



## King County

### **Dow Constantine**

King County Executive

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August 2, 2023

The Honorable Dave Upthegrove  
Chair, King County Council  
Room 1200  
C O U R T H O U S E

Dear Councilmember Upthegrove:

This letter transmits a proposed Ordinance that would, if enacted, approve an interlocal agreement with the City of Seattle concerning disposition of residual materials sorted from source-separated recyclables from King County's solid waste jurisdiction and processed at materials recovery facilities within the City of Seattle.

King County has jurisdiction over the solid waste, including recyclable materials, collected within unincorporated King County and the 37 municipalities with which it has interlocal agreements for solid waste disposal. Some of the recyclable materials collected within the County's solid waste jurisdiction are sent to materials recovery facilities located within the City of Seattle, which is not within King County's solid waste jurisdiction. When the materials recovery facilities sort the collected material to separate recyclables, a residual volume of materials cannot be recycled and need to be disposed of. The materials recovery facilities pay a disposal fee for the residuals.

King County's position has been that it has the authority to direct the final disposal of the residuals from recycled materials collected within its solid waste jurisdiction, while the City of Seattle's position has been that it has the authority to direct the final disposal of the residuals from recycled materials sorted at materials recovery facilities within its jurisdiction.

King County and the City of Seattle wish to enter a cooperative agreement regarding the disposal of residuals that will benefit both parties and their ratepayers. The agreement establishes the methodology and timing for payments to be made by Seattle Public Utilities to the County for residuals covered under the agreement. The agreement will enable preservation of space at the King County Cedar Hills Regional Landfill. Once the interlocal agreement is signed, the City of Seattle will dismiss the lawsuit it filed in King County Superior Court against King County regarding the final disposal of residuals from recycled materials. The City of Seattle has adopted complementary legislation approving the agreement and is awaiting similar action by the County.

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Thank you for your consideration of this proposed Ordinance. This legislation will benefit King County ratepayers, resolve a dispute between King County and the City of Seattle, and preserve valuable landfill space.

If your staff have questions, please contact Pat D. McLaughlin, Division Director of the Solid Waste Division of the Department of Natural Resources and Parks, at 206-477-4501.

Sincerely,

 for

Dow Constantine  
King County Executive

Enclosure

cc: King County Councilmembers  
ATTN: Stephanie Cirkovich, Chief of Staff  
Melani Pedroza, Clerk of the Council  
Karan Gill, Chief of Staff, Office of the Executive  
Mina Hashemi, Council Relations Director, Office of the Executive  
Christie True, Director, Department of Natural Resources and Parks (DNRP)  
Pat D. McLaughlin, Division Director, Solid Waste Division, DNRP