WHATCOM COUNTY SOLID WASTE EXECUTIVE COMMITTEE (SWEC) MEETING
July 18, 2017, 11:00 a.m. to 12:30 p.m.
Lynden City Hall, 300 4th St., Lynden, WA

- A G E N D A -

<table>
<thead>
<tr>
<th>Meeting Topics</th>
<th>Outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Call to Order</td>
<td>11:00</td>
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<tr>
<td>2. Introductions</td>
<td>11:00 - 11:05</td>
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<tr>
<td>3. Approval of 2016 Meeting Minutes and Signing of Amended SWEC Bylaws</td>
<td>11:05 - 11:10</td>
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<tr>
<td>5. Solid Waste Operations Update</td>
<td>11:15 - 11:25</td>
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<td>6. Proposed Amendment to WCC 8.13, Solid Waste Disposal District, Regarding the Solid Waste Excise Privilege Tax</td>
<td>11:25 - 12:05</td>
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<td>8. Mandatory Collection, WCC 8.11, Solid Waste Recycling and Collection District</td>
<td>12:10 - 12:25</td>
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*SWEC committee members will be provided with hard copies of the agenda packet and attachments at the meeting.*
AGENDA ITEM 3: Approval of July 19, 2016 SWEC Meeting Minutes and Signing of Amended SWEC Bylaws

PRESENTER: Jeff Hegedus, Environmental Health Supervisor

BOARD ACTION: ✔ Action Item  Discussion  Information

SIGNIFICANT POINTS OR EXECUTIVE SUMMARY

The July 19, 2016 SWEC meeting was the second meeting conducted following the transfer of solid waste programs from the Public Works Department to the Health Department. As approved in the minutes, consistent with the intent and requirements of RCW 42.30, Open Public meetings Act, amendments to the SWEC bylaws are presented.

COMMITTEE ROLE / ACTION REQUESTED

Motion to Approve Minutes, Signing of Amended Bylaws

ATTACHMENT(S)

- Draft July 19, 2016 meeting minutes
- Amended SWEC Bylaws
WHATCOM COUNTY SOLID WASTE EXECUTIVE COMMITTEE

JULY 19, 2016 MEETING MINUTES

Committee Members Present
Jack Louws, Whatcom County Executive
Scott Korthuis, Mayor, City of Lynden
John Perry, Mayor, City of Everson
Jon Mutchler, Mayor, City of Ferndale
Harry Robinson, Mayor, City of Blaine
Bob Bromley, Mayor, City of Sumas
Brian Heinrich, Chief Administrative Officer, City of Bellingham

Committee Members Absent
Kelli Linville, Mayor, City of Bellingham
James Ackerman, Mayor, City of Nooksack
Ted Carlson, Public Works Director, City of Bellingham

Staff Present
Jeff Hegedus, Environmental Health Supervisor, Solid Waste Division
Janice Deptuch, Clerk III, Whatcom County Health Department
John Wolpers, Environmental Health Manager, Whatcom County Health Department
Patty Proctor, Accounting Supervisor, Whatcom County Health Department

AGENDA

Call to Order

The meeting of the Solid Waste Executive Committee was called to order by County Executive Jack Louws on Tuesday, July 19, 2016 at 1:30 p.m. at Lynden City Hall.

Introductions

We went around the room and everyone introduced themselves.

Approval of 2015 Meeting Minutes

The minutes for the September 2, 2015 SWEC meeting were approved as written. The motion for approval was made by Scott Korthuis and 2nd by John Perry. Motion approved by all.

Draft Amendment to SWEC By-Laws

A draft amendment to the SWEC bylaws is proposed to update procedures consistent with the intent and requirements of Chapter 42.30 RCW, Open Public Meetings Act.

We are asking committee to consider bringing Bylaws into compliance. At the Solid Waste Executive Committee (SWEC) meeting, 6 of the 8 committee members approved an amendment to the existing by-laws. Since the current by-laws require any amendment to the by-laws to be unanimous, we are requesting that Blaine and Nooksack vote by...
Draft Amendment to SWEC By-Laws

email. The amendment requires that future SWEC votes be conducted either in person or by conference call during the meeting, and that any future amendments to the by-laws requires two-thirds rather than unanimous approval. Motion for approval to move to 2/3rd from unanimous was made by Jon Mutchler and 2nd by Scott Korthuis. Motion approved by all. Jack asked that Jeff get the email out to mayors of Blaine and Nooksack. An email response by David Wilbrecht, Mayor, City of Blaine affirming vote to support the approval of the amendment to the existing by-laws presented at the July 19, 2016 meeting.

Solid Waste Operations Update

Solid Waste Division programs, operations, and business functions are now fully transferred from the Public Works Department to the Health Department. The Health Department now conducts solid waste planning activities, regulates over 35 permitted and exempt county solid waste handling facilities, operates the county Disposal of Toxics program, monitors and maintains closed county landfills, responds annually to approximately 300 illegal dumping complaints, implements waste reduction and recycling community outreach and education initiatives, responds to public waste management inquiries, manages the litter and Adopt-A-Road programs, and supports the Solid Waste Advisory Committee. Jack Louws asked “How the monitoring was going?” Jeff Hegedus said everything was going well.

Staff recently conducted a free, two day Waste Tire Amnesty collection event for the Blaine, Birch Bay and Custer area, and cleaned out 10,200 waste tires from local back yards, farms and ravines. The event was well received, and leveraged a Department of Ecology program that covered all transportation and disposal costs. It was a great community serve. John Perry asked if we are going to continue to do the tire amnesty and Jeff said “Yes”.

The Health Department has met with the Pt. Roberts Community Advisory Committee, and is implementing a community involvement and engagement project that will initiate with a community survey to solicit information regarding current and preferred levels of service, costs of service, illegal dumping, regulatory approach and service provider issues. The information obtained will be used to identify potential improvements to solid waste services delivery.

In May, 2016 Sustainable Connections was awarded the bid to provide commercial waste audits and waste assessments, action plans, and performance evaluations for companies operating in the construction and food industries. With this program in place, waste reduction and recycling community education and outreach is now being implemented for the youth (Sustainable Schools program), adult (Master Composter/ Master Recycler program) and commercial (Toward Zero Waste program) target markets. Additionally, with Puget Sound Partnership funding and separate from Solid Waste Division operations, staff currently conduct 165 commercial hazardous waste technical assistance site visits per year, and implement the county EnviroStars program.

The Disposal of Toxics facility serviced 9,379 customers in 2015, and continues to see slight but steady increases in waste chemical volumes received and processed, which exceed 500,000 pounds per year. In an effort to increase efficiencies, a pilot program to automate waste inventory and tracking administrative functions with tablet computers is being implemented.
Final Draft 2016 Comprehensive Solid and Hazardous Waste Management Plan

The final draft 2016 Comprehensive Solid and Hazardous Waste Management Plan has been completed. The draft update of the existing 2008 plan, as required by RCW 70.95, describes the current solid and hazardous waste management system and makes recommendations for potential future implementation. The plan has been worked on for two and a half years, starting with Public Works and then the Health Department took on the full Solid Waste Division. It was approved by the Solid Waste Advisory Committee, received two formal reviews by the Department of Ecology, and submitted through a formal SEPA public comment process. Additionally, a second advertised public review and comment opportunity, as recommended by Ecology guidelines, was implemented. Public review and comment was also solicited and received on-line throughout the planning process, and public comments and responses to comments were tracked and provided on-line.

The draft plan was presented to SWEC at the 2015 committee meeting, and changes to the plan resulting from subsequent review and comment have been minor. The final draft update proposes no structural changes to the existing solid waste system. Recommendations, presented as goals and actions, are provided in summary form in tables at the end of each applicable chapter, as indicated in the plan table of contents. Primary goals and actions include increasing waste reduction and recycling community education and outreach, evaluation of regulatory changes to increase efficiency and management, supporting emergency management efforts to develop a disaster debris management plan, engaging with specific communities such as Pt. Roberts to identify potential improvements to levels of service, and increasing management options for special wastes such as organics, construction debris and waste pharmaceuticals. Jon Mutchler asked “by making the minor changes did it change the document content at all?” Jeff Hegedus replied “No”. Jeff Hegedus said next step is to motion to move forward to Public Hearing. A motion to move forward with the 2016 Comprehensive Solid and Hazardous Waste Management Plan was made by Jon Mutchler and 2nd by Scott Korthuis. Motion approved by all.

2017-2018 Solid Waste Budget

The annual budgets for the 2017 and 2018 biennium essentially remain the same as 2016, with the following exceptions:

- The proposed budgets include a decrease in the indirect rate for the Health Department for 2017 and 2018 from the amount budgeted in 2016, by approximately $40,000.

- In 2017 the Cedarville Landfill NPDES permit needs to be renewed. The estimated cost for permit fee, additional permit required sampling and lab analysis, and consultant fee is $70,000. Permit related expenses occur once every five years, and will not be in the 2018 budget.

- There is $40,000 in 2017 and 2018 to explore additional opportunities for removing hazardous materials from the waste stream, including the development of a waste pharmaceutical take back program.

- The proposed budgets include a recommendation to increase each of the three existing county waste reduction and recycling programs by $15,000 annually, for a total of $45,000, in order to expand services by a proportional increase of
existing scopes of work. This increase would return expenditures for waste reduction and recycling programs to 2009 levels.

2017-2018 Solid Waste Budget

Patty Proctor, Business Office Supervisor, stated that she was very conservative when it comes to budgeting. In the next biennium Jeff Hegedus will be looking at other ways to bring in funds. Some discussion about some minor changes, but accept the proposed budget as is. There was some discussion on the pharmaceutical take back program. Bob Bromley asked “What the pharmacies do with the items they take back?” Jeff Hegedus said they mail them back. A motion was made to approve the 2017-2018 Solid Waste Budget by Jon Mutchler and 2nd by Brain Heinrich. Motion approved by all.

Open Session, Adjournment

No public in attendance.

Jack Louws commented on what a great job the Whatcom County Health Department has been doing with the Solid Waste Division.

Adjourn at 2:25 pm.
WHATCOM COUNTY SOLID WASTE EXECUTIVE COMMITTEE

As required per the 1991 Interlocal Agreements between Whatcom County and each of the cities within Whatcom County (Bellingham, Blaine, Everson, Ferndale, Lynden, Nooksack, and Sumas), a Solid Waste Executive Committee was formed and has been meeting since execution of said agreements. The below signed members of the Solid Waste Executive Committee agree to, and adopt the following bylaws to guide their meeting and decision-making procedures:

BYLAWS

I. Members of the Solid Waste Executive Committee

The Whatcom County Executive (1) and mayors of each city (7) are recognized as the members of the Solid Waste Executive Committee (hereafter referred to as the Committee).

II. Committee Chair

For purposes of scheduling and conducting meetings, the Whatcom County Executive is the Committee chair. The Whatcom County Executive shall ensure reasonable administrative support is provided to the Committee for calling and conducting meetings and for recording discussions and actions by the committee. Should the County Executive be unavailable at the time a meeting is held, the members and representatives present shall select an acting chair for the meeting.

III. Members May Appoint Representatives

For purposes of meeting attendance, satisfying quorum, and decision-making, Committee members may appoint a representative to speak and act on their behalf. Appointment of a representative by a Committee member may occur for an individual Committee matter or may be ongoing for all Committee matters. Appointment of a representative through written correspondence to the Committee Chair is preferred. However, verbal appointment of a representative may be communicated by the member or the appointee for individual matters so long as other members or representatives do not object.

IV. Quorum

For purposes of conducting business during a scheduled meeting, a quorum is defined as attendance at such meeting by members or representatives representing at least four entities.

V. Decision-Making Actions by the Committee

For purposes of decision-making actions by the Committee, a majority of the entities (five) must agree to the proposed item for the matter to be affirmed.
Voting may take place during a scheduled meeting where a quorum is present, and such vote may be supplemented through voice vote via telephone contact with members or representatives absent from such meeting at the discretion of the Chair.

Decision-making action may also take place solely through voice vote via telephone in lieu of a meeting being called at the discretion of the Chair.

Voice votes supplementing votes taken during meetings or in lieu of meetings may only occur if each Committee member or representative receives via written or electronic mail documentation clearly stating the question before the Committee and includes reasonable supplemental information describing the purpose and intended outcome of affirmative action.

VI. Amending Bylaws

Decision-making action on amendments to the bylaws shall follow the procedures described above under "Decision-Making Actions by the Committee" except any amendment to become valid requires affirmative vote by two-thirds all members of the Committee.

DATED this ______ day of JulyJune, 2017

______________________________  ________________________________
Jack Louws, Whatcom County Executive    Scott Korthuis, Mayor, City of Lynden

______________________________  ________________________________
Kelli Linville, Mayor, City of Bellingham    James Ackerman, Mayor, City of Nooksack

______________________________  ________________________________
Harry Robinson III, Mayor, City of Blaine    Bob Bromley, Mayor, City of Sumas

______________________________  ________________________________
John Perry, Mayor, City of Everson    Jon Mutchler, Mayor, City of Ferndale
AGENDA ITEM 4: Whatcom County 2016 Comprehensive Solid and Hazardous Waste Management Plan Update

PRESENTER: Jeff Hegedus, Environmental Health Supervisor

BOARD ACTION: Action Item Discussion ☑ Information

SIGNIFICANT POINTS OR EXECUTIVE SUMMARY

The Whatcom County 2016 Comprehensive Solid and Hazardous Waste Management Plan update has been completed and approved. The update of the existing 2008 plan, as required by RCW 70.95, describes the current solid and hazardous waste management system and makes recommendations for potential future implementation.

On October 11, 2016 staff presented the draft update to the 2008 plan at the Public Works, Health and Safety Committee prior to a scheduled public hearing requesting review and approval. Discussion in committee ensued regarding questions about the current city of Bellingham solid waste disposal contract bid and award process, and the agenda item was held in committee pending a motion to request information from the city regarding the contracting process.

On January 24, 2017 the draft update was again presented in committee, and was approved that evening by County Council. Subsequently, final review and approval was conducted by the Department of Ecology.

COMMITTEE ROLE / ACTION REQUESTED

No action requested

ATTACHMENT(S)

No attachments
AGENDA ITEM 5: Solid Waste Operations Update

PRESENTER: Jeff Hegedus, Environmental Health Supervisor

BOARD ACTION: Action Item Discussion ☑ Information

SIGNIFICANT POINTS OR EXECUTIVE SUMMARY

The Health Department Solid Waste Program conducts solid waste planning activities, regulates over 35 permitted and exempt county solid waste handling facilities, contracts for operation of the county Disposal of Toxics program, monitors and maintains closed county landfills, responds annually to approximately 300 illegal dumping complaints, manages waste reduction and recycling community outreach and education programs, responds to public waste management inquiries, manages the litter and Adopt-A-Road programs, and supports the Solid Waste Advisory Committee.

The Disposal of Toxics facility, including the operation of three satellite collection stations and one round-up collection event in Point Roberts, processed 9,239 residential and commercial customer transactions in 2016. A total of 329,603 pounds of waste chemicals were collected and recycled, and 171,421 pounds of waste chemicals were collected and properly treated and disposed, for a total of 501,024 pounds. In an effort to increase efficiencies, a program to automate waste intake, tracking and invoicing functions for commercial customers, using portable tablet computers, was completed.

As a follow-up to last year’s successful event, staff recently conducted a countywide two day Waste Tire Amnesty collection event, at the Birch Bay-Lynden Rd. solid waste handling facility, and cleaned out an estimated 10,200 waste tires from 550 customers from back yards, farms and ravines. The event was well received by the community, and leveraged a Department of Ecology program that covered all waste tire transportation and recycling costs.

Waste reduction and recycling community education and outreach programs are now fully and successfully implemented and on track for the youth (ReSources Sustainable Schools program), adult (WSU Master Composter/ Master Recycler program) and commercial (Sustainable Connections Toward Zero Waste program) target populations. Additionally, with Puget Sound Partnership funding as implemented by Ecology, staff additionally conduct 165 commercial solid and hazardous waste technical assistance site visits per year, and implement the county EnviroStars program.

Staff continue to meet with the Point Roberts Community Advisory Committee (PRCAC) to consider and develop potential improvements to solid waste system management regarding current and preferred levels of service, costs of service, illegal dumping, regulatory approaches and service provider issues. Currently, PRCAC has made formal motion to request that staff investigate the feasibility of implementing mandatory curbside collection services, with provision for seasonal residents, paid for through
property taxes, and organized through some form of existing utility, disposal and/or collection district authority.

Cedarville Landfill monitoring and maintenance activities continue as per the approved closure plan, and application to Ecology for the required NPDES permit renewal is complete. Y Road Landfills maintenance and monitoring proceeds without incident; an adjoining property owner has made an offer to purchase a portion of the property via lot line adjustment, which is under consideration by the county Property Management Committee.

As per recommendation 8.3.4 of the approved 2016 Comprehensive Solid and Hazardous Waste Management Plan, following the state’s failure to approve HB1047 to implement a waste pharmaceutical take-back and disposal program, staff are proceeding to assess the feasibility of implementing a local program such as those approved in King, Snohomish, Kitsap and Pierce counties.

Adopt-A-Road program activities, Birch Bay solid waste collection and Birch Bay July 4th cleanup efforts continue as per routine.

**COMMITTEE ROLE / ACTION REQUESTED**

No action requested

**ATTACHMENT(S)**

- Quarterly Report, Sustainable Schools Program
- Quarterly Report, Towards Zero Waste Program
- Quarterly Report, Master Composter/ Master Recycler Program
- Tire Amnesty Event
- PRCAC All Point Bulletin Synopsis
MEMORANDUM

ATTN: Jeff Hegedus (Whatcom County Health Department)
From: Riley Grant (RE Sources)
Re: Waste Prevention, Recycling and Household Hazardous Waste Education Services performed by RE Sources on behalf of Whatcom County
Reporting Period: September – December 2016

Quarterly Report

During the reporting period, RE Sources education staff conducted 3 middle and high school workshops and support visits with 69 student contacts and 20 elementary in-class presentations and support visits with 444 student contacts. We currently have 2 additional middle and high school visits and 34 elementary visits scheduled for 2017.

Green Classroom Certification and Elementary Presentations

RE Sources Sustainable Schools team completed the following activities for elementary programs during the reporting period:

- Delivered 10 waste prevention workshops and supported all 10 classrooms as they completed the following action projects (see Appendix 1 for images):
  - Completed 3 Litter clean ups at Kendall Elementary
  - Worked with 2 second grade classrooms at Carl Cozier Elementary, with the support of WSU Extension to make a worm bin for their school. Students created signs and posters for their worm bin and explored fresh compost.
  - Completed 5 classroom waste audits with 4th graders where the students saw how much waste could be diverted to recycle and compost bin instead of landfill.
- Created and delivered signs for the new waste sorting station at Parkview Elementary (see Attachment 1 for image).
- Started updating communications materials for the Green Classroom program, including journals, pledge posters and e-newsletters.

Elementary Workshop/Support Visit Log

<table>
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<tr>
<th>Teacher Last Name</th>
<th>Date</th>
<th>Location</th>
<th>District</th>
<th>Grade</th>
<th># of Students</th>
<th># of Class Contacts</th>
<th>Total Student Contacts</th>
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<td>Reimer</td>
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<td>20</td>
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<td>Hie</td>
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<td>Bellingham</td>
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<tr>
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<td>Meridian</td>
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<td>Location</td>
<td>District</td>
<td>Grade</td>
<td># of Students</td>
<td># of Class Contacts</td>
<td>Total Student Contacts</td>
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<td>12/1/16</td>
<td>Irene Reither</td>
<td>Meridian</td>
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<td>48</td>
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<td><strong>Totals</strong></td>
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**Middle and High School Presentations**

RE Sources Sustainable Schools team completed the following activities for middle and high school programs during the reporting period:

- Delivered one workshop at Ferndale Boys and Girls Club and 2 support visits for Squalicum High School’s Environmental Club, making 69 students contacts.
- Supported Squalicum High School environmental club in completing a follow-up waste audit in conjunction with cafeteria education that the club completed (see Appendix 2 for audit summary and images).
- Planned a mentor-based waste workshop for Ferndale Boys and Girls Club, the clubhouse wanted to engage students in better efforts to utilize. Middle School Students gained an understanding of the material presented and then mentored younger members of the club.
- Created a cohesive set of waste prevention workshops and activities for middle and high school programs. Three workshops are now available for middle and high school classes, building upon the lessons created last school year. We already have one 7th grade middle school social studies teacher interested for 2017.

The offerings include:

- **Foolish Food:** How much food waste is filling up our landfills, and what can we do about it? How can we feed our soil by making smart choices with our food waste? We’ll help your students understand the value of composting and see how much of their waste could be composted through a waste audit. Once completed, students will have the opportunity to brainstorm ways to increase awareness about sorting compostables and reducing waste around their school or community.
- **It’s Not Waste Until It’s Wasted:** How does our current waste management system work? How can my personal choices affect energy, land, and air quality? We’ll help your students come face-to-face with the waste generated every day in their class or lunchroom by hosting a waste audit. After sorting, classifying, and weighing the waste, students will see how well their school sorts and disposes of landfill-bound waste, compostables, and recyclables. Students can then brainstorm ways to help promote correct sorting and overall waste reduction in their schools or community.
- **Material World:** How do our purchasing habits affect the waste stream and shared resources? How can we see through the packaging — into the real issues behind fashion, marketing, and disposables — and become wise shoppers? Students will learn about local resources to help develop action projects to up-cycle, re-use, share resources, buy in bulk, or shop smart. They can choose to advocate for awareness and change in their own circles or promote a “shop smart” campaign in their school or community. Students can also come up with creative ways to extend the life of products.
- Updated website content for middle and high school programs (http://www.resources.org/programs/sustainableschools/middleandhighschoolprograms or see Attachment 3 for screenshot)
- Observed a high school civics class project about consumerism. The project prompted research and recruitment for social studies teachers since the content on the workshops aligns well with social studies learning standards.
- Updated middle and high school teacher contacts and sent recruitment emails.
- Researched and compiled information on electronic outreach success.
- Coordinated with Kulshan Middle School staff for support in the Where Does Your Food Waste Go? video that WSU Extension is creating.
- Worked with Sustainable Connections to create new "Landfill" sign for school cafeterias with updated pictures to include straws and plastic utensils; printed, laminated and delivered updated sign to Kulshan Middle School.
- Attended the 2016 Youth Earth Summit planning meeting at Padilla Bay on November 2nd, 2016. The Youth Earth Summit is a conference for high school environmental clubs and RE Sources staff will be presenting a session on reducing organic/food waste in schools at the conference, which was rescheduled for January 6th, 2017.
- Planned Youth Earth Summit organic/food waste reduction presentation "Food Foolish!" Workshop has a focus on action high school students can take to reduce organic waste in their school or community.
- Met with the program coordinator for Sterling Meadow's afterschool club to discuss opportunities to connect with the students. We hope to complete a middle school project during 2017.

Middle and High Presentations/Support Visit Log

<table>
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<tr>
<th>Date</th>
<th>School</th>
<th>Teacher Contact Last Name</th>
<th>Class</th>
<th>Activity</th>
<th>Number of Students</th>
<th>Description</th>
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<td>Squalicum High School</td>
<td>Chesbrough</td>
<td>Environmental Club</td>
<td>Support Visit</td>
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<td>Club Meeting</td>
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<td>Kulshan Middle School</td>
<td>Chesbrough</td>
<td>Environmental Club</td>
<td>Support Visit</td>
<td>13</td>
<td>Waste Audit</td>
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<td>12/20/2016</td>
<td>Ferndale Boys and Girls Club</td>
<td>Murry</td>
<td>After-school program</td>
<td>Workshop</td>
<td>50</td>
<td>Mentor-based waste sorting lesson</td>
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Additionally
- Implemented training plans for our new Education Specialist and Green Classroom Coordinator AmeriCorps member. Training included:
  - Overview of existing materials
  - Review of lesson plans and materials
  - Research on current waste prevention issues and solutions
  - Overview of recruitment and outreach processes
  - A tour of Recycling and Disposal Services (RDS)
- Completed one Waste Rangers service project at the Bellingham Bay Marathon, cleaning litter near the finish line with 3 Junior Girl Scouts and their parents.
- Create a blog story about the Waste Rangers event, can be viewed here: [http://blog.re-sources.org/2016/10/waste-rangers-keep-streets-dean-after_5.html](http://blog.re-sources.org/2016/10/waste-rangers-keep-streets-dean-after_5.html)
• Completed a recruitment and outreach plan for the 2016-2017 school year. The plan includes e-newsletters, targeted emails, personal reminder notecards, staff room flyers, website updates and increases social media presence.
• Met with WSU Extension, Sustainable Connections, SSC and Green Earth Technology staff to discuss program updates and the video WSU Extension is creating on where the FoodPlus goes.
• Met with Mark Peterson from Sustainable Connections to discuss strategies for collaborating during 2017 and schedule a quarterly meeting in early 2017 with Sustainable Connections, WSU Extension and SSC to discuss opportunities to connect our program deliverables.
• Attended several trainings and community opportunities to further refine the program offerings. These included:
  • Attended a webinar on November 8th, 2016 by Keep America Beautiful called “How Clear Are Your Recycling Outreach Materials?”
  • Attended Next Generation Science Standards (NGSS) training hosted by the Office of the Superintendent of Public Instruction (OSPI) for informal education programs. The training focused on strategies for utilizing the NGSS to integrate supplemental education programs into science curriculum.
  • Attended Stewards of Children Training hosted by Brigid Collins as part of the Youth Safety Plan, a process to better equip RE Sources educators with youth safety and preparedness when conducting youth programing.
  • Continued the collaborative work with the Whatcom Community Foundation and other local environmental education organizations on a facilitated process for creating collaborative solutions to working with schools throughout Whatcom County. The second facilitated meeting was hosted on November 2nd, 2016 and efforts continue to streamline supplemental environmental education programming for Whatcom County schools.
• Inventoried program materials and purchased new materials where needed.
• Met with Woodring College of Education professor Dr. Don Burgess to discuss program evaluation strategies. During 2017 we hope to employ a more rigorous program evaluation to gauge student learning and teacher satisfaction.
Kendall, 1st grade class

Kendall, 1st grade class, litter clean up

Parkview, cafeteria sorting station with signs
Appendix 2. Waste Audit Photos and Results

*Squalicum High School, cafeteria waste audit*

*Squalicum High School, cafeteria waste audit*
### Waste Audit Data Summary

**School:** Squalicum High School  
**Date:** February 4th, 2016

<table>
<thead>
<tr>
<th>Cafeteria Waste</th>
<th>Weight (lbs)</th>
<th>Weight (% total)</th>
<th>Volume (gal)</th>
<th>Volume (% total)</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Recyclables</td>
<td>3.73</td>
<td>6%</td>
<td>23.5</td>
<td>19%</td>
</tr>
<tr>
<td>Compostables</td>
<td>47.59</td>
<td>83%</td>
<td>60</td>
<td>48%</td>
</tr>
<tr>
<td>Landfill</td>
<td>6.34</td>
<td>11%</td>
<td>42.5</td>
<td>34%</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>57.66</strong></td>
<td></td>
<td><strong>126</strong></td>
<td></td>
</tr>
</tbody>
</table>

### Waste Audit Data Summary follow up visit

**School:** Squalicum High School  
**Date:** October 6th, 2016

<table>
<thead>
<tr>
<th>Cafeteria Waste</th>
<th>Weight (lbs)</th>
<th>Weight (% total)</th>
<th>Volume (gal)</th>
<th>Volume (% total)</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Recyclables</td>
<td>9.25</td>
<td>17%</td>
<td>20</td>
<td>27%</td>
</tr>
<tr>
<td>Compostables</td>
<td>20.04</td>
<td>37%</td>
<td>3</td>
<td>4%</td>
</tr>
<tr>
<td>Landfill</td>
<td>25.6</td>
<td>47%</td>
<td>50</td>
<td>68%</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>54.89</strong></td>
<td></td>
<td><strong>73</strong></td>
<td></td>
</tr>
</tbody>
</table>
Waste Prevention

Managing garbage means more than taking it to the curb. It involves science, technology, politics and personal choice. Our free workshops encourage students to look at garbage analytically.

Beginning with the basics and moving to the complex, our program will introduce the phenomena of solid waste, how our society currently deals with the issue, and its effect on the environment. Students can delve deeply into the causes of different waste streams and come up with their own solutions. Each workshop can be accompanied by an action project, enabling students to turn what they learned into tangible outcomes.

These FREE programs use project-based, experiential learning to teach students about the importance of waste prevention, at home and at school. The program aligns with Next Generation Science Standards and gives students the opportunity to take action on a current, local issue. Provided on behalf of Whatcom County Solid Waste Division.

New offerings for the 2016-2017 school year

It’s Not Waste Until It’s Wasted
How does our current waste management system work? How can my personal choices affect energy, land, and air quality?

We’ll help your students come face-to-face with the waste generated every day in their class or lunchroom by hosting a waste audit. After sorting, classifying, and weighing the waste, students will see how well their school sorts and disposes of landfill-bound waste, compostables, and recyclables. Students can then brainstorm ways to help promote correct sorting and overall waste reduction in their schools or community.

Register today, or contact us for more info.

Food Foolish: Too Much of a Good Thing?
How much food waste is filling up our landfills, and what can we do about it? How can we feed our soil by making smart choices with our food waste?

We’ll help your students understand the value of composting and see how much of their waste could be composted through a waste audit. Once completed, students will have the opportunity to brainstorm ways to increase awareness about sorting compostables and reducing waste around their school or community. Register today, or contact us for more info.

Material World
How do our purchasing habits affect the waste stream and shared resources? How can we see through the packaging — into the real issues behind fashion, marketing, and disposables — and become wise shoppers?

Students will learn about local resources to help develop action projects to upcycle, re-use, share resources, buy in bulk, or shop smart. They can choose to advocate for awareness and change in their own circles or promote a "shop smart" campaign in their school or community. Students can also come up with creative ways to extend the life of products. Register today, or contact us for more info.
TOWARD ZERO WASTE SUPERSTAR: CHRYSLIS INN & SPA

★ 80% of food waste is composted
★ 97% reduction in amenity waste
★ 56% overall waste reduction

80% waste reduction is within reach

Every business can be successful in reducing their trash, don’t let this opportunity go to waste! Contact Mark today: @ Mark@sustainableconnection.org (360)647-7093 x116 www.sustainableconnections.org
Whatcom County 2016 Q4 Report

ATTN: Jeff Hegedus (Whatcom County Health Department)
From: Mark Peterson | Sustainable Connections
RE: Commercial Waste Reduction and Recycling Technical Assistance and Education Services on behalf of Whatcom County

Included in this report

- Quarterly Report for work performed from September 2016 – December 2016
- Narrative of key activities
- A chart with deliverables completed during this period (Appendix 1)
- A chart of businesses contacted, recruited and outcomes (Appendix 2 & see attached excel)
- Outreach materials used for recruitment of businesses (Appendix 3)
- Examples of outreach materials to promote the Toward Zero Waste brand county-wide (Appendix 4)
- Example Commercial Waste Report (Appendix 5 Leopold Retirement Residence)
- Business Case Studies (Appendix 6)
- Mockup of event display materials (Appendix 7)

Whatcom County Q4 Report

During the fourth and final quarter of this contract, Sustainable Connections staff completed the deliverables as required by county contract HLO60116.

Business Recruitment:

New Toward Zero Waste (TZW) business were recruited including 20 Food Service, 10 Construction, 6 Event and 16 additional businesses from various sectors. Sustainable Connections staff provided technical assistance education and assessment of Toward Zero Waste efforts.

Sustainable Connection also conducted support site visits for many existing TZW businesses. As indicated in our Q3 report one benefit of the reinvigorated Toward Zero Waste effort is current TZW participants are interested in finding ways to continue to improve their waste management procedures.

The recruitment and implementation followed the typical pattern observed when working with businesses to employ sustainable practices. Participants fell into three categories: early adopters, followers and laggards. Recruitment continued throughout the term of the contract with businesses committing the program on various dates.

The compressed period of this contract presented some constraints for the full implementation of action plans created for businesses. The Early Adopter category made significant progress in their waste reduction goals since
the enacted procedures early in the contract period and have had enough time to assess their performance. The *Followers* began implementing action plans mid-contract term and are in the assessment phase and working with Sustainable Connection staff to refine efforts. The *Laggards* have committed to waste audits and implementing action plans in early 2017.

**Event Recruitment and Services:**

Sustainable Connection staff was successful in recruiting six events to implement TZW procedures. One of the six events, Oktoberfest, was cancelled for safety reasons due to a significant windstorm predicted for the evening of the event.

For all six events, Sustainable Connections provided technical assistance, planning support and assisted with volunteer recruitment. It is clear events hold a significant opportunity for diverting waste from landfill. Events also provide a forum to promote the Toward Zero Waste brand and provide education to attendees.

As we conducted these large events, it was apparent better signage and visibility of Central Waste Stations would greatly help event attendees deposit their refuse in the appropriate receptacle and reduce contamination. Sustainable Connections in concert with TZW principles repurposed existing banner stands (previously used for the Bellingham Energy Prize) to supplement existing banners and posters for events. The event display will be available for check out to future events and directors committed to TZW and provided free of charge as a part of our Toward Zero Waste event support services.

**Additional Program Requirements:** Sustainable Connections completed the additional contract requirements for workshops, peer-learning opportunities, and general promotion of the Toward Zero Waste brand. Particularly successful events were the Integrated Sustainable Practices Workshop held at the Chrysalis Inn & Spa, the Whatcom Food Network Fall Forum presentation and the Construction and Demolition Debris Technical Advisory Group.

**The Integrated Sustainable Practices Workshop at the Chrysalis Inn & Spa** was an excellent opportunity to highlight successful implementation of a number of sustainability initiatives. The Chrysalis opened up different rooms in the hotel to highlight different features including water efficient fixtures, energy efficiency upgrades, toward zero waste amenities and locally sourced food for their restaurant, Keenan's at the Pier. A passport was provided to each attendee and if they successfully identified all the features, they were entered into a prize drawing conducted at the end of the workshop.

The **Whatcom Food Network Fall Forum** brought together interested organizations, businesses and individuals committed to improving the food systems in Whatcom County. The major focus of this forum and workshop was closing the loop in food production and reducing food waste. In addition to general food prevention education, we paid particular attention to reducing holiday food waste. Among the 53 attendees were representatives from many...
sectors of food production including restaurant owners, public school food service personnel, Bellingham Food Bank, farmers and interested individual citizens.

Due to the impending complete redesign of the Sustainable Connections website, the final version of the Hospitality Tool Kit will be complete and online by February 2017. To provide this resource without creating more waste the Hospitality Tool Kit will be completed in a digital format allowing users to easily print a hard copy. The Hospitality Tool Kit text version is complete. The new Sustainable Connection website launches publicly January 23, 2017. After the successful launch and testing the section housing Toward Zero Waste Tool Kits including the Hospitality Tool Kit.

**Key Lessons Learned:**

- Illegal use of businesses garbage receptacles is a growing issue especially in the downtown Bellingham business district where alleys are the primary location. Fairhaven businesses have voiced similar concerns.
- Commodity prices being down has reduced the incentive for businesses. While there is still a net benefit to recycle, some businesses are finding it less cost effective when additional labor hours are considered.
- Many businesses encounter space issues when adding additional waste hauling services such as Food Plus.
- Contamination of waste streams is an ongoing problem. Greenwashed products contribute to this issue and many businesses unknowingly purchased items not accepted by our commercial composting facility.

**Construction and Demolition Debris:**

Construction and demolition waste reduction is a complex issue that requires whole systems thinking to make measurable change. To this end, Sustainable Connections convened a TZW Technical Advisory Committee consisting of designers, commercial and residential contractors, waste haulers, recyclers, deconstruction professionals and a representative from local government. Over the course of a series of meetings we discussed;

Meeting one: services and current conditions
Meeting Two: direct regulations and policy
Meeting three: incentives and education
Meeting four: tools and resources review

**Key Findings from Construction & Demolition Debris Technical Advisory Group:**

- Contractors need more education about best practices and local resources
- Percentage based goals are easily skewed by concrete and other heavy materials and can be very challenging to get accurate reports on weights. It would be preferred to follow King County’s approach and have a listed of materials to recycle
- A big missed opportunity is in deconstruction and extra efforts should be made to promote local services
- A county-wide policy would level the playing field for construction based businesses to remain financially competitive because of additional costs related to proper recycling
- There is a general lack of confidence that materials are being properly recycled after leaving construction site.
- Simple signage to communicate the site-recycling plan, acceptable materials and delineate bins as co-mingled is needed. Co-mingled bins look too similar to waste bins.

To further support contractors, Sustainable Connections has created materials to improve recycling rates and reduce contamination. This includes reusable signs that list all the materials accepted in a co-mingled bin in both
English and Spanish as well as extra-large magnets to put on bins to define what is allowed in the bin i.e. Recycling Only and Wood Only. We also want to ensure these businesses are being recognized for the extra efforts they make. We have developed signs and banners for contractors to customize with their logo.

Knowing that each business and each jobsite has a different set of challenges to accomplishing TZW goals, Sustainable Connections identified four local contractors as our “TZW Champions.” These contractors were tasked with utilizing the guide and the tools and resources to provide feedback and recommendations. For example, we modified the toolkit after one contractor recommended that we include co-mingled bin sizes from the two haulers in our area. After three months of piloting, the materials are ready mass distribution.

Our TZW Champions are:

- Dawson Construction
- Faber Construction
- Moceri Construction
- Bellingham Bay Builders

**Participant Quotes:**

“Again, thank you so much for your help assessing our waste and helping us implement Toward Zero Waste procedures. It is rewarding for me to take things to recycle instead of taking them to the dump.” Minda Paul – CAZ Energy Service

Working with Sustainable Connections made ALL the difference in helping us get closer to our goals for a zero waste at Oktoberfest! From logistical planning, to recommending appropriate terms and conditions for vendor participation, to supplying a knowledgeable volunteer team and plan for volunteers. The support and guidance provided by Mark and his team was invaluable. Too bad, we had to cancel the event for the Storm That Wasn’t. However we are well ahead of the game for 2017!” Kari Humphries, Owner - Starry Most Events

“Samson has long strived to reduce our environmental impact, and adding Food Plus! composting onsite was the natural next step in our Toward Zero Waste efforts. Mark Peterson at Sustainable Connections helped us in every phase of the implementation process: from coming onsite to evaluate our trash receptacles, to arranging a tour of Green Earth Technologies in Lynden, and finally spending 10 hours onsite and presenting to our employees at our Food Plus! rollout. It’s great to have Sustainable Connections as a resource in our community, and I am proud of our long standing partnership.” Patricia Boteler, Sustainability Coordinator – Samson Rope

“Sustainable Connections was instrumental in helping the Leopold Retirement Residence roll out our Toward Zero Waste program. Mark conducted a waste audit, helped determine the appropriate number of waste stations and types of containers and provided purchasing information for switching to compostable to-go products. In addition to the technical assistance, Mark gave a presentation to all of our residents so they could better understand the reason for our efforts and the global issue of food waste. We are proud to be a Toward Zero Waste business and are thankful for Sustainable Connections' help to put best practices in place.” Peter Frazier, Interim Executive Director – The Leopold.
### Appendix 1

<table>
<thead>
<tr>
<th>Deliverable</th>
<th>Notes</th>
<th>Attendees</th>
<th>Date Completed</th>
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<tr>
<td>Produce 2 Case Studies</td>
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<td>11/1/2016</td>
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<tr>
<td>Leopold</td>
<td></td>
<td></td>
<td>11/1/2016</td>
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<tr>
<td>CAZ Energy</td>
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<td>12/15/2016</td>
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<td>Additional Case Study - Itex Energy</td>
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<tr>
<td>Greenbuilding Nerds Group</td>
<td>Construction &amp; Demolition Debris focus</td>
<td>21</td>
<td>6/20/2016</td>
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<td>Business Over Breakfast</td>
<td>Small workplace TZW focus</td>
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<td>9/2/2016</td>
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<td>Craft Brewers Workshop</td>
<td>Joint Workshop with Pacific Pollution Prevention Council</td>
<td>12</td>
<td>9/28/2016</td>
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<td>Construction &amp; Demolition TAG</td>
<td>4 sessions average attendance</td>
<td>40</td>
<td>June, July, August</td>
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<td>Total Attendees</td>
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<tr>
<td>Integrated TZW/ABO Workshop</td>
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<tr>
<td>Samson Rope</td>
<td>Presentation to all employees</td>
<td>175</td>
<td>9/9/2016</td>
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<tr>
<td>Chrysalis</td>
<td>Presentations - Open Rooms - Highlighted TZW and other efforts</td>
<td>32</td>
<td>9/16/2016</td>
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<tr>
<td>Ferndale Business Unplugged</td>
<td>Workshop on food waste and recovery - TZW event also</td>
<td>25</td>
<td>10/20/2016</td>
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<tr>
<td></td>
<td>Total Attendees</td>
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</tr>
<tr>
<td>Conduct TZW Workshop</td>
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<td></td>
</tr>
<tr>
<td>Chamber of Commerce Event Training</td>
<td>TZW Event Workshop - presentation to area event directors</td>
<td>14</td>
<td>10/4/2016</td>
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<tr>
<td></td>
<td>Total Attendees</td>
<td>102</td>
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</tr>
<tr>
<td>Event: Minimum S</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bellingham Fete</td>
<td>Great exposure for TZW brand</td>
<td>2000</td>
<td>6/20/2016</td>
</tr>
<tr>
<td>Alcoa 50th Anniversary Picnic</td>
<td>Excellent event - Governor Inslee in attendance</td>
<td>2000</td>
<td>8/13/2016</td>
</tr>
<tr>
<td>Sea Feast</td>
<td>Went well - good start</td>
<td>4000</td>
<td>9/30/2016</td>
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<tr>
<td>Fall Taste of Tourism</td>
<td>Good first go. Positive lessons learned for better diversion in 2017</td>
<td>100</td>
<td>10/13/2016</td>
</tr>
<tr>
<td>Event</td>
<td>Description</td>
<td>Attendance</td>
<td>Date</td>
</tr>
<tr>
<td>------------------------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>------------</td>
<td>------------</td>
</tr>
<tr>
<td>GB&amp;SG Conference</td>
<td>1st time working with Four Points Sheraton post ownership change</td>
<td>125</td>
<td>11/2/2016</td>
</tr>
<tr>
<td>Oktoberfest</td>
<td>Planning/VT Recruitment/Cancelled - storm that wasn't</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Total Attended:</strong></td>
<td>325</td>
<td></td>
</tr>
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<td>Text Version is Complete -</td>
<td>Will be converted to digital format and launched online mid-February 2017</td>
<td></td>
<td>12/23/2016</td>
</tr>
<tr>
<td>Promote TZW Brand</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Superfeet Full Staff TZW</td>
<td>30 minute presentation on wider issue of TZW</td>
<td>75</td>
<td>7/14/2016</td>
</tr>
<tr>
<td>Presentation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Superfeet Wellness Fair Staff &amp; Family</td>
<td>TZW tabling at event that included family of staff</td>
<td>125</td>
<td>8/26/2016</td>
</tr>
<tr>
<td>1000s of Thanks</td>
<td>TZW event - presentation highlighted TZW success in 2016</td>
<td>250</td>
<td>10/6/2016</td>
</tr>
<tr>
<td>WWU Sustainability Fair</td>
<td>TZW tabling at event</td>
<td>200</td>
<td>10/19/2016</td>
</tr>
<tr>
<td>Greenbuilding &amp; Smart Growth Conference</td>
<td>Banners throughout venue, verbal mention and workshop</td>
<td>125</td>
<td>11/2/2016</td>
</tr>
<tr>
<td>Member Connect Happy Hours</td>
<td>TZW event, participant recruitment</td>
<td>75</td>
<td>June, September, October</td>
</tr>
<tr>
<td>Facebook Posts</td>
<td>6500 followers - Promoting TZW actions, sharing business success</td>
<td>19,500</td>
<td>June - December</td>
</tr>
<tr>
<td>Cascadia Weekly 1/4 page ad</td>
<td>350 location, 20,000 circulation</td>
<td>20,000</td>
<td>11/2/2016</td>
</tr>
<tr>
<td>6 Sustainable Business Newsletters</td>
<td>558 mailing list average 38% Open Rate (industry average 18%)</td>
<td>1273</td>
<td>June - December</td>
</tr>
<tr>
<td>6 Green Building &amp; Smart Grown Newsletters</td>
<td>1082 regional professionals 26% Open Rate (industry average 18%)</td>
<td>1688</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Estimated Reach:</strong></td>
<td>3334</td>
<td></td>
</tr>
</tbody>
</table>
### Appendix 2 - Outcomes

<table>
<thead>
<tr>
<th>Location</th>
<th>Services Added/Implemented</th>
<th>Increased or Added Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>CAZ Energy Services</td>
<td>Film Recycling</td>
<td>Over 60 gallons per week</td>
</tr>
<tr>
<td>Added Services</td>
<td>Pallet Recycling</td>
<td>20 - 30 per week</td>
</tr>
<tr>
<td></td>
<td>Scrap Metal Recycling</td>
<td>Varies by job and week</td>
</tr>
<tr>
<td>Bonne Grocerly</td>
<td>Film Recycling</td>
<td>20 gallons per week</td>
</tr>
<tr>
<td>Added Services</td>
<td>Food Plus/Composting</td>
<td>60 gallons per week</td>
</tr>
<tr>
<td></td>
<td></td>
<td>now diverted</td>
</tr>
<tr>
<td>Mt. Baker Care Center - Dining Service</td>
<td>Film Recycling</td>
<td>30 - 60 gallons per week</td>
</tr>
<tr>
<td>Added Services</td>
<td>Food Plus/Composting</td>
<td>120 gallons per week</td>
</tr>
<tr>
<td></td>
<td>Compostable To -go In Room Serving ware</td>
<td></td>
</tr>
<tr>
<td>Summit Place Care Center - Dining Service</td>
<td>Film Recycling</td>
<td>30 - 60 gallons per week</td>
</tr>
<tr>
<td>Added Services</td>
<td>Food Plus/Composting</td>
<td>120 gallons per week</td>
</tr>
<tr>
<td></td>
<td>Compostable To -go In Room Serving ware</td>
<td></td>
</tr>
<tr>
<td>The Rickshaw</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Added Service</td>
<td>Food Plus/Composting</td>
<td>Approximately 60 gallons per week - shared garbage</td>
</tr>
<tr>
<td></td>
<td>Compostable To Go Ware</td>
<td></td>
</tr>
<tr>
<td>Crave Catering</td>
<td></td>
<td>Now averaging 60 gallons diverted per event. Ongoing refinement - catering is a challenging industry but BIG opportunities. Will need additional assistance</td>
</tr>
<tr>
<td>Picking Food Plus Composting</td>
<td>Food Plus/Composting</td>
<td></td>
</tr>
<tr>
<td>Samson Rope</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Added</td>
<td>Food Plus/Composting</td>
<td>300 Gallons per Week Now diverted</td>
</tr>
<tr>
<td>El Agave Family Mexican Restaurant</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Identified opportunities</td>
<td>Food Plus/Composting</td>
<td>Very large potential</td>
</tr>
<tr>
<td>In Place -</td>
<td>Film Recycling</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Compostable To Go ware</td>
<td></td>
</tr>
<tr>
<td>Forsdale Bargain Market</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Added Services</td>
<td>Film Plastic</td>
<td>over 90 gallons per week</td>
</tr>
<tr>
<td></td>
<td>Food Plus for Employee Breakroom</td>
<td>60 gallons per week</td>
</tr>
<tr>
<td></td>
<td>Currently sends edible food to Forsdale Food Bank or for animal feed</td>
<td></td>
</tr>
<tr>
<td>Mt Baker Weddings</td>
<td>2017 Audit and Action Plan</td>
<td>Will conduct when season and event begin again</td>
</tr>
</tbody>
</table>
### Leopold Retirement Residence

<table>
<thead>
<tr>
<th>Added Services</th>
<th>Food Plus/Composting</th>
<th>120 Gallons Per Week</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Film Recycling</td>
<td>30 Gallons Per Week</td>
</tr>
<tr>
<td></td>
<td>Compostable To Go Containers</td>
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</table>

### Sunnyland Pita Pit

Committed to 2017 Audit

### 100 North

<table>
<thead>
<tr>
<th>Added Services</th>
<th>Food Plus/Composting</th>
<th>120 Gallons per week</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>PTAG</td>
<td></td>
</tr>
</tbody>
</table>

Will be adding Food Plus in 2017 for services. Other action plan items include floral arrangement composting. Estimated diversion opportunity of 2 yards per week.

### Moles Greenacres

<table>
<thead>
<tr>
<th>Identified Services</th>
<th>Food Plus/Composting</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>PTAG</td>
<td></td>
</tr>
</tbody>
</table>

### Crossroad Grocery

Food Plus or local compost
Plastic Film Recycling
Hampered by no SSC east county Organics service

### The Soy House

<table>
<thead>
<tr>
<th>Identified Opportunity</th>
<th>Food Plus</th>
<th></th>
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</thead>
</table>

Full audit scheduled for 2017 - No service in place currently and big opportunity

### Storms Throw Beware

<table>
<thead>
<tr>
<th>Additional Services</th>
<th>Food Plus</th>
<th>120 Gallons per week Organics Diversion</th>
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<tbody>
<tr>
<td></td>
<td>Spent Grain picked up by Pig/Cow Farm in Everson</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Paper Towels Composted</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Colita</th>
<th>Employee Area Food Plus/Composting</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Plastic Film</td>
<td>PTAG</td>
</tr>
</tbody>
</table>

Sawed boards recycling in remanufacturing into new products and used for ICW management. Does not use single use plastics and uses Multi-2000 cup count

### Construction Businesses

<table>
<thead>
<tr>
<th>CAZ Energy Services</th>
<th>Construction</th>
<th>Plan in place - moving forward. Now diverting Plastic Film, Steel and wood pallets</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dawson Construction</td>
<td>Construction</td>
<td>Beta Site for Large Contractors. Working on integrated approach and contractor to get best practices and systems standardized</td>
</tr>
<tr>
<td>Bellingham Bay Builders</td>
<td>Construction</td>
<td>Achieved 71% recycling rate company wide - moved rather than demolished a house for further diversion</td>
</tr>
<tr>
<td>Chuckanut Builders</td>
<td>Construction</td>
<td>Achieved incredible 91% recycling rate - 15.89 tons on one project</td>
</tr>
<tr>
<td>Faber Construction</td>
<td>Construction</td>
<td>20 tons of steel recycled. C &amp; D recovery plans implemented at 3 ongoing projects</td>
</tr>
<tr>
<td>Lookbill Contracting</td>
<td>Construction</td>
<td>Implemented C &amp; D Recovery on projects. Major project is the old Cascade Laundry Building</td>
</tr>
<tr>
<td>Company</td>
<td>Industry</td>
<td>Notes</td>
</tr>
<tr>
<td>------------------------------</td>
<td>----------</td>
<td>----------------------------------------------------------------------</td>
</tr>
<tr>
<td>Moceri Construction</td>
<td>Construction</td>
<td>Signed MOU, just starting business and will implement C &amp; D on projects</td>
</tr>
<tr>
<td>North Sound Energy &amp; Remodel</td>
<td>Construction</td>
<td>Signed MOU, just starting business and will implement C &amp; D on projects in 2017</td>
</tr>
<tr>
<td>West Coast Homes</td>
<td>Construction</td>
<td>Implemented C &amp; D Recovery on all new home construction sites</td>
</tr>
<tr>
<td>Westgate Design &amp; Construction</td>
<td>Construction</td>
<td>Signed MOU, just starting business and will implement C &amp; D on projects in 2017</td>
</tr>
</tbody>
</table>
Community Horticulture Program
4th Quarter Report October- December 2016

From: Beth Chisholm

Our trained community volunteers worked in 14 locations during the fourth quarter. As always our mission is to reach community goals with action oriented programs and strong education.

Our 6 week training empowers adults to take science based knowledge into the community. WSU volunteers serve in a variety of capacities as workshop leaders and mentors at community gardens, schools and clubs.

Action items that we will continue in 2017
- The need for clarity on what items are compostable in our community.
- Contamination is a key concern in the recycle and organic streams.
- Community gardens need ongoing support to compost organics on site.
- Private schools and clubs are interested in composting on site.
- Recycling and organic food waste diversion need stronger messaging that can tie in with other messaging such as the “Eat Local” Campaign
- Smaller cities and unincorporated areas are in need of better support.
- FoodPlus Video is near completion and will be distributed in schools, Pickford Theater, WWU campus, online via YouTube, neighborhood meetings and will assist in the knowledge and potentially increase in the service countywide.

Community Garden outreach
Continued need for outreach and support at community gardens; Happy Valley, Sudden Valley, Fairhaven, have expressed desire to learn how to manage their waste on site.
Happy Valley – city has provided compost bins, participation and proper usage an ongoing challenge.
Sudden Valley – successful pilot composting effort with plans for growth in 2017 and ongoing public workshops. Desire to reduce pesticide use, protect adjacent wetland area, be more self-sufficient.

Items we identified in 2016:
- Community desire for worm bin education
- School requests for on-site composting
- Coordination with other Puget sound Counties and programs
- Development of consistent educational programming

Attended the Washington Organics Recycling Council (WORC) https://www.compostwashington.org/

Takeaways
- Community engagement is critical aspect of waste diversion and prevention.
- Need for consumer education about compostable products.
- Institution-wide commitment to compostable is essential to success.
Master Composter Recycler Program (MCR)

Activities: 11 newly trained Master Composter Recyclers certified in November 2016. These trained volunteers provided over 300 hours of education and outreach throughout the county. Two volunteers recognized for extraordinary contributions to the program.

MCR volunteers
- Maintained the compost demonstration area at Hovander Park.
- Provided 5 community garden and classroom composting workshops.
- Tabled at 4 outreach events including WWU Sustainability Fair, Washington Small Fruit Conference.
- Taught worm bin presentations at Carl Cozier Elementary & Fairhaven Middle School
- Developed the Terra Organica public worm bin display

Program planning for 2017 focuses on:
- Course Curriculum refinement
- Program sharing with other counties
- Compostable products training
- Outreach kit development
- Public speaking training to boost volunteer confidence
- Organized volunteer outreach & recruitment system for special and ongoing projects
- Annual calendar of MCR activities & community presence
- Coordination with ReSources for elementary waste education

Outreach

WWU Sustainability Fair (10/19/16): WSUE hosted a table on the topic of composting & waste reduction and provided information about WSU and Whatcom County resources on these topics.

Public Contacts: 230

Toward Zero Waste at the Washington Small Fruit Conference (11/30/16 – 12/2/16): Volunteers created and distributed a pamphlet about TZW goals. Organized and staffed a zero-waste management system, which included monitoring waste bins. Surveyed attendees regarding personal composting & recycling practices. Volunteers ensured that all the 68-gallon totes for the 3 day event were not contaminated, diverting approximately two-thirds of the waste from landfill. All regional producers and ag businesses were exposed and educated about Zero Waste and organic diversion.

Public Contacts: 1000

WSU Master Gardener Advanced training- 150 attendees. Day long regional gardening conference. Event was TZW and 2 educational sessions focused on Waste Reduction and management. Green Earth Technology presented on the Local organic Food Plus System.
Printed & Online resource material for public consumption

**TZW Event Guide and Kit**
A written guide for event planners and vendors (adapted from and used in tandem with the Sustainable Connections 2008 version) is currently being developed for WSUE coordinated events, and was used for the Master Gardener Annual Advanced Training. A kit including signage, brochures, and waste management tools has been assembled to use for future zero-waste WSUE events. This kit can be loaned to other individuals and organizations who wish to achieve their own zero-waste events.

**Whatcom County Composting and Recycling Survey**
This survey is administered at all WSUE Master Composter workshops and events.

**Community Garden Composting Workshop Kit**
A kit for community garden composting workshops and compost areas was developed. It includes standard signage for community gardens, a binder of resources to remain at the garden, and materials for conducting composting workshops and work parties. This kit can be loaned to volunteers who wish to teach workshops at their community gardens or in their neighborhoods.

**Master Gardener Advanced Training (October 2016)**
Stephanie Harvey of Green Earth Technology presented “Uncovering the Mysteries of Curbside FoodPlus- Turning Food Waste Into Compost”. Scott Chase, WSUE presented “Native Plants and Support for Slopes & Protection from Erosion”). Zero-waste information and incentives were included in event registration materials.
Attendees: 150

**Washington Small Fruit Conference (December 2016)**
This WSUE annual 3 day event will be zero-waste with the support of the Master Composter Recycler program. 1500 attendees with catered lunches each day. Waste reduction and education provided.

**Where Does Your FoodPlus Go Video (December 2016)**
The Master Composter program is leading this project in collaboration with the Toward Zero Waste collective. The purpose of the video is to inform Whatcom County residents that organics collected in Whatcom County are composted locally and that a high-quality finished product is available to the public. The video will feature the local business Saturna Capital (with support from Sustainable Connections) and Kulshan Middle School (with support from ReSources), while following a hauler from Sanitary Service Company on the route to Whatcom County’s composting facility, Green Earth Technology. Videography is performed by Master Gardener/Composter and Access Bellingham volunteer Kate Nichols. Filming began in September 2016.

**Community Composting Brochures**
WSUE is actively updating its suite of composting and residential waste reduction outreach materials. Currently under development is a brochure on how to build an effective, inexpensive, and pest resistant backyard composting bin.
FREE TIRE RECYCLING!

Two Sundays only!
April 30th and May 7th 2017
From 9 am to 4 pm

Birch Bay — Lynden Box Facility & Recycling Center
4297 Birch Bay — Lynden Road

- Households can recycle up to 15 auto or small truck tires, each Sunday (with or without rims).
- No commercial/business tires and no semi-truck or tractor tires allowed.
- No after-hour drop-off allowed, and no garbage accepted.

Bring proof of Whatcom County residency

Driving Directions: From I-5, take EXIT 270,
Turn west onto Birch Bay-Lynden Rd.
Go west 2.5 miles to 4297 Birch Bay-Lynden Road.

Special thanks to Sanitary Service Company for their cooperative efforts.

Sponsored by Whatcom County Health Dept., for more information contact (360) 778-6033
DRAFT 2017 Whatcom County Tire-recycling event

Table 1. Tire recycling event numbers.

<table>
<thead>
<tr>
<th>Customer Areas</th>
<th>Event Date</th>
<th>Total Number of Customers</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Sun. April 30th</td>
<td>92</td>
</tr>
<tr>
<td>Fern</td>
<td>62</td>
<td>36</td>
</tr>
<tr>
<td>Lynden</td>
<td>36</td>
<td>36</td>
</tr>
<tr>
<td>Custer</td>
<td>36</td>
<td>54</td>
</tr>
<tr>
<td>Blaine</td>
<td>54</td>
<td>15</td>
</tr>
<tr>
<td>Evers</td>
<td>15</td>
<td>5</td>
</tr>
<tr>
<td>Demi</td>
<td>5</td>
<td>1</td>
</tr>
<tr>
<td>M Falls</td>
<td>6</td>
<td>3</td>
</tr>
<tr>
<td>Sumas</td>
<td>162</td>
<td>162</td>
</tr>
<tr>
<td>Bham</td>
<td>162</td>
<td>162</td>
</tr>
<tr>
<td>Total</td>
<td>100</td>
<td>61</td>
</tr>
</tbody>
</table>

Event totals, according to the state contractor - Tire Disposal and Recycling Company.
- 12 trailers of 500 – 800 tire a piece
- 115.59 tons
- Approx. 10,200 tires

Event highlights
- The tire-recycling event was a huge success for Whatcom County and the citizens of Ferndale, Lynden, Custer, Blaine, Birch Bay, & Lummi.
- Many people said that they hauled tires from neighbors and friends properties. Thanks for all of your efforts to clean up your neighborhoods.
- On-site estimates were lower and indicated that between 7,000 - 8,000 tires were collected.
- Only one person was turned away with a large load of tractor tires.
- No afterhours dumping occurred outside the fence.
- Tires used for sports fields and tracks, road sign bases, alternative fuels.
- Advertising included; flyers posted around the targeted areas, Facebook, KGMI radio ad, roadway signs near the event, and print articles in the Bellingham Herald and Northern Light newspapers.
- People said that they had heard about the tire-recycling event via:
  72 – Herald, 36 - Word of mouth, 68 – Signage, 27 – Other

Event opportunities
- Whatcom County has enjoyed great benefit from the WA State tire removal contracts with Ecology.
- Depending on finding and equity issues, further tire amnesty events may not be available for Whatcom County households for a few years.
- Citizens should manage (recycle) tires immediately as they are replaced, and should not stockpile them hoping for another free event. This will reduce mosquito breeding places and dump sites.
- The WA state contract for tire recycling expires and needs to be re-bid semi-annually.

Some photos from the last day are attached below.
Please contact me with any questions or concerns.
Best regards, Bill Angel
Whatcom County Health Dept. 360-778-6033 wangel@whatcomcounty.us
Solid waste taxing district considered

The Point Roberts Community Advisory Committee (PRCAC) has unanimously endorsed a motion asking the county to look into a taxing district that would support solid waste management on the Point.

At their March 14 meeting commissioners heard from Whatcom County Health Department environmental health supervisor Jeff Hegedus and environmental health manager John Wolpers. They came to "continue the conversation" about how the community wanted to tackle the challenges of maintaining a sustainable and effective solid waste system given the small size and remote location of Point Roberts.

"Where we go from here is, we want to come down in altitude, working towards any recommendations the community may have but we want to do it slow," Hegedus said.

Working with the results of a recent community survey he said they were looking at five areas: good service, reduced illegal dumping, increased recycling, vendor stability and affordable collection services. "All these moving parts are connected," he said. "If you do one thing here, it changes what goes on over there. Every time you change something it has to be technically feasible, economically viable, politically palatable. You have to be able to manage it, and there's friction between all these moving parts. It's not so much what you do but how you do it. We want to resist the temptation to come up with solutions before we find problems."

From the audience Arthur Reber suggested the most salient problem was that garbage collection was effectively optional on the Point, whereas it was mandatory elsewhere in the county. Hegedus agreed the county had an ordinance under which everyone must have curbside collection services, but that same law also has provisions for property owners to apply for an exemption. "They made additional language for Point Roberts that said people who lived here seasonally would be encouraged to have curbside collection but didn't have to," he said. "In Point Roberts, if you're seasonal you don't even need to get an exemption." The result is that while Cando Recycling and Disposal only has 300 customers, the company is nevertheless required to provide the service, and the state regulates what it can charge.

"Find a way to make it obligatory," Reber said, which would by economy of scale allow it to be more affordable. "That way everybody pays for it and if you don't want to use it, don't use it." This could be through property taxes or through a process similar to the water system where connection to the system is mandatory for developed properties, and they must pay a monthly minimum fee regardless of whether they use water or not.

"What we have found is the exemption process is absolutely not working," Hegedus said. "I have drawers full of exemption paperwork. It's a failure."

In Vancouver, Hegedus said, they have a hybrid system where a base cost for the service is included in property taxes and there are additional fees for additional volume. "The less trash you produce the more money you save," he said. Other cities also had a combination of tax-supported solid waste systems, flat fees and user fees. "If we could do that would we want to?" Hegedus asked, also requiring what combination would work for Point Roberts. "I can't see us going backwards to no curbside collection. I don't think that's what people want."

The current system, lacking economy of scale, leads to vendor instability and higher prices. "Kudos to Cando for holding the line," Hegedus said. The company has raised disposal costs by only a penny a pound in eight years. "With more customers Cando could have even lower..."
prices and improve service.” With more income to improve services, the hauler could offer more options that would be practical for seasonal residents, which might lead to a decrease in illegal dumping.

PRCAC member and seasonal resident Jeff Christopher pointed out that Canadians with vacation properties north of the line expected to pay for garbage through their taxes just like they did at home. “If I’m in the Gulf Islands it doesn’t matter if I’m there once a year, I have to pay,” he said. “So why shouldn’t we have to pay here?” He suggested part of the review of the Point Roberts Special District PRCAC is proposing to undertake could be to include mandatory curbside pickup either through regulation, taxes or as a hybrid system. “I think it’s very sellable,” he said.

“We need to understand, from the community, what you want,” Hegedus said. “The product we want is a series of options ranging from the no action alternative, what the consequences would be, to duplicating the city of Vancouver’s highly sophisticated system and successful model to options in between.”

One option he suggested could be investigated was the formation of a public utility district, through which elected commissioners would set a tax levy rate applied to all properties and the funds raised could fund all or part of the garbage collection system. “We already have a water utility. Couldn’t garbage be part of the water bill?” suggested P.J. Minter.

PRCAC members voted unanimously to request the county solid waste division investigate the possibility of a public utility and other options for solid waste in the community.

“Once we have figured out what the model looks like it’s a small matter for us to take an ordinance and go talk to council, but council needs to see there is support for it before they’re going to vote to approve it,” Hegedus said. “In my mind, you have to have curbside collection services – the question is how. How do we keep those levels of service where we want them, costs where we want them? We are a consumer society and if we don’t manage what that society produces, it impacts all aspects of our lives.”

POSTED BY WPAPB

https://www.allpointbulletin.com/2017/03/31/solid-waste-taxing-district-considered/
SOLID WASTE EXECUTIVE COMMITTEE
Discussion Form
July 18, 2017

AGENDA ITEM 6: Proposed Amendment to WCC 8.13, Solid Waste Disposal District, Regarding the Solid Waste Excise Privilege Tax

PRESENTER: Jeff Hegedus, Environmental Health Supervisor

BOARD ACTION: ☑️ Action Item  Discussion  Information

SIGNIFICANT POINTS OR EXECUTIVE SUMMARY

WCC 8.13.140, Annual review of tax requirements states that 'The executive committee shall annually review the tax requirements to fund the solid waste disposal programs and advise the county council of their findings (Ord. 2014-050 Exh. A; Ord. 97-041 Exh. A; Ord. 90-1 § 14).’ Additionally, recommendation 9.1.F of the approved 2016 Comprehensive Solid and Hazardous Waste Management Plan states 'Review the adequacy of the existing excise tax levy and exemptions to address recent state funding reductions.'

Background

Prior to 1997, as per Ordinance 90-1, solid waste management statutory obligations and programmatic requirements were funded by a $9.00 per ton solid waste surcharge that applied to all solid waste generated in the county. Due to a 1997 solid waste legal arbitration ruling, the surcharge was repealed and replaced by an excise tax. Ordinance 97-41 amended WCC 8.13.030, Excise privilege tax levied, and implemented a solid waste excise tax, not to exceed $8.50 per ton, excluding recyclable materials, that applies only to solid waste collected by certificated and franchised solid waste haulers, as per WCC 8.11.030, rather than to all solid wastes.

Due to subsequent increases, over time, in allowed exemptions to mandatory collection by certificated and franchised haulers, as per WCC 8.11.030, the excise tax has been applied to an ever decreasing percentage of solid waste generated in the county. In 2016, only 65% of the total solid waste disposed in the county was subject to the excise tax. This has resulted in decreased revenues to fund solid waste services. Additionally, state grant funding for solid waste services was reduced by 38% in 2015, and reduced further by another 36% in 2017, resulting in a current $230,000 annual reduction of state grant funding used to fund the Disposal of Toxics and illegal dumping compliance enforcement programs.

The combined reductions in excise tax and state grant revenue have resulted in levels of funding that are currently inadequate to maintain solid waste statutory obligations and programmatic requirements.
**Recommendation**

In 2016, the excise tax applied to an estimated 97,055 tons of solid waste collected by certificated and franchised haulers at residential or commercial curbside collection locations. An additional estimated 52,320 tons of solid waste, self-hauled by residential and commercial generators, was not subject to the tax. This results in an estimated 35% of the county solid waste stream that makes no revenue contribution to solid waste services such as the Disposal of Toxics program, waste reduction and recycling programs, compliance enforcement, litter control, landfill management, or planning activities.

<table>
<thead>
<tr>
<th>2016 Residential and Commercial Self-Haul Tonnage</th>
<th>2016 WUTC Collection Tonnage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sanitary Service Company</td>
<td>231</td>
</tr>
<tr>
<td>Nooksack Valley Disposal</td>
<td>878</td>
</tr>
<tr>
<td>Cando Recycling &amp; Disposal</td>
<td>669</td>
</tr>
<tr>
<td>Regional Disposal Services</td>
<td>39,749</td>
</tr>
<tr>
<td>Republic Services</td>
<td>10,793</td>
</tr>
<tr>
<td><strong>TOTAL TONNAGE</strong></td>
<td><strong>52,320</strong></td>
</tr>
</tbody>
</table>

To continue funding the Disposal of Toxics program and compliance enforcement of illegal dumping, the state budget cuts must be replaced with another source of revenue. Additionally, a guiding premise of existing solid waste enabling ordinances is that all users of county solid waste system infrastructure and compliance programs and statutory obligations equitably share costs.

As approved by the Solid Waste Advisory Committee on April 27, 2107 it is the staff recommendation that the excise tax also be levied on solid waste transported by residential and commercial self-haulers, as per RCW 36.58.140, rather than only on solid waste transported by certificated and franchised haulers, as per Exhibit A attached. Levying the excise tax, equitably, at the current established rate of $8.50 per ton, would generate an estimated $422,000 in additional revenue for solid waste services. As per WCC 8.13.140, Annual review of tax requirements, the actual excise tax rate would be reviewed annually.

**COMMITTEE ROLE / ACTION REQUESTED**

Review and approval of amendment to WCC 8.13, Solid Waste Disposal District

**ATTACHMENT(S)**

Draft Ordinance and Exhibit A, Amendment to WCC 8.13, Solid Waste Disposal District

Ordinances 97-41
ORDINANCE NO. ________

AMENDMENT TO WHATCOM COUNTY CODE (WCC) 8.13, SOLID WASTE DISPOSAL DISTRICT REGARDING THE SOLID WASTE EXCISE PRIVILEGE TAX

WHEREAS, solid waste management statutory obligations and programmatic requirements such as closed landfill monitoring and maintenance, Disposal of Toxics facility operations, waste reduction and recycling education, illegal dumping and litter control, compliance enforcement and comprehensive planning require adequate funding mechanisms; and,

WHEREAS, the approved Whatcom County 2016 Comprehensive Solid and Hazardous Waste Management Plan recommends that the adequacy of the existing solid waste excise tax levy to fund solid waste services be reviewed; and,

WHEREAS, WCC 8.13.030, Excise privilege tax levied, levies a solid waste excise tax, currently established at $8.50 per ton, excluding recyclable materials, that applies only to solid waste collected by certificated and franchised solid waste haulers, rather than to all solid wastes, to fund solid waste services; and,

WHEREAS, due to subsequent increases, over time, in allowed exemptions to mandatory curbside collection services, as provided by certificated and franchised haulers, the excise tax has been applied to an ever decreasing percentage of solid wastes, with only 65% of the total solid waste disposed in the county in 2016 being subject to the excise tax, resulting in decreased revenues to fund solid waste services; and,

WHEREAS, additionally, state funding for solid waste services was reduced by 38% in 2015, and reduced further by another 36% in 2017, resulting in a current $230,000 annual reduction of total revenue used to fund solid waste services; and,

WHEREAS, the combined reductions in revenue have resulted in levels of funding that are currently inadequate to maintain solid waste statutory obligations and programmatic requirements; and,

WHEREAS, further, it is not considered equitable that only customers of certificated and franchised solid waste haulers fund solid waste services that are utilized by all; and,

WHEREAS, adequate and equitable funding for solid waste statutory obligations and programmatic requirements must be provided; and,
WHEREAS, as per WCC 8.13.140, Annual review of tax requirements, the Solid Waste Executive Committee has reviewed and recommended the proposed amendment.

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that WCC 8.13, Solid Waste Disposal District is hereby amended as shown in Exhibit A attached hereto.

ADOPTED this ____ day of __________, 2017.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Clerk of the Council

Barry Buchanan, Chair

WHATCOM COUNTY EXECUTIVE
WHATCOM COUNTY, WASHINGTON

APPROVED AS TO FORM:

Jack Louws, County Executive

( ) Approved ( ) Denied

Date Signed: ____________________
EXHIBIT A

Chapter 8.13
SOLID WASTE DISPOSAL DISTRICT

Sections:
8.13.010 District formed – Findings and determinations.
8.13.020 Definitions.
8.13.030 Excise privilege tax levied.
8.13.040 Tax collection.
8.13.050 Administration by county treasurer.
8.13.060 Failure to make timely payment.
8.13.065 Records required.
8.13.070 Application of tax – Appeal.
8.13.080 Tax exemptions and special conditions.
8.13.090 Penalties for nonpayment of tax.
8.13.100 Management of operations.
8.13.110 Use of revenues.
8.13.120 Effective date.
8.13.130 Severability.
8.13.140 Annual review of tax requirements.

8.13.010 District formed – Findings and determinations.
The Whatcom County solid waste disposal district ("district") is hereby formed to provide a sound financial basis for support of the objectives of the county's updated comprehensive solid waste management plan, including a high level of waste reduction and recycling; to construct transfer stations; to maintain closed solid waste landfills in Whatcom County; to provide such other solid waste disposal systems and services as are in the public interest; and to secure a healthful environment for all citizens of Whatcom County. The district shall include all unincorporated and incorporated areas of Whatcom County. Incorporated areas are included within the district pursuant to interlocal agreements executed with Whatcom County, copies of which are attached to the ordinance codified in this chapter and incorporated herein as Appendix A. The county council in forming the district determines and finds:

A. State and federal law and regulation have placed increased responsibility on local governments to manage solid waste disposal systems in a manner that protects public health and safety;

B. Properly designed, operated, and maintained landfills and other solid waste disposal facilities are essential public utilities serving broad public interests, by protecting public health and safety;

C. Federal and state standards for solid waste disposal, including requirements for recycling and waste reduction, have greatly increased the cost of solid waste disposal systems;

D. The transfer and other handling of solid wastes generated by residents of the district, whether generated at their homes or elsewhere in the district, imposes cost burdens on the district;

E. All residences and businesses within the district receive substantial and essential public service by having the operational availability on a continuing basis healthful, safe and reliable solid waste disposal facilities and systems;
F. In order to safely maintain closed landfills, the county must expend substantial sums of money including the cost of ongoing monitoring, to protect the public health and welfare and to meet regulatory standards;

G. The cost of acquiring, developing, operating, maintaining and closing facilities and providing for long-term compliance with regulatory standards cannot be financed solely on a "fee for service" basis;

H. Repealed by Ord. 97-041;

I. Pursuant to Chapter 8.11 WCC, the county concurrently created a solid waste collection district pursuant to Chapter 36.58A RCW for the purpose of imposing mandatory collection in unincorporated areas which will match ordinances in incorporated areas, which enforce mandatory collection;

J. A stable funding program consisting of a district excise tax is required to provide a broad and sound financial basis to provide safe disposal facilities and systems, to meet the objectives of the plan, and to support the management of solid waste programs in compliance with applicable state and federal laws;

K. Waste reduction and recycling measures contemplated by the plan promote the health, safety and welfare of county residents, by reducing the degradation created by incineration and landfill facilities used to dispose of solid wastes;

L. Recycling and waste reduction do not generate sufficient revenues to become self supporting;

M. Imposition of the solid waste excise tax (the "tax") provided for by this chapter will promote the county’s ability to meet all the plan’s solid waste management objectives.

N. Repealed by Ord. 97-041. (Ord. 2014-050 Exh. A; Ord. 97-041 Exh. A; Ord. 90-1 § 1).

8.13.020 Definitions.
As used in this chapter, the following terms shall be defined as follows:

A. "Business or institution" shall include all properties in Whatcom County other than residential dwellings which are served by a certificated or franchised hauler of solid wastes. The tax shall apply whether the business or institution is for profit or nonprofit, public or private.

B. A "certificated hauler" is a garbage and refuse collection company that has obtained a certificate of convenience and necessity from the WUTC pursuant to Chapter 81.77 RCW for a franchise area that includes unincorporated areas of the county.

C. The "executive committee" means the executive committee formed pursuant to the interlocal agreements incorporated in Appendix A of the ordinance codified in this chapter.

D. A "franchised hauler" is a garbage and refuse collection company that has been granted a franchise to provide service within one or more of the cities that have entered interlocal agreements with the county, as shown in Appendix A of the ordinance codified in this chapter.

E. Repealed by Ord. 97-041.
F. **Repealed by Ord. 97-041.**

G. The "plan" is the county's comprehensive solid waste management plan, as approved by the Department of Ecology in 1990 and as may be amended thereafter.

H. A "residential dwelling" shall include each single-family house, apartment, houseboat, or other dwelling unit which is separately billed for waste collection service by a franchised or certificated hauler. Forest areas, farms or ranches that elect to use collection service shall be considered as residential dwellings for purposes of this chapter. Residents of apartments, hotels, dormitories, boarding houses, maritime vessels, or other housing units shall not be separately taxed if the landlord or some other party arranges for solid waste collection and pays for solid waste collection and the tax on behalf of tenants or residents.

I. A "solid waste disposal facility" is a landfill, transfer station, incinerator, convenience center, drop box or other solid waste disposal facility which is available for use by persons other than the owner of the facility.

J. The "WUTC" is the Washington Utilities and Transportation Commission or any agency which succeeds to its powers. (Ord. 2014-050 Exh. A; Ord. 97-041 Exh. A; Ord. 90-1 § 2).

8.13.030 **Excise privilege tax levied.**

An excise privilege tax shall be levied upon the charges paid for solid waste collection by each residential dwelling and by each business or institution in the district. This excise privilege tax shall be levied on a per-ton basis, excluding moderate risk wastes and recyclable materials, and be billed by certificated or franchised haulers of solid waste, and solid waste disposal facilities, all as authorized by RCW 36.58.140.

This tax shall be equal throughout the district, and shall not exceed $8.50 per ton without the approval of all cities and towns in the district. The county council shall set the level of the tax from time to time by ordinance. (Ord. 2014-050 Exh. A; Ord. 97-041 Exh. A; Ord. 90-1 § 3).

8.13.040 **Tax collection.**

To simplify collection of the tax, each certified or franchised hauler shall include the tax in its regular billing cycle for all customers within the district and remit the proceeds collected to the county treasurer by the due date as established by the treasurer. Each solid waste disposal facility shall include the tax in its regular billing cycle for all customers, excepting certified and franchised haulers collecting and remitting the tax, within the district and remit the proceeds collected to the county treasurer by the due date as established by the treasurer. The excise tax provided for pursuant to this chapter shall, for administrative purposes, be billed and collected as nearly as possible in a manner compatible with the state solid waste tax, Chapter 82.18 RCW, and the surcharge, Section 15, Chapter 431, Laws of 1989. (Ord. 2014-050 Exh. A; Ord. 97-041 Exh. A; Ord. 90-1 § 4).

8.13.050 **Administration by county treasurer.**

The administration and collection of the tax imposed by this chapter, as collected by the certificated and franchised haulers, and solid waste disposal facilities, shall be by the county treasurer pursuant to the terms of this chapter and such rules, regulations and further enactments as may be adopted by the county council or provided by state law. (Ord. 2014-050 Exh. A; Ord. 97-041 Exh. A).
8.13.060 Failure to make timely payment.
If full payment of any tax or fee owing under this chapter is not received by the Whatcom County treasurer on or before the date due, there shall be added to the collected amount due a penalty fee as follows:

A. One to 10 days late: Five percent of tax collected.

B. Eleven to 20 days late: 10 percent of tax collected.

C. Twenty-one to 30 days late: 15 percent of tax collected.

D. Thirty-one to 60 days late: 20 percent of tax collected.

Failure to make payment in full of all tax amounts collected, and penalties, within 60 days following the day the tax initially became due shall be deemed a violation of this section and may be collected in accordance with the provisions of this chapter.

Any tax owing and unpaid under this chapter, and all penalties, shall constitute a debt between the certificated or franchised hauler, or solid waste disposal facility, and Whatcom County and may be collected by court proceedings the same as any other debt in like amount. This provision shall be in addition to, and not in lieu of, all other existing remedies. (Ord. 2014-050 Exh. A; Ord. 97-041 Exh. A).

8.13.065 Records required.
Each certificated and franchised hauler, and solid waste disposal facility, collecting the tax imposed by this chapter shall maintain books and/or records respecting that activity which truly, completely and accurately disclose all information necessary to determine the taxpayer's tax liability hereunder during each base tax period. Such records shall be kept and maintained for a period of not less than three years.

All books, records, or other items which may hereafter be required to be kept and maintained under this section shall be subject to, and immediately available for, inspection and audit at any time, with or without notice, at the place where such records are kept upon demand by the county treasurer or his/her designee, for the purpose of enforcing the provisions of this chapter.

Where a certificated or franchised hauler, or solid waste disposal facility, does not keep such books, records, or other items so that the county treasurer or an authorized designee may examine them conveniently, the certificated or franchised hauler, or solid waste disposal facility, shall produce all of the required books, records, or items for such inspection within 10 working days following a written request by the treasurer. (Ord. 2014-050 Exh. A; Ord. 97-041 Exh. A).

8.13.070 Application of tax – Appeal.
Any party aggrieved in the application of the excise tax provided for herein may appeal the same to the Whatcom County board of equalization. The decision of such board shall be binding on the county. (Ord. 2014-050 Exh. A; Ord. 97-041 Exh. A; Ord. 90-1 § 7).

8.13.080 Tax exemptions and special conditions.
Solid waste generated within the district but disposed of outside of Whatcom County pursuant to authorization by the county in compliance with the plan shall be subject to the tax, unless specifically waived by ordinance. Solid waste from the Diablo area disposed of in
Skagit County shall not be subject to the tax. (Ord. 2014-050 Exh. A; Ord. 97-041 Exh. A; Ord. 90-1 § 8).

8.13.090 Penalties for nonpayment of tax.
If said excise tax is not paid when billed by the certificated or franchised hauler, or solid waste disposal facility, the county may seek payment of the tax and secure liens and execute against the property served for the unpaid tax, penalties and interest, all as provided in RCW 36.58.140. All taxes unpaid for 90 days shall be assessed a penalty of $25.00 plus interest at the rate of one percent per month for each month said tax remains unpaid. (Ord. 2014-050 Exh. A; Ord. 97-067; Ord. 97-041 Exh. A; Ord. 90-1 § 9).

8.13.100 Management of operations.
The operations of the district shall be managed by the Whatcom County health department. (Ord. 2014-050 Exh. A; Ord. 97-041 Exh. A; Ord. 90-1 § 10).

8.13.110 Use of revenues.
All taxes or other fees collected pursuant to this chapter shall be deposited to the solid waste utility account, or such other accounts as may be designated pursuant to county ordinance or regulation, and shall be solely for purposes related to solid waste management and disposal, and, as to the excise tax, for those purposes set forth in Section 3 of the interlocal agreements, e.g., construction, operation, maintenance, and closure of any landfill that may be developed in the future; funding of approved recycling programs when recommended by the executive committee; public educational programs related to the management of solid waste; construction, maintenance, and operation of transfer stations, and such other programs as the executive committee may recommend pursuant to the plan; provided, however, that the county treasurer and prosecutor shall be authorized to recover their costs for tax billing and collection activities related to the solid waste excise tax up to a maximum of five percent of the funds collected. (Ord. 2014-050 Exh. A; Ord. 98-008; Ord. 97-041 Exh. A; Ord. 90-1 § 11).

8.13.120 Effective date.
This chapter shall take effect on May 1, 1990. The county council shall review the need for the solid waste excise tax, the level of the tax, and the operation of the solid waste system as frequently as may be needed. Such review shall be performed no less frequently than the review of solid waste management plans as required under Chapter 70.95 RCW and as such law may be amended from time to time. (Ord. 2014-050 Exh. A; Ord. 97-041 Exh. A; Ord. 90-1 § 12).

8.13.130 Severability.
The invalidity or unenforceability of any provision of this chapter shall not affect the other provisions hereof, and this chapter shall be construed in all respects as if such invalid or unenforceable provision were omitted. (Ord. 2014-050 Exh. A; Ord. 97-041 Exh. A; Ord. 90-1 § 13).

8.13.140 Annual review of tax requirements.
The executive committee shall annually review the tax requirements to fund the solid waste disposal programs and advise the county council of their findings. (Ord. 2014-050 Exh. A; Ord. 97-041 Exh. A; Ord. 90-1 § 14).
WHATCOM COUNTY COUNCIL AGENDA BILL

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<td>7-31-97</td>
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SUBJECT:

Provide an Excise Tax through the Whatcom County Disposal District to replace surcharge fees for the recycling and educational programs as well as other solid waste related activities.

ATTACHMENTS:

Cover memo
Ordinance

SUMMARY STATEMENT: Please complete sections of box as appropriate & explain the item below.

<table>
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<th>Related County contract #:</th>
<th>Should Clerk schedule a hearing? NO / / YES / X / Requested date: July 1</th>
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<td>Amount budgeted for this item/project:</td>
<td>Is it (or will it be) within budget? YES / / NO / / (Please explain below)</td>
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Due to the result of the solid waste arbitration, surcharge fees previously collected to finance various solid waste programs are no longer a viable source of funding. In order to continue these programs and to adequately finance ongoing County landfill liabilities, consideration must be given to implementation of an alternate funding source.

ORIGINATOR'S RECOMMENDED ACTION:

Adoption of the Ordinance

COMMITTEE ACTION TAKEN:

COUNCIL ACTION TAKEN:

1997-228  6/17/97: Introduced
7/1/97: Withdrawn from Public Hearing
7/29/97: Amended & Adopted 6-0, Sutter absent. Ord. #97-041

RANCE or Resolution Number (this item only): 0R. #1 97-041


ORDINANCE NO. 97-041

IN THE MATTER OF AMENDING WCC 8.13,  
SOLID WASTE DISPOSAL DISTRICT,  
ALLOWING FOR COLLECTION OF AN  
EXCISE TAX ON SOLID WASTE DISPOSAL SERVICES;  
AND AMENDING WCC 8.15, SOLID WASTE DISPOSAL SITES,  
REMOVING PROVISIONS TO COLLECT SURCHARGE FEES

WHEREAS, due to the result of the solid waste arbitration, surcharge fees previously collected to finance various solid waste programs are no longer a viable source of funding; and,

WHEREAS, in order to continue these programs and to adequately finance ongoing County landfill liabilities, consideration must be given to implementation of an alternate funding source; and,

WHEREAS, on July 1, 1997, a public hearing was held to consider amendments to Whatcom County Code 8.13, Solid Waste Disposal District, to allow collection of an excise tax on solid waste disposal services, and to consider amendments to Whatcom County Code 8.15, Solid Waste Disposal Sites, to eliminate the provisions to collect surcharge fees at disposal sites.

NOW, THEREFORE, BE IT ORDAINED that Whatcom County Code 8.13, Solid Waste Disposal District, be hereby amended as shown in Exhibit “A” attached hereto.

BE IT FURTHER ORDAINED that Whatcom County Code 8.15, Solid Waste Disposal Sites, be hereby amended as shown in Exhibit “B” attached hereto.

BE IT FURTHER ORDAINED that per Whatcom County Code 8.13.030, the Whatcom County Council hereby sets the current excise tax rate at $6.50 per ton on solid waste collection and hauling services provided by certificated or franchised haulers.

ADOPTED this 29 day of July, 1997.
ATTEST:

Dana Brown-Davis, Council Clerk

APPROVED AS TO FORM:

Karen McEndree

Civil Deputy Prosecuting Atty.

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Ward Nelson, Council Chair

( ) Approved  ( ) Denied

Pete Kremer, County Executive
Date: 7/31/97
Chapter 8.13
SOLID WASTE DISPOSAL DISTRICT

Sections:

8.13.010 District formed - Findings and determinations.
8.13.020 Definitions.
8.13.030 Excise privilege tax levied.
8.13.040 Surecharge rate.
8.13.040 Tax billing eye on collection.
8.13.050 Administration by County Treasurer.
8.13.060 Tax enforcement - List of customers.
8.13.060 Failure to make timely payments.
8.13.065 Records required.
8.13.070 Application of tax - Appeal.
8.13.080 Tax exemptions and special conditions.
8.13.090 Penalties for nonpayment of tax.
8.13.100 Management of operations.
8.13.110 Use of revenues.
8.13.120 Effective date.
8.13.130 Severability.
8.13.140 Annual review of tax requirements.

8.13.010 District formed - Findings and determinations.

The Whatcom County solid waste disposal district ("District") is hereby formed to provide a sound financial basis for support of the objectives of the county's updated comprehensive solid waste management plan, including a high level of waste reduction and recycling; to construct transfer stations; to acquire, develop, maintain, operate, and close solid waste landfills in Whatcom

Disposal District Ordinance - Page 1
County; to provide such other solid waste disposal systems and services as are in the public
interest; and to secure a healthful environment for all citizens of Whatcom County. The district
shall include all unincorporated and incorporated areas of Whatcom County. Incorporated areas are
included within the district pursuant to interlocal agreements executed with Whatcom County,
copies of which are attached to the ordinance codified in this chapter and incorporated herein as
Appendix A. The county council in forming the district determines and finds:

A. State and federal law and regulation have placed increased responsibility on local
governments to manage solid waste disposal systems in a manner that protects public health
and safety;

B. Properly designed, operated, and maintained landfills and other solid waste disposal
facilities are essential public utilities serving broad public interests, by protecting public health and
safety;

C. New federal and state standards for solid waste disposal, including requirements for
recycling and waste reduction, have greatly increased the cost of solid waste disposal systems;

D. The transfer and other handling of solid wastes generated by residents of the district,
whether generated at their homes or elsewhere in the district, imposes cost burdens on the district;

E. All residences and businesses within the district are beneficiaries of county landfills and
other systems and facilities and receive substantial and essential public service by having the
operational availability on a continuing basis healthful, safe and reliable solid waste disposal
facilities and systems;

F. In order to safely maintain closed older landfills, the county must expend substantial
sums of money including the cost of ongoing monitoring, to protect the public health and welfare
and to meet regulatory standards;

G. The cost of acquiring, developing, operating, maintaining and closing facilities and
providing for long-term compliance with regulatory standards cannot be financed solely on a "fee
for service" basis;

H. Fees for use of the county landfills or other county solid waste facilities and systems
should be set at levels sufficient to encourage waste reduction and recycling, but not so high as to

Disposal District Ordinance - Page 2
encourage littering or "midnight dumping";

I. Pursuant to Chapter 8.11, the county has concurrently created a solid waste collection
district pursuant to RCW Chapter 36.58A for the purpose of imposing mandatory collection in
unincorporated areas which will match ordinances in incorporated areas, which enforce mandatory
collection;

J. A stable funding program made up of both service fees and a consisting of a District
excise tax is required to provide a broad and sound financial basis to provide safe disposal facilities
and systems, to meet the objectives of the plan, and to support the management of solid waste
programs in compliance with applicable state and federal laws;

K. Waste reduction and recycling measures contemplated by the plan promote the health,
safety and welfare of county residents, by reducing the degradation created by incineration and
landfill facilities used to dispose of solid wastes;

L. Recycling and waste reduction do not generate sufficient revenues to become self
supporting;

M. Imposition of the solid waste excise tax (the "tax") provided for by this chapter will
promote the county's ability to meet all the plan's solid waste management objectives;

N. Those who pay the tax should pay lower rates for use of county solid waste facilities
than those who do not pay the tax:

(Ord. 90-1 § 1).

8.13.020 Definitions.

As used in this chapter, the following terms shall be defined as follows:

A. "Business or institution" shall include all properties in Whatcom County other than
residential dwellings which are served by a certificated or franchised hauler of solid wastes.
The tax shall apply whether the business or institution is for profit or nonprofit, public or private.

B. A "certificated hauler" is a garbage and refuse collection company that has obtained a
certificate of convenience and necessity from the WUTC pursuant to RCW Chapter 81.77 for a
franchise area that includes unincorporated areas of the county.

Disposal District Ordinance - Page 3
C. The "executive committee" means the executive committee formed pursuant to the interlocal agreements incorporated in Appendix A of the ordinance codified in this chapter.

D. A "franchised hauler" is a garbage and refuse collection company that has been granted a franchise to provide service within one or more of the cities that have entered interlocal agreements with the county, as shown in Appendix A of the ordinance codified in this chapter.

E. A "nonparticipant" is a residential, business or institutional customer that has not paid taxes levied under this chapter because: (1) the county resident, business or institution is not served by any certificated or franchised hauler providing mandatory collection service; (2) is another person or a nonresident who, without paying the tax, brings solid waste generated outside the county into the county for disposal within the county; or (3) is a resident, business or institution who does not pay the tax for any reason.

F. A "participant" is (a) a residential, business or institutional customer of a certificated or franchised hauler within the county, who has paid all taxes due under this chapter; or (b) a certificated or franchised hauler or other person who pays the equivalent of the tax for the privilege of disposing of waste in the county.

G. The "plan" is the county's comprehensive solid waste management plan, as it has been updated approved by the Department of Ecology in 1990 and may be amended thereafter;

H. A "residential dwelling" shall include each single-family house, apartment, houseboat, or other dwelling unit which is separately billed for waste collection service by a franchised or certificated hauler. Forest areas, farms or ranches that elect to use collection service shall be considered as residential dwellings for purposes of this chapter. Residents of apartments, hotels, dormitories, boarding houses, maritime vessels, or other housing units shall not be separately taxed if the landlord or some other party arranges for solid waste collection and pays for solid waste collection and the tax on behalf of tenants or residents.

I. A "solid waste disposal facility" is a landfill, transfer station, incinerator, convenience center, drop box or other solid waste disposal facility, which is available for use by persons other than the owner of the facility;
1. The "WUTC" is the Washington Utilities and Transportation Commission or any agency which succeeds to its powers. (Ord. 90-1 § 2).

8.13.030 Excise privilege tax levied.
An excise privilege tax shall be levied upon the charges paid for solid waste collection by each residential dwelling and by each business or institution in the district. This excise privilege tax shall equal a percentage of the collection charges levied on a per-ton basis and be billed by certificated or franchised haulers of solid waste, all as authorized by RCW 36.58.140.

This tax shall be equal throughout the district, and shall not exceed 40 percent $8.50 per ton without the approval of all cities and towns in the district. The county council shall set the level of the tax from time to time by ordinance. If the county elects to impose the surcharge as provided in Section 15, Chapter 431, Laws of 1989, it shall coordinate such surcharge with the solid waste excise privilege tax so that the combined charge on all residents, businesses and institutions in the county shall be an equal percentage of the charges billed by the handler. (Ord. 90-1 § 3).

8.13.040 Surcharge rate.
Any person not paying the tax shall pay a surcharge rate equal to 125 percent of the usual rate charged for use of county disposal facilities. The county shall, in cooperation with haulers, develop an administrative system identifying those residents having mandatory collection service and thereby entitled to the lesser rate for use of county disposal facilities. (Ord. 90-1 § 4).

8.13.040 Tax billing cycle collection.
To simplify collection of the tax, each certificated or franchised hauler shall include the tax in its regular billing cycle for all customers within the district, and remit the proceeds owing to the County Treasurer by the tenth working day following the end of each month due date as established by the Treasurer. The excise tax provided for pursuant to this chapter shall, for administrative purposes, be billed and collected as nearly as possible in a manner compatible with

Disposal District Ordinance - Page 5
the state solid waste tax, RCW Chapter 82.18, and the surcharge, Section 15, Chapter 431, Laws of 1989. (Ord. 90-1 § 5).

8:13:050 Administration by County Treasurer.

The administration and collection of the tax imposed by this Ordinance shall be collected by the County Treasurer and not by the certificated and franchised haulers. The County Treasurer shall be the County Treasurer, pursuant to the terms of his Ordinance and such rules and regulations as may be adopted by the County Council or provided by state law


To assist in the enforcement of the taxes levied pursuant to this chapter, each certificated or franchised hauler disposing of solid waste at Whatcom County disposal facilities in providing the county treasurer with a listing of its customers and information identifying customers delinquent in payment of the tax. Such listings shall be used by the county treasurer for purposes of bringing collection action against parties failing to pay the taxes required herein.

The county treasurer may request the assistance of the county prosecuting attorney to enforce collection of past-due taxes and is authorized to seek the assistance of the State Department of Revenue in coordinating the collection of these taxes with the state tax required by RCW Chapter 82.18. — (Ord. 90-1 § 6).

8:13:060 Failure to make timely payment.

If full payment of any tax or fee owing under this Ordinance is not received by the Whatcom County Treasurer on or before the date due, there shall be added to the collected amount due a penalty fee as follows:

a) 1-10 days late: Five percent (5%) of tax collected;
b) 11-20 days late: Ten percent (10%) of tax collected;
c) 21-30 days late: Fifteen percent (15%) of tax collected;
d) 31-60 days late: Twenty percent (20%) of tax collected.
Failure to make payment in full of all tax amounts, collected and penalties, within sixty (60) days following the date the tax amount initially became due, shall be deemed a violation of this section and may be collected in accordance with the provisions of this ordinance.

Any delinquent tax under this ordinance, and all penalties shall constitute a debt between the County and the Franchised Hauler, and may be collected by suit in a court proceeding the same as any other delinquent amount. This provision shall be in addition to, and not in lieu of, all other existing remedies.

§ 13.065: Records Required

Each Certified or Franchised Hauler collecting the tax imposed by this ordinance shall maintain books and/or records respecting the activity which truly, completely, and accurately disclose all information necessary to determine the taxpayer's tax liability hereunder during each base tax period. Such records shall be kept and maintained for a period of not less than three (3) years.

All books, records, or other items which may hereafter be required to be kept and maintained under this section shall be subject to, and immediately made available for inspection and audit at any time, with or without notice, at the place where such records are kept upon demand by the County Treasurer or his/her designee, for the purpose of enforcing the provisions of this ordinance.

Where a Certified or Franchised Hauler does not keep such books, records, or other items so that the County Treasurer or an authorized designee may examine them conveniently, the Certified or Franchised Hauler shall produce all of the required books, records or items for such inspection within ten (10) working days following a written request by the Treasurer.
8.13.070 Application of tax - Appeal.

Any party aggrieved in the application of the excise tax provided for herein may appeal the same to the Whatcom County board of equalization. The decision of such board shall be binding on the county. (Ord. 90-1 § 7).

8.13.080 Tax exemptions and special conditions.

Solid waste generated within the district but disposed of outside of Whatcom County pursuant to authorization by the county in compliance with the plan shall be subject to the tax, unless specifically waived by ordinance. Solid waste from the Diablo area disposed of in Skagit County shall not be subject to the tax.

Any hauler that wishes to exclude any portion of his gross charges for solid waste collection from the tax shall bear the obligation to segregate and justify that a portion of the waste should not be subject to the tax, and shall be subject to the appeal provisions of Section 8.13.070. (Ord. 90-1 § 8).

8.13.090 Penalties for nonpayment of tax.

If said excise tax is not paid when billed by the hauler, the county may seek payment of the tax and secure liens and execute against the property served for the unpaid tax, penalties and interest, all as provided in RCW 36.58.140. All taxes unpaid for 90 days shall be assessed a penalty of $25.00 plus interest compounded at the rate of one percent per month for each month said tax remains unpaid. (Ord. 90-1 § 9).

8.13.100 Management of operations.

The operations of the district shall be managed by the Whatcom County department of public works. (Ord. 90-1 § 10).
8.13.110 Use of revenues.
All taxes or other fees collected pursuant to this chapter shall be deposited to the solid waste utility account, or such other accounts as may be designated pursuant to county ordinance or regulation, and shall be solely for purposes related to solid waste management and disposal, and, as to the excise tax, for those purposes set forth in Section 3 of the interlocal agreements, e.g., construction, operation, maintenance, and closure of any landfill that may be developed in the future; funding of approved recycling programs when recommended by the executive committee; public educational programs related to the management of solid waste; construction, maintenance, and operation of transfer stations, and such other programs as the executive committee may recommend pursuant to the plan; provided, however, the county council may authorize up to five percent of tax funds collected to be used to support tax billing and collection activities by the county treasurer and prosecutor. (Ord. 90-1 § 11).

8.13.120 Effective date.
This chapter shall take effect on May 1, 1990. The county council shall review the need for the solid waste excise tax, the level of the tax, and the operation of the solid waste system as frequently as may be needed. Such review shall be performed no less frequently than the review of solid waste management plans as required under RCW Chapter 70.95 and as such law may be amended from time to time. (Ord. 90-1 § 12).

8.13.130 Severability.
The invalidity or unenforceability of any provision of this chapter shall not affect the other provisions hereof, and this chapter shall be construed in all respects as if such invalid or unenforceable provision were omitted. (Ord. 90-1 § 13).

8.13.140 Annual review of tax requirements.
The executive committee shall annually review the tax requirements to fund the solid waste disposal programs and advise the county council of their findings. (Ord. 90-1 § 14).
EXHIBIT “B”

Excerpt from Whatcom County Code 8.15, Solid Waste Disposal Sites

8.15.060 Establishment and operation of Disposal Sites - Agreements regarding operation of Disposal Sites and rates charged - Fee for County Solid Waste management activities.

A. Except for those Disposal Sites that are exempt under Section 8.15.070, it is unlawful for any Person to establish, alter, expand, improve, or hereafter operate or maintain a Disposal Site in the County for the Processing or disposal of County Solid Waste, or for any Person to accept for Processing or disposal such County Solid Waste, unless:

1. The Disposal Site and the means of Processing or disposal, comply with this Chapter, as amended from time to time, with the Plan and with any regulations promulgated by the Health Department;

2. The Disposal Site, and the means of Processing or disposal, have been designated pursuant to subsection E or F of Section 8.15.030;

3. The operator of the Disposal Site shall have obtained all permits required by applicable federal, state and local law and said operator shall comply with applicable requirements of all federal, state, and local law;

4. A private owner or operator of the Disposal Site shall have entered into an agreement with the County specifying the rates to be charged by such owner or operator for Processing or disposal of County Solid Waste at such Disposal Site. The rates shall include payment to the County of $9.00 per ton of all Solid Waste Processed or disposed of at such sites, except in the case of those Disposal Sites authorized to receive Solid Waste for a disposal rate based on the volume of Waste received for which the fee shall be 10 percent of the gross fees charged by the operator of such sites for Processing or disposal of such Solid Waste. The agreements shall include such other terms as the Manager deems necessary to protect the public health, safety, welfare, and for other regulatory purposes.

B. The Manager is hereby authorized and directed to negotiate an agreement with the operator of each private Disposal Site designated pursuant to this Chapter, as amended from time to time, relating, among other things...
AGENDA ITEM 7: Proposed Repeal of WCC 8.14, Garbage Pass-Through Fee

PRESENTER: Jeff Hegedus, Environmental Health Supervisor

BOARD ACTION: ☑ Action Item  Discussion  Information

SIGNIFICANT POINTS OR EXECUTIVE SUMMARY

In 1987, Ordinance 87-17 imposed a per ton pass-through fee on all solid waste disposed at privately owned solid waste disposal facilities, as codified by WCC 8.14, Garbage Pass-Through Fee. In 1990, Ordinance 90-1 levied a solid waste excise tax on all solid waste ‘collected by each residential dwelling and by each business or institution in the District,’ and a surcharge rate, whereby ‘Any person not paying the tax shall pay a surcharge rate equal to 125 percent of the usual rate charged for use of county disposal facilities.’

In 1997, due to a solid waste legal arbitration ruling, as per Ordinance the surcharge rate was necessarily repealed, and solid waste services became unfunded. To provide funding for solid waste services, use of the existing per ton pass-through fee, as per WCC 8.14, was considered. However, the same legal issues that resulted in repeal of the surcharge rate made the pass-through fee legally untenable as a funding option. Instead, as per Ordinance 97-41, the existing solid waste excise tax was utilized to fund solid waste services.

Because the garbage pass-through fee was considered legally untenable following the 1997 solid waste legal arbitration ruling, and has not been used since as a funding mechanism, it is the staff recommendation that WCC 8.14, Garbage Pass-Through Fee, be repealed in its entirety.

COMMITTEE ROLE / ACTION REQUESTED

Review and approval of recommendation to repeal WCC 8.14, Garbage Pass-Through Fee in its entirety

ATTACHMENT(S)

Draft Ordinance and Exhibit A, Repeal of WCC 8.14, Garbage Pass-Through Fee
ORDINANCE NO. __________

REPEAL OF WHATCOM COUNTY CODE (WCC) 8.14, GARBAGE PASS-THROUGH FEE, IN ITS ENTIRETY

WHEREAS, Ordinance 87-17 imposed a per ton pass-through fee on all solid waste disposed at privately owned solid waste disposal facilities, as per WCC 8.14, Garbage Pass-Through Fee; and,

WHEREAS, due to a 1997 solid waste legal arbitration ruling, the option of funding solid waste services through a pass-through fee, as per the existing WCC 8.14, Garbage Pass-Through Fee, was considered legally untenable; and,

WHEREAS, since the 1997 legal arbitration ruling, solid waste services have been funded through a solid waste excise tax; and,

WHEREAS, use of a solid waste pass-through fee to fund solid waste services, as per WCC 8.13, Garbage Pass-Through Fee, due to the legal arbitration ruling, has not and will not be implemented; and,

WHEREAS, the Solid Waste Executive Committee has reviewed and recommended the repealing WCC 8.14, Garbage Pass-Through Fee.

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that WCC 8.14, Garbage Pass-Through Fee is hereby repealed in its entirety as shown in Exhibit A attached hereto.

ADOPTED this _____ day of __________, 2017.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

____________________________  ______________________________
Dana Brown-Davis, Clerk of the Council  Barry Buchanan, Chair
WHATCOM COUNTY EXECUTIVE
WHATCOM COUNTY, WASHINGTON

APPROVED AS TO FORM:

______________________________
Civil Deputy Prosecutor

______________________________
Jack Louws, County Executive

( ) Approved  ( ) Denied

Date Signed: ____________________
EXHIBIT A

Chapter 8.14
GARBAGE PASS-THROUGH FEE

Sections:

8.14.010 Levied:
There is levied, and shall be collected, a solid waste pass-through fee in the form of a per-ton tipping fee established by the council upon every person or persons, company, corporation or contractor that disposes of their refuse and garbage at privately-owned incinerator sites or privately-owned landfill sites open for public use. (Ord. 87-17 § 1).

8.14.020 Rate:
This chapter shall establish a per ton tipping fee to generate $150,000 per year from garbage collection and disposal activities. Initially, the rate will fall within the range of $3.00 per ton to $12.00 per ton depending on interlocal agreement endorsement. The revenue requirements and rate will be adjusted in the future subject to council approval, as costs and factors affecting revenue become known. (Ord. 87-17 § 2).

8.14.030 Remittance of fees:
A. The fee or fees shall be collected by the company or companies that own or operate incinerator facilities and landfill sites open for public use within Whatcom County including, but not limited to Thermal Reduction Corporation and the Olvive Corporation; provided, that said corporations shall enter into contractual agreements with Whatcom County for the purpose of collecting the pass-through fee or fees. The companies or corporations, upon approval of such agreements, shall pay to the county, upon a monthly basis, the total amount of fees collected. The fees collected shall be paid to the county no later than 10 days following the end of the preceding month. The remittance shall be accompanied by a form to be provided and prescribed by the county treasurer.

B. The county treasurer shall, in accordance with RCW 70.95.215, deposit the funds received into a new reserve fund to be available for transfer to the solid waste reserve fund; to provide for closure and post-closure costs related to solid waste disposal facilities or transferred to the solid waste fund to reimburse costs related to leachate control, ground water monitoring, recycling programs and solid waste planning and administration. (Ord. 87-17 § 3).

8.14.040 Interlocal agreements:
The pass-through fees collected shall be from the users in the unincorporated areas of Whatcom County; provided, that in accordance with RCW Chapter 39.34 the county may enter into an interlocal agreement with any city or town within Whatcom County which has previously utilized or county be utilized any of the presently or previously used landfill sites within Whatcom County for the disposal of refuse and garbage to allow Whatcom County to collect the pass-through fee to ensure adequate resources for proper closure of presently and previously used landfill sites. (Ord. 87-17 § 4).
8.14.050 Violations and penalties.
Any person, persons or contractors who dispose of refuse or garbage at the Thermal Reduction Corporation and Olivine Corporation incinerator facilities or privately owned landfill sites open to the public or other sites or facilities that may be designated now or in the future by the county council who fails or refuses to pay the established pass-through tipping fee when due shall be guilty of a misdemeanor. (Ord. 87-17 § 6).
AGENDA ITEM 8: Mandatory Collection, WCC 8.11, Solid Waste Recycling and Collection District

PRESENTER: Jeff Hegedus, Environmental Health Supervisor

BOARD ACTION: Action Item ☑ Discussion Information

SIGNIFICANT POINTS OR EXECUTIVE SUMMARY

Recommendation 9.1.A of the approved 2016 Comprehensive Solid and Hazardous Waste Management Plan states ‘Evaluate the existing exemption program for solid waste collection effectiveness.’

WCC 8.11, Solid Waste Recycling and Collection District currently mandates that all developed properties have curbside solid waste collection services. Originally, property owners could apply for and be granted an exemption to the requirement; the owner would submit the approved exemption form to the hauler, and the hauler would not invoice for the services. Although well intended, compliance with the requirement was never enforced; haulers did not invoice property owners without an approved exemption who did not use the services, and the county, over time, approved all exemptions, only requiring a statement that solid waste would be properly managed. The exemption process became an administrative overhead burden, and made irrelevant the mandatory collection requirement. Additionally, in a solid waste system designed to be equitably funded by an excise tax on solid waste tonnage collected curbside, self-haulers paid no excise tax and contributed no revenue to solid waste programs, which is still the case today. As a practical consideration, the self-hauling of one’s own solid waste to an approved solid waste handling facility is currently generally viewed as an acceptable practice, and enforcement of mandatory collection pending approved exemption still does not occur. For this reason, staff requests policy level discussion and input regarding the mandatory collection requirement.

COMMITTEE ROLE / ACTION REQUESTED

Policy level discussion and input regarding the mandatory collection requirement in unincorporated areas

ATTACHMENT(S)

WCC 8.11, Solid Waste and Recycling Collection District
Example Exemption Application and Approval Letter
Chapter 8.11
SOLID WASTE RECYCLING AND COLLECTION DISTRICT

Sections:
8.11.010 District created – Determinations and findings.
8.11.020 Collection mandatory – Starting date.
8.11.030 Procedure to obtain exemption.
8.11.040 Enforcement – Civil penalty.
8.11.050 Governing body designated – Election.
8.11.060 Severability.

8.11.010 District created – Determinations and findings.
The Whatcom County solid waste recycling and collection district (the "district") is hereby created to make solid waste and recycling collection mandatory in Whatcom County in furtherance of the objectives of the county's plan. The district is formed, in part, in light of the formation of a solid waste disposal district pursuant to RCW Chapter 36.58 and Chapter 8.13. The county council has determined that the unincorporated areas of the county cannot meet their solid waste management objectives, including recycling goals, without the formation of a collection district. The recycling and collection district shall include all unincorporated areas except the Diablo/Newhalem area of Whatcom County and shall be implemented compatibly with cities and towns which require mandatory collection within their limits, all as provided in interlocal agreements executed with the county. All municipalities in the county have executed interlocal agreements with the county as shown in Appendix A of the ordinance codified in this chapter, which appendix is incorporated herein by reference.

The county council in forming the recycling and collection district determines and finds:

A. All residences and businesses within the county are beneficiaries of the county solid waste and recycling management program and receive substantial and essential public service by having available on a continuing and standby basis healthful, safe and reliable solid waste disposal facilities;

B. The county has experienced increasing health and safety problems due to improper handling of solid waste. These problems include but are not limited to air pollution, litter and possible groundwater contamination. Requiring that transportation and disposal of solid waste be performed by qualified providers of collection service in compliance with the law and regulations is necessary for the immediate protection of the public health and safety;

C. The state has set waste reduction and recycling as the highest priorities in managing solid waste streams. In order to develop workable programs of waste reduction and recycling, the county and municipalities need mandatory collection to make curbside collection and other source separation feasible;

D. The cost of operating Whatcom County's solid waste and recycling management program may be met in part by imposing an excise tax on the charges paid for solid waste collection by each residential dwelling and by each business or institution in the taxing district, as authorized by Chapter 8.13; and

E. Those who knowingly fail to comply with the requirements of this chapter shall be liable as provided below for a civil penalty and for related attorneys' fees and costs in order to reduce the environmental degradation and public health risks associated with noncompliance. (Ord. 90-96 § 1).

8.11.020 Collection mandatory – Starting date.
Solid waste and recycling collection shall become mandatory for owners of all developed property within the recycling and collection district on a date which the county executive has
Certified for implementation of the mandatory collection program. Such date shall be determined by the county executive after consultation with staff of the solid waste division, who shall have consulted with haulers, concerning the administrative feasibility of implementation. Such date shall occur on the first day of a month, and shall not be sooner than the first day of the month following the approval of the ordinance codified in this chapter, nor later than one year following such approval. (Ord. 90-96 § 2).

8.11.030 Procedure to obtain exemption.
A. At least 60 days prior to the date of implementation of mandatory solid waste and recycling collection, the solid waste division shall provide reasonable notice to all residences and businesses that mandatory collection will be implemented. Such notice shall state how requests for exemption may be filed. Such notice shall be issued in coordination with certificated haulers.
B. Any person who wishes an exemption from the provisions or application of this chapter may file an affidavit with the solid waste manager which states substantively as follows:

I swear or affirm that I should be exempt from the requirements of universal recycling and solid waste collection because I am disposing of my waste in an environmentally sound way.

This affidavit is subject to periodic verification by the solid waste manager or his/her designee.
C. Within 30 days after implementation of mandatory collection, the solid waste manager shall provide a report to the county executive containing findings on the number of exemptions that have been requested, the grounds stated for such exemptions, and the actions taken on the requests. Within 60 days after implementation of mandatory collection, the county executive shall report the findings to the county council, together with any recommendations for further legislative action on exemptions which the county executive believes are appropriate. (Ord. 90-96 § 3).

8.11.040 Enforcement – Civil penalty.
A. If any residence, business, or institution, not otherwise exempt from mandatory collection, refuses to pay for such mandatory collection, the county may, upon the request of a certificated hauler, through the prosecuting attorney’s office commence appropriate action to enforce the provisions of this chapter. The prevailing party shall be entitled to an award of reasonable attorney’s fees and costs in any such action.
B. Any person who knowingly fails to subscribe to or pay for solid waste and recycling collection service without having obtained an exemption shall be liable in addition to actual damages, for a penalty to the county in an amount equal to any past due bill for solid waste and recycling collection service not to exceed $500.00, plus an additional penalty of not less than $100.00 nor more than $200.00 which shall not be suspended or deferred. (Ord. 90-96 § 4).

8.11.050 Governing body designated – Election.
The Whatcom County council shall be the governing body of the recycling and collection district. The electors of said district shall be all registered voters residing within the district. (Ord. 90-96 § 5).

8.11.060 Severability.
The invalidity or unenforceability of any portion of this chapter shall not affect the other provisions thereof, and this chapter shall be construed in all respects as if such invalid or unenforceable provision were omitted. (Ord. 90-96 § 6).
July 26, 1996

Cliff Anderson  
2103 Whalen Drive  
Point Roberts, WA 98281

Dear Mr. Anderson:

After carefully reviewing your application, I am pleased to extend to your residence at 2103 Whalen Drive, Point Roberts, an exemption from solid waste collection. We appreciate your cooperation with the Solid Waste Division in completing the application stating that you will be personally responsible for properly disposing of your garbage.

We have granted this exemption based on the following approved disposal method:

You will haul your garbage to the transfer station at Point Roberts approximately once a month. In addition, you will continue to recycle and compost. We encourage you to recycle all recyclable materials.

Your reason for requesting this exemption is as follows:

Your household doesn't generate enough waste or recyclables to need service, you feel pick-up is too expensive, and you prefer to handle your waste independently.

We encourage you to reuse and recycle as much as possible. Check with your local hauler about their "Recycling only" option. For more information about recycling, call the Recycling Hotline at (360) 676-5723 or 384-8040.

If your disposal method changes, please notify our office as soon as possible. If for any reason you wish to change your waste collection status and employ the services of a waste collection company, please feel free to do so.

The Solid Waste Division will retain your application on file. If the Health Department or the Solid Waste Division receive complaints that you are not disposing of your waste correctly, your application may be revoked.

If you have any questions regarding your exemption or other solid waste matters, please feel free to contact our office at 676-7695 or 380-8102.

Sincerely,

Bev Bernal  
Clerk II
Whatcom County Solid Waste Division
Universal Recycling and Waste Collection

EXEMPTION APPLICATION and AFFIDAVIT

Please answer the following questions. If you need clarification to any questions, please feel free to call (360) 676-7695 or 380-8102.

- How many residential units and businesses are on your property?
  - Residential Units
  - Businesses

- Who is responsible for waste disposal?
  - Tenant
  - Landlord/Owner

- How much waste does your household (all of those living in your dwelling) or business generate each month in standard metal or plastic 30-gallon cans?
  - Less than 1
  - 1
  - 2
  - 3-4
  - 5-8
  - 9 or more

- Indicate which methods you will use to handle your waste:
(Check all that apply)

  - Recycling - Circle the items you will recycle:
    - Glass
    - Scrap Paper
    - Aluminum
    - Scrap Metal
    - Plastic Containers
    - Batteries
    - Newspaper
    - Cardboard
    - Motor Oil

    Percentage (by volume) of total waste you will recycle: ___%

  - Composting - Circle the waste you will compost on-site:
    - Yard Waste
    - Food Waste

    Percentage (by volume) of total waste you will compost: 60%

Have you taken the Master Composter program offered through the Co-op Extension?  Y/N

  - Self-Hauling to an approved disposal site.
    - Which site do you plan to use most often? Point Roberts
    - How often? Monthly, as required

  - Give to a friend or relative who has collection service or who will self-haul to an approved disposal site. (See reverse side.)

  - Take to a commercial dumpster with permission from the business owner. (See reverse side.)

  - Other (specify):
• What are your most important reasons for applying to be exempt from universal garbage collection and curbside recycling? (Check all that apply)

__ I have a vacation home or a second home in Whatcom County and I use my primary home to arrange for my disposal.

✓ Pick-up is too expensive.

✓ My household doesn't generate enough waste or recyclables to need service.

✓ I prefer to handle my waste independently.

__ I don't like the franchised waste collection company in my area.

__ Pick-up is inconvenient or impractical for my property.

__ I am a tribal member living on an Indian reservation.

__ Other reason (please explain), or comment: ____________________________________________________________

Address References:

♦ This application is for a property that is not my primary residence. The address of my secondary residence is:

<table>
<thead>
<tr>
<th>Name</th>
<th>Street</th>
<th>City</th>
<th>Zip</th>
</tr>
</thead>
</table>

♦ I plan to share my waste collection service with the following business/neighbor/friend/relative (circle the appropriate person above):

<table>
<thead>
<tr>
<th>Name</th>
<th>Street</th>
<th>City</th>
<th>Zip</th>
</tr>
</thead>
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<td></td>
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Affidavit

• I swear or affirm that I should be exempt from the requirements of universal recycling and solid waste collection because I am disposing of my waste in an environmentally sound way.

• I understand this affidavit is subject to verification by the Whatcom County Public Works Department, Solid Waste Division. I also understand this exemption may be reviewed if my waste handling practices change, or if conditions affecting solid waste management in Whatcom County change.

• I have read and clearly understand the requirements for sound solid waste disposal as summarized by the Whatcom County Solid Waste Division in this exemption application.

• I understand that if my exemption application is not approved, I will agree to subscribe for waste collection services.

• I understand that if I am found to be disposing of my waste in a manner that is not environmentally sound, my exemption may be revoked, and I will be required to subscribe for waste collection services.

Name (Please print or type) CLIFF ANDERSON
Address 2103 WHALEN DRIVE
City/State/Zip POINT ROBERTS, WA 98281
Day Phone (260) 765-2372