Solid Waste Advisory Committee 4/1/10 MEETING

A regular meeting of the Pend Oreille County Solid Waste Advisory Committee (SWAC) was held on Thursday, April 1, 2010 at the Commissioner’s meeting room in the old County Courthouse building in Newport, WA.

The sign up sheet was passed around. Bob Nichols, Chair, called the meeting to order at 3:04 pm.

The meeting began with introductions of people present: 1) Judy Henshaw, citizen (works at Newport Schools); 2) Dennis McLaughlin, Rabanco; 3) Cindy Low, Excess Disposal; 4) Travis Low, Excess Disposal; 5) Bob Nichols, B&N Sanitary; 6) Dave Alvarado, NW Industries; 7) Beth Gillespie, SW Coordinator 8) Sheila Pachernegg, Consultant; 9) Harley Seger, HHW & Recycling; 10) Mike Cecka, Acting Public Works Director; 11) Jim Wavada, Dept. of Ecology; 12) Nancy Thompson, citizen (works at PUD); 13) Rene Wehreing, citizen (works for Pend Oreille County).

Two alternates filled in for those voting members absent: Beth for Scott Campbell of Ponderay Newsprint, Rene for Charles Kress, a citizen. (After the November meeting, Rene contacted Charles and said she would be his alternate voting member until he was well enough to come back and participate in SWAC.) Don Hutson of the Kalispel Tribe did not attend this meeting nor designate an alternate.

A count of voting members was 6 (Travis, Bob, Cindy, Dave, Judy and Dennis); plus 2 alternates were present so a total of 8; quorum established.

Bob asked if there were any corrections to the November minutes. There were none.

- Dave moved to approve the November 5, 2009 SWAC minutes. Motion seconded, carried.

Old Business: There was no update or discussion from Ecology on Recycling Summit groups and their written reports. (Beth did receive an email on March 30th stating there was to be a meeting on May 19th in Ephrata when Jim would like to have the various groups present their final written reports.)

Bob began the review of Ecology’s and the WUTC’s comments by having us silently read Jim’s letter dated March 18. (See attached) For the rest of the meeting we discussed the various Section items on the comment pages included in Jim’s letter.

Bob asked Sheila to incorporate the various changes into the SW Plan and then forward an email copy to Beth to distribute to SWAC as the amended final draft.

- Dave moved to accept as discussed all of the comments by Ecology and the WUTC and have Sheila incorporate them into the final draft of the Solid Waste Plan. Motion seconded, carried.

Discussion followed as to when the next meeting should convene. Bob said he thought if we are done with the plan review at this meeting maybe we could skip the summer and set the next SWAC meeting for Thursday, October 7, 2010 in the Commissioner’s meeting room at the old County Courthouse in Newport (625 4th Street, Scott & 4th) from 3-5pm. If an earlier meeting is needed, Beth will notify SWAC members of the new date and time.

Bob entertained a motion to adjourn at 4:10pm.
March 18, 2010

Mr. Ron Curran
Director of Public Works
Pend Oreille County
PO Box 5041
Newport, WA 99156-5065

RE: Pend Oreille County Solid Waste Management Plan Update

Dear Mr. Curran:

Enclosed are Ecology’s official comments on the Preliminary DRAFT Pend Oreille County Solid Waste Management. You or any member of your staff may contact me at 509/329-3545 should you have questions about the comments or need clarifications.

The final draft should incorporate changes as necessary based on Ecology and Washington Utilities and Transportation Commission (UTC) comments.

The amended final draft must be adopted by the Board of Commissioners of Pend Oreille County and all participating jurisdictions, and returned in triplicate to Ecology with a letter of transmittal stating that it is the final draft submission for Ecology acceptance.

This final draft also should be accompanied by a signed Declaration of Non-significance or an adopted environmental impact statement, as well as signed resolutions of adoption of the plan from all participating jurisdictions and the Board of County Commissioners.

I look forward to receiving your adopted final plan.

Sincerely,

James V. Wavada II
Environmental Planner,
Solid Waste and Financial Assistance Program
Eastern Regional Office – Spokane

cc. Sheila Packernegg
Pend Oreille County Preliminary Draft
Comprehensive Solid Waste Management Plan Review

Review Comments: Jim Wavada
Environmental Planner, ERO
March 18, 2010

Introduction:

Ecology’s review comments are provided to assist Pend Oreille County in the development of a comprehensive, approvable, and useful solid waste management plan.

The task of comprehensive plan development is not an easy assignment considering the multitude of responsibilities confronting the Pend Oreille County Public Works Department. Ecology recognizes the significant level of effort that has been expended in developing and updating the County’s Solid Waste Management Plan. Because of that effort, this Plan should provide Pend Oreille County the tools necessary to run an efficient and effective solid waste handling system over the next five years.

This review is divided into four parts: procedural items, plan elements that must be addressed to merit Ecology approval, Washington Utilities and Transportation Commission (UTC) comments, and Additional Comments.

The first is an assessment of any procedural items that the County might have missed or incompletely addressed. Any outstanding procedural issues must be addressed prior to approval of a final draft of your plan. The second part is for items Ecology considers important enough that they must be amended or expanded to warrant Ecology’s approval of the final plan draft. The third part is an exact copy of separate UTC comments on the Cost Assessment Questionnaire submitted with the preliminary plan draft. The final part contains additional comments or questions that the county may choose to address or not in the final draft plan.

PROCEDURAL ITEMS

Pend Oreille County has thus far met all the procedural requirements for consideration of the Preliminary Draft of the Comprehensive Solid Waste Management Plan. SEPA review is the only remaining procedural item.

SEPA Review: As with all comprehensive solid waste management plans a State Environmental Policy Act (SEPA) review must be completed at some point prior to final adoption. At submission of your final plan, subsequent to this preliminary review, you should include evidence that you have completed the formal SEPA review process on this Plan. Completion should be documented by a signed Declaration of Nonsignificance (DNS) or a completed environmental impact statement.
Mr. Ron Curran  
March 18, 2010  
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PLAN ELEMENT ITEMS THAT MUST BE ADDRESSED PRIOR TO PLAN APPROVAL

Sec. 1.7, Litter Control and Enforcement Summary

The Northeast Tri-County Health District actually receives Coordinated Prevention Grant (CPG) funds for enforcement activities, not a solid waste tax.

Sec. 1.13, Comprehensive Land Use Plan

Pend Oreille County needs to explicitly state whether or not the comprehensive solid waste management plan is consistent with the comprehensive land use plan. It’s not enough to state that a land use plan exists. You have to certify that your waste plan is not in conflict with that land use plan. This can be an important assertion down the line when you attempt to site a recycling or solid waste transfer station in the county. It verifies that you’ve assessed the two plans and determined that there is no conflict which would prevent such an expansion.

Sec 1.9.2, and 1.9.3: “The site also receives household hazardous wastes, which are stored in secondary containment where required.”

Delete “where required.” All HHW is required to have secondary containment. This requirement can confuse people until they learn that a paved impervious surface (required for all MRW facilities) that drains to a sealed catch basin or other catchment option (allowing for spilled material recovery) is considered secondary containment just as much as a clamshell container with a raised floor.

Sec. 25, Recommendations:

To be at all useful as recommendations, the recommendations in this section need to be placed in some kind of general timeline. Each recommendation should be sorted into say, 1-5 years, 5-10, 10-20. These general guidelines don’t bind Pend Oreille County to act in that time period; but indicate intent and will make it easier to execute Coordinated Prevention Grant planning on your part and Ecology’s, particularly under the current funding and reporting regime.

Sec. 3.3.2, Waste Reduction: “Although it is acknowledged that waste reduction is a priority, implementing effective waste reduction strategies (as a component of the overall County responsibility for solid waste) is not economically feasible without significant funding assistance.”

This is not sufficient justification for failing to implement some of the simpler and very low cost, in some cases, cost-reducing, waste reduction measures that many state and local governments already are successfully implementing. Environmentally Preferable
Purchasing policies are easy and inexpensive to write, even though they may be difficult to implement in every case. So are letters in support of product stewardship or other reduction standards to elected officials. The placement of signs at recycling sites, something already listed in the county’s plan implementation schedule, is another example of waste reduction strategy, as would be setting all county printers to double-sided print output default. Your plan should at the very least list these simple waste reduction strategies that are already being implemented in local governments and small businesses all over Eastern Washington.

Sec. 6.2.1, Biosolids

In addition to treated wastewater sludge, septic tank sludge in Pend Oreille also is land applied under permit and not taken to the wastewater treatment plant.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION (WUTC) COMMENTS:

The comments in this section are from the review staff at the WUTC and are incorporated verbatim in this section of the plan review comments. These comments must be addressed to WUTC’s satisfaction to merit Department of Ecology final approval of the plan.

The analysis of the Cost Assessment shows a financial impact to ratepayers served by regulated solid waste collection companies in Pend Oreille County. An average residential customer (one-can, weekly service) would see a rate increase of approximately $0.48 per month in 2010 and an additional $.31 per month increase in 2011. An average commercial customer (one yard, weekly service) would see a rate increase of $2.42 per month in 2010 and an additional $1.52 per month in 2011.

General comments:

1. Throughout the Plan, solid waste collection companies are referred to as “franchise haulers.” The commission issues to regulated solid waste collection companies Certificates of Public Convenience and Necessity. The word “franchise” has a different meaning within the regulatory environment and can cause confusion when it is used to refer to a solid waste collection company regulated by the commission.

In the context of solid waste regulation in the State, the term “franchise” refers to municipal contracts for solid waste collection service within its jurisdiction which are exempt from commission regulation (see RCW 81.77.020), or when a city’s authority for large trucks to drive on the roads. We suggest changing all references to solid waste collection companies regulated by the UTC from “franchise” to “certificate” or “certificated”.

OK, although “franchise hauler” sounds better, SHEILA will change such references to “certificate hauler,”
In the Plan, the Utilities and Transportation Commission (UTC) is referred to in lowercase letters. We suggest using uppercase letters, that is "UTC", consistent with general usage when a state agency is referred to by its acronym. SHEILA WILL CORRECT

2. Hazardous Waste: Under RCW 81.80, any hazardous waste collection and transportation company for hire is required to have a common carrier permit to collect and transport hazardous waste material. All such haulers must conform with federal, state and municipal laws.

Specific comments:

1. Section 2.0 – Please note the correct name of the company is Nichols, Robert L (G-122) d/b/a B & N Sanitation. SHEILA WILL CORRECT

2. Section 2.2.2, page 19 – Please note the correct certificate number for Excess Disposal is G-107 and for Nichols, Robert L is G-122. SHEILA WILL CORRECT

3. Section 4.2, page 40 – Staff recommends that you add the following language to the existing first paragraph: SHEILA WILL ADD THIS TO PLAN

“A hauler who collects commercial recycling for recycling purposes must first obtain a common carrier permit (RCW 81.80) from the UTC and register as a transporter of recycling material with the Department of Ecology. A hauler of commercial recycling collected and transported to a disposal facility requires a certificate of public convenience and necessity (RCW 81.77).”

Please direct questions or comments on the UTC responses to Christian Ward, Regulatory Analyst, at (360) 664-1349 or by email at cward@utc.wa.gov.

OTHER COMMENTS

Section 1.3: Municipal Solid Waste Generation Summary: “Increased recycling and waste reduction efforts may decrease MSW generation over time, if appropriate economic incentives (and disincentives) occur through higher disposal costs and/or improved recycling and waste reduction opportunities.”

This is technically inaccurate. Increased recycling and waste reduction efforts by the county may reduce MSW/collection over time; but would not affect how much waste consumers are actually generating. That relies on market factors outside the control of Pend Oreille County Solid Waste.

SHEILA WILL CHANGE THE WORD
Mr. Ron Curran  
March 18, 2010  
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Section 2.1.1, MSW Management Goals: “Provide for recycling and waste reduction opportunities at MSW facilities.”

Again, this is technically inaccurate. You may have meant “waste diversion” here. Waste reduction would have to occur prior to the materials arriving at the transfer station, wouldn’t it?

Section 2.4, Alternatives: Items 4-6 in first row of table. Wouldn’t it be better to move these items to their own row titled Planned Capital Improvements? It would also be a good idea to make sure the table headings appear on the same page as the table’s content.

Sec. 3.3.1.1, Electronic Waste

We suggest the following language be substituted for the current description of the recycling program for e-waste: “The program was launched in January 2009 and a list of collection sites is available at www.ecyclewashington.org or call 1-800-Recycle. TVs, monitors, desktop computers, and laptop computers are accepted for recycling from specific entities (residents, small businesses, schools, special purpose districts, small government, charities).”

Sec. 3.5.1.1, Recommendations for Facility and Operational Improvements, and Sec. 3.5.2.1, Product Stewardship & Procurement Recommendations

References to the E-waste collection sites being “developed” and “provided” in these two sections are out of date, as I believe these e-waste sites exist today. You may want to rephrase these sentences to state that you will “monitor and maintain” the existing e-waste sites, unless you are talking about adding additional e-waste sites.

Sections 3.5.1.2 and 3.5.2.2, Education Recommendations: These appear to be redundant. Shouldn’t you combine these Sections into one?

Table 5.1, Annual Moderate Risk Waste Collection Summary: It appears there was a doubling of collection of batteries and old gasoline between 2005-6 and 2006-7. Wouldn’t this warrant an explanatory footnote? What occurred in the county to account for this rapid increase in these two waste streams?

Sec. 5.5.1, Recommendation for Public Education, Alternative 5: It would be a good idea to be more explicit about how you will work with franchise haulers to screen solid waste for MRW. Will you work with them to develop a waste acceptance protocol?

More explanation would be good. The same comment would apply to Sec. 5.5.3, Recommendations for Improvements in Business Technical and Collection Assistance.

Sec. 6.2.5, Tires: What does the county do to encourage proper handling of tires to ensure illegal tire piles don’t develop? Be more specific here.

SIGNAGE SAYS WE ACCEPT 2 AT THE TRASH RATES AND 3 OR MORE ARE $20 EACH + TAX, THERE’S A $200-82000 CIVIL PENALTY IF DISPOSE OF TIRES ON PRIVATE OR PUBLIC LAND IF CAUGHT, ILLEGAL PILES, REFER TO TRI-COUNTY HEALTH DISTRICT
Sec. 6.3, Alternatives, 4, 5: What do these two recommendations mean in practical terms? Why are you evaluating? To what end?

Sec. 8, Summary of Recommendations, General Recommendations: "Consider facility safety, signage and dust control?" Shouldn't the County be committed to "ensuring" facility safety, signage and dust control? SHEILA WILL CHANGE WORDING TO "CONTINUE TO PROVIDE ADEQUATE" OR SIMILAR

Sec. 8, Summary of Recommendations, Facility and Equipment Recommendations: Second bullet. What would the proposed additional storage be holding? Is it a new waste type or an expansion for existing collected wastes that are growing in volume? NORTH COUNTY DID EXPAND ALREADY,

Sec. 8, Summary of Recommendations, Equipment Recommendations: Any projected tonnage on the metals you'll be stockpiling?

WE ARE NOT PLANNING TO STOCKPILE METAL, WE DO NOT HAVE A BULK ALUMINUM TRAILER AT SOUTH COUNTY BUT IT'S NOT A PILE,