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Skagit County  
Solid Waste Advisory Committee (SWAC)  
Meeting Minutes  
Wednesday, January 22, 2020

**Members Present**

Andy Hanson  
Britt Pfaff-Dunton  
Diana Wadley  
Leo Jacobs  
Margo Gillaspay  
Matt Koegel  
Tamara Thomas  
Todd Reynolds  
Torrey Lautenbach

**Representing**

City of Mount Vernon  
Skagit County Health Department, ex-officio  
Department of Ecology, ex-officio, *present by phone conference*  
City of Sedro-Woolley, SWAC Vice-Chair  
Skagit County Public Works/Solid Waste Division, ex-officio  
City of Anacortes, SWAC Chair  
District 2 Citizens  
Skagit Steel & Recycling, Recyclers  
Lautenbach Recycling, District 1 Citizen

**Members Absent**

Brian Dempsey  
Leo Jacobs  
Scott Thomas  
Not Represented  
Not Represented

**Representing**

City of Burlington  
City of Sedro-Woolley, SWAC Vice-Chair  
Town of La Conner  
District 3 Citizens  
Agriculture Representative

**Visitors**

David Bader  
Elena Pritchard  
Michelle Metzler

**Representing**

Lautenbach Recycling  
Skagit County Public Works/Solid Waste Division/*recorder*  
Haulers/Waste Management

**Introductions**

Matt Koegel, Chair, requested introductions of all in attendance. Names and business titles were offered by each attendee prior to addressing agenda items.

**Call to Order**

Mr. Koegel, Chair, called the meeting to order at 4:40 p.m. in the Continental Building Crane Room at 1800 Continental Place, Mount Vernon, Washington.

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**Public Comments**

Mr. Koegel, Chair, opened the floor for public comments.

There were no Public Comments.

**Review and Approve Minutes**

Mr. Koegel, Chair opened the floor to discuss the November 13, 2019 minutes.

Mr. Koegel, Chair, requested a Motion to Approve the November 13, 2019 minutes as written.

A Motion to Approve was made by Ms. Thomas, District 2 Citizens to approve the minutes with edits as noted by Ms. Tamara Thomas. The Motion to Approve was seconded by Mr. Torrey Lautenbach, Lautenbach Recycling. By a vote of the Membership, the Motion was unanimously passed. Mr. Koegel, Chair, declared the minutes of November 13, 2019 to be approved with Edits for Clarification.

**Agenda Items**

A Solid Waste Advisory Committee meeting; open to the public, was held on January 22, 2020 for anyone to speak on any topic on the agenda, or items not listed on the agenda:

a. Recycling Development Center Update

The Recycling Development Center was in legislation that passed last year. The Department of Ecology is kind of hosting the Recycling Development Centers. The first meeting centered on brain-storming ideas of what we want to see in the future to help recycling markets in Washington State. I was there as a representative for the Washington County Solid Waste Managers west-side. There will be another meeting in a couple of months. Areas to focus on will be Research and Development and supporting new industries and researching new businesses with the State. They will look at extended producer responsibility and working with other agencies already doing this work. Financing and Funding Sources to help look into new research and support new businesses that might be trying to start out. The discussions addressed working more with our neighbors to the North and South to learn from what other people are doing. The Center is actually an Ecology employee as well as a Department of Commerce employee, so they are the ones that are actually going to start working on a work plan for the next steps that will be taken. The next meeting will be sometime this Spring.

There was a presentation early on before people had gotten up to speed about what they were doing. One of the things that was a little disturbing was that there was a lot of emphasis on giant regional facilities. If there were more diverse and smaller facilities

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that could process particular waste streams, it could create a more stable system. It would be beneficial to see more emphasis on small local processing.

There have been some discussions regarding some of that property being sold for housing. The only thing the City owns in that is a baseball field, everything else is owned by the County. The school district is potentially trying to take that over and has its own plans. That facility is used on a regular basis throughout the year. It is difficult to use something for planning, whether it's for humans in disasters or debris from disasters, if it gets built over.

### b. Disaster Debris Management Plan

This Plan was discussed with Leo Jacobs, City of Sedro-Woolley back in December. This was one of the High Priority Recommendations and ties into the Management Plan. Developing a Disaster Debris Management Plan is a high priority recommendation to develop a plan to handle major flood and earthquake debris. It was agreed to see if there are any other Cities that would be interested in putting together a Plan. Mr. Jacobs suggested helping each other develop these Plans for jurisdictions. The main challenge would be to figure out a staging area to hold the debris. There will be another meeting for further discussions to include interested parties from other Cities. Ms. Wadley provided information to contact the Department of Ecology's disaster debris expert. He can provide new information stemming from FEMA. In the past, it was required to have a FEMA approved Plan to get extra bonus funding in the event of a disaster. Apparently, that program has ended; which in a way might be a little bit easier. To get a FEMA approved Plan, it is a huge ordeal and we don't necessarily feel like we want to do that. One of the goals for the year of 2020 is to work on a Disaster Debris Plan to address potential disasters such as earthquakes and flooding, flooding being the first priority to address. These Plans are usually all very general. They state that they will pick some places to stage it, and then nothing ever happens until you have a disaster. The first step is to get permission and get the permits in place for the staging areas. It is necessary to find a way now to source separate the materials as they come in. Part of the process will be to determine available property owned by Skagit County to secure multiple sites. The Cities will probably want to have their own staging sites within the City. The Fairgrounds in the City of Mount Vernon is a large site but has been designated as a housing shelter to hold people in case of a disaster. The first step would be to contact the Cities first to get an opinion on what area works best for them, and bring that to the table first and then determine if that works for the County as well. Some discussions have been had by the City of Mount Vernon relative to a Disaster Plan for the City, but not any Plan for debris. The City of Mount Vernon is limited for resources for locations inside the City, as is probably the case for everyone. The first objective will be to find property that already has the proper zoning. There is no other Solid Waste zoned area in the County besides the Transfer Station location on Ovenell Road in Mount Vernon. This is something that will need to be addressed since it doesn't exist. Mr. Chuck Matthews (DOE) can be an asset in this area; along with emergency responders and the Sheriff's Department. Even a temporary permit may be difficult to obtain. A good starting point is to determine if there are any available outlines indicating zoning such as something

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indicating a certain circumference of square mileage where you need to have disaster zones or collection zones in every so many miles. FEMA has a lot of available planning documentation, but it is mostly geared towards hurricane debris.

### c. CSWMP-High Priority Recommendations

Flow control is a priority that will need to continue. The City of Mount Vernon and the Community Development Department drafted a letter that has the County Code. It will be in every permit packet that will go out in the City of Mount Vernon. The letter will be attached to the front page of every permit packet, and will explain that the City of Mount Vernon is the only hauler allowed to haul garbage out of the City. All other haulers must bring garbage to the Skagit County Transfer and Recycling Station. This educational document became effective on January 1, 2020. Whenever there is a project, a site visit is done to speak with everyone at the project. In many cases, either people don't care when they are on project, or don't know how the process works within the Cities. Please send an e-mail to submit additional information that might be beneficial to the process. It is not certain yet what the guidelines are for State projects. Many have already been working with contractors for years and therefore just naturally call that contractor to bring in a dumpster. Many claim to not know that garbage generated within the City must go to the Transfer Station because it is not stated in the permit process. It is now stated in the permit process that the City of Mount Vernon is the only provider, and that garbage must be taken to the Transfer Station. In order to provide construction, demolition and recycling options, business contact information is given to the project managers which includes Waste Management, Skagit River Steel and Recycling and Lautenbach Industries.

County inspectors visit site projects, but do not police the garbage disposal or solid waste issues. The language is included in the County's Demolition permit. There are inspectors on sites making sure that excavation piles are covered with a tarp. This enforcement may tie in with the Code Enforcement Officers of each City or County. It is unknown what their job duties are, but it could be part of those duties.

If a contractor comes into the City of Mount Vernon to build, the City can offer them a recycling dumpster. Some contractors have worked with Waste Management for years, which works out well if they have construction and demolition materials. If they have garbage, then the City of Mount Vernon is the only provider that can haul garbage to the Transfer Station. This enforcement has been successfully managed by the City for small projects. How to collectively enforce larger projects such as schools and builders is more difficult and is an unanswered question. Reason would suggest that whoever is doing the enforcement of any of the other parts of the permit would absorb garbage enforcement as part of their duties as well. Flow control needs to be addressed before the demolition phase. It is unknown if there is an on-site inspector when project demolition begins. In the past, the Committee has discussed adding the submitting of receipts to the permit process. It has also been discussed that a plan form or material destination form be added to the permit process. The permit does disclose asbestos requirements and requires samples provided to NW Clean Air. It was agreed that two additional requirements

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should be added to the demolition permit packet. First, to complete and submit a material plan form, and secondly, submit receipts that the materials were taken to the Skagit County Transfer Station. Currently, a ticket or small fee from the Sheriff's Office is the only penalty for removing waste out of Skagit County.

The issue of flow control was addressed at the last Governance Board Meeting. The question was raised by a Board member as to why we should care. There are numbers available now that can be presented to the Board to explain how much material is leaving the County in terms of lost revenue and lost jobs. There is an inter-local agreement in place requiring haulers to bring garbage coming out of Mount Vernon, Sedro-Woolley or Burlington to the Transfer Station. Violation of the County Ordinance and having to pay a fine should deter this from happening. It would be hard for the Municipalities to put teeth to it if it is not supported by the County. If the County wants to add fines, and Municipalities want to follow suit with what the County wants to do, then collectively we can all be on the same page. It would be hard for a Skagit County Sheriff's Office to enforce a Solid Waste issue that needs to come from somebody else, if that is what's happening.

### d. Update on Whitmarsh Landfill

The Skagit County Commissioners were the first to sign a settlement agreement. It will also be signed by Washington State Department of Natural Resources and a representative from Texaco and Shell. These are the four PLP's for the Whitmarsh Cleanup Project.

The County is taking the majority of the share on the Cleanup and will also be the one who is responsible for implementing the Cleanup, which means overseeing getting a contractor. The County will also be responsible for the Operation and Maintenance of the Landfill. D & R will be paying us a little over \$3 million dollars and Shell and Texaco will pay in \$1.8 million dollars each. This is the site where the Snow Mountain Mill was.

### *Table 13 – Cost Estimate for Cleanup Action*

This is where Snow Mountain was, but it is no longer there. Everyone wants to see the bottom line number, which is \$13,741,000.00. The settlement agreement is contingent on D & R getting funding from the State Legislature, which would be the session that they are currently in. If they don't get funding within a year then the settlement agreement falls apart and is void. It's still up in the air. As you can see, the overall Cleanup will be \$13 million. So the \$10 million dollars in the Construction Cleanup would be for the re-grading and capping and all of the expenses that go into the dealing with the waste water and all expenses during the construction of the new CAP. The County would be responsible for implementing the O&M. So we are looking at maybe \$7 or \$8 million dollars on the County from that estimate. There is an opportunity to get funding through the Department of Ecology from the State through something called the Remedial Action Grant and that could return 50% of the cost back from the State. That is something that we are going to be pursuing. Current discussions with the Department of Ecology will

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determine whether to apply this cycle or the next cycle. The County is also looking into obtaining help to pay for the County insurance that was held during the time that the Landfill was operated. The County is trying to avoid paying for it all through tipping fees. Hopefully, it won't come to that point.

### *Refuse Excavation and Grading*

The process is to go around the edge and scoop it out. Basically, bring it up on to the top and re-grade it. They are putting down a GCLL and it's going to tie down. They are actually going to excavate down into the bay mud and tie it down right into the bay mud for further protection along that shoreline. They are going to put in gas/leachate control.

The County will be responsible for monitoring it. Skagit County has other landfills that are already doing that and have a Hydrogeologist on staff who hopefully can implement that into the system. It's going to be pretty intense monitoring after it is first finished to make sure the CAP is in good condition.

This is not the last of the old Landfills that are out there. It is probably the biggest one, but Skagit County does have other abandoned dumps around the County that have not been cleaned up yet. There is no requirement since they are not in an area that's very sensitive. But there is increasing development in the areas and people are maybe getting closer to these areas and maybe want to fill up those areas. There is one up in Alger. You can go onto Skagit County IMAP to see all the old abandoned dumps and landfills throughout the County and Cities.

The settlement agreement has been signed by the County and will be going to the other organizations for signature.

### *6.0 Cleanup Action Schedule*

This document is a timeline draft of when to expect the next steps to take place. The Department of Ecology was provided the written Cleanup Action Plan draft prior to January 10, 2020.

The Public Comment period did not start on January 17, 2020 as planned. It will probably start in late February. Ecology will put the draft of their Cleanup Action Plan out for comment. This is a best-case-scenario that the consultant came up with. In the best case, construction will begin in 2022. There are some interesting wrinkles going on because the landfill is right next to the Heron Habitat. The County will meet with the City and the Land Trust. The City will require a Heron Habitat Management Plan which still has to be developed so there are a lot of steps. It was a big deal to get the settlement agreement signed, so now there are actual numbers to share. All the other entities still need to sign off agreeing that they are going to provide the money. The oil companies are pretty ready to just sign it and write a check and just be done with it. Possibly half of the \$13 million should come from the Ecology grant. Most of waste in the Landfill was found to be just regular house-hold garbage. You will be notified when the CAP goes out for Public Comment.

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This has been an on-going process. The County owns a bit of properties, D&R owns a bit and Snow Mountain owns some of the properties as well. There were also a couple of other small parcels that other people owned. One of the parcels went through a lot. Someone owned it and then they passed away and then it moved through heirs. It was a year-long process to find the owners. The County had to go to Court to declare who was the actual owner of the property for the Consent Decree; which will be released for Public Comment. No one was required to pay taxes on the property since it was only worth approximately \$500 and below the threshold.

**Announcements/New Business**

Mr. Koegel, Chair, opened the floor to address any announcements or new business.

There were none.

**Public Comments**

Mr. Koegel, Chair, opened the floor to address any public comments.

There were no public comments.

**Unfinished Business**

Mr. Koegel, Chair, opened the floor to address any unfinished business.

There was none.

**Adjourn**

Mr. Koegel, Chair, thanked everyone. The meeting adjourned at approximately 5:20 p.m.