Amy Clow, Department of Agriculture  
Laurie Davies, Department of Ecology  
Steve Gilmore, Republic Services  
Catherine Holm, Washington Food Industry Association  
Patti Johnson, Kittitas County Solid Waste Maintenance  
Ann LaRue (for Danny Kermod), Utilities & Transportation Commission  
Troy Lautenbach, Lautenbach Industries  
Kristine Major, Spokane Regional Solid Waste System  
Rich McConaghy, City of Vancouver  
Julie Robertson, Ex-Officio Member, Department of Ecology  
Lisa Sepanski (for Jeff Gaisford), King County Solid Waste Division  
Megan Smothers, Washington State Recycling Association  
Heather Trim, Zero Waste Washington  
Rod Whittaker, Washington Refuse & Recycling Association

### Other Attendees

Lauren Aguilar, Serlin Haley  
Jules Baily, Oregon Beverage Recycling Cooperative  
Michael Brady, Parametrix  
Nora Burnes, Bill Stauffacher Communications  
Ray Byrne, Spokane Regional Health District  
Vicki Christophersen, Christophersen Inc.  
Josie Cummings, American Forest & Paper Association  
Susan Fife-Ferris, City of Seattle  
Julie Gilbertson, City of Vancouver  
Peter Godlewski, Association of WA Business  
Carlos Gutierrez, Consumer Healthcare Products Association  
Karen Hultgren, Pierce County  
Paul Jewell, Washington State Association of Counties  
Keith Johnston, Tacoma Pierce County Health Department  
Cherish Miller, Revolution Company  
Shannon Pinc, NatureWorks  
Bill Stauffacher, Bill Stauffacher Communications  
Michael Williams, Costco

### Department of Ecology Solid Waste Management Program

Heather Church  
Beth Gill  
Peter Guttchen  
Shannon Jones  
Alli Kingfisher  
Monica Martinez  
James Rivard  
Marni Solheim