



## Legislation Details (With Text)

**File #:** 2007-0427      **Version:** 3

**Type:** Ordinance      **Status:** Passed

**File created:** 8/27/2007      **In control:** Growth Management and Natural Resources Committee

**On agenda:**      **Final action:** 10/1/2007

**Enactment date:** 10/12/2007      **Enactment #:** 15912

**Title:** AN ORDINANCE relating to solid waste management; amending Ordinance 8891, Section 3, as amended, and K.C.C. 10.04.020, Ordinance 8891, Section 4, and K.C.C. 10.04.030, Resolution 8778, Section 5, as amended, and K.C.C. 10.04.040, Ordinance 8891, Section 8, and K.C.C. 10.04.080, Ordinance 7708, Section 1 (part), as amended, and K.C.C. 10.08.020, Ordinance 7708, Section 1 (part), as amended, and K.C.C. 10.08.030, Ordinance 7708, Section 1 (part), as amended, and K.C.C. 10.08.040, Ordinance 7708, Section 1 (part), as amended, and K.C.C. 10.08.050, Ordinance 7708, Section 1 (part), as amended, and K.C.C. 10.08.060, Ordinance 7708, Section 1 (part), as amended, and K.C.C. 10.08.080, Ordinance 7708, Section 1 (part), as amended, and K.C.C. 10.08.100, Ordinance 7708, Section 1 (part), and K.C.C. 10.08.110, Ordinance 10018, Section 4, and K.C.C. 10.08.140, Ordinance 14811, Section 11, and K.C.C. 10.08.150, Ordinance 8108, Section 3, as amended, and K.C.C. 10.10.020, Ordinance 8108, Section 4, as amended, and K.C.C. 10.10.030, Ordinance 12564, Section 2, as amended, and K.C.C. 10.12.021, Ordinance 800, Section 3, as amended, and K.C.C. 10.12.030, Ordinance 11196, Section 2, and K.C.C. 10.12.040, Ordinance 800, Section 5, as amended, and K.C.C. 10.12.050, Ordinance 7012, Section 7, as amended, and K.C.C. 10.12.055, Ordinance 7786, Section 2, as amended, and K.C.C. 10.14.020, Ordinance 7786, Section 3, as amended, and K.C.C. 10.14.050, Ordinance 9240, Section 2, as amended, and K.C.C. 10.16.020, Ordinance 9240, Section 6, as amended, and K.C.C. 10.16.060, Ordinance 9240, Section 16, as amended, and K.C.C. 10.16.160, Ordinance 9240, Section 17, and K.C.C. 10.16.170, Ordinance 9928, Section 2, as amended, and K.C.C. 10.18.010, Ordinance 9928, Section 3, as amended, and K.C.C. 10.18.020, Ordinance 9928, Section 4, as amended, and K.C.C. 10.18.030, Ordinance 9928, Section 5, as amended, and K.C.C. 10.18.040, Ordinance 9928, Section 6, as amended, and K.C.C. 10.18.050, Ordinance 9928, Section 7, as amended, and K.C.C. 10.18.060, Ordinance 7737, Section 2, as amended, and K.C.C. 10.24.020, Ordinance 7737, Section 3, and K.C.C. 10.24.030, Ordinance 8098, Section 3, as amended, and K.C.C. 10.24.040, Ordinance 14236, Section 5, and K.C.C. 10.25.030, Ordinance 14236, Section 6, and K.C.C. 10.25.040, Ordinance 14236, Section 7, and K.C.C. 10.25.050, Ordinance 14236, Section 8, and K.C.C. 10.25.060, Ordinance 14236, Section 9, and K.C.C. 10.25.070, Ordinance 14236, Section 10, and K.C.C. 10.25.080, Ordinance 14971, Section 2, as amended, and K.C.C. 10.25.110, Ordinance 10916, Section 4, as amended, and K.C.C. 10.30.020, Ordinance 10916, Section 5, as amended, and K.C.C. 10.30.030 and Ordinance 10916, Section 6, as amended, and K.C.C. 10.40.040 and repealing Ordinance 7708, Section 1 (part), as amended, and K.C.C. 10.08.070, Ordinance 7708, section 1 (part), as amended, and K.C.C. 10.08.090, Ordinance 7708, Section 1 (part), and K.C.C. 10.08.120, Ordinance 7708, Section 2, as amended, and K.C.C. 10.08.130, Ordinance 8108, Section 1, and K.C.C. 10.10.040, Ordinance 9240, Section 3, as amended, and K.C.C. 10.16.030, Ordinance 9240, Section 20, and K.C.C. 10.16.200, Ordinance 9240, Section 21, and K.C.C. 10.16.210, Ordinance 9928, Section 11, and K.C.C. 10.18.100 and Ordinance 10916, Section 8, and K.C.C. 10.30.200.

**Sponsors:** Larry Phillips

**Indexes:** Solid Waste

**Code sections:** 10.04.020 -, 10.04.030 -, 10.04.040 -, 10.04.080 -, 10.08.020 -, 10.08.030 -, 10.08.040 -, 10.08.050 -, 10.08.060 -, 10.08.070 -, 10.08.080 -, 10.08.090 -, 10.08.100 -, 10.08.110 -, 10.08.120 -, 10.08.130 -, 10.08.140 -, 10.08.150 -, 10.10.020 -, 10.10.030 -, 10.10.040 -, 10.12.021 -, 10.12.030 -, 10.12.040 -, 10.12.050 -, 10.12.055 -, 10.14.020 -, 10.14.050 -, 10.16.020 -, 10.16.030 -, 10.16.060 -, 10.16.160 -, 10.16.170 -, 10.16.200 -, 10.16.210 -, 10.18.010 -, 10.18.020 -, 10.18.040 -, 10.18.050 -, 10.18.060 -,

10.18.100 -, 10.24.020 -, 10.24.030 -, 10.24.040 -, 10.25.030 -, 10.25.040 -, 10.25.050 -, 10.25.060 -, 10.25.070 -, 10.25.080 -, 10.25.110 -, 10.30.200 -

**Attachments:** 1. 15912.pdf, 2. 2007-0427 Attach 2 - Solid Waste Title 10 cleanup amendments.doc, 3. 2007-0427 Revised Staff - Report Solid Waste Title 10 revisions.doc, 4. 2007-0427 Staff Report - Solid Waste Title 10 cleanup.doc, 5. 2007-0427 Transmittal Letter.doc

| Date      | Ver. | Action By                                         | Action                                 | Result |
|-----------|------|---------------------------------------------------|----------------------------------------|--------|
| 10/1/2007 | 2    | Metropolitan King County Council                  | Hearing Held                           |        |
| 10/1/2007 | 2    | Metropolitan King County Council                  | Passed as Amended                      | Pass   |
| 9/18/2007 | 1    | Growth Management and Natural Resources Committee | Amended                                | Pass   |
| 9/18/2007 | 2    | Growth Management and Natural Resources Committee | Recommended Do Pass Substitute Consent | Pass   |
| 8/27/2007 | 1    | Metropolitan King County Council                  | Introduced and Referred                |        |

Clerk 10/02/2007

AN ORDINANCE relating to solid waste management; amending Ordinance 8891, Section 3, as amended, and K.C.C. 10.04.020, Ordinance 8891, Section 4, and K.C.C. 10.04.030, Resolution 8778, Section 5, as amended, and K.C.C. 10.04.040, Ordinance 8891, Section 8, and K.C.C. 10.04.080, Ordinance 7708, Section 1 (part), as amended, and K.C.C. 10.08.020, Ordinance 7708, Section 1 (part), as amended, and K.C.C. 10.08.030, Ordinance 7708, Section 1 (part), as amended, and K.C.C. 10.08.040, Ordinance 7708, Section 1 (part), as amended, and K.C.C. 10.08.050, Ordinance 7708, Section 1 (part), as amended, and K.C.C. 10.08.060, Ordinance 7708, Section 1 (part), as amended, and K.C.C. 10.08.080, Ordinance 7708, Section 1 (part), as amended, and K.C.C. 10.08.100, Ordinance 7708, Section 1 (part), and K.C.C. 10.08.110, Ordinance 10018, Section 4, and K.C.C. 10.08.140, Ordinance 14811, Section 11, and K.C.C. 10.08.150, Ordinance 8108, Section 3, as amended, and K.C.C. 10.10.020, Ordinance 8108, Section 4, as amended, and K.C.C. 10.10.030, Ordinance 12564, Section 2, as amended, and K.C.C. 10.12.021, Ordinance 800, Section 3, as amended, and K.C.C. 10.12.030, Ordinance 11196, Section 2, and K.C.C. 10.12.040, Ordinance

800, Section 5, as amended, and K.C.C. 10.12.050, Ordinance 7012, Section 7, as amended, and K.C.C. 10.12.055, Ordinance 7786, Section 2, as amended, and K.C.C. 10.14.020, Ordinance 7786, Section 3, as amended, and K.C.C. 10.14.050, Ordinance 9240, Section 2, as amended, and K.C.C. 10.16.020, Ordinance 9240, Section 6, as amended, and K.C.C. 10.16.060, Ordinance 9240, Section 16, as amended, and K.C.C. 10.16.160, Ordinance 9240, Section 17, and K.C.C. 10.16.170, Ordinance 9928, Section 2, as amended, and K.C.C. 10.18.010, Ordinance 9928, Section 3, as amended, and K.C.C. 10.18.020, Ordinance 9928, Section 4, as amended, and K.C.C. 10.18.030, Ordinance 9928, Section 5, as amended, and K.C.C. 10.18.040, Ordinance 9928, Section 6, as amended, and K.C.C. 10.18.050, Ordinance 9928, Section 7, as amended, and K.C.C. 10.18.060, Ordinance 7737, Section 2, as amended, and K.C.C. 10.24.020, Ordinance 7737, Section 3, and K.C.C. 10.24.030, Ordinance 8098, Section 3, as amended, and K.C.C. 10.24.040, Ordinance 14236, Section 5, and K.C.C. 10.25.030, Ordinance 14236, Section 6, and K.C.C. 10.25.040, Ordinance 14236, Section 7, and K.C.C. 10.25.050, Ordinance 14236, Section 8, and K.C.C. 10.25.060, Ordinance 14236, Section 9, and K.C.C. 10.25.070, Ordinance 14236, Section 10, and K.C.C. 10.25.080, Ordinance 14971, Section 2, as amended, and K.C.C. 10.25.110, Ordinance 10916, Section 4, as amended, and K.C.C. 10.30.020, Ordinance 10916, Section 5, as amended, and K.C.C. 10.30.030 and Ordinance 10916, Section 6, as amended, and K.C.C. 10.40.040 and repealing Ordinance 7708, Section 1 (part), as amended, and K.C.C. 10.08.070, Ordinance 7708, section 1 (part), as amended, and K.C.C. 10.08.090, Ordinance 7708, Section 1 (part), and K.C.C. 10.08.120, Ordinance 7708, Section 2, as amended,

and K.C.C. 10.08.130, Ordinance 8108, Section 1, and K.C.C. 10.10.040, Ordinance 9240, Section 3, as amended, and K.C.C. 10.16.030, Ordinance 9240, Section 20, and K.C.C. 10.16.200, Ordinance 9240, Section 21, and K.C.C. 10.16.210, Ordinance 9928, Section 11, and K.C.C. 10.18.100 and Ordinance 10916, Section 8, and K.C.C. 10.30.200.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 8891, Section 3, as amended, and K.C.C. 10.04.020, are each hereby amended as follows:

The definitions in this section apply throughout this title unless the context clearly requires otherwise:

A. "Adjunct transfer station" means a privately owned and operated (~~((collection and transportation facility))~~) transfer facility authorized by the county to receive, consolidate and deposit (~~((mixed))~~) municipal solid waste into larger transfer vehicles for transport to and disposal at county-authorized (~~((disposal sites))~~) solid waste facilities.

B. (~~("Agricultural wastes" means nondangerous wastes on farms resulting from the production of agricultural products including, but not limited to, manures and carcasses of dead animals weighing each or collectively in excess of fifteen pounds.~~

~~C.))~~ C.)) "Asbestos-containing waste material" means any waste that contains or is contaminated with asbestos-containing material. "Asbestos-containing waste material" includes, ((but is not limited to)), asbestos waste from control ((devices, contaminated clothing, asbestos waste material)) equipment, materials used to enclose the work area during an asbestos project ((and bags or containers that previously contained asbestos)), asbestos-containing material collected for disposal, asbestos-contaminated waste, waste, containers, bags, protective clothing or HEPA filters. Asbestos-containing waste material does not include samples of asbestos-containing material taken for testing or enforcement purposes.

~~(D.))~~ C. "Ashes" means the residue including any air pollution control equipment flue dusts from

combustion or incineration of material including solid wastes.

~~((E.))~~ D. "Biomedical waste" means ~~((carcasses of animals exposed to pathogens))~~ and is limited to the following types of waste defined as "biomedical waste" in RCW 70.95K.010, as now or as hereafter amended: animal waste, biosafety level 4 disease waste, cultures and stocks ~~((of etiologic agents))~~, human blood and blood products, pathological waste, sharps waste and any other waste determined to be infectious by the generator's infection control staff or committee.

~~((F. "Bulky waste" means large items of refuse, such as appliances, furniture and other oversize wastes that would typically not fit into reusable solid waste containers.~~

~~G. "Burn ban area" means an area of King County that the Puget Sound Clean Air Agency has designated as a carbon monoxide nonattainment area where the burning of woody debris and other materials has been prohibited, except in limited circumstances, to protect public health and the environment.~~

~~H.))~~ E. "CDL" means construction, demolition and land-clearing waste.

~~((I.))~~ F. "CDL receiving facility" means any properly licensed or permitted facility that is designated by the county as a facility to which ~~((nonrecyclable))~~ CDL waste, including residual CDL waste, is required to be delivered under ~~((the King County))~~ this Code. A CDL receiving facility may be a material recovery facility, an intermodal facility and/or a transfer facility.

~~((J.))~~ G. "CDL recycling facility" means any properly licensed or permitted facility at which ~~((materials are))~~ recyclable CDL waste is removed from mixed CDL waste ~~((for the purpose of reuse or remanufacture))~~ for reuse or remanufacture into a usable product.

~~((K.))~~ H. ~~((Certified hauler or e))~~Certificated hauler" means any person engaged in the business of solid waste handling having a certificate of convenience and necessity granted by the Washington Utilities and Transportation Commission for that purpose.

~~((L.))~~ I. "Charitable organization" means any organization that meets the following criteria: must be defined by the Internal Revenue Service as a 501(c)3 charitable organization; must be engaged as a primary

form of business in the processing of abandoned goods for resale or reuse; and must have an account with the solid waste division.

~~((M.))~~ J. "Clean mud and dirt" means mud and dirt that meet the ~~((soil cleanup standards of WAC 173-340-740 and 173-340-745))~~ definition of "natural background" in this title, as currently enacted and as hereafter amended.

~~((N. "Clean soils and clean dredge spoils" means soils and dredge spoils that are not dangerous wastes or problem wastes.~~

~~Θ.))~~ K. "Clean wood" means stumps and branches over four inches in diameter and construction lumber free of paint, preservatives, metals, concrete and other nonwood additives or attachments.

~~((P.))~~ L. "Clean wood collection area" means an area used by county residents, businesses and institutions to deposit source-separated clean wood.

~~((Q.))~~ M. "Closure" means those actions taken by the owner or operator of a solid waste ~~((site or))~~ facility to cease disposal operations or other solid waste handling activities, and to ensure that all such facilities are closed in conformance with applicable ~~((regulations))~~ rules at the time of the closure and to prepare the site for the post-closure period.

~~((R.))~~ N. "Commercial hauler" means any person, ~~(firm or corporation)~~ including, but not limited to, ~~((certified))~~ certificated haulers, contract haulers and others collecting or transporting solid waste for hire or consideration.

~~((S.))~~ O. "Compacted waste" means any solid waste whose volume is less than in the loose condition as a result of compression.

P. "Composted material" means organic solid waste that has undergone biological degradation and transformation under controlled conditions designed to promote aerobic decomposition at a solid waste facility in compliance with the requirements of this title. Natural decay of organic solid waste under uncontrolled conditions does not result in composted material.

Q. "Composting" means the biological degradation and transformation of organic solid waste under controlled conditions designed to promote aerobic decomposition. Natural decay of organic solid waste under uncontrolled conditions is not composting.

R. "Comprehensive solid waste management plan" means the King County plan prepared in accordance with chapter 70.95 RCW, as enacted or hereafter amended.

~~((F:))~~ S.1. "Construction, demolition((:)) and land-clearing (CDL) waste" means any recyclable or nonrecyclable waste that results from construction, remodeling, repair or demolition of buildings, roads or other structures, or from land-clearing for development, and requires removal from the site of construction, demolition or land clearing. Except where otherwise expressly provided, "CDL waste" or "county CDL waste" means CDL waste generated in the county jurisdiction. CDL waste includes, but is not limited to, the following listed materials:

a. "Construction waste," which includes: wood, concrete, drywall, masonry, roofing, siding, structural metal, wire, insulation and other building material; and plastics, styrofoam, twine, baling and strapping materials, cans, buckets and other packaging materials and containers. "Construction waste" also includes sand, rocks and dirt that are used in construction and that do not meet the definitions of clean mud and dirt or unacceptable waste;

b. "Demolition waste," which includes concrete, asphalt, wood, masonry, roofing, siding, structural metal, wire, insulation and other materials found in demolished buildings, roads and other structures. "Demolition waste" also includes sand, rocks and dirt that result from demolition and that do not meet the definitions of clean mud and dirt or unacceptable waste; and

c. "Land-clearing waste," which includes natural vegetation and minerals such as stumps, brush, blackberry vines, tree branches, associated dirt and sand, tree bark, sod and rocks.

2. "CDL waste" does not include clean mud and dirt, contaminated soil, asbestos-containing waste material (~~((containing more than one percent of asbestos by weight))~~), unacceptable waste, garbage, sewerage,

animal carcasses or any other solid waste (~~(which)~~) that does not meet the definition of CDL waste.

T. "Container" means a portable device used for the collection, storage and/or transportation of solid waste including, but not limited to, reusable containers, disposable containers and detachable containers.

U. "Contaminated soil" (~~(is)~~) means any soil that does not meet the definition of "natural background" in the soil cleanup standards of the (~~(Washington Administrative Code)) chapter 173-340 WAC~~, as currently enacted and as hereafter amended.

V. "Contract hauler" means any person engaged in the business of solid waste handling having a contract with a city or town for that purpose.

~~((V-))~~ W. "County jurisdiction" means the geographic area for which King County government has comprehensive planning authority for solid waste management either by law, such as unincorporated areas, or by interlocal agreement, or both.

~~((W-))~~ X. "County solid waste" means all solid waste generated, collected or disposed within the county jurisdiction.

~~((X-))~~ Y. "Curbside collection" means the pick-up of (~~(recyclables))~~ recyclable materials and garbage solid waste from a household. This pick-up may be at a curb, end of driveway or alleyway from either a single family or multifamily dwelling.

~~((Y-))~~ Z. "Dangerous wastes" means any solid waste designated as dangerous waste by the Washington state Department of Ecology under chapter 173-303 WAC, Dangerous waste regulations.

AA. "Department" means any executive department and administrative office as defined by King County ordinance or other applicable law and includes, but is not limited to, all county agencies not associated with a department, such as the prosecuting attorney, the assessor, the sheriff and the council.

~~((Z-))~~ "Designated interlocal forum" means a group of representatives of unincorporated King County and of incorporated cities and towns within King County designated by the King County council and by interlocal agreement with the cities in King County to discuss solid waste issues and facilitate regional

~~interlocal cooperation in solid waste management. Interlocal agreements in effect as of the effective date of this ordinance designate the regional policy committee of the King County council as the solid waste interlocal forum.~~

AA.) BB. "Director" means the director of the department of natural resources and parks or the director's designee.

~~((BB-))~~ CC. "Disposal" means the discharge, deposit, injection, dumping, leaking or placing of any solid waste into or on any land or water.

~~((CC-))~~ DD. "Disposal facility" means a ~~((disposal site or interim solid waste handling facility. "Disposal facility" includes, but is not limited to, transfer stations included as part of the county disposal system, intermodal facilities, landfills, incinerators, composting plants and facilities for the recycling or recovery of resources from solid waste or the conversion of the energy from solid waste to more useful forms or combinations thereof.))~~ facility or facilities approved by the council where any final treatment, utilization, processing or disposal of solid waste occurs.

~~((DD. "Disposal site" means a site or sites approved by the council where any final treatment, utilization, processing or disposition of solid waste occurs.))~~

EE. "Disposal system" means the system of ~~((disposal))~~ solid waste facilities, rules and procedures established in accordance with this title.

FF. "Diversion rate" means a measure of the amount of waste materials being diverted for recycling compared with the total amount that ~~((was previously))~~ would otherwise be thrown away.

GG. "Division" means the solid waste division of the King County department of natural resources and parks.

HH. "Division director" means the af0 manager of the solid waste division of the department of natural resources and parks of King County, or the division manager's designee.

II. "Drop box facility" means a facility used for the placement of a detachable solid waste container,

such as a drop box, including the area adjacent for necessary entrance and exit roads, unloading and turnaround areas. A drop box facility normally serves ~~((the general public))~~ self-haulers with loose loads and receives waste from off-site. A drop box facility may also include containers for separated ~~((recyclables))~~ recyclable materials.

JJ. "Environmentally preferable products" means products that have fewer or reduced negative impacts on human health or the environment compared to competing products that serve the same purpose. This comparison may consider raw materials acquisition, production, manufacturing, packaging, distribution, operation, maintenance, reuse and disposal of the product.

KK. "Facility" means all contiguous land and structures, other appurtenances, and improvements on the land used for the management of solid waste.

LL. "Federal guidance" means guidelines provided by the United States Environmental Protection Agency, the Office of the Federal Environmental Executive, federal executive orders or other guidelines offered by federal agencies.

~~((H.))~~ MM. "Franchise area" means a ~~((solid waste))~~ certificated hauler's territorial collection area, which is delineated in the certificate of convenience and necessity issued by the Washington Utilities and Transportation Commission.

~~((J.))~~ NN. "Garbage" means ~~((unwanted animal and vegetable wastes and animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food, swill and carcasses of dead animals and of such a character and proportion as to be capable of attracting or providing food for vectors, except sewage and sewage sludge))~~ all putrescible wastes, except the following:

1. Organics that have been source separated for the purpose of recycling,
2. Sewage; and
3. Sewage sludge.

~~((K.))~~ OO. "Hazardous waste" includes, but is not limited to, explosives, medical wastes, radioactive

wastes, pesticides and chemicals (~~(which)~~) that are potentially harmful to the public health or the environment. Unless otherwise defined by the (~~(Seattle-King County)~~) health department (~~(of public health)~~), "hazardous waste" has the same meaning as defined by the Washington state Department of Ecology (~~(and)~~) in the Washington Administrative Code.

~~((LL-))~~ PP. "Hazardous waste management plan" means a plan for managing moderate risk wastes, under RCW 70.105.220.

~~((MM-))~~ QQ. "Health department" means the Seattle-King County department of public health.

~~((NN-))~~ RR. "Health officer" means the health department director or his or her (~~(authorized agent)~~) designated representative.

~~((OO-))~~ SS. "Host city" means a city that has a county transfer facility within its incorporated boundaries.

~~((PP-))~~ TT. "Household hazardous waste" means (~~(hazardous waste generated by individuals rather than businesses and institutions)~~) any waste that exhibits any of the properties of dangerous wastes that is exempt from regulation under chapter 70.105 RCW, Hazardous waste management, solely because the waste is generated by households. Household hazardous waste can also include other solid waste identified in the local hazardous waste management plan.

~~((QQ-))~~ UU. "Illegal dumping" means disposing of solid waste in any manner other than in a receptacle specifically provided for that purpose, in any public place, public road, public park or private property or in the waters of King County, except as authorized by King County or at the official solid waste disposal facility provided by the county.

~~((RR-))~~ VV. "Industrial solid wastes" means (~~(waste byproducts from manufacturing and fabricating operations such as scraps, trimmings, packing and other discarded materials not otherwise designated as dangerous waste under chapter 173-303 WAC)~~) solid waste generated from manufacturing operations, food processing, or other industrial processes.

WW. "Interlocal forum" means representatives of the metropolitan King County council and representatives of incorporated cities and towns within King County designated by the Suburban Cities Association and by interlocal agreement to discuss solid waste issues and facilitate regional cooperation in solid waste management. The regional policy committee of the council is designated by interlocal agreements between suburban cities and the county as the solid waste interlocal forum.

~~((SS.))~~ XX. "~~((Interim))~~ Intermediate solid waste handling facility" means any ~~((interim treatment, utilization))~~ intermediate use or processing site engaged in solid waste handling that is not the final ~~((disposal))~~ site of disposal. This includes material recovery facilities, ((T))transfer stations, drop boxes, baling and compaction sites~~((, source separation centers, intermediate processing facilities, mixed waste processing facilities and treatment facilities are considered interim solid waste handling sites.~~

~~TT. "Intermediate processing facility" means any facility that sorts mixed recyclables from source separation programs to divide them into individual component recyclable materials or to process them for marketing).~~

YY. "Intermodal facility" means any facility operated for the purpose of transporting closed containers of waste from one mode of transportation to another and the containers are not opened for further treatment, processing or consolidation of the waste.

~~((UU.))~~ ZZ. "King County solid waste advisory committee" means the committee formed in accordance with K.C.C. chapter 10.28 and chapter 70.95 RCW to advise the county on solid waste management planning, assist in the development of programs and policies concerning solid waste management and review and comment on the comprehensive solid waste management plan and other proposed solid waste management rules, policies or ordinances before adoption.

~~((VV.))~~ AAA. "Landfill" means a disposal ~~((site))~~ facility or part of a ~~((site))~~ facility at which solid waste is permanently placed in or on land ~~((and that is not a landspreading disposal facility))~~ including facilities that use solid waste as a component of fill.

~~((WW.))~~ BBB. "Landfill gas" means gas produced by the microbial decomposition of municipal solid waste in a landfill. ~~((Landfill gas is comprised of fifty to sixty percent methane, forty to fifty percent carbon monoxide and less than one percent hydrogen, oxygen, nitrogen and other trace gases.~~

~~XX.~~ "Landspreading disposal facility" means a facility that applies sludge or other solid wastes onto or incorporates solid waste into the soil surface at greater than vegetative utilization and soil conditioners or immobilization rates.

~~YY.))~~ CCC. "Level of service" means the level and degree of service provided at facilities, including hours of operation, classes of customers served and ~~((recyclables))~~ recyclable materials collection available.

~~((ZZ.))~~ DDD. "Liquid waste" means ~~((a substance that flows readily and assumes the form of its container but retains its independent volume))~~ any solid waste that is deemed to contain free liquids as determined by the Paint Filter Liquids Test, Method 9095, in "Test Methods for Evaluating Solid Waste, Physical/chemical Methods," EPA Publication SW-846.31.

~~((AAA.))~~ EEE. "Littering" means to accumulate, or place, throw, deposit, put into or in any land or water or otherwise dispose of ~~((refuse))~~ solid waste including rubbish, ashes, garbage, dead animals, industrial ~~((refuse, commercial))~~ solid waste and all other waste material of every kind and description in any manner except as authorized by this chapter.

~~((BBB.~~ "Manager" means the manager of the solid waste division of the department of natural resources and parks of King County or the manager's designee.

~~CCC.~~ "Medical waste" means all waste so defined by the health department's rules and regulations.))

FFF. "Material recovery facility" or "MRF" means any facility that collects, compacts, repackages, sorts and/or processes for transport source separated solid waste for the purpose of recycling.

~~((DDD.))~~ GGG. "Mixed CDL waste" means CDL waste containing both recyclable and nonrecyclable CDL waste material that has not been separated. Mixed CDL waste contains more than ten percent but less than ninety percent recyclable CDL waste by volume.

~~((EEE. "Mixed municipal solid waste" means waste consisting of solid waste generated by residences, stores, offices and other generators of wastes that are not industrial, agricultural or CDL wastes.~~

~~FFF.)) HHH. "Mixed waste processing" means sorting of solid waste after collection from the point of generation to remove ((recyclables)) recyclable materials from the solid waste to be disposed.~~

~~((GGG. "Mobile yard debris facility" means a yard debris facility requiring no above-grade construction and established on a temporary basis.~~

~~HHH.)) III. "Moderate risk waste" means(((:)) solid waste that is limited to conditionally exempt small quantity generator (CESQG) waste and household hazardous waste (HHW) as defined in chapter 173-350 WAC.~~

~~((1. Any waste that exhibits any of the properties of hazardous waste but is exempt from regulation under chapter 70.105 RCW solely because the waste is generated in quantities below the threshold for regulation; and~~

~~2. Any household wastes which are generated from the disposal of substances identified by the Washington state Department of Ecology as hazardous household substances.~~

~~HH.)) JJJ. "Municipal solid waste" or "MSW" means a subset of solid waste that includes unsegregated garbage, rubbish and similar solid waste material discarded from residential, commercial, institutional and industrial sources and community activities, including residue after recyclable materials have been separated. Solid waste that has been segregated by source and characteristic may qualify for management as a non-MSW solid waste, at a facility designed and operated to address the waste's characteristics and potential environmental impacts. "MSW" does not include:~~

~~1. Dangerous wastes other than wastes excluded from the requirements of WAC 173-303 in WAC 173-303-071, such as household hazardous wastes;~~

~~2. Any solid waste, including contaminated soil and debris, resulting from response action taken under section 104 or 106 of the Comprehensive Environmental Response, Compensation and Liability Act of~~

1980 (42 U.S.C. 9601), chapter 70.105D RCW, WAC 173-340 or a remedial action taken under those rules; or

3. Mixed or segregated recyclable material that has been source-separated from garbage, rubbish and similar solid waste. The residual from source separated recyclable materials is MSW.

KKK. "Natural background" means the concentration of a hazardous substance consistently present in the environment that has not been influenced by localized human activities.

LLL. "Noncommercial user" means any person who uses King County solid waste facilities but is not engaged in the business of solid waste handling.

~~((JJJ.))~~ MMM. "Nonrecyclable CDL waste" means any CDL waste that is not recyclable CDL waste.

~~((KKK. "OMP" means operational master plan.~~

~~LLL.))~~ NNN. "Oil" means engine lubricating, gear, hydraulic, fuel and other types of oil.

OOO. "Operating hours" means those times during which ~~((disposal))~~ solid waste facilities are normally open and available for the delivery of solid waste.

~~((MMM. "Organic materials" means any carbonaceous materials, consisting of hydrocarbons and their derivatives, including food waste, yard debris, soiled paper, woodwaste, biosolids and manures.~~

~~NNN.))~~ PPP. "Organics" means yard ~~((debris))~~ waste, ~~((organic))~~ food waste~~((;))~~ and soiled paper products~~((, including paper products that contain food waste,))~~ determined by the ~~((manager))~~ division director to be acceptable for composting.

~~((OOO.))~~ QQQ. "Person" means any individual, association, business, firm, corporation, limited liability corporation, copartnership, marital community, political subdivision, municipality, government agency, industry, public or private corporation or any other entity whatever.

~~((PPP. "Plan" means the coordinated comprehensive solid waste management plan for the county as required under chapter 70.95 RCW.~~

~~QQQ. "Planning area or jurisdiction" means the geographical location designated by a local solid waste management plan as the plan's legal boundaries.))~~

RRR. "Post-closure" means the requirements placed upon disposal facilities after closure to ensure their environmental safety for ~~((a number of years after closure))~~ at least a thirty-year period or until the site becomes stabilized, which means there is little or no settlement, gas production or leachate generation.

SSS. "Postconsumer material" means material has been previously used by consumers that is diverted from the solid waste stream.

TTT. "Practicable" means satisfactory in performance and available at a fair and reasonable price.

UUU. "Primary recyclable((s)) materials" means recyclable materials that are commonly collected and are included under the minimum service levels for recycling collection programs. These include paper, cardboard, glass, tin and aluminum beverage containers, ~~((H))high ((D))density ((Poly-Ethylene))~~ polyethylene (HDPE) and ((P))polyethylene terephthalate (PET) bottles and yard ((debris)) waste less than ((three)) four inches in diameter, four feet long, or both.

~~((TTT. "Problem wastes" means:~~

- ~~1. Soils removed during the cleanup of a remedial action site, or a dangerous waste site closure or other cleanup efforts and actions that contain harmful substances but are not designated dangerous wastes; or~~
- ~~2. Dredge spoils resulting from the dredging of surface waters of the state where contaminants are present in the dredge spoils at concentrations not suitable for open water disposal and the dredge spoils are not dangerous wastes and are not regulated by the Federal Clean Water Act.~~

~~UUU. "Procurement policy" means the development and implementation of a policy which achieves the purchase of products made from recycled or recyclable goods, or both.))~~

VVV. "Product stewardship" means taking measures to minimize the impacts of a product on the environment during its life cycle. The principle of product stewardship applies to designers, suppliers, manufacturers, distributors, retailers, consumers, recyclers and disposers.

WWW. "Putrescible waste" means solid waste that contains material capable of being readily decomposed by microorganisms and which is likely to produce offensive odors.

~~((WWW. "Receivers" means persons who will reuse recyclables and to whom source-separated recyclables for which a market does not presently exist can be delivered at little or no cost to avoid landfilling the materials pending development of economic markets.))~~

XXX. "Reclamation site" means a location used for the processing or the storage of recycled waste.

YYY. "Recovered material" means waste material that has been recovered from the solid waste stream, but does not include material generated from and commonly reused on site in an original manufacturing process.

ZZZ. "Recyclable CDL waste" means CDL waste material that can be kept out of or recovered from CDL waste and reused or transformed into a ~~((re))~~usable product. Recyclable CDL waste may consist of a single type of recyclable material or a mixture of two or more types of recyclable material. Material used to produce hog fuel is recyclable CDL waste.

~~((ZZZ.))~~ AAAA. "~~((Recyclables))~~ Recyclable materials" means ~~((any material that can be kept out of or recovered from solid waste and the resources therein be either transformed or reused, or both))~~ those solid wastes that are separated for reuse, recycling or composting, including, but not limited to: ~~((mixed))~~ papers; ~~((newsprint;))~~ cardboard; ~~((aluminum; glass; plastics; chemicals; oil; wood; compostable organics, such as food and yard debris; CDL; ferrous metal; and inorganics, such as rubble and inert material))~~ metals, glass, plastic bottles and containers, plastic bags, yard waste, food waste, wood waste, chemicals, oil, textiles, white goods and other materials that are identified as recyclable material under the King County comprehensive solid waste management plan.

BBBB. "Recycled paper" means paper meeting recycled content standards in federal guidance.

CCCC. "Recycled product" means a product manufactured with the maximum practicable amount of recovered material, especially postconsumer material.

~~((AAAA.))~~ DDDD. "Recycling" means ~~((either source separation or the processing of solid waste mechanically or by hand to segregate materials for sale or reuse. Materials that can be removed through~~

~~recycling include, but are not limited to: mixed paper; newsprint; cardboard; aluminum; glass; plastics; chemicals; oil; wood; compostable organics, such as food and yard debris; ferrous metal; and inorganics, such as rubble and inert material)) transforming or remanufacturing waste materials into usable or marketable materials for use other than landfill disposal or incineration. "Recycling" does not include collection, compacting, repackaging, and/or sorting for the purpose of transport. "Recycling" does not include combustion of solid waste or preparation of a fuel from solid waste.~~

~~((BBBB. "Refuse" means garbage, rubbish, ashes, swill and all other putrescible and nonputrescible wastes, except sewage, from all public and private establishments and residences.~~

~~CCCC.)) EEEE. "Region" means the area encompassing those cities with signed solid waste interlocal agreements and unincorporated areas of King County that are included in the comprehensive solid waste management plan. "Region" includes all of King County except the cities of Seattle and Milton.~~

~~((DDDD. "Regional approach" means the development and implementation of a solid waste management program in cooperation with municipalities in King County and with other counties within the Puget Sound area.~~

~~EEEE.)) FFFF. "Regional direct" means any solid waste generated and collected in King County and transported to Cedar Hills ((~~disposal site~~)) regional landfill by conventional long haul transfer vehicles from privately owned solid waste transfer stations or intermediate ((~~processing~~)) handling facilities permitted by the health department as provided for in ((~~K.C.C. 10.08.090 and the health department's~~)) King County board of health regulations.~~

~~((FFFF.)) GGGG. "Regulated refrigerant" means a class I or class II substance as listed in Title VI of the Federal Clean Air Act Amendments of 1990.~~

~~((GGGG.)) HHHH. "Residual CDL waste" means the nonrecyclable waste remaining after recycling processes have removed recyclable waste.~~

~~((HHHH.)) IIII "Reuse" means the return of a commodity into the economic stream for use.~~

~~((HHH.))~~ JJJJ. "Rubbish" means all nonputrescible wastes, except materials that have been source separated for the purpose of recycling~~((, from all public and private establishments and from all residences))~~.

~~((JJJ.))~~ KKKK. "Rural transfer facilities" means the Vashon and Enumclaw transfer stations, the Cedar Falls and Skykomish drop box facilities and ~~((such))~~ other facilities ~~((as))~~ the ~~((manager))~~ division director designates as rural transfer facilities.

LLLL. "Salvaging" or "scavenging" means the removal of materials from a solid waste facility without the authorization of the division director and the health officer.

~~((KKKK.))~~ MMMM. "Secondary recyclable~~((s))~~ materials" means those ~~((recyclables))~~ recyclable materials that have not been designated as being included in the county's minimum service levels for ~~((recyclables))~~ recyclable materials collection. "Secondary recyclable~~((s))~~ materials" are those with generally limited markets, a lack of collection systems or a limited number of generators of the material.

~~((LLL.))~~ NNNN. "Secured load" means a load of solid waste that has been ~~((secured or))~~ securely fastened, covered, or both ~~((in the vehicle))~~ in a manner that will prevent the covering or any part of the ~~((solid waste))~~ load from ~~((dropping, shifting, leaking or otherwise))~~ becoming loose, detached or leaving the vehicle while the vehicle is moving except sand may be dropped for the purpose of securing traction.

~~((MMM.))~~ OOOO. "Self-hauler" means ~~((residential and nonresidential customers))~~ county residents, businesses and institutions who choose to bring their ~~((garbage))~~ municipal solid waste and ~~((recyclables))~~ recyclable materials to the transfer facilities themselves.

~~((NNNN.))~~ PPPP. "Shall" and "will" in a policy mean that it is mandatory to carry out the policy. "Should" in a policy provides noncompulsory guidance and establishes some discretion in making decisions. "May" in a policy means that it is in the interest of the county or other named entity to carry out the policy but there is a total discretion in making decisions.

~~((OOOO.))~~ QQQQ. "Solid waste" or "wastes" means all putrescible and nonputrescible solid and semisolid wastes, except wastes identified in WAC ~~((173-304-015))~~ 173-350-020, including, but not limited to,

garbage, rubbish, ashes, industrial wastes(~~(, swill)~~), commercial waste, sewage sludge, demolition and construction wastes, abandoned vehicles or parts thereof, contaminated soils and contaminated dredged material, discarded commodities(~~(, sludge from wastewater treatment plants and septage from septic tanks, woodwaste, dangerous waste and problem wastes.~~ "Solid waste" includes all liquid, solid and semisolid materials that are not the primary products of public, private, industrial, commercial, mining and agricultural operations. ~~Unrecovered residue from recycling operations is solid waste.~~) and recyclable materials.

~~((PPPP.))~~ RRRR. "Solid waste collection entity" means every person (~~(or his or her lessees, receivers or trustees or agents,))~~ owning, controlling, operating or managing vehicles used in the business of transporting solid waste for collection or disposal, or both, for compensation including all (~~(certified))~~ certificated haulers, any city using its own employees or any (~~(company))~~ person operating (~~(pursuant to))~~ under a contract with or franchise from a city or town performing solid waste collection services within the (~~(city))~~ jurisdiction.

SSSS. "Solid waste facility" means a disposal facility or intermediate solid waste handling facility. "Solid waste facility" includes, but is not limited to, transfer stations, intermodal facilities, landfills, incinerators, composting plants and facilities for the recycling or recovery of resources from solid waste or the conversion of the energy from solid waste to more useful forms or combinations thereof. "Solid waste facility" includes all contiguous land, including buffers and setbacks, and structures, other appurtenances and improvements on the land used for solid waste handling.

~~((QQQQ.))~~ TTTT. "Solid waste interlocal agreement" means an agreement between a city and the county for use of the King County solid waste system for disposal of solid waste generated or collected within the city.

~~((RRRR.))~~ UUUU. "Solid waste management" means the systematic administration of activities that provide for the reduction in generated volume, source separation, collection, storage, transportation, transfer, recycling, processing, treatment and disposal of solid waste. "Solid waste management" includes public education and marketing activities.

~~((SSSS.))~~ VVVV. "Solid waste system" means King County's system of solid waste ~~((disposal))~~ facilities ~~((and processing facilities))~~ as authorized under RCW 36.58.040 as here enacted or otherwise amended and as established in accordance with the approved King County ~~((€))~~comprehensive ~~((S))~~solid ~~((W))~~waste ~~((M))~~management ~~((P))~~plan.

~~((TTTT.))~~ WWWW. "Source separation" means the ~~((process of separating))~~ separation of recyclable materials from ~~((material that will become))~~ other solid waste at ~~((its source))~~ the place where the waste originates.

~~((UUUU.))~~ XXXX. "Special waste" means all nonhazardous wastes that have special handling needs or have specific waste properties that require waste clearance by either the ~~((solid waste))~~ division ~~((of the department of natural resources and parks))~~ or the health department, or both. ~~((Such))~~ These wastes are specified in the ~~((W))~~waste ~~((A))~~acceptance ~~((Policy))~~ rule (P.U.T. ~~((4-1-4))~~ 7-1-5 (PR) or future amendments of that rule), and include contaminated soil, asbestos-containing materials, ~~((treated biomedical wastes,))~~ wastewater treatment plant grit ~~((and vector wastes)),~~ industrial wastes ~~((, tires))~~ and other wastes.

~~((VVVV.))~~ YYYY. "Suspect waste" means any waste the ~~((manager))~~ division director suspects may be unauthorized waste.

~~((WWWW.))~~ ZZZZ. "Sustainable building principles" means the use of energy- and resource-efficient site and building design, construction, operations and management.

~~((XXXX. "Swill" means every refuse accumulation of animal, fruit or vegetable matter, liquid or otherwise, that attends the preparation, use, cooking, dealing in or storing of meat, fish, fowl, fruit and vegetables, except coffee grounds.~~

~~((YYYY.))~~ AAAAA. "Transfer ~~((station))~~ facility" means a permanent fixed, supplemental collection and transportation facility used by either persons ~~((and))~~ or route collection vehicles, or both to deposit collected solid waste from off-site into a larger transfer vehicle for transport to a ~~((permanent disposal site or intermodal))~~ solid waste handling facility. "Transfer ~~((station))~~ facility" may also include recycling facilities.

~~((ZZZZ.))~~ BBBBB. "Unacceptable waste" means any material for which the transportation or disposal would constitute a violation of any governmental requirement pertaining to health, safety or the environment. The material may include, but is not limited to, hazardous, extremely hazardous or dangerous waste as designated under Washington state or federal law, including, but not limited to, regulations contained in the Washington Administrative Code, now in effect or ~~((hereafter))~~ amended after the effective date of this ordinance, or in the Code of Federal regulations, now in effect or ~~((hereafter))~~ amended after the effective date of this ordinance.

~~((AAAAA.))~~ CCCCC. "Unauthorized waste" means waste that is ~~((waste))~~ not acceptable for disposal at any or a specific ~~((disposal))~~ solid waste facility according to applicable rules ~~((and regulations))~~ or a determination of the ~~((manager))~~ division director.

~~((BBBBB.))~~ DDDDD. "Uncompacted waste" means any solid waste in an uncompressed or loose condition.

~~((CCCCC.))~~ EEEE. "Unincorporated service area" means ~~((a))~~ the geographical area of unincorporated King County designated to receive the solid waste, ~~((recyclables))~~ recyclable material and ~~((yard debris))~~ organics collection services defined in this chapter. The unincorporated service area does not include:

1. Vashon Island (served under Certificate No. G-87, Tariff No. 7);
2. Snoqualmie pass (served under Certificate No. G-237, Tariff No. 10); and
3. Areas where residential garbage collection service is not provided by a certificated hauler.

~~((DDDDD.))~~ FFFFF. "Unsecured load" means a load ~~((on a vehicle that is not))~~ of solid waste that has not been securely fastened, ~~((and protected by safety chains or other fastening devices))~~ covered, ~~((tied down or otherwise secured))~~ or both to prevent the covering or any part of the ~~((material))~~ load from ~~((spilling, escaping or being deposited outside the vehicle while vehicle is in motion))~~ becoming loose, detached or leaving the vehicle while the vehicle is moving.

~~((EEEE.) "Urban collection service levels" means the availability of regularly scheduled collection services for residential garbage and primary recyclables at residents' homes.~~

~~FFFF.)~~ GGGG. "Urban transfer ~~((stations))~~ facilities" means the county's Algona, Bow Lake, Factoria, ~~((First Northeast))~~ Houghton, Shoreline, and Renton transfer ~~((stations))~~ facilities and ~~((such))~~ other transfer ~~((stations))~~ facilities ~~((as))~~ the ~~((manager))~~ division director designates as urban transfer ~~((stations))~~ facilities.

~~((GGGG.)~~ HHHH. "Washington Utilities and Transportation Commission" means the state commission created under chapter 80.01 RCW, as now enacted or hereafter amended.

IIII. "Waste export" means the act of sending waste to a ~~((landfill))~~ disposal facility out of the region.

~~((HHHH.)~~ JJJJ. "Waste reduction" means reducing the amount or type of waste generated.

~~((HH.)~~ KKKK. "Waste stream" means the total flow of solid waste from homes, businesses, institutions and manufacturing plants that must be recycled or disposed in landfills, or any segment thereof, such as the "residential waste stream" or the "recyclable waste stream."

~~((JJJJ.)~~ LLLL. "White goods" means major appliances, including refrigerators, freezers, heat pumps, air conditioners, stoves, ranges, dishwashers, washers, dryers, trash compactors, dehumidifiers and other appliances specified by the ~~((manager))~~ division director.

~~((KKKK.)~~ MMMM. "White goods collection area" means an area used by county residents to deposit source separated white goods.

~~((LLLL.)~~ NNNN. ~~(("Woodwaste"))~~ "Wood waste" means solid waste consisting of wood pieces or particles generated as a byproduct resulting from the handling and processing of wood, including, but not limited to, hog fuel, sawdust, shavings, chips, bark, small pieces of wood, stumps, limbs and any other material composed largely of wood that has no significant commercial value ~~((at the time in question))~~, but ~~((shall))~~ does not include slash developed from logging operations unless disposed of on a different site, and does not include wood pieces or particles containing chemical preservatives such as creosote, pentachlorophenol or

copper-chrome-arsenate.

((MMMMM.)) OOOOO. "Woody debris" means natural vegetation greater than four inches in diameter, four feet in length, or both, such as stumps, fallen tree branches or limbs, resulting from land clearing activity, storms or natural disasters.

((NNNNN.)) PPPPP. "Yard ~~((debris))~~ waste" means a compostable organic material generated in yards or gardens, including but not limited to, leaves, grass, branches, prunings and clippings of woody and fleshy plants and unflocked holiday trees, but ~~((shall))~~ does not include rocks, dirt or sod, concrete, asphalt, bricks, land-clearing wastes, demolition wastes, ~~((woodwaste))~~ wood waste or food waste.

((OOOOO.)) QQQQQ. "Yard ~~((debris))~~ waste collection area" means an area used by county residents, businesses~~((;))~~ and institutions to deposit source-separated yard ~~((debris))~~ waste.

RRRRR. "Zero waste of resources" is a planning principle and framework designed to eliminate the disposal of materials with economic value through reuse, recycling, or both.

SECTION 2. Ordinance 8891, Section 4, and K.C.C. 10.04.030 are each hereby amended as follows:

Each person in possession, charge or control of any dwelling, ~~((flat, roominghouse, apartment house,))~~ hospital, school, ~~((hotel, club, restaurant, boardinghouse or eating place, or in possession, charge or control of any shop,))~~ place of business or manufacturing establishment, or any place where ~~((garbage, refuse or swill))~~ solid waste is created or accumulated shall at all times, keep or cause to be kept portable solid waste containers, for the deposit therein of garbage and ~~((refuse))~~ rubbish, and to deposit, or cause to be deposited the same therein.

SECTION 3. Resolution 8778, Section 5, as amended, and K.C.C. 10.04.040 are each hereby amended as follows:

Solid waste containers shall be constructed in such a manner as to be strong, watertight, not easily corroded, rodent proof, insect proof, and shall have adequate handles~~((;))~~ and tight fitting lids. ~~((Such))~~ The containers shall be kept in a sanitary condition with the outside thereof clean and free from accumulative grease

and decomposing material. Each container shall be kept in a place accessible to the ~~((collector of garbage and refuse))~~ solid waste collection entity on scheduled collection days. The standards for receptacles for separated ~~((recyclables))~~ recyclable materials may be established to meet the requirements of the applicable recycling programs.

SECTION 4. Ordinance 8891, section 8 and K.C.C. 10.04.080 are each hereby amended as follows:

A. It is unlawful to place, throw, deposit or otherwise dispose of ~~((refuse))~~ solid waste other than in a receptacle provided for that purpose, in any public place, public road, public park, on any private property or in the waters within King County, except as specifically authorized by this title or at the official solid waste ~~((disposal))~~ facilities provided ~~((therefore))~~ for that purpose by King County.

B. It is unlawful for the owners or occupants of private property to deposit or accumulate, or to permit the deposit or accumulation of ~~((refuse))~~ solid waste upon ~~((such))~~ the private property~~((; provided,))~~. ~~((h))~~However, ~~((that))~~ this shall not prohibit the storage of ~~((garbage, rubbish,))~~ solid waste or recyclable materials in public or private receptacles, ~~((or))~~ in solid waste containers or other approved receptacle~~((s))~~ or in securely tied bundles when ~~((such))~~ the receptacles or bundles are for immediate or approved periodic disposal~~((; provided, further))~~. Additionally:

1. ~~((t))~~The use of a compost pile or bin shall not be prohibited if the use and maintenance thereof is in such a manner as to prevent the attraction, breeding ~~((and/or))~~, harboring, or any combination thereof, of insects and rodents; and

2. ~~((nor shall a))~~Any recycling operation shall not be affected if it is operating in accordance with all applicable rules, ~~((regulations,))~~ laws or other permit requirements. Any such use permitted ~~((hereunder))~~ under this subsection B.2. shall not be construed to permit a nuisance as defined by state law.

C.1. ~~((Hauling restrictions.))~~ It is unlawful for any person ~~((, firm or corporation))~~ to haul ~~((refuse, garbage, rubbish, dead animals, ashes, or any other))~~ solid waste ~~((material of the kind defined in this chapter))~~ on ~~((the highways and roads))~~ publicly-maintained streets, roads or highways in King County unless ~~((such~~

~~materials are properly stored, covered and otherwise secured so as to prevent spillage or littering))~~ the load is secured.

2. Fees for a person arriving at a staffed solid waste facility with an unsecured load are in K.C.C. 10.12.040.

SECTION 5. Ordinance 7708, Section 1 (part), as amended, and K.C.C. 10.08.020 are each hereby amended as follows:

A. Under the authority provided by the King County Charter and RCW 36.58.040, a system is hereby established for disposal of all solid waste either generated, collected or disposed, in unincorporated King County. Additionally, this system shall include all solid waste either generated or collected, or both, in any other jurisdictions with which ~~((an))~~ a solid waste interlocal agreement exists ~~((under K.C.C. 10.08.130)).~~

B. It is unlawful for any person to dispose of county solid waste except at ~~((disposal))~~ solid waste facilities and in a manner authorized under this title.

C. Unless specifically authorized by a King County ordinance, it is unlawful for any ~~((commercial hauler or other))~~ person ~~((or entity))~~ to deliver any county solid waste to a place other than a solid waste facility designated by the county to receive the particular waste.

D. It is unlawful for any person to deliver county solid waste other than unauthorized waste as determined by the ~~((manager))~~ division director to any facility for final disposal other than a county-~~((owned Cedar Hills regional landfill))~~ designated disposal facility, unless the ~~((manager))~~ division director has provided prior written authorization for the disposal for public health, safety, welfare or planning purposes and the disposal is consistent with the adopted King County ~~((Solid Waste C))~~ comprehensive solid waste management ~~((P))~~ plan.

E. King County solid waste facilities are intended to serve King County residents, and businesses located within incorporated jurisdictions with which the county has an interlocal agreement for solid waste disposal and in unincorporated King County. Disposal of solid waste generated or collected outside of King

County's jurisdiction is not authorized and such solid waste may only be disposed at county facilities upon prior written authorization by the division director and payment of the appropriate fee.

SECTION 6. Ordinance 7708, Section 1 (part), as amended, and K.C.C. 10.08.030 are each hereby amended as follows:

The county may acquire by purchase, lease, contract with private parties or other necessary means, ((~~disposal~~)) solid waste facilities ((~~which~~)) that are needed for disposal of solid waste generated and collected in King County and other jurisdictions with which a((~~n~~)) solid waste interlocal agreement exists((~~, pursuant to K.C.C. 10.08.130~~)). Selection of ((~~such disposal~~)) the solid waste facilities shall be consistent with the King County Comprehensive Plan and all federal, state((~~s~~)) and local requirements, including, but not limited to, comprehensive land use planning, fire protection, water quality, air quality((~~s~~)) and the consideration of ((~~esthetics~~)) aesthetics. To the extent practicable, solid waste ((~~disposal~~)) facilities shall be located in a manner ((~~which~~)) that equalizes their distribution around the county, so that no single area of the county will be required to absorb an undue share of the impact from these facilities. More than one alternative must be considered and evaluated in the siting of planned solid waste ((~~disposal~~)) facilities. The county may acquire ((~~disposal~~)) solid waste facilities on a continuing basis, as is required by the volume of solid waste generated and collected within the county.

SECTION 7. Ordinance 7708, Section 1 (part), as amended, and K.C.C. 10.08.040 are each hereby amended as follows:

A. The division shall be the operating authority for all solid waste ((~~disposal~~)) facilities owned or operated by King County. Nothing in this chapter prohibits the county ((~~by ordinance~~)) from contracting with another entity, public or private, to own, construct or operate a ((~~disposal~~)) solid waste facility.

B. The council shall establish by ordinance the disposal fees charged at county solid waste facilities and types of waste for which each facility is intended. The council may by ordinance authorize the division director to set fees for use of disposal facilities for materials for which no fee has been established by ordinance.

C. The division shall adopt public and administrative rules for solid waste (~~((disposal))~~) facilities, which shall govern all other matters necessary to assure compliance with federal, state and local (~~((regulations))~~) rules applicable to the facilities. The division's rules may require that certain solid wastes, such as bulky wastes, (~~((problem))~~) special wastes and (~~((woodwaste))~~) wood waste, based on source, type or volume, shall not be accepted, or only conditionally accepted, at facilities owned or operated by the county.

SECTION 8. Ordinance 7708, Section 1 (part), as amended, and K.C.C. 10.08.050 are each hereby amended as follows:

A. (~~((Dangerous and hazardous waste.))~~) Under no circumstances shall any person deliver to any King County solid waste (~~((disposal))~~) facility for disposal any waste that is defined as "hazardous waste" (~~((per))~~) under the Federal Resource Conservation and Recovery Act, 42 USC §6901-6991i, or rules (~~((or regulations))~~) adopted thereunder, or defined as "extremely hazardous wastes" or "dangerous wastes" (~~((per))~~) under chapter 70.105 RCW or rules (~~((or regulations))~~) adopted thereunder except:

1. (~~((i))~~) In those specific cases where the county has expressly authorized the place, time, type and manner of the delivery of (~~((such))~~) the waste after full disclosure; or

2. (~~((a))~~) At a time and place expressly specified for dangerous and hazardous waste collection.

B. (~~((No))~~) A person shall not deliver any waste to any King County (~~((disposal))~~) facility (~~((which))~~) that has not been handled and treated in the manner required by applicable operating (~~((regulations))~~) rules adopted by the division and the King County (~~((b))~~) Board of (~~((h))~~) Health rules (~~((and regulations))~~).

C. (~~((Notwithstanding any other provision of this chapter, no municipal corporation or agent thereof or any commercial hauler.))~~) A solid waste collection entity shall not deposit in any King County solid waste (~~((disposal))~~) facility solid waste generated or collected within the boundaries of a jurisdiction (~~((which))~~) that has not entered into a written use agreement with King County unless otherwise authorized (~~((use through special rate class established by ordinance))~~) by the division director.

SECTION 9. Ordinance 7708, Section 1 (part), as amended, and K.C.C. 10.08.060 are each hereby

amended as follows:

~~((Pursuant to))~~ Under ~~((€))~~chapter 70.95 RCW, ~~((no disposal))~~ a solid waste facility in King County, whether acquired publicly or privately, shall not be established, altered, expanded, improved, operated or maintained without prior compliance with the following:

A. The ~~((disposal))~~ solid waste facility and proposed method of operation shall be consistent with the King County comprehensive solid waste management plan and shall be approved by the health department as applicable under King County board of health or Washington state Department of Ecology regulations; ~~((and))~~

B. The ~~((disposal))~~ solid waste facility shall be constructed, operated and maintained in accord with terms of permits required from the health department and such other permits as are required by law~~((:))~~;

C. All other federal, state and local laws, ordinances and ~~((regulations))~~ rules shall be met~~((:))~~; and

D. In addition to other requirements imposed by laws, all recycling drop box facilities shall display the name, address ~~((:))~~ and telephone number of the owner/operator in an easily identified place and the type of material to be accepted. These ~~((facilities))~~ drop boxes shall be regularly collected, ~~((and/or))~~ emptied, or both, so the material contents do not overflow.

SECTION 10. Ordinance 7708, Section 1 (part), as amended, and K.C.C. 10.08.070 are each hereby repealed.

SECTION 11. Ordinance 7708, Section 1 (part), as amended, and K.C.C. 10.08.080 are each hereby amended as follows:

A goal for King County's solid waste management shall be to achieve maximum feasible cost-effective reduction of solid waste going to landfills and to other processing facilities, conservation of energy and natural resources and environmental protection. The division shall develop plans and incentives for waste reduction through source separation, recycling, product stewardship, resource conservation and other methods deemed effective by the division. Reclamation ~~((sites))~~ facilities for recycling operations shall be designated as part of the county's disposal system and shall be subject to permit requirements of the health department.

SECTION 12. Ordinance 7708 section 1 (part), as amended, and K.C.C. 10.08.090 are each hereby repealed.

SECTION 13. Ordinance 7708, section 1 (part), as amended, and K.C.C. 10.08.100 are each hereby amended as follows:

The ~~((director of the Seattle-King County department of public))~~ health officer is authorized ~~((and responsible))~~ to enforce or seek the enforcement through the prosecutor's office of K.C.C. 10.04.030, 10.04.040, 10.04.070, 10.04.080, 10.08.060~~((, 10.08.070 — 090,))~~ and 10.08.080 and any rules ~~((and regulations promulgated))~~ adopted thereunder ~~((pursuant to))~~ in accordance with but not restricted to the enforcement and penalty provisions of K.C.C. Title 23.

The ~~((manager))~~ division director is authorized ~~((and responsible))~~ to seek the enforcement through the prosecutor's office of K.C.C. 10.08.020, 10.08.040~~((,))~~ and 10.08.050. ~~((and K.C.C. 10.08.020))~~ and any rules ~~((and regulations promulgated))~~ adopted thereunder ~~((pursuant to))~~ in accordance with but not restricted to the enforcement and penalty provisions of K.C.C. Title 23.

Both the ~~((director of the department of public))~~ health officer and the ~~((manager))~~ division director are authorized ~~((and responsible for enforcement of))~~ to enforce K.C.C. 10.04.060~~((, K.C.C.))~~ and 10.08.050 A. and ~~((10.08.050))~~ B. and any rules ~~((and regulations promulgated))~~ adopted thereunder ~~((pursuant to))~~ in accordance with but not restricted to the enforcement and penalty provisions of K.C.C. Title 23.

SECTION 14. Ordinance 7708, Section 1 (part), and K.C.C. 10.08.110 are each hereby amended as follows:

Any person~~((, firm or corporation which))~~ who violates or refuses to or fails to comply with ~~((any of the provisions of))~~ this chapter or ~~((regulations promulgated))~~ rules adopted ~~((hereunder))~~ and orders issued ~~((pursuant hereto))~~ under this chapter or who files or supplies any false incomplete or inaccurate information ~~((in conjunction with any permit application or permit renewal or in supplying any other information))~~ requested by this chapter ~~((shall be deemed))~~ is guilty of a misdemeanor and shall be punished by imprisonment in the

county jail for a maximum term fixed by the court of not more than ~~((90))~~ ninety days or by fine in the amount fixed by the court of not more than ~~(((\$1,000))~~ one thousand dollars or both such imprisonment and fine. In addition, enforcement and penalty provisions of K.C.C. Title 23 shall be applicable to any violation of this chapter or ~~((regulations promulgated hereunder))~~ rules adopted under this chapter. Nothing contained ~~((herein))~~ in this chapter shall be construed to exempt an offender from any other suit, prosecution or penalty provided in the King County Code or by other laws.

SECTION 15. Ordinance 7708, Section 1 (part), and K.C.C. 10.08.120 are each hereby repealed.

SECTION 16. Ordinance 7708, Section 2, as amended, and K.C.C. 10.08.130, as amended, are each hereby repealed:

SECTION 17. Ordinance 10018, Section 4, and K.C.C. 10.08.140 are each hereby amended as follows:

~~((Effective July 1, 1991, a))~~ All solid waste collection entities shall provide information to the ~~((manager))~~ division director on their usage of King County solid waste facilities.

A. No later than ~~((15))~~ fifteen days after the end of each month, solid waste collection entities shall report the amount of residential and commercial tonnage hauled to each King County solid waste facility, and identify the cities, towns or unincorporated service areas from which each ton of waste hauled by them originated.

B. Once each year, no later than March 31, solid waste collection entities shall submit an annual tonnage forecast ~~((which))~~ that estimates the total amount of residential and commercial tonnage and the number of residential and commercial accounts by city, town or unincorporated service area for the current year.

C. All information shall be reported on forms provided by the county.

D. Any significant changes in patterns of usage of King County solid waste facilities shall be reported to the ~~((manager 30))~~ division director at least thirty days in advance of the change.

SECTION 18. Ordinance 14811, Section 11, and K.C.C. 10.08.150 are each hereby repealed:

SECTION 19. Ordinance 8108, Section 3, as amended, and K.C.C. 10.10.020 are each hereby amended as follows:

Operating hours at King County solid waste (~~(disposal)~~) facilities shall be determined by the division director, consistent with the following policies and in accordance with the process in K.C.C. 10.10.025.

A. The division director shall set facility operating hours, taking into consideration stakeholder input and the goals of reducing average system-wide transfer costs and maintaining high levels of customer (~~(satisfaction)~~) service and environmental stewardship, among other relevant factors.

B.~~(1.)~~ Notwithstanding subsection A of this section, the following facilities shall have the following minimum hours, not including holidays:

~~((a.))~~ 1. Urban transfer (~~(stations)~~) facilities shall be open to the public at least between 9:00 a.m. and 4:00 p.m., seven days per week~~((:));~~ and

~~((b.))~~ 2. Rural transfer facilities shall be open to the public at least between 9:00 a.m. and 4:00 p.m., four days per week, including at least one weekend day.

~~((2. All services offered at particular facilities shall be available during the minimum hours, but portions of facilities may be closed during any hours in excess of the minimum hours.))~~

C. All King County solid waste (~~(disposal)~~) facilities shall be closed on January 1, Thanksgiving Day~~((,))~~ and December 25. At the discretion of the director, King County solid waste (~~(disposal)~~) facilities may be closed on other recognized King County holidays by following the procedures for (~~(modifying)~~) changing operating hours.

~~((D. Yard debris and clean wood collection areas shall be located at the Enumelaw transfer station. White goods collection areas shall be located at the Enumelaw and Vashon transfer station.~~

~~E. The Cedar Hills landfill shall not be open for use by the general public.))~~

SECTION 20. Ordinance 8108, Section 4, as amended, and K.C.C. 10.10.030 are each hereby amended as follows:

Types of waste accepted at King County solid waste (~~((disposal))~~) facilities shall be limited to the following:

A. ~~The Cedar Hills ((R))~~ regional landfill shall accept ~~((mixed))~~ municipal solid waste from transfer ~~((stations))~~ facilities and other sources ~~((in King County))~~ approved by the division director~~((, and demolition waste in small quantities incidental to jurisdictional activities))~~;

B. Transfer ~~((stations))~~ facilities shall accept ~~((mixed))~~ municipal solid waste~~((, demolition waste in small quantities incidental to jurisdictional activities and of a size and density capable of being handled by transfer station equipment and waste))~~ from ~~((the general public, businesses and route collection vehicles collecting waste in King County))~~ commercial and self-haulers;

C. Drop box facilities shall accept ~~((mixed))~~ municipal solid waste in loads not to exceed either ~~((five))~~ three cubic yards or one ton, or both from commercial and self-haulers;

D. Collection areas for ~~((Yard debris))~~ yard waste, other organics, or both, ((collection areas)) located at some county transfer ((stations)) facilities shall accept source-separated yard ~~((debris))~~ waste from ~~((county residents, businesses and institutions))~~ commercial and self-haulers. Loads shall not exceed either three cubic yards, one ton, or both;

E. ~~((Mobile yard debris facilities shall accept source-separated residential yard debris from noncommercial users in loads not to exceed either five cubic yards or one ton, or both;~~

~~F.))~~ White goods collection areas located at some county transfer ((stations)) facilities shall accept source-separated white goods from ~~((county residents))~~ residential self-haulers;

~~((G.))~~ E. Clean wood collection areas located at county transfer ~~((stations))~~ facilities shall accept source-separated clean wood from ~~((county residents, businesses and institutions))~~ commercial and self-haulers;

~~((H.))~~ G. Other wastes, such as industrial waste, semisolid, or liquid waste~~((;))~~ and asbestos-containing waste material, may be accepted at ~~((sites))~~ facilities as designated and approved by the ~~((manager))~~ division director; and

~~(I.)~~ H. Acceptance of any suspect waste may be denied pending the ~~((health officer's))~~ division director's approval.

I. Salvaging and scavenging are prohibited at all King County solid waste facilities

SECTION 21. Ordinance 8108, Section 1 and K.C.C. 10.10.040 are each hereby repealed

SECTION 22. Ordinance 12564, Section 2, as amended, and K.C.C. 10.12.021 are each hereby amended as follows:

All persons using county-operated solid waste ~~((disposal))~~ facilities shall pay the service fees in the following schedules:

A. Service fees for the use of ~~((disposal sites))~~ solid waste facilities with scales, excluding Cedar Hills, shall be:

1. Solid waste disposal:

|                                          |                     |
|------------------------------------------|---------------------|
| Passenger cars                           | \$13.62 per entry   |
| Other vehicles                           | \$82.50 per ton     |
| Charitable organizations                 | \$63.50 per ton     |
| Minimum                                  | \$13.62 per vehicle |
| Charitable organizations, minimum charge | \$10.48 per entry   |

2. Deposit of source-separated yard ~~((debris))~~ waste at yard ~~((debris))~~ waste collection areas ~~((and deposit of))~~, other organics at organics collections areas, clean wood at clean wood collection areas or any combination thereof:

|                |                     |
|----------------|---------------------|
| Passenger cars | \$12.75 per entry   |
| Other vehicles | \$75.00 per ton     |
| Minimum charge | \$12.75 per vehicle |

3. Deposit of white goods at white goods collection areas:

|                                            |                  |
|--------------------------------------------|------------------|
| White goods without regulated refrigerants | \$10.00 per unit |
|--------------------------------------------|------------------|

White goods with regulated refrigerants \$24.00 per unit

B. Service fees for the use of ~~((disposal sites))~~ solid waste facilities without scales ~~((, such as mobile yard debris facilities,))~~ shall be based upon the cubic yard or fraction thereof as follows:

1. Solid waste disposal:

|                    |                        |
|--------------------|------------------------|
| Passenger cars     | \$13.62 per entry      |
| Other vehicles     |                        |
| Compacted wastes   | \$23.86 per cubic yard |
| Uncompacted wastes | \$13.72 per cubic yard |
| Minimum charge     | \$13.62 per vehicle    |

2. Deposit of source-separated yard ~~((debris))~~ waste at yard ~~((debris))~~ waste collection areas ~~((and deposit of))~~ , other organics at organics collections areas, clean wood at clean wood collection areas or any combination thereof:

|                    |                        |
|--------------------|------------------------|
| Passenger cars     | \$12.75 per entry      |
| Other vehicles     |                        |
| Compacted wastes   | \$21.50 per cubic yard |
| Uncompacted wastes | \$12.75 per cubic yard |
| Minimum charge     | \$12.75 per vehicle    |

C. Service fees at the Cedar Hills regional landfill shall be:

|                             |                 |
|-----------------------------|-----------------|
| Cedar Hills Regional Direct | \$69.50 per ton |
| Other vehicles              | \$82.50 per ton |

Disposal by other vehicles is at the discretion of the ~~((solid waste manager))~~ division director.

D. A moderate-risk waste surcharge shall be added to all solid waste disposed by nonsolid waste collection entities using county operated ~~((disposal))~~ solid waste facilities. The fee schedule is as follows:

1. For ~~((sites))~~ facilities with scales:

|                |                  |
|----------------|------------------|
| Self-haulers   | \$3.50 per ton   |
| Minimum charge | \$1.34 per entry |
| Passenger cars | \$1.34 per entry |

2. For ~~((sites))~~ facilities without scales:

|                |                       |
|----------------|-----------------------|
| Compacted      | \$0.77 per cubic yard |
| Uncompacted    | \$0.44 per cubic yard |
| Minimum charge | \$1.34 per entry      |
| Passenger cars | \$1.34 per entry      |

E. A special waste fee shall be charged for special waste including ~~((infectious waste treated and handled in accordance with King County Board of Health Code 10.28.070,))~~ asbestos-containing waste material ~~((, problem wastes))~~ and other ~~((additional))~~ wastes requiring clearances in accordance with King County Board of Health Code Title 10 or rules ~~((promulgated))~~ adopted by the department.

|                   |          |
|-------------------|----------|
| Special waste fee | \$132.00 |
| Minimum charge    | \$22.20  |

F. In the absence of exact weights or measurements, the estimate of the ~~((manager))~~ division director is binding upon the user.

G. ~~((King County solid waste facilities are intended to serve the residents and businesses located within incorporated or unincorporated King County...Solid waste either generated or collected, or both, within the boundaries of a jurisdiction that has not entered into an agreement with King County for use of King County solid waste disposal facilities as provided by this chapter may only be disposed of in a King County facility upon payment of a special service fee of three times the applicable per ton rate for facilities with scales and three times the applicable cubic yard rate for compacted or uncompacted wastes for facilities without scales. Payment of the special service fee under this subsection shall be in lieu of payment of the fees in subsections A. through E. of this section. Nothing in this subsection authorizes the use of King County facilities by any~~

~~municipal corporation or agent thereof or any commercial hauler for disposal of solid waste either or both generated and collected outside King County.))~~ The division director may establish fees for handling and processing of recyclable materials for which no other fee has been established by ordinance. Consistent with WRR-1, WRR-2, WRR-4 and WRR-36, the fees need not recover the full cost of handling and processing.

SECTION 23. Ordinance 800, Section 3, as amended, and K.C.C. 10.12.030 are each hereby amended as follows:

A. Except as expressly provided otherwise in this chapter, all service fees collected under this chapter shall be collected in cash or check or by credit or debit cards by ~~((site cashiers))~~ scale operators at the time of use. Consistent with the requirements of this chapter, the ~~((manager))~~ division director may authorize a facility user to be billed monthly for all solid waste delivered to either the transfer ~~((stations))~~ facilities or the final disposal ~~((sites))~~ facilities, or both.

B. The ~~((manager is authorized to))~~ division director may adjust any solid waste service fee for purposes of minimizing cash holding requirements at solid waste facilities. The adjustment to the calculated fee shall not exceed twenty-five cents nor shall it have a significant impact on the revenue collected in the proposed rate period.

C. The ~~((manager))~~ division director may authorize monthly billing only if users request and receive authorization in advance, subject to the following ~~((provisions))~~:

1. The ~~((manager))~~ division director ~~((shall))~~ may not authorize billing unless the user posts an irrevocable payment bond for the benefit of the solid waste division in an amount equal to the greater of: the sum of the user's three highest consecutive months of service fees from the prior twelve months; adjusted for rate changes; three thousand five hundred dollars; or such other amount as the ~~((manager))~~ division director reasonably determines will cover the user's anticipated disposal charges over a three-month period. Within thirty days of determining that the posted irrevocable payment bond is insufficient based on the criteria in this section, the ~~((manager))~~ division director shall give written notice to the user that a bond increase is required,

except that a bond increase shall not be required if the change would be less than twenty percent of the amount of the original bond or deposit and the commercial or noncommercial user's payments have not been delinquent in the preceding twelve months. The ((~~manager~~)) division director may limit billing authorization to facility users whose typical monthly use exceeds a minimum amount determined by the ((~~manager~~)) division director;

2. The ((~~manager~~)) division director, having given notice to a commercial or noncommercial monthly user that its bond is insufficient, may suspend use privileges for a commercial or noncommercial user who fails to tender a sufficient bond within thirty days after the date of the ((~~manager~~)) division director's notice;

3. The ((~~manager~~)) division director shall, upon request, relieve a certificated hauler the requirement for an irrevocable payment bond if it has not been delinquent in the preceding twelve months. If an invoice is delinquent for more than five days, the certificated hauler shall post within thirty days of the delinquency an irrevocable payment bond meeting the requirements of K.C.C. 10.12.030; and

4. The requirements for posting payments bonds under this section do not apply to governmental users.

D. Except as otherwise provided in this section, all invoices for solid waste service fees are due upon receipt and become delinquent twenty calendar days after the date of the invoice. Invoices shall be paid in accordance with payment instructions provided with the invoice including, without limitation, the form of payment. All delinquent invoices owed by nongovernmental entities shall accrue interest on the delinquent unpaid balance from and after the date of delinquency at the rate of one and one half percent per month or the highest rate allowed by law, whichever is less. The ((~~manager~~)) division director, having given at least seven days' written notice following the delinquency of an invoice, may suspend privileges for a user. In addition, after an invoice is delinquent for ninety days, the ((~~manager~~)) division director may make a claim against any payment bond for the full amount of any amounts due, whether or not the amounts are delinquent. Any amounts that are delinquent for more than ninety days may be referred to collection agencies or attorneys, for collection consistent with applicable law. A user whose account becomes delinquent shall pay all costs

associated with collection including, without limitation, an administrative fee set by the ((~~manager~~)) division director for referring accounts to attorneys or collection agencies.

E. Users who do not have accounts with the county and are unable to pay disposal charges at the time of disposal may, at the discretion of the ((~~manager~~)) division director, be allowed to use ((~~disposal~~)) solid waste facilities on the following conditions:

1. Users shall be required to provide contact information including, without limitation, driver's license and license plate information, to ((~~disposal~~)) solid waste facility personnel and shall be issued a one-time payment invoice of dumping fees charged plus the applicable handling fee determined by the ((~~manager~~)) division director;

2. Payment on this invoice shall be due immediately and shall become delinquent seven days after the date of the invoice; and

3. Subsection D<sub>2</sub> of this section applies to invoices issued under this subsection.

F. Persons authorized for monthly billings shall receive one or more identification cards or badges for the purpose of accounting for charges. A fee of twenty-five dollars shall be charged for replacing a lost or damaged card. A fee shall not be charged for replacement due to normal wear, as determined by the division.

SECTION 24. Ordinance 11196, Section 2, and K.C.C. 10.12.040 are each hereby amended as follows:

A. ((~~Pursuant to Washington State Senate House Bill 1100 [Ed. Note: RCW 70.93.097]~~)) In accordance with RCW 70.93.097, a fee shall be charged to all vehicles with unsecured loads arriving at any staffed public or private transfer ((~~station~~)) facility or landfill in the jurisdiction of King County. The operator of the vehicle containing the unsecured load, unless exempted by the provision of subsection B<sub>2</sub> of this section, shall be required to pay a fee. ((~~Effective July 1, 1994, t~~))The unsecured load fee shall be:

|                                                                   |        |
|-------------------------------------------------------------------|--------|
| Passenger licensed vehicles                                       | \$3.00 |
| Trucks                                                            |        |
| - less than or equal to 8000 pounds licensed gross vehicle weight | 5.00   |

- greater than 8000 pounds licensed gross vehicle weight 10.00

B. ~~((A vehicle transporting sand, dirt or gravel in compliance with the provisions of RCW 46.61.655 shall not be required to secure or cover a load pursuant to this section.~~

C.)) The fee collected under subsection A<sub>2</sub> of this section shall be deposited, no less often than quarterly, in the King County solid waste division's operating fund.

SECTION 25. Ordinance 800, Section 5, as amended, and K.C.C. 10.12.050 are each hereby amended as follows:

Payment of the service fee may not be required of a user in the following circumstances:

A. When that user is engaged in a community litter clean-up campaign (~~(; provided, that)~~), but only if prior authorization has been secured in writing from the ~~((manager; and provided, that))~~ division director and records of use and tonnages or volumes (~~((shall be))~~) are maintained (~~((for such.))~~); or

B. When the executive or the council has declared that a natural disaster or other emergency has occurred and as a result deems it in the best interest of the county to waive the service fees. Any such action must identify the cause of the emergency, the length of the fee waiver and any special conditions placed on the waiver. If such action is taken by the executive and the executive proposes that the waiver continue beyond the date of the next regularly scheduled council meeting, the executive must report to the council by the time of that meeting the estimated loss of revenue resulting from the fee waiver and the council must approve the continuation of the waiver by motion. If the council initiates the fee waiver, it must do so by motion, on which the executive has had a reasonable opportunity to comment.

SECTION 26. Ordinance 7012, Section 7, as amended, and K.C.C. 10.12.055 are each hereby amended as follows:

A. Persons shall be charged a handling fee of twenty-five dollars for each dishonored check or unpaid bank draft.

B. The division director may set fees for miscellaneous ancillary services, other than disposal fees, that

the division provides to facility users. The services may include, but are not limited to, fixing flat tires, providing weight certifications ((;)) and use of the division's brake tester and trailer wash areas and handling and processing of recyclable materials for which no other fee exists. Fees for miscellaneous ancillary services shall be based on the division's actual costs for providing the services. The division director shall post notice of new or increased miscellaneous ancillary fees at the sites at which the fees are charged. The division director shall also provide written notice to the clerk of the ((~~county~~)) council and all councilmembers. The fees for miscellaneous ancillary services take effect thirty days after the date notice is provided consistent with this section.

SECTION 27. Ordinance 7786, Section 2, as amended, and K.C.C. 10.14.020 are each hereby amended as follows:

It is King County's goal to achieve zero waste of resources by 2030 through maximum feasible and cost-effective prevention, reuse ((~~and~~)) and reduction of solid wastes going into its landfills and other processing facilities. ((~~It is recognized~~)) The county recognizes that waste reduction and recycling are the highest priority of the viable solid waste management options, and ((~~the county~~)) hereby adopts this goal, which will be aggressively pursued.

SECTION 28. Ordinance 7786, Section 3, as amended, and K.C.C. 10.14.050 are each hereby amended as follows:

It is the intent of King County to fulfill the following objectives to reach its goals to reduce and divert waste from landfills((;)):

A. Adopt an aggressive and regional approach to finding solutions to solid waste problems by working cooperatively with other cities and counties whenever it is appropriate;

B. Target areas of the waste stream that are resources and have the greatest potential for resource and beneficial use. Targets should change over time as additional diversion occurs and efforts move closer to zero waste of resources;

- C. Provide technical assistance and support to municipalities within King County that are interested in developing waste reduction and recycling programs;
- D. Educate and encourage county agencies, citizens, businesses, schools and other institutions to reduce, reuse, source separate and recycle solid waste;
- E. Encourage volunteer participation through outreach and coordination of waste reduction and recycling efforts;
- F. Encourage the private sector to increase recycling, such as collection, processing and marketing of (~~recyclables~~) recyclable materials through volunteer efforts and mandates to facilitate diversion, as appropriate;
- G. Implement an in-house King County recycling and waste reduction program, including (~~the adoption~~) implementation of (~~a procurement~~) an environmental purchasing policy for county purchase of recycled products, green building practices in new construction and ongoing operations and maintenance and other actions to encourage recycling and waste reduction by county government;
- H. Incorporate capital improvements, recycling infrastructure and programs that maximize recycling at county facilities;
- I. Encourage green building and sustainable design in private development in cooperation with county development agencies;
- J. Encourage the development of markets for and encourage purchase and use of products made from (~~recyclables~~) recyclable materials through education and technical assistance;
- K. Develop, implement and support product stewardship approaches and legislation to divert material from disposal where the costs of handling materials are borne by those responsible, including manufacturers, retailers, government and consumers;
- L. Support resource conservation programs in which success in waste reduction and recycling directly protects the environment, such as soil quality improvement and toxic waste minimization;
- M. Annually project the amounts of waste being diverted from county landfills; and

N. Measure program results through a variety of performance measures such as cost effectiveness, waste characterization data, recycling data, customer surveying, customer communication and participation in recycling and resource conservation programs.

SECTION 29. Ordinance 9240, Section 2, as amended, and K.C.C. 10.16.020 are each hereby amended as follows:

A. Departments shall ~~((purchase))~~ buy recycled and other environmentally preferable products whenever practicable.

B. The county shall require its contractors and consultants to use recycled and other environmentally preferable products whenever practicable.

C. The county shall promote the use of recycled and other environmentally preferable products by publicizing its environmental purchasing policy and its implementation, consistent with this chapter.

SECTION 30. Ordinance 9240, Section 3, as amended, and K.C.C. 10.16.030 are each hereby repealed.

SECTION 31. Ordinance 9240, Section 6, as amended, and K.C.C. 10.16.060 are each hereby amended as follows:

A. Departments shall ~~((purchase))~~ buy recycled or other environmentally preferable paper whenever practicable.

B. Departments shall use recycled paper for all imprinted letterhead paper and business cards.

C. Departments shall publicize the county's use of recycled paper by including a recycling logo and an indication of recycled content on all printed material, to the extent practicable.

D. Departments shall use both sides of sheets of paper whenever practicable.

E. Departments shall require all contractors or consultants submitting proposals to use recycled paper and use both sides of sheets of paper whenever practicable~~((, as determined by the department))~~.

SECTION 32. Ordinance 9240, Section 16, as amended, and K.C.C. 10.16.160 are each hereby amended as follows:

All departments are responsible for:

A. Assigning appropriate personnel to evaluate opportunities for ~~((the purchase of))~~ buying recycled and other environmentally preferable products reflected in federal guidance or ~~((determining))~~ communicated by the procurement and contract services section;

B. Purchasing recycled and other environmentally preferable products whenever practicable; and

C. Reporting evaluation results and purchases of recycled and other environmentally preferable products to the procurement and contract service section by January 31 of each year.

SECTION 33. Ordinance 9240, Section 17, and K.C.C. 10.16.170 are each hereby amended as follows:

The solid waste division is responsible for:

A. Providing information and technical assistance to local governments, schools, colleges and other public and private organizations ~~((interested in purchasing))~~ to increase their purchase of recycled and other environmentally preferable products;

B. Preparing press releases and fact sheets publicizing the successes of the program;

C. Assisting the procurement and contract services section ~~((in submitting))~~ by forwarding the annual program report to the council ~~((which is due))~~ in April of each year; and

D. Assisting the procurement and contract services section in fulfilling its responsibilities under this chapter.

SECTION 34. Ordinance 9240, Section 20, and K.C.C. 10.16.200 are each hereby repealed.

SECTION 35. Ordinance 9240, Section 21, and K.C.C. 10.16.210 are each hereby repealed.

SECTION 36. Ordinance 9928, Section 2, as amended, and K.C.C. 10.18.010 are each hereby amended as follows:

The minimum level of service for residential recycling programs in the unincorporated service area ~~((s of King County, as defined in Attachment B, dated March 30, 1993, to Ordinance 10942,))~~ shall include the following ~~((:))~~

A. Single-family (~~(recyclables)~~) recyclable materials collection:

1. (~~(Recyclables)~~) Recyclable materials collection services shall, at a minimum, be available to all single-family dwellings (~~(in unincorporated service areas of the county)~~);
2. Participation in these programs shall be voluntary;
3. The following recyclable materials, at a minimum, shall be collected from single-family dwellings;
  - a. (~~(N)~~)newspaper: printed (~~(groundwood)~~) newsprint including glossy advertisements and supplemental magazines that are delivered with the newspaper;
  - b. (~~(C)~~)clear, amber and green empty, clean glass containers. Plate glass, ceramics or mirror glass shall not be collected;
  - c. (~~(C)~~)clean tin-coated steel cans;
  - d. (~~(C)~~)clean aluminum cans(~~(-and foil)~~);
  - e. (~~(M)~~)mixed waste paper, including most types of clean and dry paper that fall into high and low grade categories including glossy papers, magazines, catalogs, phone books, cards, laser-printed white ledger paper, windowed envelopes, paper with adhesive labels, paper bags, wrapping paper, packing paper, chipboard such as cereal boxes and shoe boxes and glossy advertising paper(~~(.)~~);
  - f. (~~(C)~~)cardboard(~~(=)~~) that is clean corrugated cardboard and kraft paper, including unbleached, unwaxed paper with a ruffled or corrugated inner liner. Cardboard does not include chipboard such as cereal boxes and shoe boxes;
  - g. (~~(A)~~)all rigid plastic containers including, but not limited to, high-density polyethylene (HDPE) bottles (Society of Plastics Industry ("SPI") code 2) and (~~(P)~~)polyethylene terephthalate (PET) bottles (SPI code 1), plastic jars, jugs and dairy tubs, but excluding polystyrene plastics (SPI code 6), plastic trays and plastic clamshell containers, plastic cups, plates or utensils, lids or bottle caps and containers that contained hazardous products;
  - h. (~~(P)~~)polycoated paperboard and aseptic packaging including milk cartons, juice boxes and frozen

food boxes; and

i. ~~((S))~~ scrap metal, not greater than two feet-by-two feet or thirty-five pounds and free of contaminants such as wood, plastic or rubber;

4. The recyclable materials listed in subsection A.3 of this section shall be collected at least twice a month on the same day of the week as solid waste collection.

a. The certificated hauler may request an exception to this requirement for all or part of its service area.

b. The request must be submitted in writing to the division and include, at a minimum, the following information: the location of the area affected; the number of customers affected; the alternative collection schedule; and the reasons supporting the request.

c. The division will determine whether to allow the hauler's request based on demonstration that: the number of customers affected is minimized; program participation will not be adversely affected; substantial cost savings will accrue due to the alternative collection schedule; or undue hardship ~~((with [will]))~~ will otherwise occur as evidenced by other information presented in the request; and

5. Containers for ~~((recyclables))~~ recyclable materials storage shall be provided by certificated haulers to all single-family dwellings that receive solid waste collection service or request ~~((recyclables))~~ recyclable materials collection. The containers shall be provided by the certificated hauler by delivering containers to all single-family dwelling units in unincorporated service areas that receive solid waste collection service or request ~~((recyclables))~~ recyclable materials collection.

a. The containers shall be sufficient in number and type to hold all reasonable amounts of ~~((recyclables))~~ recyclable materials accumulated between collections.

b. The containers must be made of durable materials that will last a minimum of seven years under normal use. Plastic materials used in the construction of recycling containers shall be durable, ultraviolet-light-stabilized and manufactured using recycled or postconsumer materials. Collection containers shall contain a

minimum of at least ten percent postconsumer material unless the certificated hauler can demonstrate to the division that the material is unavailable. Plastic bags, or bags made of other material, shall not be used as containers.

c. All containers shall contain information about the proper preparation of materials and include the telephone number and name of the certificated hauler. Certificated haulers shall reapply instructions to containers when the instructions become illegible.

d. A container delivery schedule shall be provided to the county to allow for coordination of its promotional and educational efforts. Containers shall be delivered to program participants at least seven days before the initiation of collection;

B. Multifamily ~~((recyclables))~~ recyclable materials collection:

1. ~~((Recyclables))~~ Recyclable materials collection services shall, at a minimum, be available to all multifamily structures or complexes ~~((in unincorporated service areas of the county))~~;

2. Participation in these programs is voluntary;

3. At a minimum, all of the recyclable materials listed in subsection A.3. of this section shall be collected from multifamily structures, though the ~~((manager))~~ division director may authorize exemptions from the collection of certain materials from multifamily residences if space constrains or other unique circumstances warrant an exemption;

4. The recyclable materials listed in ~~((S))~~ subsection A.3. of this section shall be collected at ~~((least twice a month on a regular schedule))~~ a frequency approved by the division director; and

5. Certificated haulers shall provide on-site collection containers for ~~((recyclables))~~ recyclable materials to multifamily structures or complexes on a sign-up basis consistent with the notification requirements defined in K.C.C. 10.18.040.B.

a. The containers shall be sufficient in number and type to hold all reasonable amounts of ~~((recyclables))~~ recyclable materials accumulated between collections.

b. On-site containers must be made of durable materials that will last a minimum of seven years under normal use. Plastic bags, or bags made of other material, shall not be used as on-site containers.

c. All containers shall contain information about the proper preparation of materials and include the telephone number and name of the certificated hauler. Certificated haulers shall reapply instructions to containers when the instructions become illegible.

d. Containers shall be delivered to multifamily structures signed-up for service at least seven days before the initiation of collection;

C. Single-family and multifamily organics collection:

1. Yard ~~((debris))~~ waste collection services shall, at a minimum, be available to all single-family dwellings and multifamily structures or complexes in unincorporated service areas of the county. If organics collection is deemed feasible by the ~~((manager))~~ division director, certificated haulers shall also collect food waste and soiled paper for composting;

2. Participation in these programs is voluntary;

3. Yard waste and other organics ~~((Organics))~~ collected from single-family dwellings and multifamily structures or complexes shall meet the following specifications:

a. With the exception of unflocked holiday trees, materials larger than ~~((two))~~ four inches in diameter and ~~((three))~~ four feet in length are not yard ~~((debris))~~ waste. Unflocked Christmas trees shall be accepted in ~~((three))~~ four-foot lengths with no diameter restrictions; and

b. The following organics are acceptable for collection, ~~((provided that))~~ but only if they are not commingled with nonorganic~~((s))~~ waste:

(1) all organic food waste, such as, meat, fish, bones, fruits and vegetable matter and coffee grounds; and

(2) paper products, including those that contain food residue, such as tea bags, coffee filters, pizza boxes and frozen food containers. Paper products that contain plastic or aluminum coatings are not acceptable

for organics collection;

4. In any area in which organics collection is not offered, yard ~~((debris))~~ waste shall be collected from participating single-family dwelling units and multifamily structures or complexes at least twice a month during March through November, and at least once a month from December through February. In areas in which organics collection is offered, yard ~~((debris))~~ waste and other organics shall be collected from single-family dwelling units and multifamily structures or complexes once per week throughout the year, unless the ~~((manager))~~ division director determines that collection less frequently is feasible. Single-family organics collections shall occur on the same day of the week as solid waste collection.

a. The certificated hauler may request an exception to these requirements for all or part of its service area.

b. The request for an exception must be submitted in writing to the division and include, at a minimum, the following information: the location of the area affected; the number of customers affected; the alternative collection schedule; and the reasons supporting the request.

c. The division will determine whether to allow the hauler's request for an exception based on demonstration that: the number of customers affected is minimized; program participation will not be adversely affected; substantial cost savings will accrue; or undue hardship would otherwise occur as evidenced by other information presented in the request; and

5. Certificated haulers shall offer to provide collection containers to single-family dwellings and multifamily structures or complexes on a sign-up basis, consistent with the notification requirements in K.C.C. 10.18.040.C.

a. Certificated haulers may require that customers use containers provided by the certificated hauler or allow customers to provide their own containers. An additional fee may be charged to the customers electing to lease a container from a certificated hauler.

b. Plastic bags shall not be used as containers.

c. Certificated haulers may establish a maximum volume of or weight of, or volume and weight of, (~~or volume and weight of,~~) yard (~~(debris)~~) waste or other organics that will be accepted for each collection, and shall notify the (~~(manager)~~) division director of the amount;

D. Requirements for separation of yard (~~(debris)~~) waste from (~~(refuse)~~) solid waste:

1. Containers set out at single-family dwellings and multifamily structures or complexes in unincorporated service areas for collection of (~~(refuse)~~) solid waste by certificated haulers shall not contain yard (~~(debris)~~) waste. However, if the (~~(manager)~~) division director determines that collection of organics is feasible(~~(:)~~); organics may be commingled with yard (~~(debris)~~) waste to be collected for composting(~~(-)~~); and

2. Certificated haulers in unincorporated service areas shall not collect any (~~(refuse)~~) solid waste container set out at a single-family dwelling or multifamily structure if yard (~~(debris)~~) waste that is commingled with nonorganics is visible within the container and shall attach a tag to the container citing the yard (~~(debris)~~) waste source separation requirements contained in this chapter and providing information about how to obtain yard (~~(debris)~~) waste collection service. Haulers shall also attach a tag to any (~~(refuse)~~) solid waste container from which yard (~~(debris)~~) waste commingled with nonorganics becomes visible while the container is being emptied into a collection vehicle; and

E. Additional minimum level of service provisions. The following provisions apply to the collection services described in (~~(S)~~)subsections A., B. and C. of this section:

1. If access to potential program participants is restricted, due to impassable road conditions, alternatives to curbside (~~(recyclables)~~) recyclable materials collection, such as drop site collection, or modified curbside collection services, (~~(which)~~) that, at a minimum, shall include collection from the nearest roadway that is accessible by the hauler's collection vehicle, shall be provided by the certificated hauler. If the certificated hauler deems the road conditions are impassable by collection vehicles, the hauler shall work with customers to determine a mutually agreed upon location for the collection of (~~(recyclables)~~) recyclable materials and yard (~~(debris)~~) waste or organics. If mutual agreement cannot be reached, collection shall occur

from the nearest roadway (~~(which)~~) that is accessible by the hauler's collection vehicle. This exception does not apply to impassable road conditions due to severe weather situations. The certificated hauler shall report to the county those areas receiving alternative or modified curbside collection services;

2. The certificated hauler shall designate and inform the county and program participants of the holidays that it will observe and the schedule that will be used when a holiday falls on a regular collection day. The certificated hauler shall designate a process for responding to missed collections as a result of inclement or adverse weather conditions;

3. Special (~~(recyclables)~~) recyclable materials collection services shall be provided for those households where there are handicapped or elderly people who cannot move their collection containers to the curb. Households that qualify for this service shall be determined by the certificated hauler;

4. The certificated haulers shall retain ownership of all containers distributed to program participants. Replacement (~~(necessitated)~~) required by normal use or by container damage due to the certificated hauler's negligence shall be the responsibility of the certificated hauler. Replacement (~~(necessitated)~~) required by container damage due to program participant negligence shall be at the program participant's expense;

5. The certificated haulers shall use intermediate (~~(processing)~~) handling facilities that have obtained all applicable local, state and federal permits. Whenever possible, local markets shall be used to receive (~~(recyclables)~~) recyclable materials and yard (~~(debris)~~) waste for purposes of processing, handling or remanufacturing the materials into new products;

6. The certificated haulers shall not under any circumstances dispose of marketable (~~(recyclables)~~) recyclable materials or yard (~~(debris)~~) waste by landfilling or incineration. In addition, in no instance shall unmarketable materials be disposed of at a landfill or other (~~(disposal)~~) solid waste facility other than the county-owned Cedar Hills regional landfill, unless the director has provided prior written authorization for such a disposal for public health, safety, environmental or planning purposes and the disposal is consistent with the adopted comprehensive solid waste management plan; and

7. To address changes in recyclable materials collection and processing technologies, the director may require that certificated haulers collect materials for recycling in addition to those specified in K.C.C. 10.18.010 after consultation with and with the consent of the certificated haulers. The division shall discuss any proposed changes with the certificated haulers before proposing any amendments to the unincorporated service area boundaries or ~~((modifying))~~ changing the materials required to be collected. However, nothing in this chapter prohibits a certificated hauler from exceeding the minimum requirements by collecting additional materials or providing collection services to a larger portion of their franchise area.

SECTION 37. Ordinance 9928, Section 3, as amended, and K.C.C. 10.18.020 are each hereby amended as follows:

Certificate holders under chapter 81.77 RCW shall use rate structures and billing systems consistent with the solid waste management priorities set forth under RCW 70.95.010 and the minimum levels of solid waste collection and recycling services ~~((pursuant to))~~ under the local comprehensive solid waste management plan as required by chapter 81.77 RCW.

A. It is the county's policy that the certificated haulers include the following elements in the tariffs submitted to the Washington Utilities and Transportation Commission:

1. A mini~~((-))~~can, which is a ten- to twenty-gallon container, rate to reward people who reduce their level of solid waste collection service;
2. A recycling-only rate for program participants who decline solid waste collection service, but participate in recycling programs. Certificated haulers may include a fee to administer billing for this service;
3. A yard ~~((debris))~~ waste-only rate for program participants who decline solid waste collection service, but participate in a yard ~~((debris))~~ waste collection program. Haulers may include a fee to administer billing for this service.
4. Billing that includes the cost of solid waste and recycling collection services on the same statement, as provided by chapter 81.77 RCW;

5. A rate structure designed to provide customers with adequate options and incentives to reduce their level of solid waste collection service as a result of their participation in waste reduction and recycling program;

6. A rate structure that distributes the cost of the single-family and multifamily ((~~recyclables~~)) recyclable materials collection programs among all rate payers in the franchise area where recycling and yard ((~~debris~~)) waste services are available;

7. A rate structure for single-family yard ((~~debris~~)) waste collection services that charges only those customers subscribing to the service. To encourage recycling, the cost of yard ((~~debris~~)) waste collection shall be less than the cost of collection for a comparable unit of solid waste;

8. The cost to produce and distribute program promotion and educational materials to customers, in accordance with K.C.C. 10.18.040;

9. A monthly administrative fee to compensate the division for the costs of program management and promotional and educational programs. The monthly administrative fee is specified in K.C.C. 10.18.070; and

10. Reduced solid waste and ((~~recyclables~~)) recyclable materials collection rates for eligible elderly and low-income program participants, as permitted by the Washington Utilities and Transportation Commission.

B. To the extent organics collection is implemented in the county, it is the county's policy that certificated haulers shall include the following elements in tariffs submitted to the Washington Utilities and Transportation Commission:

1. A base rate for single family organics collection that applies to all single-family solid waste collection customers in the franchise area;

2. Additional rates based on additional volume of organics to be collected;

3. A rate structure designed to provide customers with adequate options and incentives to reduce the customers' collection rate for solid waste collection as their volume of organics collection increases;

4. The cost to produce and distribute program promotion and educational materials to customers, in accordance with K.C.C. 10.18.040; and

5. Reduced solid waste and (~~recyclables~~) recyclable materials collection rates for eligible elderly and low-income program participants, as permitted by the Washington Utilities and Transportation Commission.

SECTION 38. Ordinance 9928, Section 4, as amended, and K.C.C. 10.18.030 are each hereby amended as follows:

Whenever a certificated hauler files a proposed tariff revision for solid waste, (~~recyclables~~) recyclable materials or organics collection rates with the Washington Utilities and Transportation Commission, the certificated hauler shall simultaneously provide the (~~manager~~) division director with copies of the proposed tariff and all nonproprietary supporting materials submitted to the Washington Utilities and Transportation Commission.

A. The certificated hauler shall transmit the proposed tariff to the (~~manager~~) division director at least thirty days before action by the Washington Utilities and Transportation Commission.

B. The division shall review the proposed tariffs to determine their compliance with the plan and this chapter.

C. The certificated haulers shall notify the division within one week after their tariffs are approved by the Washington Utilities and Transportation Commission. The notification shall specify the rates approved by the Washington Utilities and Transportation Commission and the effective dates for the rates.

SECTION 39. Ordinance 9928, Section 5, as amended, and K.C.C. 10.18.040 are each hereby amended as follows:

Certificated haulers shall be responsible for distributing promotional and educational materials for their franchise area and for initial as well as subsequent program promotion as new programs, customers or areas of service are established. Promotional and educational materials are those materials prepared for the purpose of encouraging participation and educating residents about the county's recycling collection programs. Materials

may include, but are not limited to, the following: Internet web pages; brochures; mailings; advertisements; radio and television commercials or public service announcements; and displays.

A. The certificated hauler shall provide, at a minimum, the following notifications to any single-family dwellings within the portion of their franchise area lying within an unincorporated service area at which new services will be provided:

1. The first notification shall announce availability of service, provide a description of the program, container delivery schedule, a recycling hotline phone number or numbers and an explanation of the solid waste and ((~~recyclables~~)) recyclable materials collection rate structure and how program participants can reduce their level of solid waste collection service by participating in ((~~recyclables~~)) recyclable materials collection programs;

2. A second notification shall include a schedule of collection days and shall explain materials preparation requirements detailing the required care and handling of ((~~recyclables~~)) recyclable materials to make them acceptable for collection by the certificated hauler, such as cleaning, sorting and properly locating ((~~recyclables~~)) recyclable materials for collection. A recycling hotline phone number or numbers must also be provided. This notification may be included with delivered containers;

3. The division may also promote the program to residents of single-family dwellings; and

4. The certificated haulers shall also provide advance notice to single-family customers of any changes in ((~~recyclables~~)) recyclable materials collection services, such as changes in collection days, materials collected or preparation requirements.

B. The certificated hauler shall provide, at a minimum, the notification in subsection B.1. of this section, at least two times per year to the owners and managers of multifamily buildings located within unincorporated areas of the hauler's franchise area that do not participate in ((~~recyclables~~)) recyclable materials collection, until seventy-five percent or more of all multifamily buildings within the hauler's unincorporated franchise area have signed up for ((~~recyclables~~)) recyclable materials collection service.

1. The hauler shall announce the availability of service, and shall provide a description of the program, a sign-up card or phone number to call for service and an explanation of the solid waste and ((~~recyclables~~)) recyclable materials collection rate structure and how program participants can reduce their level of solid waste collection service by participating in collection programs.

2. When multifamily buildings sign up for service, a second notification, included with container delivery, shall include a schedule of collection days and shall explain materials preparation requirements detailing the required care and handling of ((~~recyclables~~)) recyclable materials to make them acceptable for collection by the certificated hauler, including, but not limited to, cleaning, sorting and properly locating ((~~recyclables~~)) recyclable materials for collection. A recycling hotline phone number or numbers must also be provided.

3. The division may promote the program to both tenants and building managers.

4. The certificated haulers shall follow the notification requirements listed in this subsection whenever new areas of service or new services are added to the multi-family ((~~recyclables~~)) recyclable materials collection program.

5. The certificated hauler shall also provide advance notice to multifamily building owners and managers of any applicable changes in ((~~recyclables~~)) recyclable materials collection services, such as changes in collection days, materials collected or preparation requirements.

C.1. The certificated hauler shall provide, at a minimum, the following notifications to any single-family dwellings within the portion of their franchise area lying within an unincorporated service area:

a. The availability of service, a description of the program and requirements for separation of yard ((~~debris~~)) waste from nonorganic ((~~refuse~~)) solid waste and a sign-up card or phone number to call for service, and an explanation of the solid waste and ((~~recyclables~~)) recyclable materials collection rate structure and how program participants can reduce their level of solid waste collection service by participating in collection programs. The hauler shall provide this notice at least twice a year until sixty percent or more of all single-

family dwellings within the hauler's unincorporated service area have signed up for yard (~~(debris)~~) waste collection service; and

b. When a single-family dwellings sign up for service, the hauler shall provide a second notification, which shall include a schedule of collection days and shall explain materials preparation requirements detailing the required care and handling of yard (~~(debris)~~) waste to make it acceptable for collection by the certificated hauler. A recycling hotline phone numbers or numbers must also be provided.

2. The division may also promote the program to residents of single-family dwellings and multifamily structures or complexes.

3. The certificated haulers shall follow the notification requirements listed in this subsection whenever new areas of either or both service or services are added to the single-family and multifamily yard (~~(debris)~~) waste collection program.

4. The certificated hauler shall also provide advance notice to single-family dwellings of any applicable changes in yard (~~(debris)~~) waste collection services, such as changes in collection days, materials collected or preparation requirements.

D.1. In areas in which collection of organics, in addition to yard (~~(debris)~~) waste, is implemented, the certificated hauler shall provide, at a minimum, the following notifications to all single-family dwellings and multifamily structures or complexes within the portion of its franchise area lying within an unincorporated service area:

a. A first notification, which shall announce availability of service, and shall provide a description of the program and requirements for separation of yard (~~(debris)~~) waste from (~~(refuse)~~) solid waste, a sign-up card or telephone number to call for service and an explanation of the solid waste and (~~(recyclables)~~) recyclable materials collection rate structure and how program participants can reduce their level of solid waste collection service by participating in organics collection programs;

b. A second notification, which shall include a schedule of collection days and shall explain materials

preparation requirements detailing the required care and handling of ~~((organics and))~~ yard ~~((debris))~~ waste and other organics to make them acceptable for collection by the certificated hauler. A recycling hotline phone number or numbers must also be provided.

2. The division may also promote the organics collection program to residents of single-family dwellings and multifamily structures or complexes.

3. The certificated hauler shall also provide advance notice of any applicable changes in organics collection services, such as changes in collection days, materials collected or preparation requirements.

E. All notifications provided by the certificated hauler must be approved by the division. The division shall review notifications for content and accuracy of information and consistency with materials prepared by the county. Copies of the notifications must be submitted to the division for its review at least three weeks before their production, and the division shall return comments within that three-week period.

F. King County may periodically provide the certificated haulers with educational materials to be included with a hauler's mailing or bill. These materials will be designed to encourage participation in the collection programs and to familiarize participants with general waste reduction and recycling concepts. The division and the certificated hauler shall mutually agree upon the number and format of materials to be included in the hauler's mailings. Any material prepared by the division that will be distributed by haulers will be distributed to the haulers for their review three weeks before their printing. The hauler shall return any comments on the materials to the division within that three-week period.

SECTION 40. Ordinance 9928, Section 6, as amended, and K.C.C. 10.18.050 are each hereby amended as follows:

Certificated haulers shall be responsible for all aspects of customer service. The customer service responsibilities shall include, but not be limited to:

- A. General program information provided by telephone, brochures and advertisements;
- B. Program sign-up, container delivery and replacement information;

C. Written notification, which shall be distributed at the point of collection when collection is refused.

The notification shall include, at a minimum, an explanation of the reasons collection was refused;

D. Response to complaints of missed collection. The certificated hauler shall collect the uncollected ((~~recyclables~~)) recyclable materials within one business day after the complaint is received and verified; and

E. Telephone and written response to service complaints. The certificated haulers shall maintain an adequately staffed telephone hotline for their franchise area served by the programs. This number shall be accessible to residents for the purpose of providing program information and accepting service comments and complaints.

SECTION 41. Ordinance 9928, Section 7, as amended, and K.C.C. 10.18.060 are each hereby amended as follows:

A. The certificated hauler shall submit a report to the division quarterly, documenting participation ((~~for~~)) in the household ((~~recyclables~~)) recyclable materials and yard ((~~debris~~)) waste collection programs established for the unincorporated service areas ((~~identified in Attachment A, dated April 24, 1991, to Ordinance 10942.~~)).

B. Each month, certificated haulers shall provide the ((~~manager~~)) division director with information to evaluate the effectiveness of the programs. The reports shall contain monthly, quarterly and annual data in a format and medium determined by the division. At a minimum, the monthly service reports shall include the following information for each service area and for each service:

1. Weekly and monthly set-out counts by routes, programs and service area. "Set-out count" means the number of dwelling units that make the contents of their ((~~recyclables~~)) recyclable materials and yard ((~~debris~~)) waste collection containers available for collection;

2. Average pounds of ((~~recyclables~~)) recyclable materials and yard ((~~debris~~)) waste collected per set-out;

3. Summaries of tons of all ((~~recyclables~~)) recyclable materials and yard ((~~debris~~)) waste collected, by

material;

4. Location of an intermediate (~~(processing)~~) handling facility or facilities and materials types delivered to these facilities;
5. Summaries of tons of all (~~(recyclables)~~) recyclable materials sold, by material;
6. Summary of tons of contaminated (~~(recyclables)~~) recyclable materials and yard (~~(debris)~~) waste disposed of at a county solid waste facility, and which solid waste facility received it;
7. For each franchise area located within the unincorporated service areas:
  - a. The total number of single-family solid waste collection customers;
  - b. The total number of multifamily complexes receiving solid waste collection service and the number of units within those complexes;
  - c. The total number of single-family dwellings receiving collection services for:
    - (1) (~~(recyclables)~~) recyclable materials;
    - (2) yard (~~(debris)~~) waste; or
    - (3) organics collection in addition to yard (~~(debris)~~) waste; and
  - d. The total number of multifamily complexes receiving (~~(recyclables)~~) recyclable materials collection services and the location of these complexes;
8. Summaries of tons of all solid waste collected from all single-family dwellings and multi-family structures and which King County solid waste facilities received it;
9. Any significant changes in patterns of usage of King County solid waste facilities, to be reported to the (~~(manager of the)~~) division director thirty days in advance of the change;
10. A log of service complaints received by certificated haulers;
11. Upon the request of the division, the number of households and geographic location of areas receiving alternatives to or modified curbside (~~(recyclables)~~) recyclable materials collection due to inaccessibility as permitted in K.C.C. 10.18.010.D.1;

12. A map at a scale of one inch equals two hundred feet, indicating the areas served and the collection days for each program;

13. Upon the request of the division, the number of customers that received notification tags on ((~~refuse~~)) solid waste containers because they contained yard ((~~debris~~)) waste; and

14. Upon the request of the division, the number of customers whose ((~~refuse~~)) solid waste containers were not collected because they contained yard ((~~debris~~)) waste.

C. Reports shall be submitted to the division by the fifteenth of each month and shall be based on the operation of the programs for the previous month. In addition, annual service reports shall be due within thirty days after the end of the calendar year. In addition to the year-end summary of the monthly reporting information, the annual report shall include a summary of program highlights, the effects of changes in services and areas served, problems and measures taken to resolve problems and increase efficiency and participation, an analysis of each program's effectiveness and an annual tonnage forecast that estimates the total amount of solid waste tonnage for the current year.

SECTION 42. Ordinance 9928, Section 11, and K.C.C. 10.18.100 are each hereby repealed

SECTION 43. Ordinance 7737, Section 2, as amended, and K.C.C. 10.24.020 are each hereby amended as follows:

A. The division shall maintain ((~~the plan in a current condition~~)) an updated comprehensive solid waste management plan and shall propose necessary plan revisions to the council at least once every ((~~three~~)) five years in accordance with RCW 70.95.110, as now enacted or hereafter amended.

B. The King County solid waste advisory committee shall review and comment upon the proposed plan prior to its submittal to the council for adoption.

C. The ((~~designated~~)) interlocal forum shall have the following responsibilities:

1. Advise the council and county ((~~E~~))executive and other jurisdictions as appropriate on all policy aspects of solid waste management and planning, and consult with and advise the King County solid waste

division on technical issues;

2. Review and comment on alternatives and recommendations for the county comprehensive solid waste management plan and facilitate approval of plan by each jurisdiction;
3. Review proposed solid waste interlocal agreements between King County and cities for planning, recycling and waste stream control;
4. Review disposal rate proposals;
5. Review status reports on: waste stream reduction, recycling, energy and resource recovery; and solid waste operations with interjurisdictional impact;
6. Promote information exchange and interaction between waste generators, local governments with collection authority, recyclers and county-planned and operated disposal system;
7. Provide coordination opportunities between King County solid waste division, local governments, private operators and recyclers; and
8. Aid cities in recognizing municipal solid waste responsibilities, including collection and recycling, and effectively carrying out those responsibilities.))

D. The council shall hold a public hearing on the draft plan and another public hearing on the final plan before adoption of the plan. Any city using county ((disposal sites)) solid waste facilities shall be notified of these public hearings and shall be requested to comment on the plan.

E. The division shall submit to the council by April 1 of each year an annual report of its progress toward objectives identified in the plan.

F. Solid waste ((I))interlocal agreements between the county and cities wishing to plan jointly with the county or to authorize the county to plan for ((I)) them shall identify which party is responsible for city solid waste operational plans, tonnage forecasts((;)) and recycling goals.

G. The division shall provide staff support to the metropolitan solid waste management advisory committee and the interjurisdictional technical staff group.

SECTION 44. Ordinance 7737, Section 3, and K.C.C. 10.24.030 are each hereby amended as follows:

The plan shall include the following:

A. Goals for solid waste management in King County, including a goal to achieve maximum feasible reduction of solid waste going to landfills and other processing facilities, conservation of energy and natural resources, and environmental protection. The plan shall include measurable objectives for achieving this goal, including but not limited to the following:

1. Annual tonnage projections;
2. Five-, ten- and twenty-year plans for waste reduction through recycling and waste reduction incentives, packaging changes, source separation((;)) and waste processing alternatives, and other methods deemed effective by the division; and
3. Analysis of alternative waste reduction and disposal methods showing the impact of each on landfill capacity, energy consumption, natural resource consumption((;)) and environmental quality((;));

B. A detailed inventory and description of all existing solid waste handling facilities including an inventory of any deficiencies, including operating efficiencies and public service needs, in meeting current solid waste handling needs((;));

C. The estimated long-range needs for solid waste handling facilities projected twenty years into the future((;));

D. A program for the orderly development of solid waste handling facilities in a manner consistent with the plans for the entire county, which shall:

1. Meet the ((~~minimum functional standards for~~)) solid waste handling standards and municipal solid waste landfill criteria adopted by the ((~~State of~~)) Washington state Department of Ecology and all laws and ((~~regulations~~)) rules relating to air and water pollution, fire prevention, flood control((;)) and protection of public health;
2. Take into account the comprehensive land use plan of each jurisdiction;

3. Contain a six-year construction and capital acquisition program for solid waste handling facilities;  
and

4. Contain a plan for financing both capital costs and operational expenditures of the proposed solid waste management system((-);

E. A program for surveillance and control((ltrch-));

F. A current inventory and description of solid waste collection needs and operations within each respective jurisdiction, which shall include:

1. Any franchise for solid waste collection granted by the utilities and transportation commission in the respective jurisdictions including the name of the holder of the franchise and the address of his place of business, the area covered by his operation and rates charged in comparison to disposal costs;

2. Any city solid waste operational plan, including boundaries and identification of responsibilities;

3. The population density of each area serviced by a city operation or by a franchised operation within the respective jurisdictions;

4. The projected solid waste collection needs for the respective jurisdictions for the next six years;

5. Analysis of operating economics, travel distances and economically optimal locations of ((disposal sites)) solid waste facilities;

G. A review of potential areas that meet the ((f)siting(t)) criteria as outlined in RCW 70.95.165((-);

H. Any other requirements prescribed by the ((S))state of Washington((-); and

I. Any other analysis ((which)) that will be useful to fulfilling the goals set forth in the plan.

SECTION 45. Ordinance 8098, Section 3, as amended, and K.C.C. 10.24.040 are each hereby amended as follows:

A. The division shall prepare a hazardous waste management plan for unincorporated King County and submit it to the council ((of King County no later than January 1, 1990)) for adoption in accordance with RCW 70.105.220. The hazardous waste management plan may either be incorporated into the ((plan))

Comprehensive Solid Waste Management Plan or be prepared separately.

B. The executive (~~(is authorized to)~~) may enter into interlocal agreements with any cities in King County (~~(which)~~) that wish to plan jointly with King County for moderate risk waste management(~~(, provided that such agreements require that any jurisdiction contracting with the county for moderate risk waste planning, which must designate hazardous waste zones within its boundaries pursuant to RCW 70.105.225 shall so designate by April 1, 1988. Any jurisdiction wishing to plan jointly with King County must either include this plan in the terms of its interlocal agreement pursuant to K.C.C. 10.24.020, K.C.C. 10.08.050 and K.C.C. 10.08.130 or submit a letter of intent to the county by October 1, 1987))~~).

C. In preparing the hazardous waste management plan, the division shall consider cooperative efforts with adjacent counties and shall prepare a regional plan to the extent practicable.

~~((D. The King County council finds the Seattle King County Local Hazardous Waste Management Plan Final Environmental Impact Statement issued August 1989 is adequate for purposes of making a decision to adopt the Local Hazardous Waste Management Plan for Seattle King County.~~

~~E. The 1989 Local Hazardous Waste Management Plan for Seattle King County as amended by the Plan Addendum of the Solid Waste Interlocal Forum Resolution 90-001, is hereby adopted.))~~

SECTION 46. Ordinance 14236, Section 5, and K.C.C. 10.25.030 are each hereby amended as follows:

A. For the purposes of subsection B<sub>2</sub> of this section, waste reduction and recycling and market development policies are intended to provide direction to the county and the cities in continuing implementation and development of programs to reduce the amount of waste disposed of in the county's solid waste system. The policies are grouped into categories covering issues such as general goals for waste reduction, recycling and market development; coordination with waste reduction and recycling efforts by the cities; identification of primary and secondary (~~((recyclables))~~) recyclable materials; and direction to the county on transfer station facility management for (~~((recyclables))~~) recyclable materials and yard waste. The waste reduction and recycling policies also call for public education on waste reduction and recycling as well as

implementation of product stewardship strategies for manufacturers. Based on policy adopted by council codified in K.C.C. 10.22.035.B, the county's mission is to divert as much material as possible from disposal in a manner ((which)) that reduces the overall costs of solid waste management to county residents and businesses, conserves resources, protects the environment and strengthens the county's economy.

B. Waste reduction and recycling policies are:

**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)) that 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)) organics 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 nonresidential entities should be increased over the planning period as follows:

| Year | Single Family (1 to 4 Dwelling Units) |                                             | Multifamily (5 or more Dwelling Units) |                                    | Nonresidential           |
|------|---------------------------------------|---------------------------------------------|----------------------------------------|------------------------------------|--------------------------|
|      | Curbside Recycling Rate (percent)     | Curbside Disposal Rate (lbs/household/week) | Recycling Rate (percent)               | Disposal Rate (lbs/household/week) | 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~~)) recyclable materials 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~~)) recyclable materials in rural areas not currently receiving this service.

**WRR-12.** The county and cities should add secondary ((~~recyclables~~)) recyclable materials to collection programs when feasible and supported by the community.

**WRR-13.** Cities should consider providing scheduled events to collect secondary ((~~recyclables~~)) recyclable materials at selected sites.

**WRR-14.** Those cities exercising contracting authority for solid waste collection should consider including collection of ((~~recyclables~~)) recyclable materials 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~~)) solid waste.

**WRR-18.** The county should promote environmentally sound management of all organics ((~~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)) recyclable materials 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)) recyclable materials by targeting specific commodities.

**WRR-25.** The county should target primary residential ((recyclables)) recyclable materials, yard ((debris)) waste, 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)) recyclable materials 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)) recyclable materials.

**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~~)) 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))~~ Clean Air Agency's burn ban.

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

SECTION 47. Ordinance 14236, Section 6, and K.C.C. 10.25.040 are each hereby amended as follows:

A. For the purposes of subsection B<sub>2</sub> of this section, the policies are intended to guide the management of ~~((mixed))~~ municipal solid waste, ~~((recyclables))~~ recyclable materials and household hazardous waste as these materials pass from commercial haulers into the county's solid waste system. The cities and commercial haulers are the providers of collection services in the county. The county does not provide direct curbside collection services but supports collection of a wide range of waste materials through its transfer facilities and special collection programs. The policies address the flow of commercially hauled waste into county transfer stations, demand management for self-haul services at county transfer stations, the collection of ~~((recyclables))~~ recyclable materials and yard waste both at the curb and in areas where curbside collection is not available and the collection of household hazardous waste. Collection policies also address waste reduction/recycling and regional transfer system issues.

B. The collection policies are:

**CP-1.** The county solid waste system shall provide for and designate ~~((urban collection))~~ service levels for collection of ~~((mixed))~~ municipal solid waste, ~~(( recycling))~~ recyclable materials and ~~((yard waste))~~ organics for residents in ~~((all parts of the county except for Vashon ((i)) Island, Skykomish valley and Snoqualmie pass))~~ the unincorporated service area.

**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))~~ the health department 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.

SECTION 49. Ordinance 14236, Section 7, and K.C.C. 10.25.050 are each hereby amended as follows:

A. For the purposes of subsection B<sub>2</sub> of this section, the regional transfer system policies are designed to meet the county's goals for protecting public health and the environment, providing needed services, ensuring low and stable rates over time, complying with all applicable laws, providing geographically dispersed, convenient and safe collection points around the county for ((mixed)) municipal solid waste and recyclable materials and reducing traffic on roads and at the Cedar Hills regional landfill. The policies are designed to address the competing use of county facilities by commercial haulers and self-haulers. They provide additional direction to the policy codified in K.C.C. 10.22.015.B, which requires the county to study alternatives that would maximize the use of existing transfer station facilities but recognize that new facilities may be needed.

B. The regional transfer system policies are:

**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))~~ facility, 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 (Shoreline), 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~~) facilities: 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.

SECTION 49. Ordinance 14236, Section 8, and K.C.C. 10.25.060 are each hereby amended as follows:

A. For the purposes of subsection B<sub>2</sub> of this section, the policies establish the county's intent to initiate waste export to an out-of-county landfill when Cedar Hills regional landfill reaches its permitted capacity or earlier if approved by the county council by ordinance. The policies set forth below address the timing of waste export initiation, preparation of existing facilities for waste export, possible development of new facilities to support waste export, the need for an emergency response plan if interruptions to waste export should occur, and the management of closed county landfills. The policies also direct the executive to monitor external conditions, such as rail capacity and waste export prices, which may affect decisions related to waste export initiation.

B. The disposal policies are:

**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 closed landfills. Any future monitoring or environmental system installation shall be designed to facilitate reuse of the sites.

SECTION 50. Ordinance 14236, Section 9, and K.C.C. 10.25.070 are each hereby amended as follows:

A. For the purposes of subsection B<sub>2</sub> of this section, the construction, demolition and land-clearing debris (CDL) policies are intended to guide the county in the appropriate disposal of wastes that require special handling for disposal. The disposal of CDL wastes is governed by the contracts between the county and private companies that expire in ((2004)) 2014. The policies direct the county to evaluate alternatives for disposal of these wastes when the private contracts expire.

B. The construction, demolition and land-clearing debris (CDL) policies are:

**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 ((S))solid ((W))waste ((A))acceptance ((Policy)) rule at least until May 31, ((2004)) 2014, 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)) facilities. The council shall approve the CDL handling program by ordinance.

SECTION 51. Ordinance 14236 ,Section 10, and K.C.C. 10.25.080 are each hereby amended as follows:

A. For the purposes of subsection B<sub>2</sub> of this section, the special policies provide guidance on the handling and disposal of special wastes such as asbestos-containing materials and treated biomedical wastes both before and after the Cedar Hills regional landfill closes. Acceptance of special wastes is contingent on compliance with environmental and public health requirements in federal, state and local law.

B. The special wastes policies are:

**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)) Acceptance Rule. After the Cedar Hills regional landfill closes 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 vector wastes only at the Cedar Hills regional landfill. The county should reevaluate and revise recommendations from the 1994 Vector Waste Disposal Plan to provide wet vector 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 dewatered vector wastes. The county should dispose of de-watered vector wastes through future waste export contracts after the Cedar Hills regional landfill closes 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.

SECTION 52. Ordinance 14971, Section 2, as amended, and K.C.C. 10.25.110 are each hereby amended as follows:

A. A metropolitan solid waste management advisory committee is established. Each component city with a signed interlocal agreement participating in the county solid waste management system shall identify representatives and alternates to the solid waste division for appointment to the advisory committee. ~~((The committee shall conduct its first meeting on or after January 2, 2005.))~~ The solid waste division shall notify each component city with a signed interlocal agreement participating in the county solid waste management system of committee meeting times and locations. ~~((At the first meeting, t))~~The committee shall elect its own chair. The members of the committee shall serve at the pleasure of the appointing bodies and shall receive no compensation from King County other than reimbursement for reasonable expenses ~~((actually))~~ incurred in the performance of their duties.

B. The metropolitan solid waste management advisory committee shall advise the executive, the solid waste interlocal forum ~~((established in the solid waste service contracts between the county and cities))~~, and the ~~((King County))~~ council in all matters relating to solid waste management and participate in the development of the solid waste management system and waste export system plan.

C. The metropolitan solid waste management advisory committee shall review and make recommendations on the waste export system plan before transmittal of the plan from the ~~((King County))~~ executive to the ~~((King County))~~ council

D.~~((1. Until the metropolitan solid waste management advisory committee first convenes; a))~~An interjurisdictional technical staff group presently assembled shall ~~((serve in lieu of the metropolitan solid waste management advisory committee. The interjurisdictional technical staff group shall))~~ advise the metropolitan solid waste management advisory committee through April 30, 2007, to assist the committee during its preliminary work. Each city with a solid waste interlocal agreement with King County may participate in the interjurisdictional technical staff group. ~~((The group shall provide a report of its findings and recommendations by December 31, 2004, to all cities participating in the county solid waste management system, the King County executive, King County council, the solid waste advisory committee and the solid waste interlocal~~

~~forum, or its successor, on the structure, function and responsibilities of the metropolitan solid waste management advisory committee. The staff group shall provide a report of its findings and recommendations by April 30, 2007, to all cities participating in the county solid waste management system, the metropolitan solid waste management advisory committee, the King County executive, King County council, the solid waste advisory committee and the solid waste interlocal forum, or its successor.~~

~~2. The interjurisdictional technical staff group report shall address at least the following issues:~~

~~a. potential modification or replacement of the solid waste interlocal forum, to identify membership, decision-making responsibilities and scope of duties;~~

~~b. identification of dispute resolution options;~~

~~c. development of a framework for financial policies and host city mitigation, including compensation agreements;~~

~~d. evaluation of the impact of the proposed waste export system plan on each of the provisions of the solid waste interlocal agreement between King County and cities; and~~

~~e. identification of potential amendments to the solid waste interlocal agreement.~~

~~3. The solid waste interlocal forum, or its successor, shall make a recommendation to the King County executive and King County council on or before April 3, 2007, on the efficacy of the continuing role of the interjurisdictional technical staff group.))~~

E. The solid waste division shall provide staff support to the metropolitan solid waste management advisory committee and the interjurisdictional technical staff group. The King County council shall provide staff support in the development of solid waste planning legislation.

SECTION 53 Ordinance 10916, Section 1, and K.C.C. 10.30.010 are each hereby amended as follows:

~~((A. Statement of Purpose and Findings)).~~ The purpose of this chapter is to assure that there will be a CDL disposal facility to serve King County, that the Cedar Hills regional ~~((L))~~ landfill may continue to be dedicated to receiving ~~((mixed))~~ municipal solid waste ~~((M))~~MSW), and that CDL disposal is subject to King

County's strict environmental controls.

~~((B. Findings. Based on the testimony of King County personnel and members of the public, and on other evidence, information, documents and materials submitted to and reviewed by the King County council, the King County council makes the following Findings of Fact:~~

~~1. Construction, demolition and land-clearing (CDL) waste is generated by construction and demolition companies that clear land and build, remodel or demolish structures. Historically, CDL waste in King County has been disposed of at demolition waste landfills operated by the private sector, which have since closed. The adopted 1989 King County Comprehensive Solid Waste Management Plan (the "1989 Plan") examined the need to plan and permit one or more new facilities for disposal and recycling of CDL. The 1989 Plan and supporting environmental impact statement examined in detail the viability and environmental impacts of three alternatives.~~

~~2. Under the 1989 Plan, the county recommended that non-recyclable CDL waste be managed by qualified, competitively selected private contractors and promoted increased waste reduction and recycling of CDL waste.~~

~~3. These recommendations were presented in the 1989 Plan because no private sector initiatives for handling non-recyclable CDL wastes had emerged due to problems with siting new facilities, public opposition, and financial uncertainty. Additionally, the uncertainty of provision of long-term disposal facilities by the private sector and the anticipated closure of the two privately owned CDL disposal sites in operation necessitated King County action in initiating a new disposal facility.~~

~~4. The public-private partnership implemented by the selection of two private contractors to dispose of CDL waste is a responsive solution to the CDL disposal crisis. It is the alternative that most practically meets King County's goals for the CDL waste stream: predictable, environmentally sound disposal of all non-recyclable CDL waste; preservation of the capacity of the Cedar Hills Landfill for MMSW; and reduction of the amount of CDL waste requiring disposal through increased recycling. King County would like to provide more~~

than one disposal option for CDL waste in order to equalize their distribution around the county, so that no single area of the county will be required to absorb an undue share of the impact from these facilities, and to encourage competitive disposal rates.

5. Future projections of increasing quantities of CDL waste necessitate a CDL disposal facility designated to serve King County. The solid waste division has estimated future CDL waste quantities for the next 20 years. The mid-range CDL waste volume for the time periods 1991 through 2000 and 2001 through 2010 is estimated to be approximately 1.3 million and 1.2 million cubic yards per year, respectively. High-range estimates are 1.6 and 1.5 million cubic yards per year.

6. Currently, pursuant to K.C.C. 10.12.065, land-clearing waste and demolition debris loads over 1500 pounds are prohibited at any King County solid waste handling facility because of handling difficulties.

7. King County inventoried disposal facilities in 20 Washington counties. Many out-of-county disposal facilities would not accept King County CDL waste because the facilities are owned by municipalities that have waste flow ordinances or firm policies prohibiting acceptance of King County CDL waste.

8. Independent, self-haul out-of-county disposal of CDL waste is made impracticable by long distance hauling. Round-trip haul times in excess of 2 hours have an adverse effect on the productivity and economic viability of CDL business. Furthermore, there are numerous indirect effects of long haul times, such as traffic congestion, increased accident potential and pollution, and wear and tear on a greater portion of the state's highway system. The number of demolition trucks on King County roads has doubled due to longer haul times resulting from the closure of privately operated CDL disposal sites in King County.

9. King County lacks the jurisdiction to regulate out-of-county landfills that are not associated with King County either jurisdictionally or contractually. These facilities are therefore not subject to King County's control regarding environmentally sound management practices.

10. On August 31, 1990, King County responded to the closure of the last privately owned CDL landfill in King County by amending its waste acceptance policy by emergency public rule PUT 7-1, and later

~~PUT 7-3, to provide some CDL waste handlers with a local waste disposal option at Cedar Hills Landfill only until private vendor services are available. Continued disposal of CDL waste would increase the annual quantity of solid waste deposited at Cedar Hills Landfill by approximately 13 to 37 percent. For combined MMSW and CDL waste it is estimated the Cedar Hills Landfill would reach capacity by 2015 at the latest, or 7 years sooner than if disposal at the Cedar Hills Landfill was restricted to MMSW only.~~

~~11. Continued disposal of CDL waste at the Cedar Hills Landfill would result in significant operational impacts. The 1987 levels of landfill-bound traffic would more than double, increasing from approximately 500 to 1,000 vehicles per day. The increase in the size of the operating face of the landfill would necessitate longer operating hours, and substantial additional equipment and staff. Noise levels would increase and the need for additional financing for equipment and staff would likely result in rate increases. The bulky nature of CDL waste would create difficulty in achieving full daily cover and increase the likelihood of differential settlement and of damage to the landfill liner and gas extraction system.~~

~~12. The Cedar Hills Landfill was eliminated from consideration as an alternative CDL disposal site because of the public need for its use as a regional MMSW disposal facility and because of the significant adverse operational impacts that would result.~~

~~13. Other King County-operated landfills are not acceptable alternatives for CDL disposal. Transfer stations have now replaced all of the smaller rural landfills, with the exception of the sites on Vashon Island and Hobart. Neither of these can accept the anticipated volumes required for CDL disposal.~~

~~14. Most of King County's six transfer stations were built in the 1960s and were designed to accommodate smaller volumes of waste and smaller trucks than they now handle. The volume of CDL waste taken to transfer stations has increased over time due to the closure of CDL disposal facilities. CDL waste intensifies transfer station operational problems and has damaged transfer station equipment.~~

~~15. Vehicles carrying CDL wastes may exacerbate traffic conditions at King County's transfer stations. Increased queuing times due to disposal of CDL waste at transfer stations may promote illegal dumping.~~

~~16. An alternative CDL disposal site other than the Cedar Hills Landfill should be provided to limit illegal dumping. In early 1990, in the few months following the closure of the largest privately owned CDL disposal site in King County, the King County solid waste division received over 600 calls from CDL waste generators regarding CDL debris. In general, the calls received concerned complaints about the lack of disposal facilities, inquiries regarding an alternate resource for CDL disposal and reports of illegal activities associated with unlawful dumping or littering. The lack of nearby CDL disposal facilities and resultant increase in disposal costs promoted illegal dumping.~~

~~17. King County is committed to CDL waste reduction and recycling and to the environmentally sound disposal of CDL waste that cannot be recycled. King County-controlled procurement of privately operated facilities will make CDL recycling mandatory and will ensure that the disposal of CDL waste will comply with King County's environmental standards. All contractor disposal facilities must be located, designed, constructed and operated to meet the requirements of Washington State Minimum Functional Standards (MFS) for mixed municipal solid waste landfills in non-arid areas and any other environmental or relevant standards. At a minimum, it is expected that vendor processing facilities would be able to recover 25% of the mixed CDL waste stream remaining after source-separated concrete and asphalt and compostable land-clearing waste have been removed.~~

~~18. The exclusive use of designated CDL receiving facilities for non-recyclable CDL waste generated within King County will improve future planning for CDL management. Vendors under contract to King County will be required to keep detailed records of incoming and outgoing materials. Vendor records will allow the county to create a data base on the CDL waste stream that will enable King County to more accurately plan for the future disposal needs of non-recyclable CDL waste.~~

~~19. Vendors under contract to the county are required to have the capability to process incoming loads of CDL waste to remove recyclable CDL material and are not allowed to dispose of recyclable material for which the county determines a market exists. In addition to contractual requirements for recycling, the solid~~

~~waste division will implement an educational program and provide technical assistance to encourage CDL waste generators to practice waste reduction and source separation. The record-keeping requirements placed on vendors operating designated CDL facilities will provide specific CDL waste stream data, enabling King County to establish appropriate CDL recycling goals and improve technical assistance rendered to CDL recyclers.))~~

SECTION 54. Ordinance 10916, Section 4, as amended, and K.C.C. 10.30.020 are each hereby amended as follows:

A. The following facilities, ~~((which are))~~ owned and operated by vendors with ~~((which))~~ whom King County has contracts for CDL handling, ~~((or alternative facilities, pursuant to this section,))~~ are ~~((hereby))~~ designated as the CDL receiving facilities for all nonrecyclable CDL waste generated in unincorporated King County and in any jurisdiction with which King County has an interlocal agreement for solid waste management:

1. Regional Disposal Company facilities:

- a. Rabanco Recycling and Waste Reduction Center, 2733 Third Avenue South, Seattle; and
- b. Regional Disposal Company Black River Transfer and Recycling Facility, Monster Road, Renton;

2. Waste Management, Inc., facilities:

- a. Eastmont Transfer Station and Material Recovery Facility, 7201 West Marginal Way, Southwest, Seattle;
- b. Seattle Intermodal Facility (Argo Yard), 5000 Denver Avenue South, Seattle;
- c. Recycling Northwest (RNW), 6555 H Street, Auburn; and Cascade Recycling Center (CRC)

14020 NE 190th St., Woodinville.

Any additional CDL receiving facilities will be identified by amendment of this chapter. ~~((Beginning September 1, 1993, a))~~ All generators, handlers~~((s))~~ and collectors of CDL waste shall deliver or ensure delivery of all nonrecyclable CDL waste generated within the county's jurisdiction to a designated CDL receiving

facility, or ~~((backup))~~ alternate receiving facility specified by ~~((the county in a manner specified by))~~ the ~~((manager))~~ division director, except as permitted by subsections C., D. and E. of this section.

B. The ~~((manager or the manager's designee))~~ division director is authorized to ~~((assure))~~ ensure that vendors remain in compliance with all terms of King County's contract or contracts for CDL waste handling services. If the ~~((manager))~~ division director determines the contractor is not in compliance with the contract, the ~~((manager))~~ division director will notify the executive and the council, and may designate an alternative CDL receiving facility during the period of noncompliance.

C. Recyclable CDL waste may be transported to any CDL recycling facility or to a recycling market ~~((with))~~ in or outside of King County provided ~~((it contains))~~ nonrecyclable CDL waste ~~((in amounts))~~ does not ~~((exceeding))~~ exceed ten percent of the volume per load.

D.~~((1.))~~ Mixed CDL waste~~((, which means loads of CDL waste containing more than ten percent but less than ninety percent recyclable CDL waste by volume,))~~ shall be taken only to a designated CDL receiving facility~~((, or backup facility.))~~, except that it

~~((2. Notwithstanding subsection D.1. of this section, mixed CDL waste))~~ may be taken to a CDL recycling facility located in King County ~~((to the extent))~~ when permitted by the contract ~~((and))~~ applicable laws ~~((if))~~ only ~~((if))~~ when ~~((all of))~~ the following ~~((requirements are met))~~ conditions apply:

1. ~~((a.))~~A designated CDL receiving facility cannot recycle the specific types of recyclable materials, and the CDL recycling facility is able to recycle such materials;

2. ~~((b.))~~tThe recyclable materials involved comprise more than fifty percent by volume of the load being delivered; and

3. ~~((c.))~~aAll residual CDL waste is taken to a designated CDL receiving facility ~~((or backup facility designated by the county)).~~

E.1. Notwithstanding subsections A., B., C. and D. of this section, the county may ~~((continue to))~~ accept small quantities of CDL waste at its solid waste ~~((handling))~~ facilities ~~((as permitted by county~~

~~ordinance or public rule; but only where~~) when such small quantities of CDL waste are ~~((transported))~~:

- a. transported by vehicles that do not have mechanized dump beds, either hydraulic or otherwise; or
- b. ~~((are))~~ contained in loads of ~~((mixed))~~ municipal solid waste, but only ~~((if))~~ when the CDL waste

does not exceed ten percent of the total load by volume.

2. Notwithstanding subsection E.1. of this section~~((, in specific instances,))~~ the county may in its sole discretion accept CDL waste in excess of the limitations of this section and ~~((then))~~ take formal or informal enforcement action against the ~~((individual or entity))~~ person transporting such waste to a county facility.

F. The county guarantees no minimum volume of nonrecycled CDL waste to be delivered to the designated CDL receiving facilities. The county intends and expressly reserves the right to encourage reductions in the waste stream through increased recycling.

SECTION 55. Ordinance 10916, Section 5, as amended, and K.C.C. 10.30.030 are each hereby amended as follows:

A. The ~~((manager or his/her designee(s)))~~ division director is authorized and directed to enforce ~~((the provisions of))~~ this chapter in accordance with applicable federal law.

B. The ~~((manager or his/her designee(s)))~~ division director is authorized to make lawful inspections of the premises or vehicles of any person suspected of violating K.C.C. 10.30.020 and to inspect the books and records related to the subject of this chapter. All inspections shall be performed in compliance with applicable federal, state, and local laws. No notice shall be required for these inspections unless required by law.

SECTION 56. Ordinance 10916, Section 6, as amended, and K.C.C. 10.30.040 are each hereby amended as follows:

A. Any person who violates this chapter or any rules ~~((and regulations))~~ adopted ~~((thereunder))~~ under this chapter, or who, by any act or omission, aids or abets such a violation shall be subject to civil penalties as provided in K.C.C. Title 23. Authority is provided through K.C.C. 23.02.040 for assessment of civil penalties under chapter 23.32 K.C.C.

B. Notwithstanding the existence or use of any other remedy, the ((~~manager or the manager's designee or designees~~)) division director may seek legal or equitable relief to enjoin any acts or practices that constitute a violation of any provision of this chapter.

SECTION 57. Ordinance 10916, Section 8, and K.C.C. 10.30.200 are each hereby repealed.

SECTION 58. If any provision of this ordinance or its application to any person

or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.