Options for Public and Private Ownership and Operation of Transfer and Intermodal Facilities

Third Milestone Report

Using the Transfer System Level of Service Evaluation Criteria and Standards

June 2005

Prepared by:
King County Solid Waste Division
in collaboration with the
Interjurisdictional Technical Staff Group
Metropolitan Solid Waste Management Advisory Committee
Solid Waste Advisory Committee
Private Waste Hauling Companies
Labor Representatives
and
King County Council Staff

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King County
Department of Natural Resources and Parks
Solid Waste Division

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3rd Milestone Report

Options for Public and Private Ownership and Operation of Transfer and Intermodal Facilities

Introduction

This report is the third in a series of four milestone reports evaluating the existing regional solid waste system. The four reports will lead to the development of the waste export system plan that will assist the division in preparing for the future solid waste transfer and disposal system, including the transition to waste export when the Cedar Hills Regional Landfill closes. The purpose of this, the third report, is to:

- Begin discussion of policy choices that affect transfer system capital improvements and waste export decisions.
- Define options for public and private ownership and operation of transfer and intermodal facilities.
- Isolate service elements of transfer and intermodal facilities that could be publicly or privately owned or operated.
- Identify characteristics of the options.

It is important to note that analysis of the options and preliminary recommendations will be presented in the fourth and final milestone report.

As with the first two reports, this report continues an iterative process in which the division has been working with the Interjurisdictional Technical Staff Group (ITSG), the King County Solid Waste Advisory Committee (SWAC), the Metropolitan Solid Waste Management Advisory Committee (MSWMAC), private waste hauling companies and labor representatives.

The first report, Transfer System Level of Service Evaluation Criteria and Standards, contained the objective evaluation criteria and standards by which five of the six urban public transfer stations – Algona, Bow Lake, Factoria, Houghton and Renton – would be assessed. Enumclaw and Vashon, the two rural transfer stations, and First Northeast - the sixth urban transfer station - were not evaluated in reports one and two because they are either relatively new or are soon to be reconstructed and therefore currently meet or will meet the established standards.

The second report, Analysis of Transfer System Needs and Capacity, applied the transfer system level of service evaluation criteria and standards developed in the first report to the existing transfer system. The evaluation showed that the five existing urban public transfer stations do not meet a number of the criteria and standards outlined in the first report.

The fourth report will contain preliminary recommendations on ownership and operation of transfer and intermodal facilities as well as estimated system costs, rate impacts and financial policy assumptions.

The four milestone reports will culminate in the Waste Export System Plan, which will inform the update of the 2001 Comprehensive Solid Waste Management Plan ("The Plan"). While Ordinance 14971 set December 2005 as the due date for the Waste Export System Plan, at the request of SWAC, MSWMAC and ITSG, the division has transmitted an ordinance to the King County Council revising the due date to April 2006.

Policy Choices Shape the Solid Waste System

Just as past policy decisions have guided the development of the current system, policy choices in the transition to waste export will drive future decision-making processes and capital investments. The system will require service changes and/or significant capital improvements to meet the adopted service standards as outlined in report two and provide adequate capacity to handle the region's waste stream and the move to waste export once the Cedar Hills Regional Landfill reaches its permitted capacity and closes. These service changes and capital improvements will be determined by policy choices that will need to be made.

Although King County solid waste disposal rates are significantly lower than the tipping fees in adjacent jurisdictions, the system has not evolved around the single goal of achieving the lowest possible rate. Current policies attempt to weigh lowest rates against service needs, environmental protection, public health and public access. Consider the following adopted Comprehensive Plan policies that impact rates and service levels:

- Aggressively promote and seek to expand waste reduction and recycling, with grants to member communities and recycling opportunities at all facilities for self-haul customers.
- Provide high-access, urban levels of service to all customer classes at each public transfer facility.
- Allow self-haul customer access during all operating hours at each transfer facility.
- Establish "Customer Service" as a high priority, with rates that do not discourage system access.
- Enact environmental protection measures which exceed minimum standards to protect the environment, enhance community acceptance and assure host community compatibility. (Newer facilities clearly exceed environmental standards; older facilities have not been upgraded pending resolution of policy decisions.)
- Provide mitigation to communities where solid waste facilities are located, known as "host communities," (though mitigation policies have not yet been developed and mitigation has not yet been implemented).
- Adopted rate structures designed to be uniform system-wide to provide mutual benefit for all component communities, without transaction fees that would discourage access.
- Set labor policies to provide livable wages and promote a safe work environment.
- Operate a public transfer system network designed to provide redundant opportunities for safe disposal of solid waste, and provide surge capacity in the event of shut-down or unusual volumes at private facilities.

Policy makers will ultimately shape the future of the solid waste management system through decisions about the kind of system they want and the rates that will be necessary to implement that system. Policy decisions related to service levels significantly affect the level of capital investment required in the transfer system. Choices to be considered for the system include but are not limited to:

- Should a "full service" transfer facility, providing commercial, self-haul and recycling services be provided for each defined service area and should additional service areas be provided?
- Alternatively, could "commercial only" service be provided for each defined service area?
- Is there a willingness to require "self-haul" customers to drive further to fewer stations; or to reduce or eliminate access to self-haul customers at all transfer stations?
- Should the system be re-configured to provide limited service by customer type or by limiting use (limited operating hours for self-haul only; commercial only, no recyclables, etc.)?
- Should some segments of the waste stream be removed from the public system, such as acceptance and/or processing of commercially collected recyclables at private facilities?

To further the understanding of policy choices that have already been made, the policy provisions relating to the transfer and waste export system that are contained in the Plan have been included as Appendices #1 and #2 in this report. Some of these policy choices may need to be revisited, as well as other policy choices analyzed and reviewed for the first time, as part of the development of the plan for the future solid waste system.

Planning For the Future Solid Waste System

A Federated System

As provided by RCW 70.95.020 (1), (2), attached as Appendix #3, local government – cities and counties – has statutory oversight and authority for the planning and handling of solid waste. Currently, through Interlocal Agreements (ILA) between King County and 37 cities that expire in 2028, the division is responsible for operation of the public transfer stations and the regional landfill, as well as the development of the Plan that establishes the long-term policies for transfer, disposal and waste reduction and recycling. The ILA's provide the basis for the development of system and facility plans based on an assured level of tonnage to county facilities from the cities.

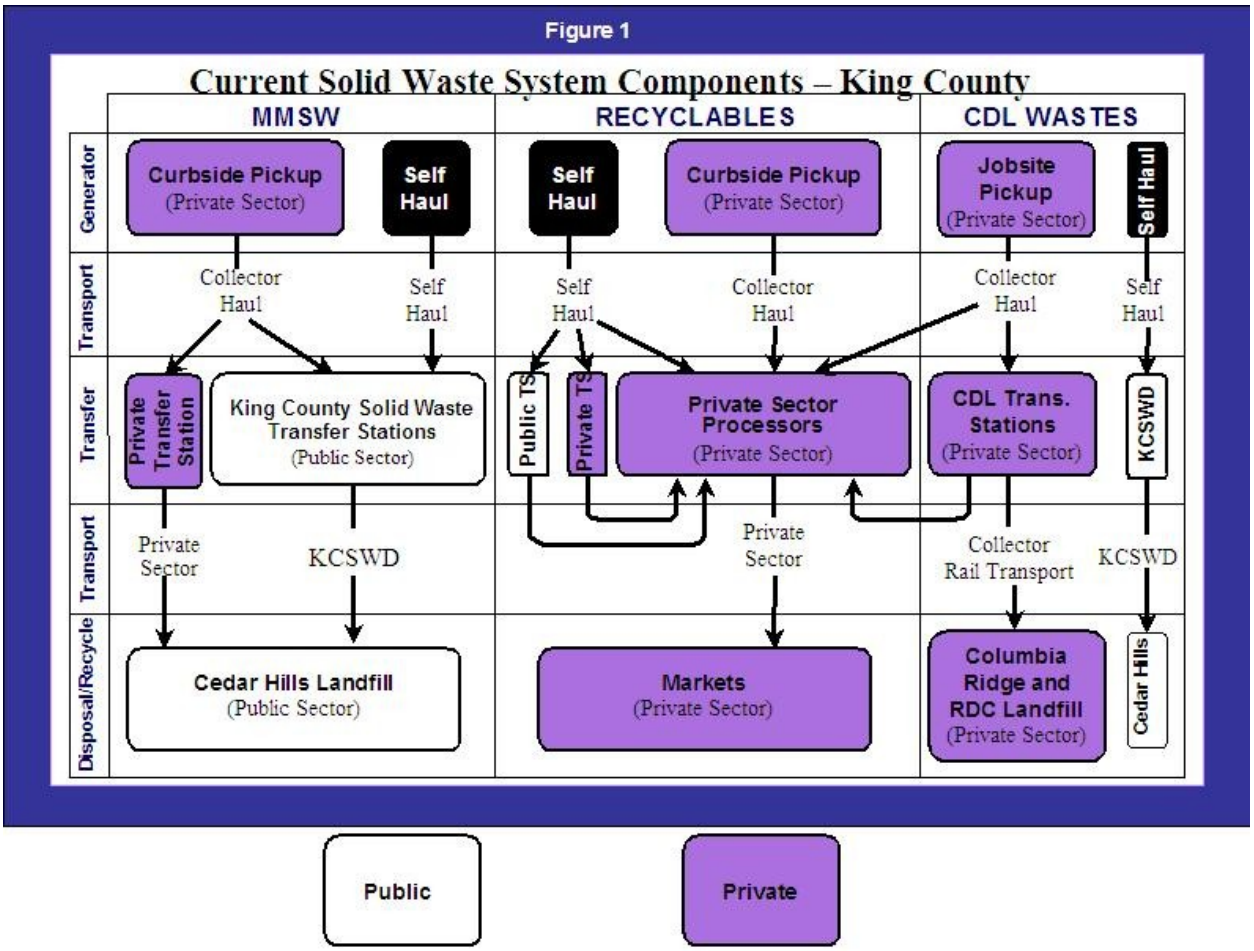
The division's service area is countywide, with the exception of the cities of Seattle and Milton. Milton is part of Pierce County's solid waste system and Seattle operates a distinct solid waste system, the only city in the state of Washington to do so.
The planning process to date for the future solid waste system has been based on the assumption of a continued federated system. To recover the significant capital investment that will be required for the future transfer station and waste export system, long-term agreements that continue beyond the 2028 expiration date of the current ILA's may be required. Any changes to the ILA's and the cities participating in the

system will impact the development and configuration of the system, future capital investments, services and rates. Decisions about the future system may impact participation by cities in that system. Section 3 of Ordinance 14971 provides that the county and any city with a Solid Waste ILA may engage in informal, non-binding discussions regarding potential changes to any of the provisions of the interlocal agreement. Report four will include a comprehensive assessment and analysis so that the future size and configuration of the solid waste system can be developed. This comprehensive review will identify critical assumptions, risks and ILA options.

<u>The Solid Waste System Today</u>

King County does not have the authority to collect waste or contract for collection services. Under state law, this authority is vested with the cities, or in the unincorporated areas with the Washington Utilities and Transportation Commission (WUTC). The WUTC also sets collection rates for cities that choose not to regulate collection service.

Figure 1 illustrates the current system and the respective roles of the public and private sectors in managing the recyclable, construction, demolition and landclearing debris (CDL) and mixed municipal solid waste (MMSW) waste streams:



1. Recyclables:
   Collection and processing of recyclables is almost completely privatized. Self-haulers bring a small amount of recyclables to public transfer stations where it is collected and transported by a private vendor to private processing facilities. Although the division does not own or operate any recyclables processing facilities, it supports the collection, processing and market development of recyclable materials through its ongoing education programs and by providing technical assistance and grant funding to cities for recycling-related programs.

As recycling moves from a source-separated system to a single stream or commingled system, the lines between handling mixed municipal solid waste (MMSW) and recyclables have become less distinct. Traditional functions of recycling facilities have expanded to include processing of single stream and/or commingled recyclables and these facilities appear to have many of the characteristics of a traditional transfer station that processes MMSW.

2. CDL:
   Construction, demolition and landclearing (CDL) is almost completely privatized. Small amounts of CDL are accepted at the division's transfer stations. Recently-negotiated 10-year contracts between the division and Rabanco/Allied and Waste Management Inc. govern the transfer and disposal of CDL waste. Under these contracts the two companies provide receiving facilities to recycle or transfer CDL for disposal.

3. MMSW:
   MMSW is handled by both the public and private sector within King County. Curbside collection of solid waste and recyclables is primarily handled by two private collection companies with the following exceptions: collection services are provided by Waste Connections on Vashon Island; the cities of Enumclaw and Skykomish provide curbside collection with city employees.

Waste Management and Rabanco/Allied handle more than 99 percent of solid waste collected from residential and commercial customers in King County through contracts with cities or through franchises granted by the WUTC. These two companies also provide collection services in the City of Seattle. Both Rabanco/Allied and Waste Management operate intermodal facilities in the region. In addition to providing collection services, Waste Connections also owns an intermodal yard within King County that provides rail access, although the facility is not currently being used for solid waste purposes.

Transfer and Disposal

Transfer and Transport:
Transfer and transport are intermediate steps in the collection and disposal process. Solid waste is brought to a transfer station where it is consolidated into larger loads and transported to Cedar Hills for disposal.

The division operates eight transfer stations and two rural drop boxes that serve both self haulers and the private collection companies. Six of the transfer stations serve the urban areas. These include the Algona, Bow Lake, Factoria, First Northeast, Houghton and Renton stations. The remaining two transfer stations – Vashon and Enumclaw – and the two drop boxes – Cedar Falls and Skykomish – serve the rural areas. The division also operates the Cedar Hills Regional Landfill which is the only remaining active landfill in the county. It is located in Maple Valley south of Issaquah.

Regional Direct Fee:
When commercial haulers use their own transfer stations, or transport their waste directly to Cedar Hills, and bypass use of the county's transfer stations, they pay what is called a 'regional direct fee.' The division charges a lower rate for this waste stream because it is able to avoid transfer and transport expenses. The decision the haulers make in whether to use their own transfer stations instead of the county's can be influenced by the fee.

Rabanco/Allied owns and operates a transfer station that is located within the City of Seattle, and receives solid waste from its collection routes in both the King County and City of Seattle systems. Until recently, Waste Management used its Eastmont transfer station in South Seattle for municipal solid waste. Eastmont now handles recyclable materials and CDL. Currently Waste Management hauls waste to the county's transfer stations. Since 1979 the amount of solid waste brought directly to Cedar Hills from the private transfer stations has varied, ranging from a high of 44 percent during the five-year period when the City of Seattle was part of the county system to a low of about 12 percent.

Disposal:
The division handles disposal of all municipal solid waste generated in King County outside of Seattle, at the Cedar Hills Landfill. A detailed landfill operations plan guides the unloading and compacting of solid waste.

Within the next decade, the Cedar Hills landfill will reach its permitted capacity and close. King County Ordinance 14236 and policies contained in the Plan establish waste export as the means by which King County will dispose of waste once Cedar Hills closes. MMSW will then be disposed in a privately owned and operated landfill. Although the Cedar Hills landfill will no longer accept waste, federal, state and local regulations require its continued maintenance for at least 30 years. King County will retain that responsibility.

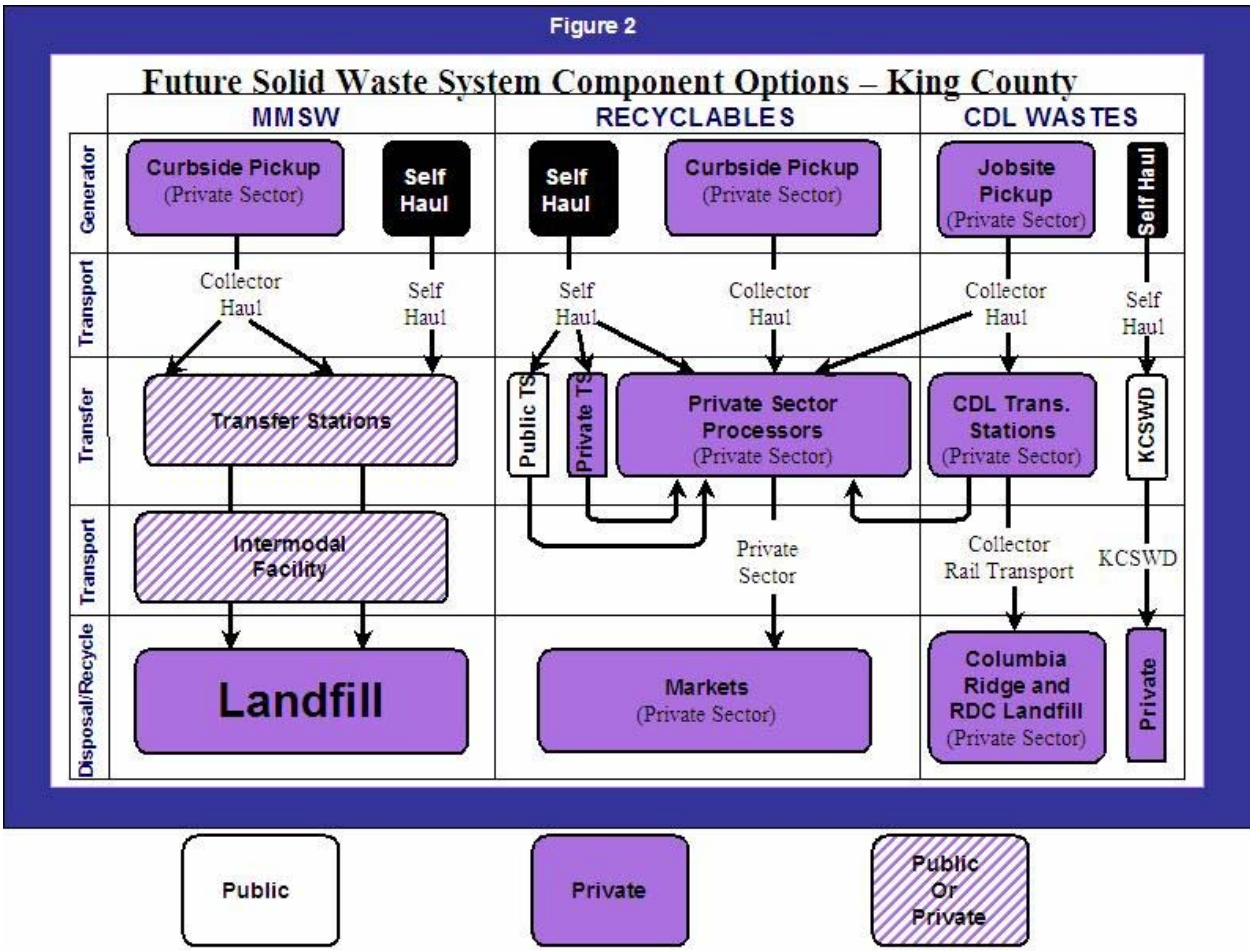
Supporting functions:
In addition to transfer, disposal and recycling functions, the division is also responsible for fleet and facility maintenance, planning, environmental monitoring, and finance and administrative functions.

Waste Export:
As stated above, after the Cedar Hills Landfill closes, the adopted Plan policy is to move to waste export. In a waste export system, waste is transported by truck from the transfer stations to an intermodal facility or facilities where it can be loaded from trucks onto rail cars or barges for transport to a distant landfill outside the county.

In an effort to preserve export options, the division purchased the 12.1-acre Fisher Flour Mill site on Harbor Island in July 2003 as a potential site for an intermodal facility. Ordinance 14710 authorizing the purchase, required the division to consider alternative intermodal sites as well as existing intermodal facilities. This analysis will be completed in report four.

Public/Private Options for Ownership and Operation of Transfer and Intermodal Facility(ies)

Figure 2 illustrates Future Solid Waste System Component Options and potential roles for the public and private sectors in the transfer and disposal of the region's solid waste.



Three options exist for the ownership and operation of the transfer and intermodal facilities that will likely comprise King County's solid waste export system. The three options are:

1. <u>Private-only operation</u>:
   All aspects of service are procured by governmental entities through contracts with the private sector. Contract services would include ownership or lease and operation of all transfer and intermodal facilities. Contract terms could include setting many characteristics of the system, including but not limited to service levels, criteria and standards to be applied to facilities, process for siting facilities and rate setting methodology.

2. Public-only operations:
   All aspects of transfer and intermodal service are provided by governmental entities. This option reflects a transfer and intermodal system owned and operated by the public sector. Privately-owned transfer stations would no longer be part of the King County service area. Current and projected needs would be met through public facilities or policies.

3. A Public/Private mix of operations:
   Services would be provided by both the public and the private sector. Examples include but are not limited to the following:

   - a publicly-owned and operated transfer system and a privately owned and operated intermodal facility(ies)
   - a publicly-operated scalehouse at publicly owned transfer and intermodal facilities with private sector operation (transfer and transport of waste) of these facilities
   - a mix of publicly and privately-owned and operated transfer stations with a privately owned and operated intermodal facility(ies)

Both public and private improvement or expansion options require some guarantee of waste in order to recover capital investments (long-term interlocal agreements for King County and long-term contracts for private vendors).

Service Elements of the Transfer and Intermodal Facilities

As outlined in the policy choices section of this report, services and capital improvement investments are heavily dependent upon policy choices. In the early 1990's adopted county policy was to keep rates as low as possible and defer capital investment in the system. Since that time there has not been regional consensus on the policies that would shape the future solid waste system, including services as well as facilities. The expected outcome of this planning process with ITSG, MSWMAC, SWAC, Solid Waste Interlocal Forum (SWIF), Regional Policy Committee (RPC), and the King County Council will be a consensus for a system plan. The system plan will also be based on policy decisions about service levels including, but not limited to, the following:

- Services to self-haulers
- Convenience provided in terms of distance
- Host cities mitigation
- Recycling services
- Equitable distribution of facilities

While the three options center on capital improvements there are service level options that could address capacity needs, such as:

- Full-service transfer facilities in a given service area
- Commercial only stations provided for a given area

- Self-haul only stations provided for a given area
- Variable rates or hours
- Limited service or customer type (by facility, by time of day, garbage vs. recyclables, etc.)
- Acceptance and/or processing of commercially collected recyclables at private facilities
- Elimination of transfer service for self-haulers

As stated earlier, policy decisions related to service levels significantly affect the level of capital investment required in the transfer system.

Operational alternatives at a facility may include:

- Private-only operation of all aspects of service provided by contractor
- Public-only operations with all aspects of service provided by the public sector
- Mixed operation of facility; weighing and cashiering functions, transfer facility operation, and hauling of waste to disposal sites could be either public or private

The following list identifies discrete transfer and intermodal functions of the solid waste management system that could potentially be provided by either the public or the private sector:

- <u>Conducting scale house functions including weighing incoming wastes, collection of fees or otherwise recording data for billing and record keeping.</u>
  At the transfer station waste is weighed and a tipping fee is collected based on the delivered weight. Other data such as average tons per self-hauler, place of residence and type of waste is also collected to improve system performance, take corrective actions and pursue new approaches to waste management.

- <u>Loading waste into containers at the transfer stations</u>.
  Transfer stations serve as an intermediate step between collection and disposal. The transfer station system came into being as an efficiency measure. Waste delivered to a station is compacted into transfer trailers holding between five and six times as much garbage by weight as that of a collection truck. This significantly reduces the amount of fuel required to transport the garbage to a disposal site and also reduces wear and tear on roads, among other efficiencies.

- <u>Transporting loaded containers to an intermodal facility, or facilities</u>.
  An intermodal facility is a site where the waste will be transferred from trucks to other modes of transportation for shipment to a distant landfill. Although rail is the anticipated primary mode of transport for waste export, access to barge service can offer an alternative means should rail service be disrupted or become unavailable. There also may be economies of scale by having more than one intermodal facility for the export of King County waste.

- <u>Placing waste containers onto rail cars or barges at an intermodal facility(ies).</u>
  Waste containers, similar to those used on container ships, are removed from a trailer chassis and placed onto rail cars.

- Performing recycling functions at transfer stations.
  Recyclable materials are accepted at transfer stations, and then transported to a recycling processor. Recyclables can be free or there can be a fee charged to accept them.

Characteristics of Private and Public Options:
To assist in evaluating options for ownership and operation of the transfer and intermodal facilities, Table 1, titled 'Characteristics Matrix for Future Public or Privately-Contracted Solid Waste System,' was developed to identify characteristic differences between public and private options. MSWMAC has not yet reached consensus on all of the elements in Table 1, but the most current iteration is located at the end of this document. Comments to Table 1 were received from SWAC, ITSG and MSWMAC and are reflected in Appendix #4.

ITSG agreed that it is important to make sure the same requirements are applied to both the public and private sector in order to make a fair and accurate comparison of cost and efficiency, and to ensure quality service in our communities. Future configuration decisions must consider characteristics such as rates, capital investments, siting and mitigation measures in ways that level the playing field and allow fair and accurate comparisons between public and private system choices. In order to more fully understand the current system and the differences between public and private facilities, the level of service criteria developed in report two will be applied to existing privately operated transfer facilities. The policy issues raised in Table 1 must be analyzed and addressed in order to develop an accurate comparison between the public and private sector options.

Next Steps

The next step in the development of the Waste Export System Plan will be to begin work on the fourth milestone report identified in Ordinance 14971: "Preliminary Transfer and Waste Export System Recommendations, and Estimated System Costs, Rate Impacts and Financial Policy Assumptions." The projected due date for this report is January 30, 2006.

The division will continue to work with SWAC, ITSG, and MSWMAC, as well as with representatives from the commercial garbage companies and labor in developing the fourth report.

Table 1

Characteristics Matrix for Future Public or Privately-Contracted Solid Waste System

June 2005 – Preliminary

Characteristic	Public/King County	Private	Policy
1. Capital Investment How does financing influence public and private sector capital improvements?	• The public sector has advantages in financing. Terms can be 20 to 25 years or more. • Other requirements, such as 15% apprenticeship and social policies (domestic partners), can have an impact. • ILA term needed to match term of financing. • Possible pay-as-you-go. • Economies of scale may be realized through partnerships with other jurisdictions.	• Private debt financing does not have as attractive terms and interest rates. • Potential for tax credits. • Need long-term contracts in order to assure lenders of payback capability. Short term contracts leads to higher rates to recoup costs. • Possible pay-as-you-go. No debt financing needed, able to pay from reserves.	• Should King County contracting standards, such as the 15% apprenticeship requirement, be applied to a privatized system for capital investments? • Should the cost of the facility be spread over the entire system or just the facility?
2. Property acquisition & siting efficiencies Parameters around which public and private entities conduct siting processes.	• Can condemn. • Current process is defined in the comprehensive plan; public involvement process can take 18 months to 2 years. • Process is transparent. • County owns network of permitted facilities.	• Cannot condemn. • More negotiation flexibility. • Not as transparent.	• If the transfer/intermodal parts of the system are privatized, should the private sector be required to use a public involvement process for siting and acquisition such as King County?
3. Service levels/customer service What services, hours and access are provided to each customer type and who decides?	• Adopted policy is to provide similar services at the same rates at all locations. • Public policies can add inefficiencies to a system. • Ability to waive fees for disposal of disaster debris. • Policy considerations sometimes have a higher priority than finances alone.	• Types of service, hours and access can be and are restricted. Rates can vary by location. • Primary driver is return on shareholders investment; profit motive determine service levels. Can be more flexible; greater ability to change. • Service levels are driven by economics.	• Is it desirable to impose public service levels on a privatized system? • Should service levels be the same at all stations?

Characteristic	Public/King County	Private	Policy
4. Ability to influence rates and rate stability Customers/partners ability to influence rates, rate structures, etc.	• Rate-making process involves public input. • Rates are uniform throughout the system. • Rates changed through action by elected officials.	• Rates can be changed through contracts or by WUTC in franchised areas. • Rates are not uniform throughout system. • With a contract, rates can only be changed with consent of both parties.	Uniformity: • Should there be variable rates for different customer classes, times of day, locations? • Should rates be established on a cost-of-service basis? • Should rates be established on a system basis or an individual facility basis? • Should the public environmental policies, which can be more stringent than regulations, be applied to the private sector?
5. Environmental standards Are environmental standards met or exceeded?	• Complies with all environmental rules and regulations. • Public policies often exceed regulatory minimums requiring higher levels of compliance, i.e. Green Building requirements for transfer station design. • Plans, develops and works with private sector to execute numerous waste reduction and recycling programs.	• Complies with all environmental rules and regulations. • Partners in waste reduction and recycling programs.	• Should the public environmental policies, which can be more stringent than regulations, be applied to the private sector?
6. Labor issues How do labor contracts affect the system?	• Existing labor contracts affect ability to be flexible.	• Different labor contracts, usually lower wages and/or not as strong on benefits. • More flexibility with labor force (ability to hire and fire).	• Should public labor contract standards be imposed on the private sector?
7. Control/accountability Level of customer/partner involvement in how the system is run, system decisions, etc.	• Accountability is public. • Control is at the local level. • Financial information is open and available to the public.	• Input is through contracts and terms. • Control is at national/international level. • Financial information can be withheld. • Competition requires withholding proprietary information.	• What level of public oversight should there be?

Characteristic	Public/King County	Private	Policy
8. Liability/legal issues Who has responsibility for liability issues?	• The county bears all the liability for the present and the past with respect to transfer stations and landfills, including landfills where the county is the last owner. • County has the reserves to accept liability.	• Liability must be allocated via contracts.	
9. Mitigation/revenue What avenues exist for mitigation for the host cities?	• County pays Business & Occupation (B&O) tax to the state. • The Comp Plan and state law allows mitigation payments to host cities.	• Pays Property and B&O taxes to host cities. • Cities have authority to charge utility tax.	
10. Planning Planning and analysis	• Public sector does planning for service area. • Planning is long-term. Comprehensive plan must include 20-year projections.	• Private sector does planning for its particular franchise area(s). • Planning is short-term.	• Should the private sector adhere to public sector planning requirements?
11. Additional public benefits	• Ability to work against own economic interest in the public interest. • County provides programs to clean up Illegal dump sites; funding to cities for waste reduction/recycling programs; for environmental mitigation and to monitor and maintain abandoned sites. • Funding, planning, development and implementation of education programs.	• Maximum return to the investor. • Charitable contributions; good corporate citizenship. • Public education often subsidized by county.	
12. Regulatory overhead	• Local Hazardous Waste Management Program (LHWMP) fee. • Rate reserves. • Rate stabilization.	• LHWMP fee.	

Appendix 1

Final 2001 King County Comprehensive Solid Waste Management Plan Policies

Verbatim policies extracted from the "Final King County Comprehensive Solid Waste Management Plan – 2001" in Chapter 2, pages 2-20 through 2-30.

Policies highlighted in "red" font guide waste export planning
Policies highlighted in "blue" font guide system planning & could affect waste export and rates

Governing Policies

The policies that follow were adopted by Ordinance 14236 by the King County Council on October 15, 2001. If any text discussion in this Plan is inconsistent with that in the policies, the policies are controlling.

County Planning Policies

PL-1. The county shall continue to monitor the type, amount and generation sources of waste entering the county's solid waste system.

PL-2. The county shall monitor and prepare an annual report on the amount of solid waste disposal at public transfer stations and at the regional landfill.

PL-3. **The county shall complete a survey of self-haul customers at county transfer facilities, using zip codes to obtain more accurate information on where self-haul customers live.**

PL-4. The county should support state legislation that would require the private haulers to provide accurate reports on curbside collection and recycling and disposal at private transfer stations.

PL-5. The county should continue to conduct waste characterization studies every three years as part of its ongoing waste-monitoring program.

PL-6. Forecasts for waste tonnages should be updated every year to allow responsive planning for facilities and operations.

County Waste Reduction and Recycling Policies

WRR-1. The council finds that existing county policies for waste reduction and recycling have been valuable for guiding the efforts of King County, suburban cities and the private sector. These policies recognize that successful waste reduction and recycling efforts depend on changing the behavior of individuals and organizations rather than accommodating existing behavior. Based on these findings, the mission of King County's waste reduction and recycling programs is to divert as much material as possible from disposal in a manner which reduces the overall costs of solid waste management to county residents and businesses, conserves resources, protects the environment and strengthens the county's economy. The county should evaluate its success in achieving this mission through measures that are consistent with:

1. Decreasing the total amount of waste generated and disposed per county resident, acknowledging that business activities, average household size and other external factors affect this amount.

2. Recycling additional materials out of its disposal stream at least as long as such action is likely to create a long-term, net economic benefit compared to the costs of disposal. An analysis of the costs and benefits of recycling should include current and projected values for collection, hauling and processing costs and the return in commodity prices for recycled materials versus the current and projected costs of collection, hauling and disposal of the same materials.

WRR-2. **The county should enhance existing waste reduction and recycling programs, add more recycling opportunities at county transfer stations, pursue markets for additional diversion of organic materials, and increase marketing efforts to support and further waste reduction and recycling goals.**

WRR-3. The county and cities should manage solid waste generated by their respective agencies in a manner that demonstrates leadership for residents, businesses, and institutions.

WRR-4. The county shall encourage and promote waste reduction and recycling in order to reduce the amount of solid waste disposed in the Cedar Hills Regional Landfill or through waste export.

WRR-5. The county should use the following measurement targets to identify the region's effectiveness in meeting objectives in waste reduction and recycling. These targets should be evaluated at least every three years when data becomes available from the waste monitoring studies.

1. Disposal rates per residential customer should be held constant throughout the planning period. The residential target is 18.5 pounds of solid waste per person per week calculated by dividing the estimated amount of waste disposed by households by the estimated number of residents in the county's solid waste system.

2. Disposal rates for per employee should be held constant throughout the planning period. The employee target is 23.5 pounds of solid waste per employee per week calculated by dividing the estimated amount of waste disposed by businesses in the county by the estimated number of employees.

3. The curbside and on-location recycling rates for single family, multi-family and non-residential entities should be increased over the planning period as follows:

Year	**Single Family** (1 to 4 Dwelling Units)		**Multi-Family** (5 or more Dwelling Units)		**Non Residential**
	Curbside Recycling Rate	Curbside Disposal Rate (lbs/household/	Recycling Rate (percent)	Disposal Rate (lbs/household/	Recycling Rate (percent)
2006	50%	31.4 lbs.	35%	20.8 lbs.	43%
2012	52%	30.7 lbs.	40%	20.3 lbs.	46%
2018	53%	30.5 lbs.	40%	20.1 lbs.	48%

WRR-6. The county should provide grant funding to cities to support their waste reduction and recycling programs for which all cities will be eligible. Grant funds are intended to implement recommendations in this plan, based on the communities' prioritized needs.

WRR-7. The county shall coordinate with cities in planning and implementing waste reduction and recycling programs, and in designing and conducting future studies and market assessments for the region.

WRR-8. The county and cities should hold annual meetings to coordinate work plans and ensure that grant-funded and county programs are coordinated and complementary.

WRR-9. **The county should provide drop box collection sites for primary recyclables to serve areas where household collection is not provided.**

WRR-10. **The county should, where feasible, provide areas for expanded collection of secondary recyclable and reusable materials at new and upgraded transfer stations.**

WRR-11. The county and the rural cities should periodically assess the feasibility of expanding curbside collection of recyclables in rural areas not currently receiving this service.

WRR-12. The county and cities should add secondary recyclables to collection programs when feasible and supported by the community.

WRR-13. Cities should consider providing scheduled events to collect secondary recyclables at selected sites.

WRR-14. Those cities exercising contracting authority for solid waste collection should consider including collection of recyclables in the waste collection service offered to both residents and businesses.

WRR-15. The cities and county should provide coordinated education, promotion, incentive, and technical assistance programs to businesses, residents and schools for waste reduction, source reduction, resource conservation and recycling.

WRR-16. The county should provide technical assistance to manufacturers in the use of recycled materials and the application of product stewardship principles.

WRR-17. The county should encourage the cities to establish rate-based incentives for solid waste collection services that encourage participation in recycling programs and reduced generation of garbage.

WRR-18. The county should promote environmentally sound management of all organic materials in the mixed municipal solid waste stream.

WRR-19. The county should implement programs that are designed to increase the demand for recycled and reused products, create and sustain markets for recycled materials, and integrate waste reduction and recycling programs with other resource conservation activities.

WRR-20. Using waste characterization studies and market assessments, the county should regularly evaluate regional recycling markets and technologies to ensure that programs and services support the region's recycling and waste reduction goals.

WRR-21. The county should work with cities and private collection companies to develop programs to improve the recycling rate in the small business community.

WRR-22. The cities and the county should address the needs of small businesses by providing technical assistance and programs that target recycling and waste reduction in the workplace.

WRR-23. The county should promote material exchanges and reuse centers and evaluate other venues for reuse.

WRR-24. The cities and county should provide for collection of primary recyclables including glass, tin and aluminum cans, mixed waste paper, newspaper, #1 and #2 plastic bottles, and yard waste and evaluate adding other materials as either primary or secondary recyclables by targeting specific commodities.

WRR-25. The county should target primary residential recyclables, yard debris, food waste and compostable paper, non-residential paper and cardboard, and green and urban wood for future diversion from the waste stream through recycling or waste reduction.

WRR-26. The county shall update the list of secondary recyclables yearly in its annual report based on state recycling survey data and information from city and county programs.

WRR-27. The county should work with the cities, commercial haulers and the public to identify new materials to be designated as primary recyclables.

WRR-28. The county should develop and implement a regional product stewardship strategy, provide technical assistance to manufacturers in the use of recycled materials and the application of product stewardship principles.

WRR-29. The county should pursue product stewardship strategies to reduce costs of waste disposal, to place more responsibility on manufacturers to reduce toxicity of their products, to conserve energy, and to plan for product reuse and recycling in product development.

WRR-30. The county shall maintain government procurement policies that favor the use of recycled and environmentally preferable products.

WRR-31. The county should implement and promote the green building principles in all county-funded capital projects.

WRR-32. The county should foster sustainable development through promotion of sustainable building principles in construction projects throughout the county.

WRR-33. The county should promote reuse and recycling of source separated construction, demolition and land clearing materials through participation in organizations like the Reusable Building Materials Exchange.

WRR-34. The county should foster sustainable building principles through public education and partnerships with organizations such as the U.S. Green Building Council.

WRR-35. The department of natural resources and parks should develop and promote landscape best management practices, including water conservation, reduced use of pesticides, and grasscycling.

WRR-36. **The county shall make recycling a priority at new and renovated transfer stations by maximizing recycling opportunities while taking into consideration user needs, site constraints, costs and benefits, and market availability. The county should evaluate the potential for accepting new recyclable materials at county facilities. Potential new recyclable materials include, but are not limited to: scrap and processed metal, used oil and antifreeze, computers, recyclable construction and demolition debris, household hazardous waste, and reusable household items.**

WRR-37. **Where feasible, the county should provide areas for source-separated yard waste collection at all existing, new or upgraded transfer stations and drop boxes.**

WRR-38. The county shall implement programs to provide for affordable collection and recycling of woody debris generated by major storm events or for residents in areas affected by the Puget Sound Clear Air Agency's bum ban.

WRR-39. The county should work to convert landfill gas, a valuable green resource, into a marketable energy product as soon as possible.

County Collection Policies

CP-1. **The county solid waste system shall provide for and designate urban collection service levels for mixed municipal solid waste, recycling and yard waste for residents in all parts of the county except for Vashon Island, Skykomish Valley, and Snoqualmie Pass.**

CP-2. The county should promote collection service that has as little impact as possible on roadways and traffic. The cities should consider using their contracting authority to specify which transfer stations the collection companies use.

CP-3. **The county and cities should seek to manage demand for self-haul services for customers who self-haul regularly, by encouraging subscriptions to curbside collection**.

CP-4. The county shall seek to manage demand for self-haul services for customers who self-haul occasionally, by working with cities and private collection companies to develop cost effective options for disposing of bulky wastes.

CP-5. **The county should not consider the possibility of eliminating service to self-haulers, as this would conflict with the county's goals of environmental protection and customer service.**

CP-6. **A solid waste collection district may be established for the purpose of requiring mandatory curbside collection service if the county and the cities agree that it is in the public interest and necessary for the protection of public health.**

CP-7. The county, in consultation with the cities and Solid Waste Advisory Committee should explore the benefits and costs of a uniform method of recycling collection throughout the region.

CP-8. The county should host special recycling collection events and investigate options for expanding this recycling option.

CP-9. If authorized by the state legislature, the county should work with the cities to establish region-wide waste disposal incentive rates that encourage recycling and reduce disposal.

CP-10. The county, in conjunction with the city of Seattle, the cities within the region and Public Health - Seattle & King County shall offer collection of household hazardous waste in conformance with the adopted local hazardous waste management plan prepared under chapter 70.105 RCW.

CP-11. The county should improve collection services for household hazardous waste in the eastern and southern portions of the county in conformance with the local hazardous waste management program. Enhancements should include implementing a pilot stationary collection service at a transfer station and implementing a pilot program to augment current mobile collection services.

CP-12 The county should work with the cities, regional businesses, and regional manufacturers to develop alternative collection opportunities and product stewardship programs.

County Regional Transfer System Policies

RTS-1. The county's objectives for its transfer system are:

1. Meeting customer needs for convenient, uniform services;

2. Seeking to maintain operating costs for solid waste management lower than those in other jurisdictions;

3. Preparing the mixed municipal solid waste transfer system for eventual waste export;

4. Keeping rates stable and rate increases as low as possible while meeting the costs of managing the system and providing services to solid waste customers; and

5. Protecting environmental quality and public health and safety while providing cost efficient services.

RTS-2. The county should provide for the future of the solid waste transfer system by maximizing use of existing transfer stations, making existing transfer stations as efficient as possible, evaluating the need for new transfer facilities, and focusing capital improvements on balancing service needs of commercial and self-haulers.

RTS-3. The county should focus capital investment to:

1. Maintain the county's system facilities in a safe condition for both the system's customers and the system's employees;

2. Upgrade its transfer facilities to serve a future waste export system when the Cedar Hills regional landfill reaches its permitted capacity, or at such earlier time as the county may decide;

3. Improve transfer stations to improve efficiency, capacity and customer service; and

4. Expand, relocate or replace, or any combination thereof, transfer stations when safety, efficiency, capacity or customer services needs cannot be met by existing transfer facilities.

RTS-4. The county should prioritize efficient service to commercial haulers while still providing services for self-haul customers, provided that nothing in this policy permits limiting standard hours of operation at county transfer facilities for self-haul customers without council approval by ordinance.

RTS-5. **Compactors should be installed at transfer stations in order to achieve operating efficiencies by processing waste more quickly in less space, reducing truck trips between the stations and the disposal site, saving transportation and equipment costs, reducing odors and litter, and preparing for economical waste export. The county should prioritize, to the extent practicable, compactor installation at those transfer stations with the greatest tonnages**.

RTS-6. **The county shall evaluate the feasibility of siting an additional transfer facility to serve residents of northeast King County.**

RTS-7. The county shall establish criteria and standards for determining when a county owned and operated transfer station has exceeded its capacity to efficiently serve the needs of its customers and where new or relocated transfer facilities are needed.

RTS-8. Before restricting access to any customer class at a specific transfer station, the executive shall transmit for council approval by motion a demand management plan for that transfer station. The demand management plan shall identify strategies such as incentive rates, programmatic changes and structural changes designed to minimize conflicts between commercial haulers and self haulers and improve customer service. The demand management plan shall include an evaluation of the costs and benefits of these strategies, the impact of implementing these strategies on different sectors of commercial and self haulers that use the transfer station, and impacts on illegal dumping. The demand management plan shall be formulated with the participation of affected cities.

RTS-9. The county, in coordination with affected cities, should continue to improve county transfer station operations to ensure efficient queuing, unloading and exiting.

RTS-10. The county shall designate county-owned transfer stations as either capable of being expanded on-site or constrained from on-site expansion. The purpose of this designation is to maximize the use of existing sites by concentrating capital investment on sites where significant improvements are both physically possible, and supported by the host city. Facilities capable of being expanded may require new construction or major rebuilding in order to provide a full range of solid waste disposal and recycling services for county residents and businesses. Facilities constrained from on-site expansion will receive necessary safety and efficiency improvements, including compactors.

RTS-11. In designating transfer stations as either capable of being expanded on-site or constrained from on-site expansion, the county shall consider the size of the site, other physical characteristics and constraints, the level of support for needed improvements by the host city. The system as a whole shall be assessed to maximize the equitable distribution of full service facilities.

RTS-12. The following transfer stations are designated as capable of being expanded on site: First Northeast, Factoria, Bow Lake, Enumclaw and Vashon.

RTS-13. The following transfer stations are designated as constrained from on-site expansion: Houghton, Renton, and Algona.

RTS-14. The following transfer stations are authorized by the county as adjunct transfer stations to receive, consolidate and deposit mixed municipal solid waste into larger transfer vehicles for transport to and disposal at county authorized disposal sites: Waste Management's Eastmont and Rabanco's Third and Lander facilities.

RTS-15. The county should maintain the use of drop boxes to serve rural customers in the Skykomish and Cedar Falls area until periodic analyses of demographic and disposal trends in the rural areas determine that improvements in the type and level of service and facilities may be needed. The county should explore the use of an access card to provide access to drop box facilities for residents and property owners in the area so that individual property owners could be billed on a monthly basis.

RTS-16. The county should continue to provide solid waste services through the county transfer facilities. However, the county will remain open to considering and implementing future private sector proposals for the transfer system as part of its annual evaluation of the timing of waste export. **In evaluating future private sector proposals for the transfer system, the county should balance financial costs and benefits with other relevant factors, including environmental considerations and fairness to existing labor. The county should consider expanding the role of collection companies in the provision of transfer services when the collection companies demonstrate that such expansion reduces the overall costs of solid waste management to county residents and businesses, maintains or improves service levels, and advances the goal that solid waste disposal facilities be dispersed throughout the county in an equitable manner.** The county's goal will be to make the transition to waste export as equitable as possible to those affected by the transition.

RTS-17. All public and private transfer facilities shall comply with applicable federal, state, and local laws and proposed facility improvements shall be required to meet applicable legal requirements. Legal requirements include, but are not limited to those regarding environmental protection, public health and safety, procurement and labor.

RTS-18. The county shall prepare the capital improvement program required to implement the Final 2001 Comprehensive Solid Waste Management Plan under K.C.C. 4.04.200 through 4.04.270. Proposed capital improvements are subject to council appropriation and the county's annual budget process. The proposed capital improvement program should demonstrate how the following considerations are addressed:

1. Protecting the safety of customers and employees at any solid waste facility;

2. Planning for permit acquisition requirements and timing;

3. Mitigating impacts to the surrounding community including but not limited to noise, traffic, dust, odor and litter;

4. Including public comment and input, including comment and input from the host jurisdictions, in project development;

5. Preparing for waste export;

6. Minimizing service disruption at transfer facilities and throughout the system during capital construction;

7. Ensuring that no more than one transfer station is closed for capital improvements at any time;

8. Demonstrating the extent to which sites requiring capital improvements are functioning at or near operating capacity for either traffic or tonnage;

9. Demonstrating how the planned capital improvements were evaluated according to the criteria and standards for transfer facility efficiency; and

10. Achieving operating savings.

RTS-19. **The capital improvement program for King County shall only fund projects and improvements at facilities owned and operated by King County.**

RTS-20. Prior to making any improvements to transfer stations or locating new transfer facilities, the executive shall work with affected communities to develop mitigation measures for environmental impacts created by the construction, operation, maintenance or expansion of transfer facilities.

RTS-21. **The county is encouraged to exceed minimum environmental requirements in the operation of its solid waste handling facilities where feasible. The county shall investigate the use and cost of technology and equipment that may allow the county to exceed minimum legal environmental requirements, including, but not limited to, those related to concerns such as air quality and sound.**

RTS-22. **The county shall evaluate the potential for establishing a special services transfer facility to handle bulky wastes and recycling, and serve self-haul customers.**

County Disposal Policies

DSW-1. All county landfills, both active and inactive, shall be designed, operated, and monitored to meet or exceed applicable federal, state, and local standards for protection of public health and the environment.

DSW-2. **The county should not seek to site a replacement landfill for the Cedar Hills regional landfill in King County. Upon council approval by ordinance, the county shall initiate solid waste export.**

DSW-3. **The county shall contract for long-term disposal capacity at an out-of-county landfill or landfills. It is anticipated that export of the region's mixed municipal solid waste will begin when the Cedar Hills regional landfill has reached its permitted capacity. However, the county will remain open to considering and implementing private sector proposals for early waste export. An orderly transition to waste export should occur before Cedar Hills is closed.**

DSW-4. The county shall continue to monitor waste export prices and the availability of landfill space and report back to the region on its findings at least annually to determine if future landfill space should be reserved and purchased in advance of use. The policy of King County shall be to monitor and analyze conditions impacting the appropriateness, feasibility and timing of waste export on a continuous basis. The executive shall report to the council at least once every three years and more if circumstances warrant on such conditions. When such conditions warrant, and upon council approval by ordinance, the division shall initiate solid waste export.

DSW-5. **It is expected that rail hauling will be the preferred method of exporting the county's solid waste in the future. The county shall continue to monitor the long-term availability of future rail capacity to ensure that adequate transport capability exists.**

DSW-6. **The county shall plan for implementing waste export and include in the county's plan details on the sequence of phasing in waste export, the financial and staffing impacts, and the status and future capacity of rail transportation**.

DSW-7. At least one year prior to the initiation of waste export, the county should develop comprehensive emergency response procedures for the region's waste export system.

DSW-8. **If the need arises for the county to develop one or more such facilities, the process for siting intermodal facilities where containers are transferred from trucks to rail cars or barges shall include:**

1. **Involving all affected jurisdictions and interested parties in the siting process in decision making, and providing access to relevant information to affected jurisdictions and interested parties;**

2. **Listening and responding to input from all affected jurisdictions and interested parties; and**

3. **Developing jointly with all affected jurisdictions and interested parties criteria for identifying prospective sites that comprehensively evaluate environmental, technical, financial, and community needs.**

DSW-9. The county shall continue to monitor and maintain closed landfills that fall under its jurisdiction.

DSW-10. The county shall continue to work with cities, the state, and federal agencies to explore beneficial reuse options for all dosed landfills. Any future monitoring or environmental system installation shall be designed to facilitate reuse of the sites.

County Construction, Demolition and Landclearing Debris (CDL) Policies

CON-1. The county shall ensure a satisfactory level of CDL transfer and disposal in the county, and encourage and expand recycling of CDL.

CON-2. The county shall continue to limit CDL disposal as provided in the King County Code, the existing CDL contracts and the Solid Waste Acceptance Policy at least until May 31, 2004 when existing contracts expire.

CON-3. The county should support private efforts to reduce the overall amount of CDL being disposed of in the county solid waste system by encouraging separation of recyclable or reusable portions of CDL from the waste stream. Separation can occur at a construction or demolition site or at one of the CDL receiving facilities, or at a landfill.

CON-4. The county should encourage a CDL management system that maximizes reuse and recycling and provides for the safe and efficient disposal of the remaining CDL.

CON-5. In keeping with state and regional system goals and recommendations for waste reduction and recycling, the preferred method for managing CDL is to separate out the recyclable or reusable portions of the CDL waste stream and reduce the overall amount of CDL waste disposed of in the county's solid waste system. Separation can occur at a construction or demolition site, at one of the CDL receiving facilities, or at a landfill. CON-6. The executive in consultation with the Solid Waste Advisory Committee and appropriate staff from cities in the region shall propose to the council alternatives for future handling of CDL that will best suit the region as a whole. A goal of the preferred alternative should be to increase the amount of CDL recycled from work and disposal sites. The council shall approve the CDL handling program by ordinance.

County Special Wastes Policies

SPW-1. The county shall accept contaminated soil only at the Cedar Hills regional landfill. After the Cedar Hills regional landfill closes contaminated soil should be handled by the private sector.

SPW-2. The county shall accept asbestos-containing materials for disposal only at the Cedar Hills regional landfill if accompanied by required federal, state or local asbestos disposal documentation. After the Cedar Hills regional landfill closes, asbestos-containing materials should be handled by the private sector.

SPW-3. The county shall evaluate providing one solid waste transfer facility that would accept small volumes of asbestos-containing materials from residential customers.

SPW-4. The county shall make safety and public health the top priorities in managing the disposal of biomedical wastes. The county shall accept treated biomedical wastes at the Cedar Hills regional landfill and county transfer facilities only if it has been treated according to standards contained in the county Solid Waste Regulations. After the Cedar Hills regional landfill doses treated biomedical wastes should be handled by the private sector. The county shall also evaluate the possibility of accepting small volumes of treated biomedical wastes at county transfer stations after the Cedar Hills regional landfill closes.

SPW-5. **The county shall evaluate providing a separate receptacle for disposal of small quantities of sharps generated by residents or small businesses at some or all transfer facilities.**

SPW-6. The county should develop and implement educational programs for residents on the proper disposal practices for sharps and other biomedical wastes.

SPW-7. The county should work with pharmacies and health care providers to educate individuals on proper disposal of medical waste, and to establish voluntary take-back programs for home-generated sharps and other used medical supplies.

SPW-8. The county shall accept disposal of de-watered vactor wastes only at the Cedar Hills regional landfill. The county should reevaluate and revise recommendations from the 1994 Vactor Waste Disposal Plan to provide wet vactor waste management alternatives after the Cedar Hills regional landfill closes.

SPW-9. The county should develop and implement long-term management solutions for the special handling required for de-watered vactor wastes. The county should dispose of dewatered vactor wastes through future waste export contracts after the Cedar Hills regional landfill doses unless other management options are identified in the county's evaluation of long-term management solutions.

SPW-10. The county should accept limited numbers of waste tires at transfer stations and should dispose of limited numbers of waste tires at the Cedar Hills regional landfill. Once the Cedar Hills regional landfill is closed, the county should dispose of waste tires through future waste export contracts.

SPW-11. The county shall authorize disposal of controlled solid waste that cannot be handled by the county facilities at locations outside the county on a case-by-case basis.

County Enforcement Policies

ENF-1. The county shall exercise its enforcement authority to ensure that the county solid waste management system meets all applicable standards for the protection of human health and environmental quality in the region.

ENF-2. Enforcement shall be achieved through permitting and compliance for solid waste handling facilities; management of waste flows within the region; regulation of acceptance of special wastes; and control of illegal dumping and litter.

ENF-3. The county, cities and towns should work cooperatively to manage waste flows within the region. The responsibilities for waste handling and process for managing waste flow are established by interlocal agreement.

ENF-4. The county shall not accept hazardous and dangerous wastes, as defined under federal, state and local law, for disposal at county facilities.

ENF-5. The county should maintain a waste-screening program at county disposal facilities to ensure that material in the solid waste stream is handled in conformance with county and state regulations. The purpose of the waste-screening program is to safely process solid wastes and to prohibit hazardous and dangerous wastes from the county waste facilities.

ENF-6. The county should implement a comprehensive public outreach and education program to assure that proper waste handling practices are observed.

ENF-7. The county should develop programs and strategies designed to reduce illegal dumping and littering.

ENF-8. The county should continue the community litter cleanup program administered by the solid waste division of department of natural resources and parks as long as financial assistance from the state is available.

ENF-9. The county should continue to seek state funding to support efforts by the county and the cities to clean up illegal dumping and litter on public lands and waterways.

ENF-10. The county should reconvene the illegal dumping task force to improve coordination among county agencies, cities, and other relevant public agencies responsible for illegal dumping cleanup, education and prevention programs.

ENF-11. The county should implement a coordinated effort to develop an illegal dumping cleanup, education and prevention program targeted at county-owned or controlled properties.

ENF-12. The county should establish an illegal dumping hotline to provide a single point of contact for the public to report illegal dumping. To the extent possible, this hotline should be coordinated with other similar hotlines.

ENF-13. The county should consider legislation to strengthen enforcement against illegal dumping and litter in the unincorporated areas of the county.

County Financing and Rates Policies

FIN-1. The county shall maintain, conduct, operate and account for the disposal of solid waste as a utility of the county. The solid waste system shall be a self-supporting utility financed primarily through fees for disposal.

FIN-2. The county shall charge garbage disposal fees directly to users of the solid waste disposal system to pay for solid waste services.

FIN-3. The county shall maintain a rate structure based on tonnage, recognizing that the structure does not provide a self-hauler subsidy, unless the executive demonstrates that a different rate structure would benefit the system as a whole.

FIN-4. **The county should keep garbage disposal fees as low as possible and should manage the solid waste system to keep rate increases as low as possible while meeting the costs of managing the system and providing service to solid waste customers.**

FIN-5. The county should provide technical assistance to the cities in developing collection contracts and grants.

FIN-6. The county should develop and implement a grant program for the cities that will consolidate grant programs and contracts wherever possible. The county should provide technical assistance to aid the cities in identifying, applying for and administering grants.

FIN-7. The county should provide opportunities to expand the role of cities in developing and reviewing regional solid waste policies and rates by establishing a Solid Waste Policy Work Group to work in conjunction with the Solid Waste Advisory Committee to make recommendations regarding system operations to the King County executive. As part of these recommendations, the executive shall evaluate the costs and benefits of alternative rate structures on individual customer classes.

FIN-8. **The county is committed to working with the cities that are impacted by transfer stations to explore funding to mitigate potential impacts from these facilities. Any statutorily authorized host fees should be in amounts directly attributable to the solid waste facility provided that the cities can establish that the fee is reasonably necessary to mitigate for impacts of the solid waste facility as required in state law.**

Appendix 2

Selected Final 2001 King County Comprehensive Solid Waste Management Plan Narratives

RELATES TO: EXECUTIVE SUMMARY OF EXISTING TRANSFER SYSTEM
Chapter 1: Page 1-4

"The Regional Transfer System"

"The current transfer system is a mix of public and private facilities, and the Plan recommends that this balance remain the same in the future. The private solid waste handling companies presented several alternatives to increase their role in providing transfer services. After a thorough analysis of the alternatives, no benefit to the ratepayers of King County was identified from further privatization of part or all of the public transfer system.

"The County's 1992 Plan called for a major construction program to build a number of new and replacement transfer stations. The 2001 Plan makes the best use of existing facilities and optimizes capital outlay by concentrating investment at "expandable" stations and making repairs and safety and operational improvements at the remaining stations, where there is limited space for expansion. This Plan does recognize that some of the transfer stations are operating very close to capacity, and some new facilities may be necessary, primarily in the northeast part of the county.

"When the Cedar Hills Regional Landfill closes in about 2012, the County will make the transition to waste export. To prepare the regional transfer system for export, waste compactors will be installed at County transfer stations. Studies of similar utilities that have made the transition to waste export show that consolidating garbage into compacted loads makes transport considerably more economical. Other upgrades will be made at the transfer stations to improve traffic flow and queuing and to complete necessary maintenance and repairs at some of the older stations. The County will also be pursuing ways to manage traffic patterns and traffic flow at the transfer stations to better serve the customers."

RELATES TO: CITY AND COUNTY SOLID WASTE PLANNING RESPONSIBILITIES
Chapter 2: Pages 2-9 and 2-10

"Authorities, Responsibilities, and Governing Legislation"

"Solid waste handling, as defined in RCW 70.95.030, includes management, storage, collection, transportation, treatment, utilization, processing, and final disposal. The administration of solid waste handling systems in Washington is divided among the state, counties, jurisdictional health departments, and the cities. The governmental roles and authorities are delineated in legislation, regulations, and agreements.

"The state establishes authorities, minimum standards, and planning requirements and delegates responsibility for implementation to the counties and cities. As such, state law authorizes counties to prepare coordinated comprehensive solid waste management plans in cooperation with the cities within its boundaries. Cities may choose to either prepare their own plans, or participate in the development of a single plan that covers the incorporated and unincorporated areas of the county (RCW 70.95.080). Within King County, 37 cities (all cities in the County except Seattle and Milton) have chosen to participate in the development of a single plan, and have signed Interlocal Agreements (ILAs) with the County that establish the County as the solid waste planning authority.

"The ILAs are contracts between the County and each city that establish the respective responsibilities between the parties for the management of the regional solid waste system. In addition to establishing the County as the solid waste planning authority, the ILAs establish cities or their agents as the solid waste collection authority, commit the cities to make use of the regional transfer and disposal system provided by the County, commit the County to provide technical assistance for waste reduction and recycling programs, commit the County to provide solid waste transfer and disposal services, and indemnify and hold the cities harmless against any claims related to the County's solid waste operations.

"The ILAs are 40-year agreements that run through 2028, but do provide for review and renegotiation of certain terms and provisions, including the length of the agreement. A city that terminates its ILA and leaves the system would be responsible for covering its proportional share of existing County solid waste debt and liabilities. An estimate of solid waste disposal by the city's residents and businesses would be used to determine its share of responsibility. The city would also have to take on the solid waste management responsibilities and liabilities currently performed by the County. These include developing its own solid waste plan that must be coordinated with the County (RCW 70.95.080), contracting for its own transfer and disposal services, and fully funding its own waste reduction and recycling programs. The city would also be responsible for any related legal obligations. County tipping fee revenues lost because of the departure of a city would result in higher County tipping fees overall or a reduction in County solid waste services for the residents of cities remaining in the system.

"In King County, private solid waste management companies collect most solid waste and recyclables. These private companies conducting business in unincorporated King County, and in cities that do not contract for services or provide collection of their own, are regulated by the Washington Utilities and Transportation Commission (WUTC). The WUTC uses the County's Plan and other supporting ordinances when setting rates and regulating these companies. On tribal lands in King County, solid waste is collected by WUTC-regulated haulers and the City of Auburn's contracted hauling company.

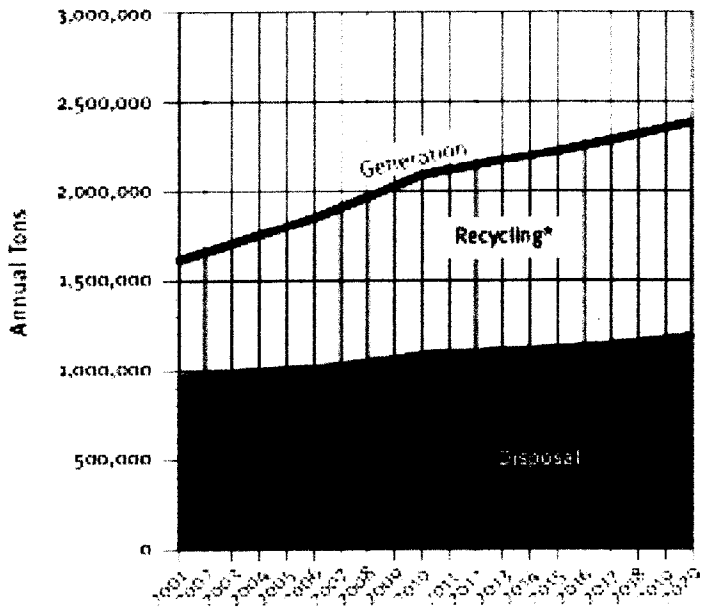
"Table 2-2 lists the planning authorities, roles, and guiding legislation for solid waste planning, administration, and collection services in King County. The complete texts of the key pieces of guiding legislation are provided in Appendix E. The governing county solid waste management policies are provided at the end of this chapter. If any text discussion in this Plan is inconsistent with that in the policies, the policies are controlling."

Table 2-2. Authorities and Roles

Authority for Regional Authority	**Planning and Administration Role**	**Guiding Legislation, Regulation, or Agreement**
Washington Department of Ecology	Establish solid waste regulations for management, storage, collection, transportation, treatment, utilization, processing, and final disposal	Revised Code of Washington (RCW) 70.95
	Delegate authority to the counties to prepare joint comprehensive solid waste management plans with the cities in its boundaries, and review and approve those plans	RCW 70.95
	Set MFS for implementing solid waste regulations and establishing planning authorities and roles	Washington Administrative Code (WAC) 173-304 and 173-351
Washington Utilities and Transportation Commission	Review the cost assessment prepared with the comprehensive solid waste management plan	RCW 70.95.096

RELATES TO: MIXED MUNICIPAL SOLID WASTE TONNAGE FORECAST
Chapter 3: Page 3-7:

Figure 3-4. 20-Year Forecast of Waste Generation in the King County Regional System



Year	Dispose	Recycling*	Generation
2000	963,000	649,000	1,612,000
2001	978,000	679,000	1,657,000
2002	990,000	713,000	1,703,000
2003	1,000,000	751,000	1,751,000
2004	1,007,000	791,000	1,798,000
2005	1,014,000	835,000	1,849,000
2006	1,029,000	876,000	1,905,000
2007	1,048,000	916,000	1,964,000
2008	1,068,000	958,000	2,026,000
2009	1,092,000	997,000	2,089,000
2010	1,100,000	1,020,000	2,120,000
2011	1,101,000	1,044,000	2,145,000
2012	1,113,000	1,064,000	2,177,000
2013	1,117,000	1,081,000	2,198,000
2014	1,122,000	1,104,000	2,226,000
2015	1,133,000	1,124,000	2,257,000
2016	1,145,000	1,142,000	2,288,000
2017	1,159,000	1,161,000	2,320,000
2018	1,176,000	1,177,000	2,353,000
2019	1,194,000	1,192,000	2,386,000

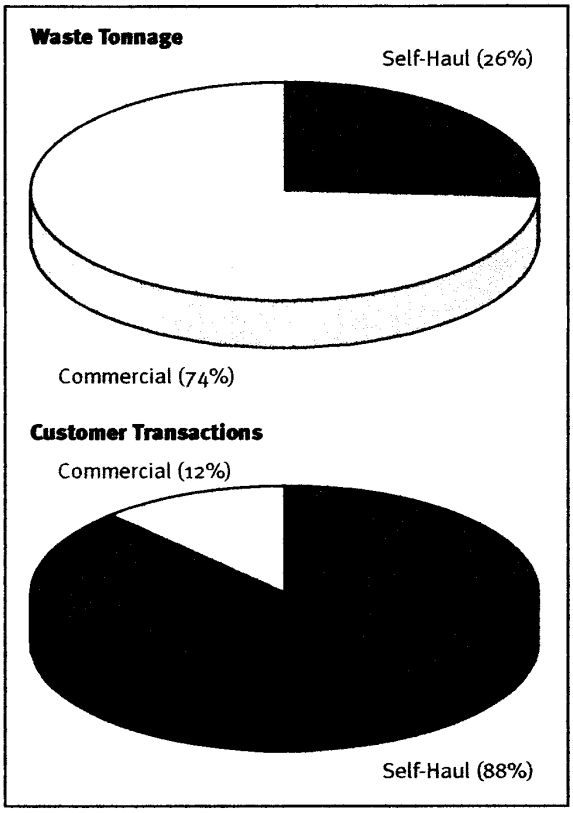
* Recycling figures do not include ferrous metals. See Appendix A-1 for discussion.

Source: ***MMSW Waste Reduction and Recycling Measurement Technical Paper (Appendix B-1)***
Methodology: *Solid Waste Forecast Methodology Technical Paper (Appendix A-1)*

RELATES TO: IMPACT OF SELF-HAULERS ON TRANFER SYSTEM

Chapter 3: Page 3-11:

Figure 3-6. Mix of Waste Tonnage and Customer Transactions at County Transfer Stations



Source: *King County Solid Waste Division tonnage and transaction records*

"In 2000, Waste Management and Rabanco processed 175,536 and 38,199 tons of the King County system's MMSW, respectively, through their own privately operated transfer stations. In that same year, County-operated transfer stations and drop boxes received 711,562 tons of MMSW. Seventy-four percent of the waste delivered to the County-operated facilities was brought by the commercial haulers, carrying loads averaging 5.5 tons each. Self haulers brought the remaining 26 percent, with loads averaging around a quarter of a ton. Of the 758,910 individual vehicle transactions at the transfer stations, 88 percent were with self haulers. Figure 3-6 illustrates the mix of tons of wastes and the customers who bring them.

"As shown in Figure 3-6, while the majority of the County's waste tonnage is received from commercial haulers, the overwhelming majority of the transactions are with self haulers. This high level of activity by self haulers has a significant effect on the way the County staffs and manages its transfer facilities.

"To gain a better understanding of who the self haulers are and why they self haul, the Solid Waste Division conducts routine customer surveys at the system's transfer stations. Detailed information about the survey methodology and results is contained in the transfer station customer survey report (Cascadia 2000; Appendix A-2). In summary, the most common reason customers give for bringing their wastes to the transfer station themselves is that they have a large amount of garbage or yard waste, or items too big for curbside pickup. Often a trip to the transfe station is the result of a major cleaning project remod cling, or landscaping work at a home or business. Of those who use the transfer stations, 27 percent visit no more than once every 6 months; this group represents about 17 percent of the region's service population.

"Nine percent of the self-haul customers visit a transfer station at least once a month; these more frequent customers account for 43 percent of all self-haul trips. Among this group, the most common reasons for self hauling are that they don't subscribe to curbside collection and they believe that hauling it themselves costs less."

RELATES TO: CURBSIDE COLLECTION OF RECYCLABLES AND WASTE
Chapter 5: Pages 5-1, 5-3 through 5-12:

"About 90 percent of the residents in the King County system subscribe to curbside garbage collection services. According to telephone surveys conducted by the Solid Waste Division, about 87 percent of those subscribers also put their recyclable materials at the curb for collection. This chapter discusses the collection of curbside recyclables and garbage, referred to as mixed municipal solid waste (or MMSW), within the incorporated and unincorporated areas of King County.

"Private solid waste management companies provide collection throughout most of the region's service area, except in Enumclaw and Skykomish, where the cities operate their own collection systems. According to County records, two private collection companies - Waste Management, Inc. and Rabanco - provide about 99 percent of the collection services in the region. Waste Connections, Inc. provides collection on Vashon Island only. Through these companies and the cities, curbside collection of MMSW and recyclables is available to nearly everyone in the County.

"The following sections set out the County collection policies and describe the MMSW and recycling collection systems in King County. Since different legal authorities govern each collection system, they are discussed separately. The system for MMSW collection is discussed first because it predates recycling collection and helped establish the infrastructure for both systems. These discussions are followed by a description of major issues and recommendations for collection services in the region for the next 20 years."

"Collection of Mixed Municipal Solid Waste"
"The most dramatic change in the collection industry nationally in recent years has been the consolidation of solid waste management companies and a trend toward expanding their range of services. The private solid waste management companies in King County have become vertically integrated, meaning they are able to provide services ranging from collection to landfilling.

"Two national companies- Waste Management, Inc. and Allied Waste Industries, Inc. - have purchased most of the smaller companies in the region. Industry consolidations in 1998 included the purchase of Rabanco by Allied Waste Industries, Inc. and the purchase of Waste Management, Inc. by U.S.A. Waste (who took on the Waste Management name). In early 1999, Waste Management purchased RST Disposal and its affiliated companies, and Rabanco purchased the WUTC-certificated area near Issaquah and Sammamish from Waste Connections, Inc. Rabanco also purchased Northwest Waste Industries, which operates mainly in Seattle. Also in 1999, Waste Connections, Inc. purchased American Disposal, the company that provides collection services on Vashon Island. These consolidations have reduced the number of collection companies operating in the County to three, which has created less opportunity locally for competition for city contracts. Also, these companies are all large national corporations, instead of the local companies that used to operate in most of the region.

"Legal authority for the collection and disposal of MMSW is shared among the state - acting through the Washington Department of Ecology (Ecology) and the Washington Utilities and Transportation Commission (WUTC) - the counties, and the cities.

"Table 2-1 in Chapter 2 lists the planning authorities, their roles, and the guiding legislation for collection in King County. The complete texts of the key pieces of legislation are provided in Appendix E.
Under RCW 81.77 and 36.58, counties are prohibited from collecting MMSW or regulating solid waste collection companies. Either the WUTC or the cities regulate this service. The WUTC regulates collection in all of the unincorporated areas and in cities that choose not to regulate or provide the service. The other cities contract for collection directly, issue licenses for collection, or provide collection themselves.

"RCW 36.58 authorizes counties to set up collection districts with the intent of establishing mandatory collection throughout a region. Cities may also participate in the collection districts at their discretion. To date, however, King County and the cities have not chosen to utilize this authority."

"The WUTC sets and adjusts rates and requires compliance with the adopted solid waste management plan and related ordinances. The WUTC issues certificates to private collection companies for providing services in designated areas. These certificates specify not only the collection territory, but also the type of waste to be collected. The certificates exist in perpetuity in the certificated area unless the certificate holder fails to provide adequate service, in which case the WUTC can revoke or suspend the certificate. Other persons or companies can also purchase certificates from the existing holders.

"If a city opts to manage solid waste collection itself, it can do so via three mechanisms:

- **"Municipal:** A city can operate its own collection systems and establish its own collection rates.
- **"License:** A city can grant licenses to private collection companies, which augment the WUTC certificates. These licenses provide for joint regulation of collection and allow the city to review rates and generate revenues from collection.
- **"Contract:** A city can enter into contracts with private collection companies to collect residential and commercial wastes. These contracts supersede the WUTC certificate. Contrasts are awarded through a formal bidding process or through direst negotiations.

"Table 5-1 summarizes the roles and authority under the various collection scenarios."

Table 5-1. Roles and Authorities for MMSW Collection

	AUTHORITY			
Role	**WUTC Certified**	**Municipal**	**License**	**Contract**
MMSW Collection	Collection Company	City	Collection Company	Collection Company
Regulation of Services	WUTC	City	WUTC	City
Rate Approval	WUTC	City	WUTC	City
Billing	Collection Company	City	City or Collection Company	City or Collection Company

"Private collection companies holding WUTC certificates in the King County service area are listed in Table 5-2."

Table 5-2. *WUTC Certificate Franchise Holders in King County*

Rabanco	[G-12,G-60, G-41] dba Eastside Disposal, Kent-Meridian Disposal, SeaTac Disposal, and Rabanco Connections 54 South Dawson Street, Seattle, WA 98134
Waste Management, Inc.	[G-237] dba WM-Seattle, WM-Northwest, WM-Rainier, WM-Sno-King, WM-Federal Way Disposal, WM-RST Disposal, WM-Nick Raffo Garbage Company, and WM-Tri-Star Disposal 13225 NE 126th Place, Kirkland, WA 98034
Waste Connections, **Inc.**	[G-87] dba American Disposal P.O. Box 399, Puyallup, WA 98371
Note: Franchise numbers provided in brackets.	

"Figures 5-1 and 5-2 on the following pages show the certificate areas and collection territories held under contract by each company."

Figure 5-1. WUTC-Certificated Collection Areas

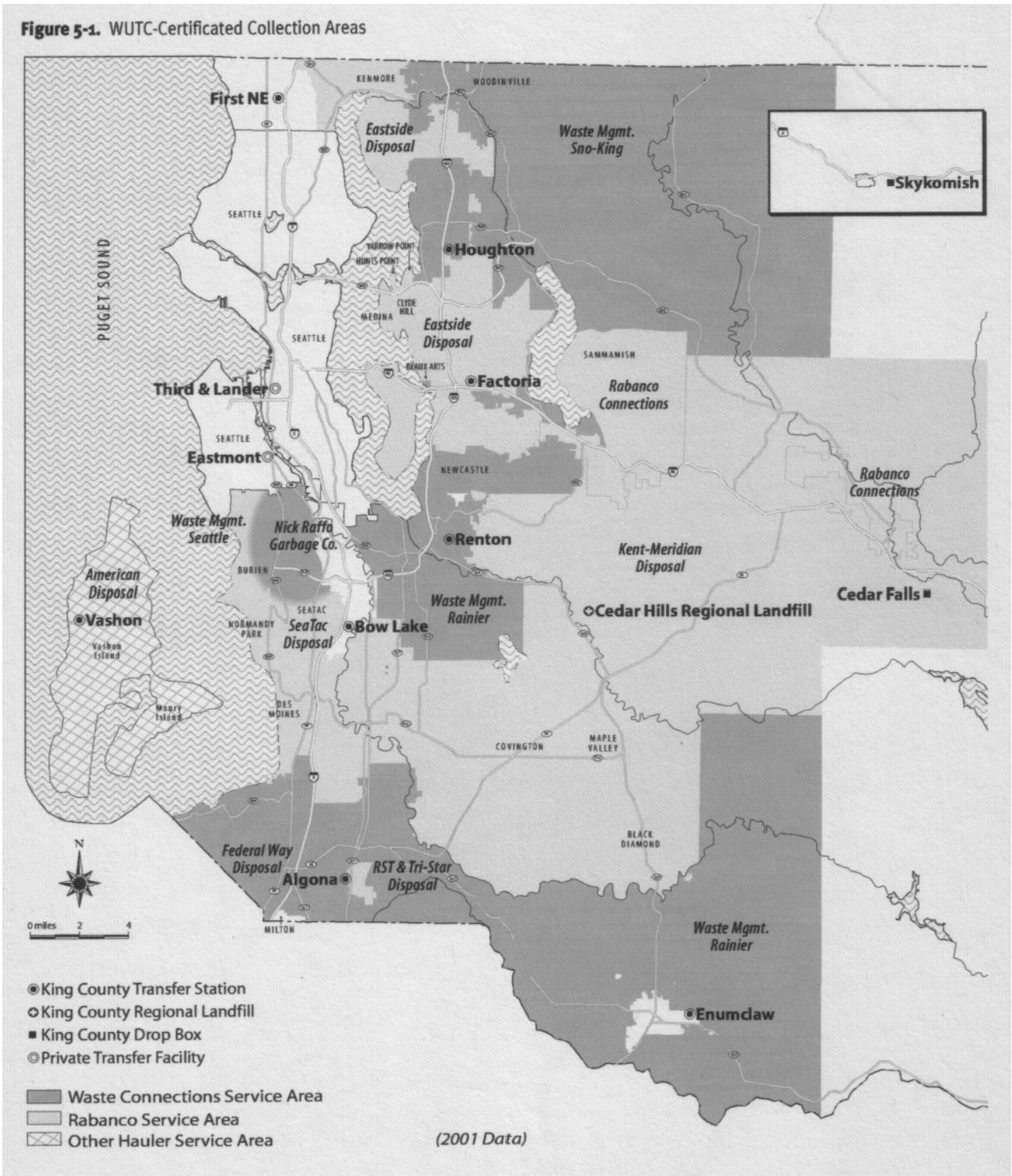
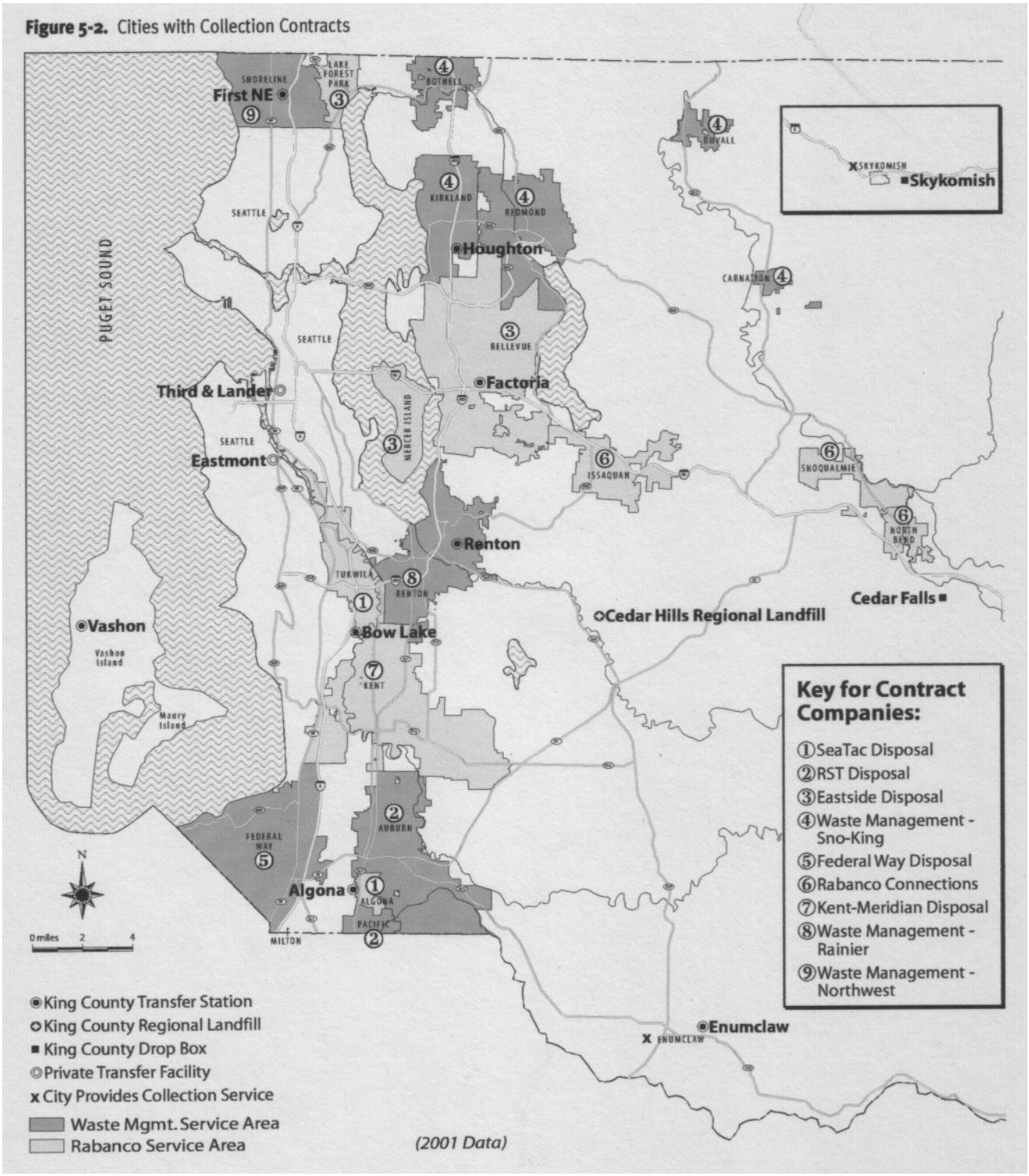


Figure 5-2. Cities with Collection Contracts



"Collection of Curbside Recyclables"
RCW 70.95 provides legal authority to the County and the cities in the regional system to develop this Plan. The Plan establishes the regional policy and standards for recyclables collection, as well as waste reduction and recycling programs. As with solid waste, the cities have the authority over collection of residential recyclables within their jurisdictions.

"Residential curbside recycling is available nearly region-wide for the collection of primary recyclables, which includes newspaper, mixed paper, PET and HDPE bottles, glass containers, tin and aluminum cans, and yard wastes.

"In the unincorporated areas, the County can direct the collection companies through service level ordinances to pick up certain recyclable materials and to provide a minimum level of services. Cities can influence collection services through their contracts with collection companies. One goal of both the County and the cities is to provide a high level of collection services to customers while maintaining reasonable rates.

"For the unincorporated areas, RCW 36.58 authorizes counties to set minimum service levels (what to collect and how often) and to contract for collection of recyclables from residences. In addition, counties may impose fees on these services to fund their waste reduction and recycling programs. King County has opted to not contract for recycling services, but rather has allowed the WUTC to regulate recyclables collection in the unincorporated areas. In King County, the WUTC regulates collection in accordance with the minimum service level standards established by King County Code 10.18. The County collects a fee from unincorporated area residential accounts (22 cents per account per month) to help fund waste reduction and recycling programs.

"Recycling collection areas are the same as those established for MMSW (Figures 5-1 and 5-2). According to RCW 70.95.092, the County must designate which services will be available in urban areas and which will be available in rural areas. In 1993, King County passed Ordinance 10942, which extended urban service levels into most rural portions of the County. Currently, all urban and rural areas are provided a uniform level of recycling and yard waste collection services, except for Vashon Island, the Skykomish Valley, and Snoqualmie Pass. These areas are not yet provided the urban level of service because collection services are not readily available for their residents.

"Collection of non-residential recyclables presents different challenges. There are diverse businesses and industries in the region, which has made it infeasible to establish uniform requirements for collection containers and equipment that could serve every need. Thus, there are no state or local regulations that require a standard level of non-residential recycling service. A few cities do provide for collection services for non-residential recyclables within their jurisdictions, but businesses may choose an alternative service or choose not to participate at all. In the unincorporated areas, non-residential recycling service is available through the private collection companies. These non-residential generators can work individually with the private collection companies to establish the type of service they need, or choose not to have any collection service.

"Issues"
"For this 20-year planning period, several issues need to be addressed to respond to industry changes and to ensure the continued effectiveness of our regional MMSW and recyclables collection services:

- **"Waste Flow and Hauling Patterns:** Private collection companies are not always using the closest transfer station to dispose of their waste loads. Some cities are interested in changing this practice to help keep collection rates low.

- **"Demand Management at Transfer Stations:** Strategies such as incentive rates, programmatic changes, and structural changes to transfer stations are needed to improve customer service and minimize conflicts in use between commercial haulers and self-haulers at the County's transfer stations."

- **"Collection of Curbside Recyclables:** Changes in the industry and the region may affect how curbside recyclable materials are picked up and what is collected in the future. Under consideration are whether to continue with source-separated collection or convert to commingled collection, and what additional materials might be collected.

- **"Special Collection Events:** Special events for collecting bulky items and extra waste are offered by the County and the cities. This chapter discusses how special collection events can be coordinated and staged more economically.

- **"Household Hazardous Waste Collection:** The Wastemobile currently provides for the collection of household hazardous wastes. This chapter discusses a recent study of this service and the study's recommendations for improving household hazardous waste collection in the region.

- **"Incentive Rates:** Offering incentive rates to households can help promote recycling. If incentive rates were offered, a structure for implementing them region-wide would need to be developed.

- **"Alternative Collection Opportunities:** Newly developed programs provide opportunities for County and city residents to take products, such as leftover latex paint and used motor oil, for reuse or recycling to the retailers or manufacturers of the products. This chapter discusses a few of the programs that are currently in place.

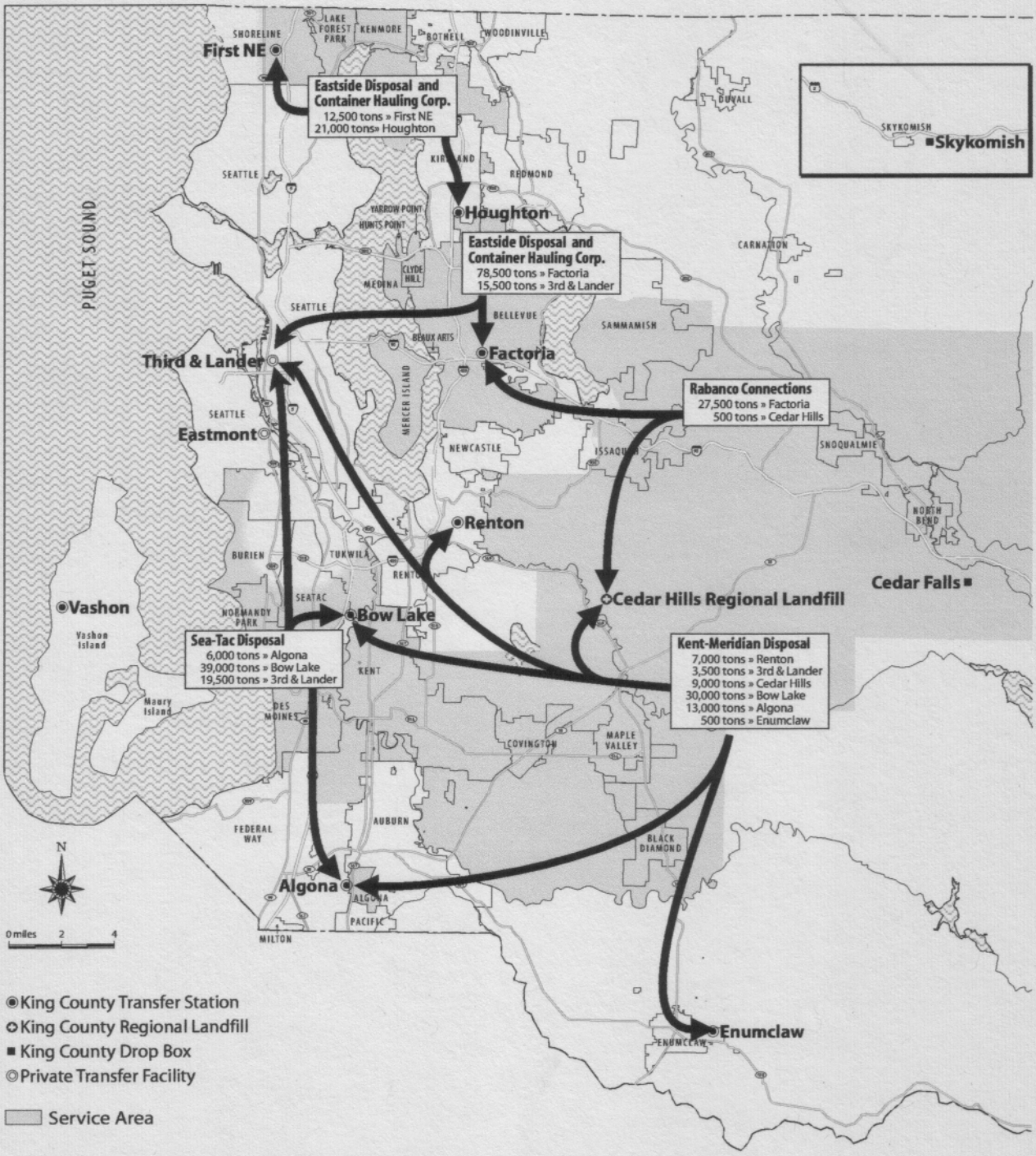
"Recommendations"
"The issues presented above are discussed in more detail in this section, followed by the recommendation for this planning period.

"Waste Flow and Hauling Patterns"
"King County's eight transfer stations are located conveniently throughout the County and have the capacity to handle all of the MMSW generated in the region; however, the private collection companies do not always haul their loads of MMSW to the nearest County transfer station. Instead, County tonnage and transaction records show that about 23 percent of these loads are driven to the private companies' own transfer stations in Seattle before being transported to the Cedar Hills Regional Landfill. Figures 5-3, 5-4, and 5-5 on the following pages show the hauling patterns and associated tons transported to facilities in the County and to the privately owned stations in Seattle.

"MMSW collected in the cities and unincorporated areas, but transported through the private transfer stations in Seattle, is ultimately delivered to Cedar Hills, where the collection companies are charged a regional direct disposal fee. This rate is $23 less than the transfer station tipping fee (see description of the regional direct fee in Chapter 10).

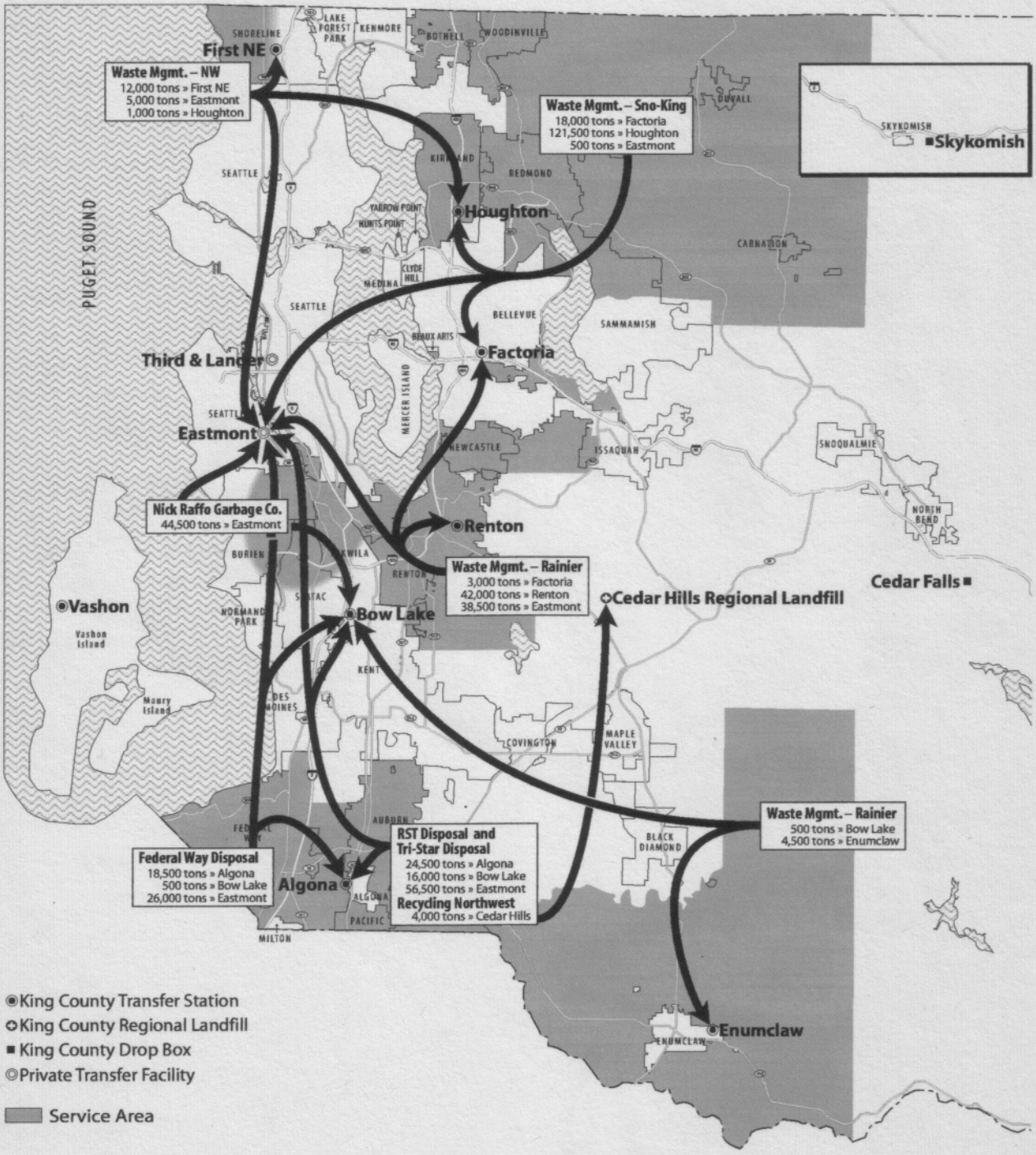
"When private collection vehicles bypass closer County transfer stations to take advantage of the regional direct fee; it increases their travel time and distance. This additional time on the roadways uses more resources, increases road wear and pollution, and leads to increased collection costs. To encourage the private collection vehicles to use County transfer stations, the County must ensure that vehicles are processed efficiently through the station queue. In meetings with the private solid waste management companies during Plan development, representatives asked that the County seek ways to reduce congestion and long lines at County transfer stations."

Figure 5-3. Waste Transport by Rabanco Companies



1999 Tonnage figures rounded to the nearest 500 tons.
Source: King County disposal data, hauler collection reports, and facility flow reports.

Figure 5-4. Waste Transport by Waste Management Companies



1999 Tonnage figures rounded to the nearest 500 tons.
Source: King County disposal data, hauler collection reports, and facility flow reports.

RELATES TO: PLANNING FUTURE CONFIGURATION OF TRANSFER SYSTEM
Chapter 6: Pages 6-18 and 6-19:

'Details of the Recommendation
"The proposed recommendation for the future of the solid waste transfer system provides a blueprint for achieving the following objectives:

- "Meeting customer needs for convenient, uniform services
- "Seeking to maintain operating costs for solid waste management that are lower than those in comparable jurisdictions
- "Preparing the MMSW transfer system for eventual waste export
- "Keeping rates stable and rate increases as low as possible while meeting the costs of managing the system and providing quality services to solid waste customers
- "Protecting environmental quality and public health and safety while providing cost effective services

"The strategy is to make maximum use of the existing transfer stations located within the service area; to install waste compactors at the transfer stations to achieve operating efficiencies; to prepare for waste export at the transfer stations, with priority given to the transfer stations with the largest volumes where practicable; and to improve the capacity for providing the full range of collection services for MMSW and recyclable materials at the larger sites. The recommendation designates three categories of stations - expandable stations, constrained stations, and adjunct stations.

"Expandable stations are located on larger sites that have room for physical expansion of transfer buildings and services. Expandable stations can be enlarged and upgraded to serve commercial haulers and self haulers separately throughout the site, and provide primary and some secondary recycling collection services (such as yard waste and appliances collection) to self haulers. *Constrained stations,* on the other hand, are generally located on smaller sites where it is not possible to enlarge existing transfer buildings or expand services beyond what is currently available. At these stations, the separation of self haulers from commercial haulers for garbage disposal will remain at the tipping floor only, and the stations will only be able to accommodate collection of primary recyclables from self haulers. *Adjunct stations* are the two privately owned transfer stations in Seattle, which add overall capacity and flexibility to the system. The
County and private stations are designated as follows:

- **"Expandable Stations -** First Northeast, Factoria, Bow Lake, Enumclaw, and Vashon: These sites can accommodate enlarged facilities and expanded services. The Factoria Transfer Station in particular is recognized as being important to improve soon, as it meets the objectives of waste export preparation at a high volume station and it relieves the pressure on the Houghton Transfer Station. The Enumclaw and Vashon Transfer Stations are relatively new and are not expected to need expansion in the planning period. They were built to accommodate extensive recyclables collection and are already equipped with compactors for waste export.

- **"Constrained Stations -** Houghton, Renton, and Algona: These transfer stations are located where expansion is not possible. The transfer buildings can be upgraded but not enlarged. As such, no expansion of services is planned for these sites -with the noted exception of Algona where the provision of primary recyclables collection services is planned. These stations will get waste compactors to achieve operating efficiencies and to prepare for waste export, with the highest volume stations being prioritized for the installation of waste compactors.

- **"Adjunct Stations** -Waste Management's Eastmont and Rabanco's Third & Lander transfer stations: These two privately owned facilities within Seattle serve primarily their own commercial hauling vehicles. MMSW is currently hauled from these stations directly to the Cedar Hills Regional Landfill."

- **"New Facilities -** The County will study the feasibility of building a new transfer facility to serve customers in northeast King County.

"Proposed facility improvements will be based on facility master plans approved by the County Council. Submittal of facility master plans to the King County Council will begin by January 2002. The County Council has previously reviewed plans and approved a budget for the expansion of the Factoria Transfer Station and has given direction to go forward with the project.

"Facility improvements for safety and efficiency at most County transfer stations and major improvements at the three older expandable stations are recommended. Table 6-4 shows the planned improvements and projected costs. These proposed capital improvements are subject to the County's annual budget process and County Council appropriation. As such, proposed capital improvements will demonstrate how the following considerations are addressed:

- "Protecting the safety of customers and employees at any solid waste facility
- "Planning for permit acquisition requirements and timing
- "Mitigating impacts to the surrounding community including, but not limited to, noise, traffic, dust, odor, and litter
- "Including public comment and input, with comment and input from the host jurisdictions, in project development
- "Preparing for waste export
- "Minimizing service disruption at transfer facilities and throughout the system during capital construction
- "Ensuring that no more than one transfer station is closed for capital improvements at any time
- "Demonstrating the extent to which sites requiring capital improvements are functioning at or near operating capacity for either traffic or tonnage
- "Demonstrating how the planned capital improvements were evaluated according to the criteria and standards for transfer facility efficiency
- "Achieving operating savings."

RELATES TO: PUBLIC vs. PRIVATE OPERATION OF THE SYSTEM
Chapter 6: Pages 6-26 through 6-28:

"Procurement Issues and Contracting Out of Work:"
"According to County procurement policies and state law, King County cannot issue a contract for services without first going through a competitive procurement process. Rabanco's proposal to close Renton and replace it with their Black River facility would trigger the need for this process. Both the public and private sector would have the opportunity to bid on the service.

"Under contract with King County, the Rabanco facility currently provides only construction, demolition and landscaping debris (CDL) transfer and disposal services at Black River. To provide a level of service comparable to that at the Renton station, Rabanco would need to add MMSW and recyclables transfer services at the station. Rabanco suggested they could make this change in service levels through an amendment to their existing CDL handling contract with the County (see Chapter 8). However, since Rabanco's current proposal is outside the scope of the original Request for Proposals and would be for a different service than that provided by the original contract, a contract amendment would not be adequate. Instead, this change would require a new contract and a competitive procurement process.

"Another issue involves restrictions placed on the County regarding the contracting out of work. With the suggested closure of the Renton Transfer Station, Rabanco has proposed to either hire affected County employees at similar wages and benefits, or contract with the County for labor. Either method of staffing the Black River facility would change the contracted condition of County workers and therefore would require collective bargaining with the affected bargaining units before any change in working conditions could occur (RCW 41.56). Currently, the union contracts in place for workers at County facilities include clauses that prohibit the contracting out of their work to another party. Therefore, it is highly unlikely that an agree ment could be reached with County workers to either be hired by Rabanco or become contracted employees at a Rabanco facility.

"Evaluation of Waste Management's Competitive Process Alternative
"Waste Management suggested an alternative whereby the construction and operation of new transfer facilities, or facility upgrades, would be open to a competitive bidding process. Under their proposal, both private- and public-sector entities would bid for transfer station upgrades and improvements. Proposals would be reviewed and evaluated in the context of the current solid waste plan against criteria developed by a panel of private industry representatives, the cities, and the County.

"During the development of this Plan, some members of the public and cities indicated that they wanted the operation of the solid waste system to remain in the hands of the public sector. Over the years, King County has developed a transfer and disposal system that is accessible and affordable to residents throughout the region. It was not built with an eye on profitability, but to be accountable to public needs, including 1) accessibility to residents in both incorporated and unincorporated areas of the County, 2) uniformly affordable disposal rates, and 3) environmental stewardship through aggressive waste reduction and recycling programs and education. Some of the County's eight transfer stations cost more to operate than others due to factors such as location, waste volumes, and customer mix. To ensure affordable rates for all residents, the County's operational costs are averaged to offer a reasonable, uniform disposal rate at all stations. Also factored into the disposal rate are waste reduction and recycling programs and services, including educational programs. County policies and programs are driven by input from the cities, members of the public, advisory groups, and the private solid waste management companies. It is a system that is accountable to those it serves from the planning stages through the assessment of fees.

"As shown in the example of Rabanco's proposal, there is no evidence to suggest that shifting operation of the transfer system to the private sector would increase system efficiency, result in savings to the ratepayer, or improve or expand services."

"There are several legal, policy, and contractual constraints that would effectively eliminate the County's ability to institute a competitive bidding process while there are public employees working under labor contracts. These constraints are as follows:

- "The King County Adopted Labor Policy (October 1996) states that "It shall be the policy of the King County Council that the contracting out of work presently per formed by represented County employees shall not be proposed to the Council until a work program has been completed that involved the affected bargaining unit in exploring other alternatives to meet management goals."

- "Current labor contracts with the two major bargaining units at County transfer facilities include a clause forbidding the contracting out of work except under special conditions. The County is required to notify the bargaining unit of its intention to contract out and, when requested, bargain the decision and/or the effects of that decision.

- "Washington's Public Employees' Collective Bargaining Act, RCW Chapter 41.56.030(4) requires that public employers engage in collective bargaining over hours, wages, and working conditions. Failure to bargain over these "mandatory subjects of bargaining" constitutes an unfair labor practice (RCW 41.56.140(4)). The Public Employees' Relations Commission administers the Act and has consistently ruled that the decision to assign work historically performed by employees in a bargaining unit to others outside that unit must be bargained. There is no reason to assume that labor unions representing workers at County transfer stations would be amenable to having their jobs contracted out to the private sector.

- "Applicable civil service laws generally prohibit employers from contracting with private entities to perform work which regularly could be, and historically has been, performed by public employees, and which could continue to be performed by public employees.

"As outlined above, the competitive process alternative would require significant changes in law or policy, or lengthy negotiations with the affected bargaining units. The time that would be required to effect these kinds of changes would conflict with the schedule required for preparing the regional transfer system for waste export by 2012.

"A few cities expressed interest in including a design, build, and operate approach to siting or constructing new facilities and making major improvements to existing stations. Under the design, build, and operate procurement process, one company is contracted to perform all three functions. Typical County practice is to issue separate contracts for the three functions. RCW 39.10.050 allows public agencies to use a design/ build (but not operate) procurement process. The County is considering using this alternative procurement process for the design and construction of the replacement Factoria Transfer Station."

RELATES TO: REGIONAL DIRECT FEE AND TRANSACTION COSTS FOR SELF-HAULERS
Chapter 10: Page 10-11:

	Existing Rates	With Reduced Margin
Regional Direct Fee, per ton	$5950	$66.5o
Fee Margin	$23.00	$13.50
Basic Fee, per ton	$82.50	$80.00

"The $13.50 margin includes only those costs that vary with tonnage. For the 2000 budget, these costs include:

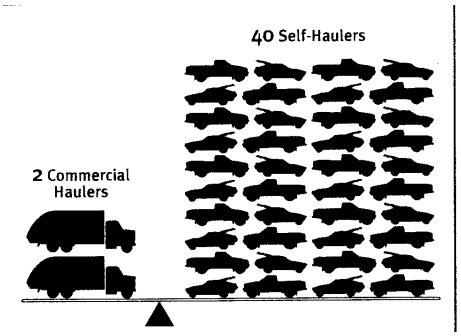
Transportation Cost per Ton		
Labor	4.10	
Equipment repair, maintenance, replacement	3.20	
Transfer Stations		
Labor	2.00	
Operating costs	0.90	
Avoided capital costs	3.00	
Other Costs	0.30	
TOTAL		**$13.50**

"The Solid Waste Division initially proposed a shift toward marginal cost pricing in its October 1996 rate proposal for the years 1997 to 2000. At the time, the County's marginal cost was estimated to be $14 per ton. The Executive proposed reducing the basic fee margin to $21 in 1997 and $19 in 1999. This phased-in implementation would have balanced the benefits of a lower basic fee margin against the impact on private collection companies who may have made additional investments in their transfer stations based on the existing $23 margin. The King County Council did not approve this proposal.

"Issue - Transfer Station Transaction Costs"
"Residential and non-residential customers who choose to bring their wastes to the transfer stations themselves are referred to as self haulers. County tonnage and transaction records for 2000 indicate that 88 percent of the vehicle transactions at County-owned transfer stations were with self haulers, collectively carrying 26 percent of the overall tons of waste received.

"Most self-haul tonnage comes from customers within the regional service area; however, the First Northeast Transfer Station, which is near the north border of Seattle, and Algona Transfer Station, which is adjacent to Pierce County, receive some tonnage from outside the service area. Currently, customers are not asked to verify that the wastes they are bringing to the station are from the County's service area. To do so could slow waiting lines and add to traffic congestion at the stations. In addition, it would not significantly reduce traffic or reduce operating costs at the stations."

Self haulers make more trips than commercial haulers to deliver the same amount of waste to transfer stations



Appendix 3

RCW 70.95.020

RCW 70.95.020
Purpose.

The purpose of this chapter is to establish a comprehensive statewide program for solid waste handling, and solid waste recovery and/or recycling which will prevent land, air, and water pollution and conserve the natural, economic, and energy resources of this state. To this end it is the purpose of this chapter:

(1) To assign primary responsibility for adequate solid waste handling to local government, reserving to the state, however, those functions necessary to assure effective programs throughout the state;

(2) To provide for adequate planning for solid waste handling by local government;

(3) To provide for the adoption and enforcement of basic minimum performance standards for solid waste handling;

(4) To encourage the development and operation of waste recycling facilities needed to accomplish the management priority of waste recycling, and to promote consistency in the requirements for such facilities throughout the state;

(5) To provide technical and financial assistance to local governments in the planning, development, and conduct of solid waste handling programs;

(6) To encourage storage, proper disposal, and recycling of discarded vehicle tires and to stimulate private recycling programs throughout the state; and

(7) To encourage the development and operation of waste recycling facilities and activities needed to accomplish the management priority of waste recycling and to promote consistency in the permitting requirements for such facilities and activities throughout the state.

It is the intent of the legislature that local governments be encouraged to use the expertise of private industry and to contract with private industry to the fullest extent possible to carry out solid waste recovery and/or recycling programs.

[1998 c 156 § 1; 1998 c 90 § 1; 1985 c 345 § 2; 1975-'76 2nd ex.s. c 41 § 2; 1969 ex.s. c 134 § 2.]

NOTES:

Reviser's note: This section was amended by 1998 c 90 § 1 and by 1998 c 156 § 1, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Appendix 4

Comments Received on the Characteristics Matrix for Future Public or Privately-Contracted Solid Waste System

Characteristics Matrix for Future Public or Privately-Contracted Solid Waste System

Comments Received from:
Solid Waste Division – Black ~~**Black**~~
Bellevue Suggestions – Red ~~**Red**~~
Federal Way Suggestions – Green ~~**Green**~~
Waste Management Suggestions – Blue ~~**Blue**~~
Redmond Suggestions – Orange ~~**Orange**~~

Characteristic	Public/King County	Private	Policy
1. Capital Investment How does financing influence public and private sector capital improvements?	• The public sector ~~has~~ may have advantages in financing. ~~Terms can be 20 to 25 years or more.~~ • Terms can be 20 to 25 years or more. • Other requirements, such as 15% apprenticeship and social policies (domestic partners), can have an impact. • ILA term needed to match term of financing. • Possible pay-as-you-go. • Economies of scale may be realized through partnerships with other jurisdictions.	• Private debt financing does not have as attractive terms and interest rates therefore may have private lease of public facilities. • Depending on the size and financial strength of the company, private debt financing may or may not have as attractive terms and interest rates. • Potential for tax credits. • ~~Need long-term contracts in order to assure lenders of payback capability~~. Short term contracts lead to higher rates to recoup costs over a shorter period of time. • Possible pay-as-you-go. No debt financing needed, able to pay from reserves. • Possible tax advantages for long-term financing.	• Should King County contracting standards, such as the 15% apprenticeship requirement, be applied to a privatized system for capital investments? • Should the cost of the facility be spread over the entire system or just the facility? • Should a strategy of private leasing of public facilities be used?
2. Property acquisition & siting efficiencies Parameters around which public and private entities conduct siting processes.	• Can condemn. • Current process is defined in the comprehensive plan; public involvement process can take 18 months to 2 years which adds to the cost of the facility. • Process is transparent. • County owns network of permitted facilities.	• Cannot condemn, unless leased. • More negotiation flexibility. • Site selection process can be much quicker. • Site selection decisions are based on criteria established in the RFP/RFB document. • Not as transparent, although local land use requirements may diminish the difference. • Public does not always know about failed attempts to site a facility by the private sector. • Some existing private permitted facilities.	• If the transfer/intermodal parts of the system are privatized, should the private sector be required to use a public involvement process for siting and acquisition similar to the process used by King County?

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3. Service levels/customer service What services, hours and access are provided to each customer type and who decides?	• Adopted policy is to provide similar services at the same rates at all locations. • Public policies can add additional demands and inefficiencies to a system. • Ability to waive fees for disposal of disaster debris. • Policy considerations sometimes have a higher priority than finances alone. • Opportunity to set measurable performance standards and monitoring.	• ~~Types of service, hours and access can be and are restricted. Rates can vary by location.~~ • Service hours, customer access and rates, and special event considerations are typically established by the municipality doing the contracting. • A primary ~~driver~~ consideration is return ~~on~~ for the shareholders' investment; ~~profit motive determine service levels~~. Can be more flexible; greater ability to change. • ~~Service levels are driven by economics~~. • Service levels can be set by contract. • Service levels can vary by facility. • Opportunity to set measurable performance standards and monitoring.	• Is it desirable to impose public service levels on a privatized system? • Should service levels be the same at all stations?
4. Ability to influence rates and rate stability Customers/partners ability to influence rates, rate structures, etc.	• Rate-making process involves public input. • Rates are uniform throughout the system. • Rates changed through action by elected officials.	• ~~Rates can be changed through contracts or by WUTC in franchised areas.~~ Question: does WUTC apply to more than just collection? If not, doesn't belong here. If yes, see added policy question. • Rates ~~are not~~ may not be uniform throughout system. • ~~With a contract, rates can only be changed with consent of both parties.~~ • Contractors are typically paid a fee by the ~~municipality~~ jurisdiction for the services they perform. The ~~municipality~~ jurisdiction establishes the tipping fee paid by the customer using the facility.	Uniformity: • Should there be variable rates for different communities, customer classes, times of day, locations and services? • Should rates be established on a cost-of-service basis? Question: what does the law allow? • Should rates be established on a system basis or an individual facility basis? • Should the public environmental policies, which can be more stringent than regulations, be applied to the private sector? • Can municipal contracts be applied to unincorporated areas through interlocal agreements?

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5. Environmental standards Are environmental standards met or exceeded?	• Complies with all environmental rules and regulations. • Public policies often exceed regulatory minimums requiring higher levels of compliance, i.e. Green Building requirements for transfer station design. • Plans, develops and works with private sector to execute numerous waste reduction and recycling programs.	• Complies with all environmental rules and regulations. • Partners in waste reduction and recycling programs. • Can exceed regulatory minimum through contract. • Contractors build facilities that meet the ~~municipality's~~ jurisdiction's specifications.	• Should the public environmental policies, which can be more stringent than regulations, be applied to the private sector?
6. Labor issues How do labor contracts affect the system?	• Existing labor contracts affect ability to be flexible. • Can establish wage considerations in the RFP/RFB process.	• Different labor contracts, ~~usually lower wages and/or not as strong on benefits~~ but often contract with the same labor organizations as in the public sector. • ~~More flexibility with labor force (ability to hire and fire)~~. Management of labor not subject to the same political considerations as in the public sector.	• Should public labor contract standards be imposed on the private sector? • Should private sector labor contract standards be imposed on the public sector? • Should public labor contract standards be measured against cost-effectiveness?
7. Control/accountability Level of customer/partner involvement in how the system is run, system decisions, etc.	• Accountability is public. • Control is at the ~~local~~ county level. • Financial information is open and available through the public disclosure process.	• ~~Input~~ Control is through contracts and ~~terms~~ negotiations. • Control is at ~~national/international level~~ the local level except for spending of large sums of capital. • Financial information can be withheld if deemed proprietary (can be available pursuant to contract terms). • ~~Competition requires withholding proprietary information.~~ • Competition may require withholding proprietary information. • Performance incentive clauses available through contract.	• What level of public oversight should there be? • Should performance incentives be provided to ensure cost-effectiveness? • Are there differences in how the Health Department regulates public and private facilities?

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8. Liability/legal issues Who has responsibility for liability issues?	• The ~~county~~ ratepayer bears all the liability for the present and the past with respect to transfer stations and landfills, including landfills where the county is the last owner. • County has the reserves to accept liability. • Can reduce legal and financial risk with terms of long-term interlocal agreements coinciding with vendor transfer station and wasted export contracts.	• Liability ~~must be~~ is typically allocated to the contractor via contracts requirements. • Contracting with the private sector may expose local government to liability. Contract language is critical to eliminating or minimizing any liability.	• What level of liability should be applied to the private sector? • Who accepts liability? • Should private contracts reduce public, i.e., ratepayer, liabilities? (note: national/international distribution of liabilities).
9. Mitigation/revenue What avenues exist for mitigation for the host cities?	• County pays Business & Occupation (B&O) tax to the state. • The Comp Plan and state law allows mitigation payments to host cities for direct impacts of permitted actions.	• Pays property taxes to the county and B&O taxes to the state ~~host cities.~~ • ~~Cities~~ Municipalities have authority to charge the private sector utility taxes and franchise fees. • Program costs assignable through contract. • Lease of public facilities generates revenue.	• Should state law be changed to provide more appropriate compensation to host cities?
10. Planning Planning and analysis	• Public sector does planning for service area. • Planning is long-term. Comprehensive plan must include 20-year projections.	• ~~Private sector does planning for its particular franchise area(s).~~ • Private sector planning takes into account collection service area and other considerations defined in an RFP/RFB document. • ~~Planning is short-term.~~ • Long term planning could be contracted.	• Should the private sector ~~adhere to public sector planning requirements?~~ provide planning services to public sector through contractual arrangement?

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11. Additional public benefits	• Competition ensures cost-effectiveness. • Ability to work against own economic interest to achieve adopted public policy goals in the best interest of the public. • County provides programs to clean up Illegal dump sites; funding to cities for waste reduction/recycling programs; for environmental mitigation and to monitor and maintain abandoned sites. • Funding, planning, development and implementation of education programs.	• Competition ensures cost-effectiveness. • ~~Maximum return to the investor~~. • ~~Charitable contributions; good corporate citizenship~~. • ~~Public education often subsidized by county~~. • Public education could be provided by contractual arrangement. • Contractor payments are just one component that would be used to establish the tipping fees at a private sector operated transfer facility. • The private sector typically follows the specifications of the services and terms of the contract as established by the contracting municipality. • Private sector funds most of its public education programs as part of its services to the contracting municipality.	
12. Regulatory overhead	• Local Hazardous Waste Management Program (LHWMP) fee. • Rate reserves. • Rate stabilization.	• LHWMP fee. • Taxes. • Tipping fees. • Private sector charges the rates established by the contracting municipality.	• Should regulatory overhead costs be set in a cost-effective manner?
13. Emergency storage: peaking capacity; who is responsible?		• Can be provided via contract. • National recourses available.	• Should mutual aid agreements be developed with other governments – under either or public or private contract?