

**Clark County
Solid Waste Advisory Commission
Regular Meeting**

Thursday March 3, 2011

Clark County Auto License Office
1408 Franklin Street
Vancouver, WA

SWAC Members Present: Mike Carnahan, Jeanne Stewart, Lisa Schmidt, Richard Baker

SWAC Members Absent: Dan Kaler, Don Ebbeson, Jack McClary, Eldon Wogen, Rebecca Wale

Staff Present: Anita Largent, Mike Davis, Tanya Gray, Gary Bickett, Sabra Hall-Nelson

Others: Mike Drumright (Department of Ecology), Scott Campbell (CRC/WCI)

I. Roll Call, Approval of Minutes.

The minutes from February 3, 2011 SWAC meeting are being held for approval at the next meeting.

II. Updates – Presentation to City of Ridgefield – Lisa Schmidt

Lisa reported on a presentation that she made to City of Ridgefield officials. They wanted to know about the CFL collection locations other than the transfer stations (due to the distance from Ridgefield). A list of hours and locations available for CFL collection was provided. The city requested additional information on the LEEDS Construction Program. This was a worthwhile opportunity to share and update the City of Ridgefield on some of the current programs and activities and the information was well received.

II. Updates

County Solid Waste – Anita Largent

A handout and review of upcoming events for the month of March was provided.

News Release: *Beginning April 1, 2011 There Is A New Location In Clark County To Drop Off Clean Block Foam For Free.* Empower Up will start collecting block foam. Their hours will be Tuesday-Saturday 9:00 am -5:00 pm.

News Articles:

- "Radiation in Vancouver pond triggers review"
- "New owner plans to restart Kalama glass plant"
- "Hough Foundation property trashed"
- "Coast Guard vows to dismantle, remove languishing barge"
- "Demolition of ship led to disaster"
- "Coast Guard works to stabilize derelict"
- "Electronic Cereal Boxes Light Up to Attract Shoppers' Attention"

The Department of Ecology has issued their 19th Annual Status Report. A printed copy was passed around and a link to that report will be sent.

Transfer stations are now collecting e-waste. Also the transfer stations have a drop box for books. The books are sorted for those that can be reused and recycled.

The Washington State Recycling Association has recognized two of our programs for excellence. Recycled Arts Festival won 'Most Innovative Recycler of the Year' and Washington Green Schools won the "K-12 Youth Education Award". Congratulations to Sally Fisher, Erin Rowland and the Sustainability and Outreach Division for great work.

City of Vancouver – Tanya Gray

April is kick-off month for spring cleaning programs. This year the city is trying a new distribution method for the coupons for garbage customers within the city. In the past, the city relied on Neighborhood Associations to deliver the coupons with their neighborhood newsletters. This year the city is working with Waste Connections and the coupons will be included as a bill insert. In the April bill, city customers will have 2 yard debris disposal coupons and a coupon for disposal of up to 4 passenger tires. These coupons will be available from April through June of 2011.

Department of Ecology - Mike Drumright

Department of Ecology released some funds for the Coordinated Prevention Grant to Environmental Health and Environmental Services. These are funds that were already allocated and will fund programs through June. Funding for the remainder of the year is still subject to how much the legislature will allocate to the community.

Clark County Public Health – Gary Bickett

Public Health received a proposal from Burlington Environmental regarding pharmaceutical acceptance. Melissa Sutton is reviewing the proposal. Nine solid waste handling facility permits were issued for a five-year term, with an annual fee.

SWAC members received a document (8 pages) for landfill closure and terms. In general, facility owners are responsible to provide documentation as to why post closure care is no longer needed. It has been 22 years since the regulations have changed. Three landfills in Clark County were closed under WAC 173-304: Leichner Landfill, Holstrum Landfill, and Circle "C" Landfill. There are two other landfills (Dietrich and Walz Demolition) that are demolition landfills and were not required to close under post closure regulations. They closed in 1989.

Clark Count Public Health is applying for the Community Action for Renewed Environment Program called "Care" Grant. This is a competitive grant program that offers an innovative way for a community to organize and take action to reduce toxic pollution in its local environment. Through CARE, a community creates a partnership that implements solutions to reduce releases of toxic pollutants and minimize people's exposure to them. By providing financial and technical assistance, EPA helps CARE communities get on the path of renewed environment. There are two levels/phases of the grant. First phase is to identify the major concerns in the community; the second phase develops the programs that deal with the concerns. This is a very competitive grant. In 2010 they received 189 eligible proposals and only 14 projects were funded. Some suggestions for this grant on local concerns are: Watershed-ground water that has naturally occurring arsenic, indoor air (mold issues), or nitrates in ground water (Yacolt basin).

West Van Materials Recovery Center Pilot Project on Food Waste: Public Health wants to go to a shorter time frame for storage. The proposal is for holding for seven days. The proposal is being reviewed.

III. Product Stewardship – Terri Thomas, Thurston County Solid Waste, & Mike Drumright, Ecology

Terri Thomas shared a PowerPoint Presentation, "PRODUCT STEWARDSHIP Sharing Environmental Responsibility". Local governments carry the burden of waste disposal for their communities. **Product Stewardship** is a policy that ensures that all those involved in the lifecycle of a product share responsibility for reducing its health and environmental impacts, with producers bearing primary financial responsibility. **Extended Producer Responsibility (EPR)**, a central tenet of product stewardship, is a policy approach in which the producer's responsibility for their product extends to the post-consumer management of that product and its packaging.

The goal of Product Stewardship or Extended Producer Responsibility (EPR) is to shift the cost from local governments, to encourage manufacturers to improve their designs and adding the cost of disposal to the product. EPR provides incentives to manufacturers to consider the entire life-cycle impacts of a product and its packaging: energy and materials consumption, air and water emissions, the amount of toxics in the product, worker safety, and waste disposal. Rather than manufacturers looking at the bottom line, they are encouraged to look at the *triple bottom line*: people, profit and planet.

Product stewardship programs: Are financed without a visible fee at purchase. Managed or provided by producers. Includes, but is not limited to, the collection, transportation, reuse/recycling or disposal of unwanted products. Washington E-cycle program in the first 2-years collected 78 million pounds.

Today's linear waste management system: Manufactures, to retailers, to consumers, to recycle and garbage bins (currently funded by local governments) to recycling & landfill process. Changing the funding source from local governments to manufacturers doesn't change the process, it only changes who pays for it.

Packaging - 28 countries have laws designed to encourage reduced packaging and greater recycling of the packaging. Many of these countries require the manufacturers to actually take the packaging and discards back. In the USA we have no federal or state packaging laws. State and local governments are becoming more concerned as the volume of packaging grows. Ontario, Canada's industry pays 50% of the collection cost based on materials and sales volume. Current legislature will increase fee to 100% eliminating cost to local governments. Municipal Hazardous or Special Waste—Collected at depots/events and Industry pays fee based on sales and type of toxic materials.

Canada has several Stewardship Programs with different products and it's working, but it is area by area process, and not set up by country which causes manufacturers some problems. These are the same manufacturers that sell products in the USA. They are operating under Product Stewardship Laws across the border. Canada has roughly 50 programs. In the USA as of January 2011 there are over 60 state laws now. Electronics is one of the primary ones that people are working on, as well as mercury, and e-cycle, which we already have. Last year Washington legislature passed a law for mercury lighting.

Extended Producer Responsibility addressing multiple issues starting with solid waste and hazardous waste, water usage from manufactures, green waste water, stormwater which all add up to a public health issue. So the draw or what's bringing people to the table first is solid waste issues, but a lot of other issues are at stake. Northwest Product Stewardship products of focus are: Packaging & Beverage Containers, Chemicals, Electronics, Mercury, Paint, Pharmaceuticals, Tires, and Carpet.

Are Medications Really a Problem?

Several reasons that medication goes unused: they expire, medical condition goes away, medication does not work-doctor changes medication, or the person dies. The medication used for end-of-life or someone in hospice care condition is not designed to get them better; they are designed to keep you out of pain and are extremely potent. The law was changed last year to allow other entities besides law enforcement to collect controlled substances. Other entities could include pharmacies, hospitals, nursing homes and hospice organizations. The new rules should be in place by 2012.

Thurston County in 2010 collected 2,000 lbs of medication by law enforcement. Washington Drug Enforcement Agency take-back day collected 9,000 lbs in 4 hours. In Washington State annually 33 million containers of medication are unused. Meds are filtered out in wastewater treatment plants. In 2006, 85% of accidental poisoning deaths involved medications. 12% of High School seniors used Rx to get high in the last 30 days.

SB 5234 and HB 1370 – requires drug producers selling medicines in Washington to provide and finance a convenient and safe return and disposal program for unwanted prescription and over-the-counter medication. The program would be zero cost to state and local government. It would cost manufacturers approximately two cents per \$36 prescription. This would provide environmental, public health and public safety benefits. Manufacturer's lobbyists are working hard to defeat this bill.

Additional Handouts:

- Take back YOUR MEDS – 2011 Secure Medicine Take-Back Bill –Policy Overview
- Take back YOUR MEDS- Support the Secure Medicine Take-Back Bill: SSB 5234
- Take back YOUR MEDS- Myths & Facts About Medicine Take-Back
- Take Back YOUR MEDS- Controlled Substances Act Changed by New Federal Law

What can SWAC members do? Support statewide legislation by:

- Providing letters of support from the local government you represent
- As a citizen, write to your representatives to tell them your thoughts on specific bills
- Spread the word

Product Stewardship websites:

- Northwest Product Stewardship Council www.productstewardship.net
- Product Stewardship Institute www.productstewardship.us
- Sustainable Package Coalition www.sustainablepackaging.org
- Ontario Blue Box Program www.stewardshipontario.ca/

IV. Leichner Landfill Updates – Mike Davis

Staff is in the process of going through the log systems in transitioning from one contractor (Shaw Environmental) to another (SCS Engineering). Three stormwater pumps at Leichner are down, not sure what happened. In November, there was a power failure which possibly caused the motors to start having issues.

The public comment period for the 5 year review report on Leichner Landfill is from February 28 to March 31, 2011. A periodic review is conducted at least every five years after the initiation of a cleanup action at a site, as required by the Model Toxics Control Act (MTCA). The purposes of the review are to evaluate site conditions, after cleanup is considered complete, to ensure protection of human health and the environment.

The landfill has steadily improved over the 20 year closure period. The Cleanup action plan required on this site is regulated under Ecology's toxic control group. The good news is that there is no longer ground water contamination and gas levels are coming down. Stormwater - the site is all grass.

A map was handed out shows the scope and size of the site and where the garbage is located. The map identified the remainder of Leichner property in color. The only part that is no longer Leichner property is the orange colored property in the upper left portion of the map. The red colored property on top was identified as the residential property proposed for development. The area in hash marks is where the garbage is, 75 acres of the site. The south 35 acres is referred to as the Koski property is zoned light industrial and is completely "clean".

Before and after conditions: there is a \$1 option to purchase the property when the site is issued a post closure certificate, at some point in the future. We don't expect this to happen anytime soon. Because the properties are encumbered, the Leichner family can not sell the property without clearing the title.

By purchasing the property, the County would be able to obtain a clear title. In the before condition with the option in place, the properties are worth roughly 1.5 million dollars. In the after condition the title clears, these properties are worth 5.5 million dollars. Staff is proposing is to use money from the Financial Assurance Reserved Fund (FARF). This fund pays for the maintenance and monitoring at the site and currently has about 13.7 million dollars in fund balance. Present value calculation for on going maintenance and monitoring through the year 2025 is roughly eight million dollars which allows for a surplus. We are proposing to buy the property from the Leichner family for 1.5 million dollars, utilizing the FARF and clearing the title. That would allow the county to master plan the site and determine some future use. The Koski property has a good location to the Padden Parkway and is clean and flat. There is a high probability that it could be sold for light industrial development. Its value alone is approximately 4 million dollars. Any profit made on the sale of this property goes back into the Financial Assurance Reserve Fund for future use in maintenance and monitoring of the Leichner landfill site.

Liability: We are working with the County's broker and have a Pollution Liability Policy ready upon execution of Purchase and Sales Agreement. The policy has a ten year term; the liability coverage per occurrence is \$ 20 million; and aggregate coverage is \$40 million. Neither the Leichner family nor the County is relieved of any liability for the garbage that is within boundary of the old landfill. The policy covers contamination that would occur

outside that boundary of the landfill (risks such as groundwater or gas) that causes damage, creating a need to clean up. Sub-funds have roughly 6 million dollars for liability within the site. The fund is evenly split with liability, maintenance and monitoring. Again, the sale would be for approximately \$1.5 million – the acquired property has a worth \$5.5 million. The county is already obligated; we have the liability, and we can't just walk away. This creates continuity in the site and with a clear title allows a master plan to be developed.

V. Other Business

VI. Comments from the Public on Non-Agenda items

The meeting was adjourned at 8:05 pm