

**CLARK COUNTY
SOLID WASTE ADVISORY COMMISSION**

**Regular Meeting
November 5, 2009**

**Clark County Auto License Conference Room
1408 Franklin Street
Vancouver WA**

Members: Eldon Wogen, Don Ebbeson, Mike Carnahan, Rebecca Wale, Richard Baker, Lisa Schmidt, Jeanne Stewart, Dan Kaler

Members Absent: Jack McClary,

Staff: Anita Largent, Gary Bickett, Bronson Potter, Susan Newman, Pete DuBois

Others: Scott Campbell, Mike Drumright, Alan Park

I. Roll Call, Approval of Minutes

The minutes of October 1, 2009 were approved as written with two abstentions from Lisa Schmidt and Rebecca Wale who were not at the October meeting.

The agenda was updated to include time with Bronson Potter, the PA's Office, to discuss the permit deferral process for the Rufener Landfill and how it pertains to the Solid Waste Advisory Commission. After the discussion with Bronson, SWAC will proceed with the agenda through to the update on Organic Waste. Mike Davis is not able to be here to give the update.

II. A. Discussion time with Bronson Potter, Prosecuting Attorney's Office

Gary said there have been many meetings with Paul Christensen and his attorney. Most meetings have centered on financial assurance. The monitoring has been done. The cost analysis is still in review.

Bronson gave a synopsis of what has gone on so far. There is a Shorelines Substantial Development Permit that has been issued for the re-development of the landfill site. To the north of the landfill there is approximately 18 acres of clean land; with the lagoon next to the landfill, there is a total of 43 acres. The proposal is to reclaim the site and fill it for future development. There is a conditional use permit on the property. The applicant is working on the grading permit and SWAC's role in this process is to consider an application to defer any solid waste permit to the conditions of the other permits.

There are 9 engineering sheets that have been submitted to the city as part of the grading permit application. These detail how the material in the landfill will be excavated; how the liner will be taken out and properly disposed; how the materials will be spread on the adjacent 18 acres; how the materials will be treated and mixed with clean fill and put back into the landfill and the 18 acres; how the materials will be compacted; and how the site will be brought up to level so it can be developed. The lagoon itself could either be sold or dismantled. The City engineer has reviewed the plans and is satisfied with the proposal. Department of Ecology has sent a letter stating they believe that doing this will not pose any substantial risks to human health.

The financial assurance, at least from the legal side, is one of the more substantial issues.

The County and applicant are working on a financial agreement that will cover all the phases of this project. The agreement would provide for encumbering the property including the site and getting a guarantee in place. Potentially it could be brought to SWAC in December. Bronson stated that he was encouraged to be getting close to getting this landfill properly closed.

Q: What is the vehicle for this financial assurance? A: We are looking at a deed of trust on the 43 acres at a value of \$5.4 million. We have cost estimates prepared by the city of Vancouver. Bronson has suggested that the County take a deed of trust on additional properties but there isn't an agreement on that.

Q: Does the deferral take the Department of Public Health out of the process? A: No, it would defer to the grading permit which has these conditions and the work proposed as shown in the engineering sheets, with financial assurances. If conditions aren't satisfied, then the decision to defer hasn't been satisfied, the grading permit is out, and a landfill permit is required.

Q: Is the purpose of a public hearing to see if there are any other conditions either by the public or by SWAC? A: Yes, it is. And it is making SWAC's recommendation to the Health Officer. When you look at the county codes for landfills, it does not address applications for deferral to permits. The only process is for permits and that includes a public hearing before SWAC and a final recommendation from SWAC to the Health Officer.

Q: Has the city of Vancouver received everything that needs to be submitted? A: County staff is working with Jon Wagner and there a few things that he still needs. He has reviewed all engineering plans for the physical work at the site. There is an access issue for trucks coming into the site. A covenant needs to be prepared that insures the site will always be an industrial site. So the city will be ready well before the December 3rd meeting. As a condition of the shoreline permit is that before the grading permit can be issued, the applicant must obtain all other state, local and federal permits.

Q: Who creates the conditions for the grading permit or the deferral to the grading permit? A: SWAC will have the opportunity through the public hearing process to either accept deferral or deny deferral to the grading permit. SWAC would also be able to recommend any further conditions that they feel are necessary. This all then goes as a recommendation to the Health Officer. The Health Officer will take all this under advisement and write any additional conditions that are pertinent to the health issues involved with this project.

SWAC held a great concern that there would not be sufficient time to receive the materials and review them prior to a December hearing. They were also reluctant to schedule a hearing in December with the holidays in there.

Major questions that SWAC had regarding the information are listed here:

1. Would there be any overlap in material presented in the original hearings?
2. Where will that information be brought in?
3. What about the monitoring of the test wells?
4. SWAC now has members that were not involved in the original hearings and they need to be brought up to speed.

Alan Park introduced himself as working with Paul Christensen as a project manager. He stated that it is his job to put all the pieces together, working with the submission of the shorelines permit, the conditional use permit and working with the engineering team.

Q: Previously we learned that dioxin levels do not exceed industrial standards, but they would exceed residential levels. Both the Port of Vancouver and Clark Public Utility District have some

very large wells in this area. What is the proximity to the wells? A: They are approximately one and a half miles away. It was thought the wells are very deep at approximately 1000 feet.

Q: If SWAC were to recommend not deferring to the grading permit, would any members of the public have an appeal process to this? A: No they would not.

SWAC has requested to receive all pertinent information by the 19th of November in order to discuss at the December 3rd meeting for a public hearing in January. SWAC is concerned that with all the information they are going to receive, that the people who have worked on this information are qualified. SWAC wants to make sure that no one has a vested interest in this project. There was also concern that no one on this body has the expertise to make an educated decision and they will have to rely on the documents and staff.

Q: What is the current technology available in the United States about redevelopment of a landfill? What if there was leakage, any other defaults, or any unforeseen circumstances? What are the processes for dealing with any of those problems? A: Staff will research other areas for similar situations.

C: A similar situation in Cascade Idaho was seen on a news clip about five years ago. There was a Boise Plant which deeded over its landfill to a non-profit agency. The agency then took the material out and sold it to another entity. This material was mixed with other materials and did something with it.

Q: It was my understanding that this Boise Plant produced carbonless forms and these have different kinds of chemical in them. This was done in later times and smaller quantities. Do we know if tests have been done for these different kinds of chemicals? Are there only dioxins? A: Gary responded that he wasn't aware of any testing, but will check with the Department of Ecology.

Eldon recapped the discussion by saying there were two main items discussed. First there is a tentative timeline, application documents by November 18th. At the December 3rd meeting SWAC will discuss if there's anything else that is needed to tentatively schedule a Public Hearing for January. The second item is for staff to research and see if this has been done before. SWAC would like to have the research by the December 3rd meeting.

II. B. Announcements – Eldon Wogen

Gary Bickett was recently honored by his peers as the 2009 winner of the Washington State Environmental Health Association's John Nordin Outstanding Environmental Health Professional Award. This award recognizes outstanding service to the profession, leadership and commitment. SWAC submitted a recommendation to the association for this award and also recognizes Gary for outstanding contributions in the solid waste field in Clark County.

SWAC would like to recognize Gary's accomplishments – this important award and his contributions to the advancement of environmental health here in Clark County and in Washington State. SWAC presented a certificate to Gary along with his award. A frame for his certificate was presented to him. Mike Carnahan read a letter he had written to Gary commending him for the excellent communication and knowledge that he has given.

Gary said that the certificate he received from SWAC was his most precious gift. He wanted to commend SWAC for all the time and energy that they have put in and laughed that he's the one

getting the award. He said he derives enthusiasm, encouragement and meaning for what I do from this Board.

III. Updates: County Public Health, County Solid Waste, City of Vancouver Solid Waste and State Department of Ecology

Department of Ecology – Mike Drumright

Bad news is that the state only has 10 million for the next grant cycle. The total application requests came to 13.1 million. Ecology has made a request with Office of Financial Management for an additional \$4 million dollars, but will not know if this is approved until April of 2010. At this point, Ecology is not asking for applications to be modified but can only write the grants for the first four quarters. If Ecology gets additional funds, amend the grants will extend into the second year. Anita added that county solid waste is okay through 2010 and we won't know about 2011 until the state's next budget cycle. County staff has talked about cuts to some programs, possibly increasing tipping fees and looking at other revenue sources.

Public Health – Gary Bickett

- Site Hazard Assessment grant was approved and finalized for a 2 year cycle.
- Leichner Landfill Quarterly meeting: EPA, because of climate change requirements, has set new requirements for landfills closed after 1980. Even though there is a fairly sophisticated system at the landfill, it is not compliant with the regulations. EPA wants closer monitoring on the methane gas discharge.
- Gary told SWAC that he owes them quarterly reports.

City of Vancouver – Tanya Gray and Rich McConaghy

- The cart rollout for the city of Vancouver will be completed in two weeks. There have been no complaints so far.
- Q: What can we do with our old bins? A: The Habitat for Humanity Restore will take those bins.
- Leaf Coupons: All members received a leaf recycling coupon and the Curbside Newsletter also has one in it.
 - Saturday October 24th was "Make a Difference Day" and over 100 people came together with code enforcement in the Rosemere neighborhood. 37 tons of material was collected. Rich said that probably 85 out of 100 households had code violations on their property. This is a pilot program to see if this will help make the area cleaner.

Clark County Solid Waste – Anita Largent

- Environmental Services Department: Kevin Gray has been announced as the new director and his new position will take effect on December 1, 2009. Kevin will be working on getting the new department organized and structured. The actual change to the new department becomes effective January 1, 2010.
- Tour of the MRF: There were a few SWAC members that were not able to make the tour and Anita will be putting together a tour for the Board of County Commissioners
- First Saturday – Block Foam Collection will be this Saturday November 7th.
- A list of upcoming workshops was given to SWAC. Sally Fisher and Erin Rowland will be doing a teacher workshop November 12 for incorporating both the SOS programs and Green Schools program into their curriculum.
- Articles from the Columbian about the City's roll-out with the recycling carts.
- Single family newsletter that was recently distributed
- Updating the recycling directory: Sarah Keirns and other staff members are currently working on updating the directory.

Dan Kaler added that he took video of the tour and if anyone else is interested he can put together a DVD. Several members indicated interest in this.

IV. Review of Environmental Purchasing Annual Report and Environmental Management (ISO 14001) Annual Report 2008 – Pete DuBois

Pete presented the ISO 14001 Annual Report. ISO stands for the International Standards Organization and they have a standard for putting an Environmental Management System into place. Clark County has committed to implementing an environmental management system. The county has had a certified EMS for five years now. This commitment started in the shops and has since moved into the facilities department and specialty services. The County plans to bring EMS into the new Environmental Services Department.

An Environmental Policy is needed; a review is completed of operational activities; goals are developed, measured and reported. There needs to be an Auditing Program - both internal and external. Accountability is built into this program. The county has an external audit scheduled for December 2nd. From a policy standpoint there are three key items: 1) comply with the law, 2) prevent pollution, and 3) continuously improve.

Pete went through the report and gave highlights. Pete discussed the Graffiti removal equipment that was purchased through this program. It had a six month payback and uses volcanic ash to chip the graffiti off. At the end of the report is a list of recommendations that will be presented to the Board of County Commissioners in a work session on November 18th.

Environmentally Responsible Purchasing 2008 Annual Report

The Board of County Commissioners adopted a resolution on December 14, 2004 establishing the Environmentally Responsible Purchasing Policy. The policy requires an annual report to address the amount of environmentally responsible products purchase and related costs or savings. It is also addresses changes to the list of products and other activities related to product evaluation and waivers. There is also an assessment of the effectiveness of the policy.

Pete went through the highlights of this report showing the items that are tracked and the cost savings attributed to this program. The county has saved money along the way. We did have bottled water brought in for employees and all bottled water has been eliminated for a savings of approximately \$15,000 a year.

Annually, the Green Team runs reports on all the products shown in this report to make sure that a criterion is being met. The Green Team also looks at trying to find alternatives that might meet criteria better. And finally we have a list of recommendations to be made to the Board of County Commissioners.

It was suggested that the Green Team could look at eliminating roadside mowing to save money. Property owners should and could take responsibility for mowing to the edge of the property even if there is a right of way there.

V. Other Business

No other business.

VI. Comments from the Public on Non-Agenda Items

No comments from the Public.

Adjourned at 7:56 pm