



Legislation Text

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Clerk 04/24/2019

AN ORDINANCE related to solid waste management; adopting the 2019 Comprehensive Solid Waste Management Plan as a revision of the 2001 Comprehensive Solid Waste Management Plan; amending Ordinance 14236, Section 3, and K.C.C. 10.25.010 and Ordinance 14236, Section 12, and K.C.C. 10.25.100, adding a new section to K.C.C. chapter 10.25, adding a new section to K.C.C. chapter 10.08 and repealing Ordinance 14236, Section 4, and K.C.C. 10.25.020, Ordinance 14236, Section 5, as amended, and K.C.C. 10.25.030, Ordinance 14236, Section 6, as amended, and K.C.C. 10.25.040, Ordinance 14236, Section 7, as amended, and K.C.C. 10.25.050, Ordinance 14236, Section 8, as amended, and K.C.C. 10.25.060, Ordinance 14236, Section 9, as amended, and K.C.C. 10.25.070, Ordinance 14236, Section 10, as amended, and K.C.C. 10.25.080 and Ordinance 14236, Section 11, and K.C.C. 10.25.090.

STATEMENT OF FACTS:

1. The purpose of the Comprehensive Solid Waste Management Plan is to plan for solid waste and materials reduction, collection, and handling and management services and programs in the geographic area for which King County has comprehensive planning authority for solid waste management by law or by interlocal agreement or both.
2. The 2019 Comprehensive Solid Waste Management Plan was prepared in accordance with RCW 70.95.080, which requires that each county within the state, in cooperation with the

various cities located within such county, prepare and periodically update a coordinated, comprehensive solid waste management plan.

3. King County and all cities in King County except Seattle and Milton have executed the Amended and Restated Interlocal Agreement ("the interlocal agreement"). Under the interlocal agreement, King County serves as the planning authority for solid waste.

4. On January 8, 2018, the solid waste division of the department of natural resources and parks made available the public review draft comprehensive solid waste management plan for a sixty-day public comment period and transmitted the plan to the Washington state Department of Ecology for a one-hundred-twenty-day comment period. On April 16, 2018, the solid waste division transmitted the public comment it had received to the Washington state Department of Ecology, and on May 7, 2018, the Washington state Department of Ecology provided comment on the plan, which the division incorporated.

5. The county solid waste advisory committee and metropolitan solid waste management advisory committee reviewed and commented upon the draft plan.

6. The solid waste division conducted the public review and comment procedures required by the state Environmental Policy Act.

7. The interlocal agreement sets forth the process for adoption of the comprehensive solid waste management plan within the meaning of the interlocal agreement, including approval by the council, approval by the cities, and transmittal of the plan to the Washington state Department of Ecology for its approval which is required by RCW 70.95.094.

8. The interlocal agreement also provides that the county shall codify solid waste financial policies at the same time as comprehensive solid waste management plan updates.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The 2019 Comprehensive Solid Waste Management Plan, Attachment A to this ordinance,

is hereby approved.

SECTION 2. Ordinance 14236, Section 3, and K.C.C. 10.25.010 are each hereby amended as follows:

~~((A. The solid waste policies, as set forth in this chapter,))~~ Solid waste policies shall be set forth in the comprehensive solid waste management plan. The policies shall provide direction for the operation and further development of the solid waste management system, its capital improvement program and, as necessary, the development of subsequent policies. ((If there is any inconsistency between solid waste policies adopted in this chapter and the text in the solid waste plan, Attachment A to Ordinance 14236, the policies control.

~~B. The explanatory material, as set forth in this chapter, provides background information and generally describes the objectives of these policies.))~~

SECTION 3. The following are each hereby repealed:

- A. Ordinance 14236, Section 4, and K.C.C. 10.25.020;
- B. Ordinance 14236, Section 5, as amended, and K.C.C. 10.25.030;
- C. Ordinance 14236, Section 6, as amended, and K.C.C. 10.25.040;
- D. Ordinance 14236, Section 7, as amended, and K.C.C. 10.25.050;
- E. Ordinance 14236, Section 8, as amended, and K.C.C. 10.25.060;
- F. Ordinance 14236, Section 9, as amended, and K.C.C. 10.25.070;
- G. Ordinance 14236, Section 10, as amended, and K.C.C. 10.25.080; and
- H. Ordinance 14236, Section 11, and K.C.C. 10.25.090.

SECTION 4. Ordinance 14236, Section 12, and K.C.C. 10.25.100 are each hereby amended as follows:

~~((A. For the purposes of subsection B of this section, the financing and rates policies provide broad policy guidelines governing payment for the solid waste management system in the county. The policies are based on the principle that the solid waste management system should be paid for by those who use it and should be kept as low as possible. The policies provide opportunities for jurisdictions that have a contractual agreement with King County for the cooperative management of solid waste to expand their role in developing~~

~~regional solid waste policies and rates.~~

~~B. The financing and rates policies are~~

~~FIN 1. The county shall maintain, conduct, operate and account for the disposal of solid waste as a utility of the county. The solid waste system shall be a self-supporting utility financed primarily through fees for disposal.~~

~~FIN 2. The county shall charge garbage disposal fees directly to users of the solid waste disposal system to pay for solid waste services.~~

~~FIN 3. The county shall maintain a rate structure based on tonnage, recognizing that the structure does not provide a self-hauler subsidy, unless the executive demonstrates that a different rate structure would benefit the system as a whole.~~

~~FIN 4. The county should keep garbage disposal fees as low as possible and should manage the solid waste system to keep rate increases as low as possible while meeting the costs of managing the system and providing service to solid waste customers.~~

~~FIN 5. The county should provide technical assistance to the cities in developing collection contracts and grants.~~

~~FIN 6. The county should develop and implement a grant program for the cities that will consolidate grant programs and contracts wherever possible. The county should provide technical assistance to aid the cities in identifying, applying for and administering grants.~~

~~FIN 7. The county should provide opportunities to expand the role of cities in developing and reviewing regional solid waste policies and rates by establishing a solid waste policy work group to work in conjunction with the solid waste advisory committee to make recommendations regarding system operations to the King County executive. As part of these recommendations, the executive shall evaluate the costs and benefits of alternative rate structures on individual customer classes.~~

~~FIN 8. The county is committed to working with the cities that are impacted by transfer stations to~~

~~explore funding to mitigate potential impacts from these facilities. Any statutorily authorized host fees should be in amounts directly attributable to the solid waste facility provided that the cities can establish that the fee is reasonably necessary to mitigate for impacts of the solid waste facility as required in state law.))~~ The following solid waste system financial policy provides broad policy guidance for the solid waste management system in the county:

F-1. Keep tipping fees as low as reasonable, while covering the costs of effectively managing the system, protecting the environment, encouraging recycling and providing service to customers.

NEW SECTION. SECTION 5. There is hereby added to K.C.C. chapter 10.25 a new section to read as follows:

The solid waste division shall report to the council annually on progress in establishing and maintaining the buffer as required by policy D-5 in chapter six of the 2019 Comprehensive Solid Waste Management Plan, with the first report filed no later than April 1, 2020. Reports shall be filed in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff to the committee of the whole or its successor.

NEW SECTION. SECTION 6. There is hereby added to K.C.C. chapter 10.08 a new section to read as follows:

The solid waste division shall transmit to the council annually by April 1 the report required by WAC 173-351-200 (11), as amended. The report shall be filed in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff to the committee of the whole or its successor.

SECTION 7. Sections 1 through 6 of this ordinance take effect forty-five days after the solid waste division transmits the 2019 Comprehensive Solid Waste Management Plan to the Washington state Department of Ecology, unless the Washington state Department of

Ecology disapproves the plan.