



## King County

### King County Board of Health

#### Staff Report

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Agenda item No: 8  
R&R No: BOH 24-02

Date: July 18, 2024  
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#### Subject

A proposal to shift to a quarterly pro-rated fee schedule administered by Public Health – Seattle & King County’s Environmental Health Services Division for new permittees for solid waste facilities and transporters, change the permit period for solid waste transporters to align with solid waste facilities, and update Washington Administrative Code references.

#### Summary

King County Board of Health (KCBOH) Code Title 10, “Solid Waste Regulations” establishes operating and permit requirements for solid waste facilities and transporters in King County, while KCBOH Code Title 2, Chapter 2.14 establishes the fee schedule for solid waste permittees. Public Health’s Environmental Health Services Division administers solid waste permitting and operational oversight in King County. Facilities and transporters are required to obtain an operating permit and renew that permit on an annual basis.

Environmental Health Services proposes three administrative changes to KCBOH Title 2, Chapter 2.14:

1. **Quarterly fee proration.** Change fee proration for new permit applicants from semi-annual to quarterly. Quarterly pro-ration of annual permit fees aligns with the cost of providing regulatory services and is consistent with the equity considerations important to King County.
2. **Align permit periods.** Change the permit period for solid waste transporters (currently July – June) to align with the permit period for solid waste facilities (January – December), consistent with current practice.
3. **Update Washington Administrative Code (WAC) references.** Update WAC references in KCBOH Title 2, Chapter 2.14.020(Q) to align with the current WAC sections per WSR 18-17-008 (Order 13-08), filed 8/1/2018, effective 9/1/2018:
  - a. WAC 173-350-220(2) for composting facilities (replacing WAC 173-350-220(1)(b));
  - b. WAC 173-350-320(2) for storage/treatment pile facilities (replacing WAC 173-350-320(1)(e));

- c. WAC 173-350-240(2) for energy recovery and incineration facilities (replacing WAC 173-350-240(1)(c));
- d. WAC 173-350-360(2) for limited moderate risk waste facilities (replacing WAC 173-350-360(3));
- e. Adding a reference to WAC 173-350-360(2) for collection events (a category of moderate risk waste handling); and
- f. Striking the reference to WAC 173-350-310(2) under BOH 2.14.020.Q.2 for material recovery and recycling facilities, as that WAC section currently addresses permit exemptions for transfer stations and drop box facilities only.

## **Background**

Revised Code of Washington (RCW) 70A.205 pertaining to Solid Waste Management, delegates authority for solid waste facility and transporter oversight to local health jurisdictions in the state. Chapters 173-304, 173-350, and 173-351 WAC establish local planning, permitting, and minimum functional standards for solid waste handling. KCBOH Code Title 10, pertaining to Solid Waste Regulations adopts these WAC chapters by reference.

Within King County, solid waste utilities are the lead agencies for solid waste comprehensive planning, and Public Health – Seattle & King County is the lead agency for facility and transporter operational oversight.

The solid waste fees in in KCBOH Chapter 2.14 were last updated in 2015 (R&R No. 15-01 § 9, 2015). Environmental Health Services is currently conducting a rate study that is anticipated to be finished in fall 2024. The Board is anticipated to take action on the proposed new rates before December 2024.

## **Analysis**

1. **Quarterly fee proration.** Annual solid permit periods are established by BOH code and are consistent across all permittees. Currently, fees for new permittees are prorated semi-annually, where applicants after the seventh month pay half the annual fee amount. Quarterly proration is proposed to improve rate equity and lower permit costs for applicants in the second and fourth quarters, consistent with changes for food permits that the Board adopted in February 2024. While it is difficult to survey prospective permittees, current solid waste permittees were surveyed on this change, and 15 percent responded. All respondents supported the change. Many noted that quarterly proration would have reduced their initial permit fee. This change is especially impactful for more complex facilities with higher permit fees, including but not limited to composting and recycling facilities.
2. **Align permit periods.** Currently, KCBOH code establishes different permit periods for solid waste facilities (January – December) and solid waste transporters (July – June). The proposed change would shift the permit period for transporters to January – December,

aligning with current practice, and repeal the current permit term in KCBOH Code section 10.05.050. This change will have no impact on permittees.

3. **Update Washington Administrative Code (WAC) references.** Certain WAC references in KCBOH Title 2, Chapter 2.14 are outdated. The proposed changes update those references and will have no impact on permittees.