



**WHATCOM COUNTY SOLID WASTE ADVISORY
COMMITTEE (SWAC) MEETING**

Thursday, January 25, 2023 from 5:30 p.m. to 7:00 p.m.
Civic Center, Downstairs Garden Room
322 North Commercial Street, Bellingham WA

You may also join our meeting from your computer, tablet or smartphone.

<https://us06web.zoom.us/j/85105525092?pwd=QlabCQhi1b5O1jPMnukyalYUmN5hq3.1>

Meeting ID: 851 0552 5092

Passcode: 292674

- A G E N D A -

Meeting Topics		Outcomes	
1.	Call to Order	5:30	Action
2.	Roll Call, Determination of Quorum, Approval of Minutes, Approval of Agenda, Election of Officers	5:30 – 5:40	Action
3.	Public Comment Period	5:40 – 5:50	Action
4.	Bylaws Amendment	5:50 – 6:00	Action
5.	Whatcom County Code 8.10 Revision	6:00 – 6:10	Action
6.	Nooksack Valley Disposal operations update	6:10 – 6:25	Information
7.	Disposal of Toxics Feasibility Study	6:25 – 6:35	Information
8.	Outreach and Education Workplan	6:35 – 6:45	Information
9.	City of Bellingham Single Stream Recycling and FoodPlus! Update	6:45 – 6:50	Information
7.	Open Session, Announcements	6:50 – 7:00	Information
8.	Adjournment	7:00	Action

SOLID WASTE ADVISORY COMMITTEE
Discussion Form
January 25, 2024

AGENDA ITEM 2: *Roll Call, Determination of Quorum, Approval of Minutes, Approval of Agenda, Election of Officers*

PRESENTER: *Rodd Pemble, Chair*

BOARD ACTION: Action Item Discussion Information

COMMITTEE ROLE / ACTION REQUESTED

Review and approve draft meeting minutes. Elect SWAC chair and vice-chair.

ATTACHMENT(S)

- Draft October 26, 2023 SWAC Meeting Minutes

Whatcom County Solid Waste Advisory Committee (SWAC) Meeting OCTOBER 26, 2023

Members Present:

Rodd Pemble	Lisa Friend
Sean O'Neill	Ken Domorod
Brandi Hutton	Carol Frazey
Kevin Renz	Pinky Vargas
Mike McQuarrie	William McCarter

Members Absent:

Staff Present:

Jennifer Hayden	Erika Lautenbach
Chelsea McGlothan	Lynnette Bennett
Erica Littlewood	

Others Present:

Carolyn Bowie, WA Department of Ecology
Priscilla Brotherton, RE Sources
Jenna Deane, Sustainable Connections
Stephanie Harvey, Green Earth Technologies
Troy Lautenbach – Lautenbach Recycling
Beth Chisolm, WSU Extension

1. Call to Order

The meeting of the Whatcom County SWAC was called to order by Rodd on Thursday, October 26, 2023 at 5:30 p.m.

2. Roll Call, Determination of Quorum, Approval of Minutes, Approval of Agenda

- Roll call was taken first.
- Quorum was present
- There were no objections to the July minutes as presented. Carol moved to approve. Pinky seconded the motion. The committee voted and the minutes were approved.
- Kevin moved to approve the agenda. Carol seconded the motion. The agenda is approved.

3. Public Comment Period

No public comment

Meeting Topics:

4. Advisory Group Survey Report

Erika stated Chris Phillips was doing some consulting work for the Health and Community Services Board and Commissions. He interviewed and sent out a survey to committee members asking how to improve the experience for committee members to make committees more effective. Chris' write up was provided with the agenda.

Lynnette stated there were 12 recommendations. We currently have three main strategies:

- Training and Support for Health & Community Services staff
 - Troubleshooting group dynamics
 - Sharing best practices
 - Needed templates
 - Department wide guiding documents
 - Training and facilitation support
- Standardizing templates
 - Standardized charters, bylaws, etc.
 - Guiding workplans
 - Standardized way to report achievements
- Guiding handbook
 - Guiding principles
 - Onboarding processes and expectations
 - Essential duties of chair vs. staff vs. members
 - Toolkit for staff
 - Checklist for chair and staff

Erika shared some feedback they received was they'd like to be more action focused and ensure that the time is really well used and has an impact. Carol expressed her appreciation for standardizing processes and creating toolkits. Erika stated the workplans will be helpful in guiding work. There was further discussion regarding the focus on workplans. Would like to see some standardization in what part of the plan is discussed at each meeting throughout the year to ensure there's progress being made towards county wide metrics.

It was asked if Chris had recommendations specifically for SWAC. Erika noted he did not make recommendations specific to each Board and Commission. Lynnette stated they hope to start finishing up by the end of this calendar year and hope to start implementation in 2024.

Erika noted there will be some effort to provide more information on each Committee on the County website.

5. Whatcom County Code 8.10 Revision

Jennifer discussed the revision of Code 8.10 regarding single stream recycling. In order to support SSC's operations and implement the single stream recycling, code 8.10.050 needs to be revised. The language will need to be amended or removed to enact single stream in the city and beyond. Jennifer noted Sean would be willing to provide feedback on single stream.

Sean stated the feedback from Edgemoor and Birchwood communities, has been very positive. Birchwood started pilot project in August.

The group discussed section 8, the submittal of documents and notices, which have not been submitted since 2014. 2014 was when the program moved from Public Works to the Health Department. This is an opportune time for this documentation to be submitted again. It was noted the documents should be collected and tracked once again.

The committee discussed customer outreach regarding recycling in the county. It was stated UTC requires that at least once a year, there should be outreach around what can and cannot go into the recycling and composting bins to ensure they are being used properly. Jennifer asked if Waste Wise is being used. It was noted, there should be something more than just the electronic type of information at least once a year.

It was asked if the reporting requirements being proposed to add to the code, do those exist elsewhere? What was compelling them to be submitted and is this replacing what was compelling that or is this new code language to get those reports submitted again? Jennifer noted this is current language in the code and monthly reports are required, but they've not been received or submitted. It was stated it's reasonable to reduce the management of the reports to quarterly rather than monthly and can expand if needing them more frequently in the future.

Jennifer asked Rodd if SSC collects some of the data listed in Section 8. Rodd noted he believes some only recorded for UTC customers, but will check. Rodd noted monthly recycle tonnage per material, only have the weight in an aggregate but unsure if it's in the number people may want. Once it changes to single stream, we will only know the gross tonnage and not how much paper Whatcom County residents recycled in a given month due to it being combined with other counties recycling. It wouldn't tie directly into the language. Troy noted the numbers are reported to Ecology.

It was noted the contamination rate will be needed moving forward. The committee stated once it goes to single stream fully, this is not able to be calculated unless doing waste audits and the residual rate may not be accurate as multiple programs are combined into one sorting facility.

It was noted the most important thing is diversion from landfill through recyclables and organics. There was discussion about accuracy. Contamination figures need to be known if we are going to work on diversion as a goal. If there are concerns, there needs to be discussion on flow control. It was asked how often waste characterization studies are completed? There was one done in [2020-2021](#). Jennifer noted it is a goal to have one completed in 2025.

The committee discussed participation rates. It was asked if numbers could be provided for how many bins are being set out per household per month, that can provide a baseline participation to see the change once moving to single stream.

Sean stated Wendy Welker runs the material recovery facility in Seattle. She would be who to contact regarding the waste evaluation done by Republic.

Rodd noted the recommendation was the removal of two words from the code – source separated. Jennifer noted this referred to the old plan. The new plan 2022-27. In.8.10.020 findings, waste reduction and recycling principles contemplated by the plan rather than measures. To implement recommended changes,

the deadline would be January/February 2024. It was asked if it would be appropriate to have an outreach element?

Rodd noted Jennifer will look at section for possible modifications as well as the changes recommended and maybe the committee can decide in January.

6. CSHWMP Review and Priorities

Jennifer discussed the CSHWMP Priorities. The group discussed the areas of the Comprehensive Plan they'd like to focus on. Noted committee members can email more items they'd like to focus on.

- Vactor Waste Site – currently over capacity and potentially restricting access to third parties in the new year.
 - Need for significant capital improvements to the filtration system
 - The City would like to be out of managing that site
- Page 1 – Section 3.1 – increase community knowledge around waste reduction methods
- Reducing food waste by 50%
- Section 5 – Identify opportunities to expand cannabis waste and management
- Disaster waste management
- Public education on reducing waste development
- Waste reduction – including wasted food
- Increase C&D material recycling
- Section 9.1 – Evaluate regulatory changes to increase efficiency and management (page 4)
- Section 3.4 – Review solid waste data on annual basis
- Section 5.2 – recovery of organic materials from commercial and industrial generators
- Section 9.3 – Provide sufficient funding to maintain current and expanded levels of service
- Section 7.2 – Transfer and disposal, continue to manage illegal dumping
- Section 3 – Develop relevant educational materials
- Section 4 – Multi-family, encourage management responsibility
- Increase recovery of organic materials
- Increase reduction language in the plan
- Section 5.1 – value of self-haul in organics and education in that area. Promoting as an accessibility option
- Increase support for composting program – single serving containers

7. Open Session, Announcements

Carolyn stated cannabis bill proposed in last session and was not passed through. They will be bringing it again. [View here](#). Former planner, Olivia Carros, is now the Business Organics Management Law Lead for outreach. She would be happy to attend a future SWAC meeting or provided a presentation. She will reach out to the Waste Characterization team to see if they have any data for Whatcom County specifically.

Ken discussed the proposed metal shredding from ABC Recycling and asked if there's a desire, need, or want, to have a representative attend a meeting to discuss proposal and field some questions. Jennifer stated metal is considered a commodity and we don't have oversight over metal recyclers in our county.

Sean announced 1 million pounds have been collected off public properties. Their division will be taking over Code Enforcement when it relates to litter, illegal dumping, garbage services and the SUP Ordinance.

They are also working with permitting department and storm water department to try and develop friendlier pathway for private property owners that are suffering from issues related to illegal encampments.

Troy shared a lot of items discussed are being handled at the State level currently, such as 1799.

8. Adjournment:

Meeting adjourned at 6:56pm.

CERTIFICATION

Attest: _____
Chelsea McGlothan, Coordinator
Whatcom County Health Department

Rodd Pemble, Chair
Whatcom County Solid Waste Advisory Committee

SOLID WASTE ADVISORY COMMITTEE
Discussion Form
January 25, 2024

AGENDA ITEM 4: *Bylaws Amendment*

PRESENTER: *Jennifer Hayden, WCHCS*

BOARD ACTION: **Action Item** **Discussion** **Information**

SIGNIFICANT POINTS OR EXECUTIVE SUMMARY

Whatcom County Council adopted a number of amendments to Whatcom County Code 2.03, Advisory Groups, at its December meeting. The main change is the elimination of the requirement that advisory group members be registered voters. Members must still have to have their primary residence in Whatcom County (with a few exceptions). There is also a new definition for a quorum for the purpose of holding a meeting and for approving votes. Quorum is now defined by WCC 2.03 as: "more than one-half of the total number of committee positions, regardless of whether any positions are vacant." Currently, SWAC's Bylaws define quorum as: "A majority of the currently seated voting members of the Committee, but no less than five (5), shall constitute a quorum and shall have authority to transact Committee business within the constraints of voting as defined in Subsection III." The SWAC Bylaws will need to be amended to reflect the new Whatcom County Code requirements.

COMMITTEE ROLE / ACTION REQUESTED

Recommendation and motion regarding amendment to SWAC Bylaws concerning the definition of quorum.

ATTACHMENT(S)

Proposed amendment to SWAC Bylaws

WHATCOM COUNTY SOLID WASTE ADVISORY COMMITTEE BYLAWS

The Whatcom County Solid Waste Advisory Committee, hereinafter referred to as SWAC, has been established by Whatcom County Council Ordinance No. 85-90 and as amended by Ordinance 91-002, 93-003, 2002-050, and 2009-022 pursuant to Chapter 70.95.165 Revised Code of Washington. The powers and purpose of SWAC shall be limited to those described in the Ordinance.

I. COMPOSITION

- A. **Members.** SWAC shall be composed of eleven (11) members as outlined in the Ordinance.
- B. **Ex-Officio Members.** The Whatcom County Executive may appoint nonvoting ex-officio members to SWAC who will serve at the Executive's discretion.
- C. **Appointment.** Members shall be appointed to SWAC as provided for in the Ordinance.
- D. **Terms.** Terms of office shall be as provided for in the Ordinance. Reappointment to consecutive terms is as provided for in the Ordinance and as set forth in the Whatcom County Home Rule Charter.
- E. **Officers.** The officers of the Committee shall include a chair and vice-chair who shall be elected by the voting membership of the Committee. Elections shall be held at the first regularly scheduled meeting after January 1st of each year. The term of office for chair and vice-chair shall be one year. Chair and vice-chair may serve more than one term, but not more than three years consecutively. The chair shall preside over all meetings. The vice-chair assumes the responsibilities of the chair in his/her absence or disability. In the event the chair and vice-chair are absent, the meeting shall either be presided over by an acting chair elected by the members present, or be postponed. In the event of a vacancy in the office of chair, the vice-chair automatically succeeds to the chair. A vacancy occurring in the office of vice-chair for any reason, including succession, is filled by election of the voting Committee membership for a replacement to serve the unexpired portion of the term.
- F. **Vacancies.** Vacancies shall be filled as provided for in the Ordinance.
- G. **Attendance.** A member of SWAC who misses three (3) unexcused absences from meetings in any twelve (12) month period may be removed from office by recommendation of SWAC and/or the Whatcom County Executive and approved by the Whatcom County Council.

II. STAFF

SWAC shall be staffed by the Whatcom County Solid Waste Division, as necessary, to provide support to SWAC. The Solid Waste Manager, or his/her designee, shall serve in a professional capacity as its technical advisor and administrative officer.

III. MEETINGS

- A. SWAC shall meet regularly as required to carry out the purposes of the Committee, but at least annually. Meetings may be held at various locations within the County with written notification to the membership and chairperson designating the time and place of such meetings.
- B. **Minutes/Agendas.** Minutes of all meetings shall be kept by staff and distributed to the members prior to the next regularly scheduled meeting. Meeting minutes shall be approved by a majority vote of members present. Agendas shall be prepared by staff, with verbal approval of the Chair, and distributed to the members at least seven (7) days in advance of any regularly scheduled meeting.
- C. **Public Access.** All meetings shall be open to the public. Approved meeting minutes shall be filed on record with the Whatcom County Council's Office and shall be made available to the public as a matter of public record.
- D. **Quorum.** More than one half of the total number of Committee voting positions, but no less than six (6), shall constitute a quorum and shall have authority to transact Committee business within the constraints of voting as defined in Subsection III.

Order of Business

1. Call to Order
2. Roll call, determination of quorum, and approval of minutes
3. Public Comment Period
4. Reading and disposition of communications
5. Introduction and disposition of agenda business
6. Other business
7. Open session
8. Announcements
 - a. Agenda for next meeting
 - b. Time, place of next meeting
 - c. Other announcements

- F. Rules of Order.** The meetings will be governed by The Standard Code of Parliamentary Procedure (Sturgis) except as superseded by applicable law or these rules of procedure or otherwise determined by a majority of the voting membership of the Committee. The Committee shall be as clear and simple in its procedure as possible, and therefore, should avoid the finer points of parliamentary rules.
- G. Voting.** An affirmative vote of a majority of the quorum is required for transaction of business. Votes on recommendations to the County Council or County Executive will only take place if background information has been given to SWAC at previous SWAC meetings, or if such information is included with the meeting agenda. All policy or contract recommendations forwarded on to the Council or Executive, that do not pass unanimously, will include a description of the arguments for and against the motions.

IV. SCOPE

SWAC shall advise and make recommendations on matters as provided for in Section 4 of the Ordinance.

V. AMENDMENTS

To the extent that such an amendment would not conflict with the Ordinance, any of these Bylaws may be amended or repealed, and new Bylaws may be adopted, by majority vote of the entire SWAC.

VI. SAVINGS CLAUSE

Should any portion of these Bylaws be declared unconstitutional or otherwise contrary to law, such decision shall not affect the validity of the remaining portion of these Bylaws.

These Bylaws are hereby amended and adopted in a duly noticed meeting held on January 25, 2024 by an affirmative vote by a majority of Committee members.

Committee Chair

Date

SOLID WASTE ADVISORY COMMITTEE
Discussion Form
January 25, 2024

AGENDA ITEM 5: ***Whatcom County Code 8.10 – Solid Waste and Residential Recycling Collection Revision***

PRESENTER: ***Jennifer Hayden - WCHCS***

BOARD ACTION: **Action Item** **Discussion** **Information**

SIGNIFICANT POINTS OR EXECUTIVE SUMMARY:

In March 2023, Bellingham City Council approved switching to a single-stream recycling system for curbside residential recycling. This change in service within Bellingham will affect curbside recycling service in other cities and the unincorporated county, and so will require a change in Whatcom County Code 8.10, Solid Waste and Residential Recycling Collection.

SWAC discussed proposed changes to WCC 8.10 at its October 26, 2023 meeting.

COMMITTEE ROLE / ACTION REQUESTED

Approval and recommendation of proposed changes to WCC 8.10.

ATTACHMENT(S)

WCC 8.10 with proposed changes.

Chapter 8.10
SOLID WASTE AND RESIDENTIAL RECYCLING COLLECTION¹

Sections:

- [8.10.010 Purpose.](#)
- [8.10.020 Findings.](#)
- [8.10.030 Definitions.](#)
- [8.10.040 Single-family residential garbage collection.](#)
- [8.10.050 Residential recycling collection.](#)
- [8.10.060 Nonresidential and multifamily garbage collection.](#)
- [8.10.070 Submittal of documents and notices.](#)
- [8.10.080 Notice to Utilities and Transportation Commission.](#)
- [8.10.090 Modification of collection schedules.](#)
- [8.10.100 Severability.](#)

8.10.010

Authority – Purpose.

A. The director shall administer this chapter under the authority of Chapter 36.58 RCW – Solid Waste Disposal, Chapter 70A.205 RCW – Solid Waste Management – Reduction and Recycling

A. Policies expressed in Whatcom County's 2022-2027 Comprehensive Solid and Hazardous Waste Management Plan ("plan") make waste reduction and recycling the preferred methods of handling solid waste. The purpose of this chapter is to specify service levels and rate structures for recycling and solid waste collection that encourage recycling and waste reduction, that protect the public health and safety, and to ensure that, to the maximum extent practicable, only the remainder after separation should be incinerated or landfilled.

B. Certain service levels and rate structures for solid waste and recycling collection are hereby established in Whatcom County to further the objectives of the plan, including a high level of waste reduction and recycling; to ensure the provision of such solid waste collection and disposal systems and services as are in the public interest; and to secure a healthful environment for all citizens of Whatcom County. (Ord. 2018-031 Exh. B; Ord. 2014-035 Exh. A; Ord. 2003-018; Ord. 2001-041; Ord. 2001-34; Ord. 97-067; Ord. 95-045).

8.10.020 Findings.

The county council, in establishing service levels and rate structure principles, determines and finds:

A. Waste reduction and recycling principles contemplated by the plan promote the health, safety, and welfare of residents by encouraging the reuse of products and reducing the use of incineration and landfill facilities.

B. State and federal laws and regulations have increased the responsibility of local governments to manage solid waste systems in a manner that protects public health and safety.

C. The state and the county have set waste reduction and recycling as the highest priorities in managing solid waste. In order to make programs for waste reduction, curbside recycling and other source separation feasible, rate

structures must make it cost-effective for residents and businesses who generate small amounts of waste to participate in such programs, and all nonresidential accounts must be offered the option of subscribing to recycling service.

D. It is the policy of the county that collected recyclable materials be processed locally whenever practicable and that they be utilized according to the following priorities: (1) reuse intact materials in their original form for their original purposes; (2) recycle materials back into their original form for their original purpose; (3) recycle materials for other uses and preserve the future ease of recyclability; and (4) reuse materials for single end uses that do not allow or that inhibit further recycling.

E. Adoption of the ordinance codified in this chapter is necessary for the protection of natural resources and the environment, the immediate preservation of the public health and welfare and the support of governmental activities. (Ord. 2018-031 Exh. B; Ord. 2014-035 Exh. A; Ord. 2003-018; Ord. 2001-041; Ord. 2001-34; Ord. 97-067; Ord. 95-045).

8.10.030 Definitions.

As used in this chapter:

A. "Carrier" means a common, contract or private carrier as defined by RCW [81.80.010](#).

B. "Certificated hauler" means solid waste collection companies.

C. "Executive committee" means the group of seven mayors and the county executive as established and governed by interlocal agreements between the county and cities in July 1989.

D. "Multifamily dwelling" means a residential dwelling containing five or more units on one lot or parcel.

E. "Nonresidential account" means a building or facility that is not occupied as a permanent residence including, but not limited to, commercial and industrial businesses, schools, hospitals, government buildings, recreation facilities, and transportation facilities.

F. "Recyclables" and "recyclable materials" mean those solid wastes that are separated for recycling or reuse as identified in this chapter.

G. "Single-family residence" means a residential dwelling containing four or fewer dwelling units on one lot or parcel. Where two, three, or four units are on one lot or parcel, each lot or parcel shall be considered as an individual single-family residence.

H. "Solid waste" shall have the meaning given to it by RCW 70A.205.015 .

I. "Solid waste collection companies" means those entities defined by Chapter [81.77](#) RCW and certified by the UTC to operate in Whatcom County. Solid waste collection companies are Sanitary Services Company (UTC No. G-14); Nooksack Valley Disposal, Inc. (UTC No. G-166); Waste Management of Washington, Inc. (No. G-237); and Freedom 2000 LLC, dba Cando Recycling and Disposal (UTC G063819). (Ord. 2018-031 Exh. B; Ord. 2014-035 Exh. A; Ord. 2003-018; Ord. 2001-041; Ord. 2001-34; Ord. 97-067; Ord. 95-045).

8.10.040 Single-family residential garbage collection.

A. Solid waste collection companies shall perform collection and hauling of garbage from single-family residences that request collection service in unincorporated portions of Whatcom County. Service to single-family residences shall be provided on a schedule of either weekly, every-other-week or monthly collection.

B. Garbage containers provided by and for single-family residences shall be 30 to 32 gallons and 15 to 20 gallons. Solid waste collection companies may also offer 60- or 90-gallon containers. A specific size within the 15- to 20-gallon "mini-can" range shall be approved by each company and shall be consistent within its certified service area. Ninety-gallon can service shall be available only on a weekly or every-other-week basis. The design of all containers within each service area shall be subject to approval by the solid waste collection company certified for that area.

C. Collection rate structures shall be designed to encourage waste reduction and recycling and to comply with the plan.

D. Effective January 1, 2019, single-family residences located in Point Roberts, with on-site sewage systems, shall no longer be exempt from mandatory curbside collection services. As a minimum level of service, the minimum required curbside collection service shall be 26 annual pickups, to occur at the discretion of the customer on any day of the approved every other week garbage collection schedule, of a 32-gallon can, and recyclables. The cost of the minimum level of service, as per the approved UTC tariff, shall be billed as an annual fee on the property tax bill, at the rate of one minimum level of service per single-family residence. Service levels above the minimum level of service, as may be requested of the service provider, for larger cans, increased frequency of pickup, carry out or other services, will be invoiced directly by the service provider as per the approved UTC tariff. (Ord. 2018-031 Ex. B; Ord. 2014-035 Ex. A; Ord. 2003-018; Ord. 2001-041; Ord. 2001-34; Ord. 97-067; Ord. 95-045).

8.10.050 Residential recycling collection.

A. Solid waste collection companies shall collect recyclables from all residences in unincorporated portions of Whatcom County that receive regularly scheduled garbage collection. All single-family residences shall be provided with recycling collection at least every other week and on the same day of the week as garbage collection. Service to multifamily residences shall be provided at least every other week. The solid waste collection company shall provide residents who have completed the garbage exemption process the opportunity to subscribe to recycling-only collection service without subscribing to garbage collection. Recycling-only customers will be charged the full cost of recycling collection service plus an appropriate administrative/billing fee.

B. The solid waste collection company shall provide recycling containers to each residence at the customer's request. Container design and use shall be subject to the prior administrative approval of the county. The Utilities and Transportation Commission, by law, will establish fair, just, reasonable, and sufficient rates for solid waste collection companies under Chapter [81.77](#) RCW. The company shall deliver all containers to the dwelling unit unless otherwise directed by the county.

C. 1. Solid waste collection companies shall collect, and recycling containers shall be designed to hold, the following materials:

- a. Newspaper;
- b. Mixed waste paper;
- c. Aluminum containers;

- d. Tin-plated steel containers;
- e. Glass containers;
- f. All plastic bottles; all remaining plastic containers are eligible as approved by the county and the solid waste collection company;
- g. Yard Waste. Collection of this material is deferred pending further amendments to this chapter.

2. The following materials shall also be collected when placed adjacent to set-out containers:

- a. Corrugated cardboard;
- b. Scrap metal no longer than 24 inches in any dimension or heavier than 35 pounds per piece;
- c. Lead-acid batteries that show no signs of leakage;
- d. Used motor oil in sealed containers;
- e. Nothing in this section shall prohibit the solid waste collection company from picking up additional items at the company's discretion.

D. Materials shall be collected on the improved public road nearest to the residence (or mutually agreed upon location) when properly set out on the designated collection day. The solid waste collection company is not required to collect materials at any particular hour. The collector is not required to enter private property to collect material while an animal considered or feared to be vicious is loose. The resident shall confine such an animal on collection day.

E. In case of missed collection, the solid waste collection company shall investigate and, if the missed collection is verified, shall arrange for the collection of the uncollected recyclable material within one business day after the complaint is received, unless otherwise agreed by the company and customer. All solid waste collection companies shall add staff as needed to answer questions and respond to complaints from 8:00 a.m. to 5:00 p.m. on collection days.

F. A solid waste collection company subject to regulation by the UTC as to rates and service shall not charge, demand, collect, or receive a different compensation from its customers than the applicable UTC-established rates (Chapter [81.28](#) RCW).

G. Solid waste collection companies and recycling companies shall take reasonable actions in marketing recyclable materials to implement the county's policies regarding local processing and priorities of use. All materials collected shall be processed and marketed such that no recyclable material is landfilled, incinerated, or disposed of in any way other than recycling. The companies shall adopt collection procedures and technologies to minimize the cross-contamination or non-recyclability of collected materials.

H. The county, in consultation with solid waste collection companies and purchasers of recyclable materials, shall establish promotional strategies by which the companies shall inform the public about recycling collection service. The county may adopt, and pay for, additional promotional strategies if they wish. Requirements imposed by the UTC are not promotional strategies for purposes of this section.

I. It is unlawful for any person, other than the solid waste collection companies as authorized by this chapter, to collect, remove, haul, or dispose of recyclable materials set out for collection pursuant to this section without first obtaining the consent of the occupant or owner of the premises. Any violation of this subsection shall constitute a misdemeanor and, upon conviction, violators shall be punished by a fine of not less than \$500.00. Each day of such violation, and violation at each dwelling unit, shall be deemed a separate and independent offense.

(RCW 70A.205.190)

J. The business name and telephone number of the collector shall be clearly visible on each side of each vehicle used to provide residential recycling service. The collector shall contain, tie, or enclose all collected materials to prevent leaking, spilling, or littering.

K. If the county executive determines that a solid waste collection company has materially failed to comply with the requirements or policies of this chapter, the county executive shall provide the company with a written notice specifying the noncompliance and affording the company 60 days to cure the noncompliance; provided, however, that the solid waste collection company shall not be required to cure any noncompliance that is caused by an event or condition, including a threat to the public health or safety, that is beyond the company's control. At the discretion of the county executive, the period for cure may be extended. If the solid waste collection company fails to cure, the county may contract for the provision of residential recycling service pursuant to RCW [36.58.040](#) in the area served by the company.

L. Should the county or the solid waste collection company determine that there is no reasonable market for a material and/or the cost of recycling that material is unreasonable, they can petition the executive to eliminate the requirement for that material to be collected as a recyclable. The executive has full discretion whether to accept or deny the request. The executive must state the period of time the exemption will be allowed. (Ord. 2018-031 Exh. B; Ord. 2014-035 Exh. A; Ord. 2003-018; Ord. 2001-041; Ord. 2001-34; Ord. 97-067; Ord. 95-045).

8.10.060 Nonresidential and multifamily garbage collection.

A. Solid waste collection companies shall perform collection and hauling of garbage from nonresidential and multifamily accounts in Whatcom County.

B. Container sizes for nonresidential and multifamily accounts shall be approved by the solid waste collection company.

C. Rate structures for multifamily garbage collection shall be designed to encourage waste reduction and recycling and to comply with the plan.

D. Solid waste collection companies shall bill each customer at least once every three months. (Ord. 2018-031 Exh. B; Ord. 2014-035 Exh. A; Ord. 2003-018; Ord. 2001-041; Ord. 2001-34; Ord. 97-067; Ord. 95-045).

8.10.070 Submittal of documents and notices.

A. Whenever a solid waste collection company files a proposed tariff revision with the UTC, the company shall simultaneously provide the county with copies of the proposed tariff and all nonproprietary supporting materials submitted to the UTC any time prior to approval of the tariff. Such materials include but are not limited to any correspondence or other information concerning rate calculation parameters and details, tariff sheet application and adjustments, and annual reports.

B. 1. All solid waste collection companies, material recovery facilities, and transfer stations, shall provide the county with the following quarterly information on April 20th, July 20th, October 20th, and January 20th for the previous quarter and, where appropriate and practical, separately listed for each city and unincorporated area of the county:

- a. Quarterly disposal tonnages to landfills for each transfer station, drop-box facilities, and each disposal or processing method;
- b. Quarterly recycling tonnages per material from all recycling collectors and processors from curbside collection programs by solid waste collection companies;
- c. Public service contracts and amendments within incorporated and unincorporated areas of the county for all solid waste collection, disposal, and recycling collection and processing; and
- d. A log of all customer complaints about recycling, specifying the date, nature of complaint and resolution for each complaint.

2. In addition, all solid waste collection companies shall provide the county with the following information regarding residential recycling and, where appropriate and practical, separately listed for single-family and multifamily residences broken out by city/county:

- a. Quarterly tonnages and, if available, volumes of materials collected by type of material collected, and revenues/costs by type of material;
- b. Number of eligible customers and number of set-outs per month. (Ord. 2018-031 Exh. B; Ord. 2014-035 Exh. A; Ord. 2003-018; Ord. 2001-041; Ord. 2001-34; Ord. 97-067; Ord. 95-045).

8.10.080 Notice to Utilities and Transportation Commission.

The Whatcom County council, pursuant to RCW [36.58.040](#), hereby notifies and requests the Utilities and Transportation Commission to carry out and implement the policies and programs specified in this chapter and in the plan in coordination with solid waste collection companies and common carriers through the Commission's rate setting and oversight authority. (Ord. 2018-031 Exh. B; Ord. 2014-035 Exh. A; Ord. 2003-018; Ord. 2001-041; Ord. 2001-34; Ord. 97-067; Ord. 95-045).

8.10.090 Modification of collection schedules.

The provisions of this chapter concerning (A) the frequency of collection of recyclable materials and garbage; (B) service levels in rural areas; and (C) rate structures in the event that the UTC issues an inconsistent order may be modified by agreement of the county executive and all solid waste collection companies, subject to approval by the county council. (Ord. 2018-031 Exh. B; Ord. 2014-035 Exh. A; Ord. 2003-018; Ord. 2001-041; Ord. 2001-34; Ord. 97-067; Ord. 95-045).

8.10.100 Severability.

If any portion or section of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the section to other persons or circumstances is not affected. (Ord. 2018-031 Exh. B; Ord. 2014-035 Exh. A; Ord. 2003-018; Ord. 2001-041; Ord. 2001-34; Ord. 97-067; Ord. 95-045).

SOLID WASTE ADVISORY COMMITTEE
Discussion Form
January 25, 2024

AGENDA ITEM 6: *Nooksack Valley Disposal – Operations Update*

PRESENTER: *Calvin Den Hartog – Nooksack Valley Disposal*

BOARD ACTION: Action Item Discussion Information

SIGNIFICANT POINTS OR EXECUTIVE SUMMARY:

Calvin Den Hartog will provide an operational update for Nooksack Valley Disposal.

COMMITTEE ROLE / ACTION REQUESTED

None

ATTACHMENT(S)

SOLID WASTE ADVISORY COMMITTEE
Discussion Form
January 25, 2024

AGENDA ITEM 7: *Disposal of Toxics Feasibility Study*

PRESENTER: *Jennifer Hayden - WCHCS*

BOARD ACTION: Action Item Discussion Information

SIGNIFICANT POINTS OR EXECUTIVE SUMMARY:

The Disposal of Toxics facility, which provides proper disposal for moderate risk waste generated in Whatcom County, is owned by Whatcom County, and is privately operated by Clean Earth Environmental. Annual operating costs for the facility have historically been capped at \$375,000, which includes labor, disposal, supplies, and all other incidentals necessary to operate. Operating costs have risen sharply recently, and Clean Earth has requested that the contract amount be raised to \$510,000 for 2024. Due to these increasing operating costs, Whatcom County is contracting with Maul Foster Alongi to perform a feasibility study to assess the potential transition of management and operations of the facility to County management. This study will evaluate the financial, operational, logistical, and legal aspects associated with a transition to County management. MFA will summarize options and provide recommendations for future facility management and operations by the end of March.

COMMITTEE ROLE / ACTION REQUESTED

None

ATTACHMENT(S)

SOLID WASTE ADVISORY COMMITTEE
Discussion Form
January 25, 2024

AGENDA ITEM 8: *Outreach and Education Workplan*

PRESENTER: *Jennifer Hayden and Erica Littlewood - WCHCS*

BOARD ACTION: Action Item Discussion Information

SIGNIFICANT POINTS OR EXECUTIVE SUMMARY:

At the October 26, 2023 SWAC meeting, committee members discussed the goals and actions listed in the 2022-2027 Comprehensive Solid and Hazardous Waste Management Plan, and members listed their priorities. County staff consolidated the listed priorities and formulated a rough workplan for the upcoming year.

COMMITTEE ROLE / ACTION REQUESTED

None

ATTACHMENT(S)

Outreach and Education Workplan

2024 SWAC Community Outreach Plan
WCHCS Environmental Health Division
Erica Littlewood, Public Health Educator

PROJECT	TASK DESCRIPTION	PROCESS	OUTCOMES
Adopt A Road	Revise program documents Determine which groups are still active Recruit new groups Track activity and sign placement	Edit documents Contact groups on current spreadsheet and update Market program to recruit new participants	Increase number of participating groups, number of clean-up activities per year, and number of signs placed. Track group events and encourage participation.
Disposal of Toxics	Tour facility Create educational materials for the public and for DoT employees Distribute materials	Create educational materials Tie into WasteWise	Increase number of Whatcom Co residents using DoT Increase awareness of WasteWise
Food waste reduction	Business organic waste management	Outreach to businesses in the Business Organics Management Area (BOMA)	Notify businesses of 01/01/2024 rule Act as resource for businesses Connect businesses to partners
Food waste reduction	Promote "Use Food Well WA" materials	Support statewide campaign to reduce food waste and food waste contamination	Increase awareness of food waste as a financial, equity and environmental issue
Food waste reduction	Participate in and promote Food Waste Prevention Week (April 1-7, 2024)	Utilize materials from Food Waste Prevention Week for promotion of messages	Increase awareness of food waste as a financial, equity and environmental issue

Food waste reduction	Work with Sustainable Connections/TZW for businesses Work with RE Sources for schools	Determine how to best support current programs	Increase visibility and outreach of food waste reduction programs
Recycling and waste reduction	RE Sources	Determine how to best support current programs Create new collaborative programs	Assist community partners in outreach and education
Recycling and waste reduction	Sustainable Connections (Toward Zero Waste)	Determine how to best support current programs Create new collaborative programs	Assist community partners in outreach and education
Composting	WSU Extension	Determine how to best support current programs Create new collaborative programs	Assist community partner in outreach and education
Waste disposal guidance	WasteWise	Manage website Research and add suggestions	Increase public awareness and use of WasteWise as a solid waste management tool
Anti-Litter	"We Keep WA Litter Free" campaign	Use Department of Ecology materials to promote campaign	Reduce litter through public awareness campaigns and provision of litter prevention materials (e.g., vehicle bags; cargo nets)
Cannabis waste	Reduce cannabis production waste Potentially increase composting	Research allowable options for disposing of cannabis waste	Reduce amount of cannabis production waste in county going to landfill
C and D	Educate building industry on disposal requirements and waste reduction/reuse options	Reach out to builders to learn about practices and educate on disposal requirements and best practice	Reduce amount of construction and demolition waste going to landfill
Other	Topics: tire recycling events; etc.	Determine topics, partnerships, and outreach	

SOLID WASTE ADVISORY COMMITTEE
Discussion Form
January 25, 2024

AGENDA ITEM 9: *City of Bellingham Single Stream Recycling and FoodPlus! Update*

PRESENTER: *Rodd Pemble – Sanitary Service Company*

BOARD ACTION: Action Item Discussion Information

SIGNIFICANT POINTS OR EXECUTIVE SUMMARY:

Rodd Pemble will provide an update on the conversion to single stream recycling and the compulsory FoodPlus! service in the City of Bellingham.

COMMITTEE ROLE / ACTION REQUESTED

None

ATTACHMENT(S)