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Skagit County
Solid Waste Advisory Committee (SWAC)
Meeting Minutes
Wednesday, March 11, 2020

Members Present

Britt Pfaff-Dunton
Leo Jacobs
Margo Gillaspay
Matt Koegel
Tamara Thomas
Todd Reynolds

Representing

Skagit County Health Department, ex-officio
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

Members Absent

Andy Hanson
Brian Dempsey
Diana Wadley
Scott Thomas
Torrey Lautenbach
Not Represented
Not Represented

Representing

City of Mount Vernon
City of Burlington
Department of Ecology, ex-officio
Town of La Conner
Lautenbach Recycling, District 1 Citizen
District 3 Citizens
Agriculture Representative

Visitors

David Bader
Elena Pritchard
Shannon

Representing

Lautenbach Recycling
Skagit County Public Works/Solid Waste Division/*recorder*
Department of Ecology, Recycling Coordinator, *by phone conference*

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 4:30 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 January 22, 2020 minutes.

Mr. Koegel, Chair, requested a Motion to Approve the January 22, 2020 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 March 11, 2020 for anyone to speak on any topic on the agenda, or items not listed on the agenda:

a. Flow Control Information-Governance Board Update

A Governance Board Meeting may be set for April, depending on the status of the current health crisis in Skagit County.

Flow Control was briefly discussed at the last meeting. During the last meeting, someone raised the question as to why should we care. The goal now is to be more prepared to respond to that question at the next Governance Board Meeting.

Flow Control refers to the solid waste that is generated in Skagit County needs to be disposed of through the Skagit County Solid Waste System. For the Cities it means that it has to be disposed of through the City system as well. Skagit County and the Cities have it in our Code. It does not apply to recyclables and some kinds of specialty waste that we are not able to take, such as hazardous materials. Our concern when seeing materials leave the County outside of our Solid Waste System, is that we; the Solid Waste System, is losing out on that revenue. That includes the Haulers as well. Currently, the Transfer Station is charging \$97.00/ton for disposal and \$96.00/ton for Municipalities. We pay just under \$55.00/ton in disposal. The remaining \$42.00/ton pays for running the Transfer Station, the staff, Litter Control, the legacy Solid Waste sites, and the Household Hazardous Waste Facility. Cities also lose out on revenue when the contractors haul out of the City. It would be beneficial if the Cities could provide an estimate on lost revenue. When local businesses follow Skagit Counties Flow-Control rules, they might lose projects to other companies that are not following the local Code is another concern. Lautenbachs' volume estimates are \$25,000/ton for school demolition in Mount Vernon, \$25,000/ton for the high school in Anacortes, \$800/ton for the revetment project in

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Mount Vernon, \$500/ton for the Whitmarsh Road Cleanup. The Whitmarsh Road Cleanup project was temporarily delayed due to unknown hazardous materials in the clean-up project. Also, \$16,000/ton for the Tri-County clean-up, some of which was disposed of through the Skagit County Solid Waste System. \$800/ton for Seattle City Light demolition in New Halem. Skagit River Steel usually sees material during the Spring and Summer months coming from that area. Looking at the tonnage minus the Whitmarsh and Tri-County Recycling projects, comes to \$6,600 tons times the \$42/ton brought outside of disposal costs, is approximately \$277,000 in lost revenue. This is over a 5 year span of time. Hopefully, the Governance Board will see this revenue loss as significant. These figures do not take into account Mount Vernon's lost revenue. Once it gets outside of our systems, we have no control and no knowledge of what's going on with it. It could easily be illegally dumped. Or they could call it recycling and take it over to eastern Washington landfill. A list of lost revenues by Cities will be provided at the next Governance Board meeting. Those are mostly public projects, but there is a fair amount of private demolition that occurs that is not counted. The Christianson demolition project used out-of-county contractors for the job. The Jail project lost revenue figures may not be included in these reported numbers. It seems that contractors are driving the materials to King County to negotiate the best prices. Seattle was having trouble with their flow-control with materials going to non-subtitled landfills, which don't have the liners and the protection that other landfills have. The City of Sedro-Woolley is very close to being in the position of being able to require receipts for their demolition projects. It has been a slow process in getting the Engineering and Planning Departments to understand that this is something that we need to do. Contractors would be required to turn in their receipts before they would be issued an occupancy permit. This information should help give the Governance Board some perspective on the seriousness of the situation. It is hoped that the Governance Board could provide some guidance in creating a letter to issue during the permit process.

b. Tri-County Recycling Update

Approximately 1,000 tons or \$97,000 came across in February. It was an extra 100 tons per day. Tri-County was collecting recycling from their front-load service, their toters and not processing it. It was piled up un-covered at their Facility and turned into an un-licensed dump. The Health Department has been doing enforcement action with Tri-County over the last several months. The big piles of co-mingled materials has been removed from the site over a month ago. They have been intermittently collecting cardboard and mixed paper and bailing and shipping it. There is still some accumulation of plastics and glass mixed into some of those loads, which has accumulated at the site. They have disposed of 16,000 tons. There was some baled plastics, largely 1's and 2's, on site. They were not at the specs they needed to be and were not able to be moved. There was some bales of tin. They appealed the last Notice of Violation and went through an Appeal Hearing with the Health Officer requesting to continue to take in cardboard and mixed paper. The Health Department held a hearing for Tri-County. The Health Officer determined that a permit is required to operate at that site and ordered to cease and desist. They were given a couple of weeks to notify their customers that they are going out of business and need to find alternative ways to handle their materials. They were notified that they must stop depositing at the site on March 13, 2020. In order

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to prevent any inconvenience to customers, Skagit River Steel has agreed to receive mixed paper and cardboard from them just since Thursday of last week. The mixed paper has a charge and cardboard has a little value. After coming to an agreement, in principal, we just received mixed paper, which was a little concerning. Cardboard just starting coming in this week. If the negotiation process can continue, materials will continue to be accepted. The material has been able to meet specs. Some customers have contacted the Health Department and were advised that the owner of the Solid Waste(includes recyclable and garbage) is responsible for the waste until it gets hauled off. It must be hauled off by a reputable business. If a business goes bankrupt, and there is a can of material that does not have any market, then that owner needs to get rid of it, from a Solid Waste standpoint. From a contractual agreement, what kind of contract Tri-County had with their customer is between them and is a civil issue. Plastics, glass and metals by their nature, tends to be much more contaminated. By their nature, there are a lot more residuals that have to be thrown away and that's why they had the big pile of co-mingled residuals on the property. If you are receiving materials that does not have value, and you are not able to cherry pick out a few good 1's and 2's, you are still responsible for cleaning up all the other materials that are left. They can still continue to do vehicle maintenance on the property. All solid waste materials must be cleaned off the site by the beginning of April.

c. Whitmarsh Update

The documents regarding the clean-up went out for public review until April 7, 2020. This includes the draft Clean-Up Action Plan and the Consent Decree and a couple of other documents. The draft Clean-up Action Plan discusses the different alternatives that was reviewed in deciding which Plan to use. It gives more detail regarding which Plan was chosen and why. It discusses the next steps needed for the Clean-Up. The GCLL Alternative(Geo-Synthetic Clay Laminated Layer) to go around the edge of the Landfill and hold all the material in, re-slope and re-grade it, put the GCLL over it and tie it down. Gas venting and new wells will be added and then capped and then fenced. It is in an area that is zoned Industrial. It was not designed to be able to handle any industrial use such as re-building on the site. The Department of Ecology is in charge of deciding what can be done on the site later. The County does not own any of the property, but there are private land owners and D & R so it would be up to them. Maybe some light recreation. It is a good birding area with Herons living in the area. The private land owners are required to participate since they do own the landfill that needs to be cleaned up. It is property that is not worth very much and they don't have any funds to contribute. They will sign-off granting access to the property. They will still own the property but will never be able to develop it. They are considering transferring some of the property to the land trust. Ground infiltration is huge in title flats. Water just doesn't come up over the top of the geo-membrane, it's also coming up from underneath. The landfill is on top of bay mud and is pretty tight so there is not a lot of flow out on the bottom, but do see it through the top of the landfill which is a lot more porous. Once it is covered with the GCLL and brought down into the bay mud, it will create a tight seal. The leachate levels will be monitored within the landfill and hope they will gradually go down. This will be monitored with Ecology. The funding is estimated at \$16-\$17 million for the construction and the first year of operations and maintenance, this includes 20%

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contingency and increasing cost. Also, another \$3.3 million for the next 10 years. The settlement agreement was signed by Skagit County, DNR, Shell and Texaco. DRN will contribute \$3.1 million and Shell and Texaco will contribute \$1.75 million each to Skagit County; who has taken on the responsibility for implementing the clean-up as the operator of the site. This money can be used for construction and O & M. Currently, none of the funds are guaranteed while waiting on the contribution from DNR, which has to be made through the legislator. If that does not get approved, then the settlement agreement will need to be re-negotiated. We do qualify for a remedial action grant from Ecology, which can fund from 10-50% of our eligible cost of the project. Those funds can be used for planning, construction, oversight and 1 year of O & M. That grant application has been submitted, and will cover the 2021-2023 biennium. There is insurance that could provide some money. Skagit County carried liability insurance at the time the landfill was in operation. These funds would be used for remediation construction, but not the O & M. The amount needed to pay for the construction is unknown at this time. Construction could possibly start around 2022 or 2023.

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 5:30 p.m.