

# Solid Waste and Hazardous Waste Management Plan Yakima County, Washington

Yakima County  
Department of Public Services  
Solid Waste Division  
Yakima, Washington

**SCS ENGINEERS**

04217020.09 | April 2023

2405 140<sup>th</sup> Ave. NE, Suite 107  
Bellevue, WA 98005  
425-746-4600

## Table of Contents

Section	Page
<b>1 SWMP UPDATE INTRODUCTION .....</b>	<b>1-1</b>
1.1 Introduction .....	1-1
1.2 Purpose.....	1-1
1.3 Goals and Objectives .....	1-1
1.4 Participants in the Planning Process .....	1-2
1.5 Planning Area .....	1-2
1.6 Planning Authority .....	1-3
1.7 Plan Update Development Process.....	1-3
1.8 Status of Previous Plans.....	1-4
1.9 Relationship to Other Plans.....	1-8
1.9.1 The State Solid and Hazardous Waste Plan Moving Washington beyond Waste and Toxics.....	1-8
1.9.2 2015 Yakima County Comprehensive Plan .....	1-8
1.9.3 Horizon 2040 Comprehensive Plan.....	<b>Error! Bookmark not defined.</b>
1.10 Sustainability and Product Stewardship.....	1-10
1.11 Required Plan Elements .....	1-10
1.12 Regulatory Overview.....	1-11
1.12.1 Solid Waste Handling Standards .....	1-11
1.12.2 Hazardous Waste Management Act .....	1-12
1.12.3 Product Stewardship for Mercury-Containing Lights .....	1-12
1.12.4 Revenue-Sharing Agreements.....	1-13
1.12.5 County Comprehensive Solid Waste Management Plan .....	1-13
1.12.6 Construction Aggregate and Recycled Concrete Materials.....	1-14
1.12.7 Quarantine – Agricultural Pests .....	1-14
1.12.8 Landfill Gas and Air Permitting .....	1-14
1.13 Summary of Recent Changes in Solid Waste Regulation and Policy.....	1-15
1.13.1 Recycling Development Center .....	1-15
1.13.2 HB 1543 – Sustainable Recycling.....	1-15
1.13.3 House Bill 1114 – Food Waste Reduction.....	1-15
1.13.4 Substitute House Bill 1652 – Architectural Paint Stewardship Program .....	1-16
1.13.5 SB 5323 - Single-Use Plastic Bag Ban .....	1-16
1.13.6 SB 5022 - Minimum Recycled Content .....	1-17
1.13.7 HB 1569 - Compostable Labeling.....	1-17
1.13.8 43.19A.120 RCW - Compost Products Usage.....	1-18
<b>2 WASTE STREAM .....</b>	<b>2-1</b>
2.1 Introduction .....	2-1
2.2 Waste Stream and Population Projections.....	2-1
2.2.1 Population and Waste Generation Rates .....	2-1
2.2.2 Recovery Data .....	2-5

	2.2.3	Composition of Disposed MSW.....	2-7
<b>3</b>		<b>PROMOTION AND EDUCATION .....</b>	<b>3-1</b>
	3.1	Introduction .....	3-1
	3.2	Background .....	3-1
	3.2.1	Goals and Objectives for Promotion and Education.....	3-1
	3.3	Existing Promotion and Education Program Elements .....	3-1
	3.3.1	Public Outreach Promotional Resources and Activities .....	3-1
	3.3.2	Waste Reduction and Recycling Education.....	3-2
	3.3.3	Household/Small Quantity Generator Waste Education.....	3-3
	3.3.4	Product Stewardship Education.....	3-3
	3.3.5	Litter, Illegal Dumping and Secure Load Education .....	3-3
	3.3.6	Private Sector Outreach and Promotion Programs.....	3-4
	3.4	Status of 2017 Recommendations.....	3-4
	3.5	Planning Issues .....	3-4
	3.5.1	Public Outreach Promotional Resources and Activities .....	3-5
	3.5.2	Waste Reduction and Recycling Education.....	3-5
	3.5.3	Small Quantity Generator Waste Education.....	3-5
	3.5.4	Product Stewardship Education.....	3-5
	3.5.5	Litter, Illegal Dumping and Secure Load Education .....	<b>Error! Bookmark not defined.</b>
	3.5.6	Private Company Outreach and Promotion Programs.....	3-7
	3.6	Alternatives.....	3-7
	3.6.1	ALTERNATIVE A - Conduct Continuous Improvement of Education and Outreach Programs.....	3-7
	3.6.2	ALTERNATIVE B - Use Social Media to Educate Residents on “Recycling Right” .....	3-8
	3.6.3	ALTERNATIVE C - Recognize Businesses with Green Business Certification Program.....	3-8
	3.6.4	ALTERNATIVE D - Increase Awareness about Wasted Food and Food Recovery .....	3-9
	3.6.5	ALTERNATIVE E - Increase Awareness of Yakima County HHW Facility.....	3-10
	3.6.6	Evaluation of Alternative Strategies .....	3-10
	3.6.7	Rating of Alternatives .....	3-11
	3.6.8	Recommended Alternatives .....	3-12
<b>4</b>		<b>WASTE REDUCTION AND RECYCLING .....</b>	<b>4-1</b>
	4.1	Introduction .....	4-1
	4.2	Background .....	4-1
	4.2.1	Goals and Objectives for Waste Reduction and Recycling.....	4-1
	4.2.2	State Legislation, Regulations, and Guidelines .....	4-1
	4.3	Existing Program Elements.....	4-2
	4.3.1	Status of 2017 Recommendations .....	4-2
	4.3.2	Waste Reduction and Reuse.....	4-4
	4.3.3	Urban Area Residential Recycling.....	4-4
	4.3.4	Rural Area Residential Recycling.....	4-5

4.3.5	Commercial Recycling .....	4-5
4.3.6	Public Event Recycling.....	4-5
4.3.7	Other Recycling Services .....	4-5
4.3.8	Incentives for Recycling.....	4-6
4.3.9	Monitoring and Evaluation .....	4-6
4.3.10	Processing Facilities .....	4-6
4.3.11	Markets.....	4-6
4.4	Designation of Recyclable Materials.....	4-8
4.5	Planning Issues .....	4-10
4.5.1	Climate Action Response.....	4-10
4.5.2	Glass Recycling and Reuse .....	4-10
4.5.3	Recycling Rates by Material .....	4-10
4.5.4	Curbside Recycling in Urban Areas.....	4-11
4.5.5	Recycling Program Costs and Affordability.....	4-11
4.5.6	Needs and Opportunities Identified by the Previous SWAC.....	4-12
4.5.7	Urban/Rural Service Equity and Cost.....	4-12
4.5.8	Sham Recycling.....	4-13
4.6	Alternatives.....	4-13
4.6.1	Alternative A - Adopt Updated List of Designated Materials .....	4-14
4.6.2	Alternative B - Continue to Conduct Waste Composition Studies.....	4-14
4.6.3	Alternative C - Continue to Promote Pay-As-You Throw and Evaluate Yakima Pricing Structure .....	4-14
4.6.4	Alternative D - Locate Fiber Drop-Off Containers at Commercial Clusters.....	4-15
4.6.5	Alternative E - Provide Technical Assistance to Businesses .....	4-15
4.6.6	Alternative F - Promote Reuse Programs through Special Events.....	4-15
4.6.7	Alternative G - Provide Waste Reduction Grants .....	4-16
4.6.8	Evaluation of Alternatives.....	4-16
4.6.9	Rating of Alternatives .....	4-18
4.6.10	Recommended Alternatives .....	4-18
<b>5</b>	<b>ORGANICS.....</b>	<b>5-1</b>
5.1	Introduction .....	5-1
5.2	Background .....	5-1
5.2.1	Goals and Objectives for Organics.....	5-1
5.2.2	State Legislation, Regulations, and Guidelines for Organics.....	5-1
5.2.3	Washington State Department of Agriculture Apple Maggot Quarantine.....	5-2
5.3	Existing Program Elements.....	5-6
5.3.1	Yard Debris Composting.....	5-6
5.3.2	Fee and Drop-Off Programs.....	5-6
5.3.3	Christmas Tree Recycling Program.....	5-7
5.3.4	Curbside Collection Programs.....	5-7
5.3.5	Wood Waste .....	5-8
5.3.6	Food Scraps .....	5-8

5.3.7	Agricultural Waste.....	5-9
5.3.8	Processing Facilities .....	5-9
5.3.9	Markets.....	5-9
5.4	Status of 2017 Recommendations.....	5-10
5.5	Planning Issues .....	5-11
5.5.1	Food Scraps Diversion.....	5-11
5.5.2	Yard Debris Composting.....	5-11
5.5.3	Odors .....	5-11
5.5.4	Organics-to-Energy.....	5-11
5.6	Alternatives.....	5-11
5.6.1	Alternative A - Establish Diversion Goal.....	5-11
5.6.2	Alternative B - Assess County Capacity for Organics Diversion.....	5-12
5.6.3	Alternative C - Support Expansion of Organics Management Capacity to Meet Needs.....	5-12
5.6.4	Alternative D - Support Opportunities for Food Scraps Diversion.....	5-12
5.6.5	Alternative E - Explore Partnerships with Stakeholders to Develop/Enhance Infrastructure for Food Recovery .....	5-12
5.6.6	Alternative F - Target Pre-Consumer Food Scraps Collection/Diversion from Large Quantity Generators .....	5-12
5.6.7	Evaluation of Alternatives.....	5-13
5.6.8	Rating of Alternatives .....	5-14
5.6.9	Recommended Alternatives .....	5-14
<b>6</b>	<b>COLLECTION.....</b>	<b>6-1</b>
6.1	Introduction .....	6-1
6.2	Background .....	6-1
6.2.1	Goals and Objectives for Solid Waste Collection .....	6-1
6.2.2	Legal Authority .....	6-1
6.2.3	Incorporated Areas .....	6-2
6.2.4	Unincorporated Areas.....	6-2
6.3	Existing Program .....	6-3
6.3.1	City and Town Residential Collection Service .....	6-3
6.3.2	Bulky Waste Collection Service .....	6-5
6.3.3	Commercial Collection Service .....	6-5
6.3.4	Waste Disposal .....	6-5
6.4	Status of 2017 Recommendations.....	6-6
6.5	Planning Issues .....	6-6
6.6	Alternatives.....	6-7
6.6.1	Alternative A - Facilitate Adequate Capacity and Space for Recycling Collection.....	6-7
6.6.2	Alternative B - Require County-Generated Waste be Delivered to County-Owned Facilities .....	6-8
6.6.3	Alternative C - Collection Contract Compliance with the Plan.....	6-8
6.6.4	Evaluation of Alternatives.....	6-8
6.6.5	Rating of Alternatives .....	6-9

	6.6.6	Recommended Alternatives .....	6-9
<b>7</b>		<b>TRANSFER SYSTEM.....</b>	<b>7-1</b>
	7.1	Introduction .....	7-1
	7.2	Background .....	7-1
	7.2.1	Goals and Objectives for Transfer.....	7-1
	7.2.2	State Legislation, Regulations, and Guidelines for Waste Transfer .....	7-2
	7.3	Existing Program Elements.....	7-2
	7.3.1	Cheyne Transfer Station.....	7-2
	7.3.2	Lower Valley Transfer Station.....	7-2
	7.3.3	Terrace Heights Transfer Station .....	7-2
	7.3.4	Granger Transfer Station.....	7-3
	7.4	Status of 2017 Recommendations.....	7-4
	7.5	Planning Issues .....	7-4
	7.5.1	Capacity.....	7-4
	7.5.2	Demand .....	7-4
	7.5.3	Facilities.....	7-5
	7.6	Alternatives.....	7-7
	7.6.1	Alternative A - Update 2008 Solid Waste Level of Service Study and Infrastructure Needs Assessment Study.....	7-7
	7.6.2	Alternative B - Evaluate Expanding the THTS to Accommodate Commercial Haulers .....	7-8
	7.6.3	Alternative C - Implement Plan to Better Serve the Lower Valley Service Area .....	7-8
	7.6.4	Evaluation of Alternative Strategies .....	7-8
	7.6.5	Rating of Alternative Strategies .....	7-9
	7.6.6	Recommended Alternatives.....	7-9
<b>8</b>		<b>DISPOSAL.....</b>	<b>8-1</b>
	8.1	Introduction .....	8-1
	8.2	Background .....	8-1
	8.2.1	Goals and Objectives for Disposal.....	8-1
	8.2.2	State Legislation, Regulations, and Guidelines for Disposal .....	8-1
	8.2.3	Waste Disposal Data .....	8-1
	8.3	Existing Program Elements.....	8-2
	8.3.1	Terrace Heights Landfill.....	8-2
	8.3.2	Cheyne Landfill.....	8-5
	8.3.3	Private Landfills .....	8-5
	8.3.4	Closed Landfills.....	8-6
	8.3.5	Waste Import.....	8-6
	8.3.6	Waste Export .....	8-6
	8.4	Landfill Gas Planning Issues .....	8-6
	8.4.1	Updated Regulations .....	8-7
	8.4.2	Regulatory History.....	8-7
	8.4.3	Terrace Heights Landfill Gas.....	8-8
	8.4.4	Cheyne Landfill Gas .....	8-8

8.5	Status of 2017 Recommendations.....	8-9
8.6	Alternatives.....	8-9
8.6.1	Alternative A - Deploy Methods that Save Airspace.....	8-9
8.6.2	Alternative B - Fill “Emergency” Area at THLF .....	8-9
8.6.3	Alternative C - Evaluate LFG Beneficial Use Options .....	8-10
8.6.4	Alternative D - Consider Potential of a Evapotranspiration Cover .....	8-10
8.6.5	Evaluation of Alternative Strategies .....	8-11
8.6.6	Rating of Alternatives .....	8-11
8.6.7	Recommended Alternatives.....	8-12
<b>9</b>	<b>CONSTRUCTION, DEMOLITION, AND LAND CLEARING DEBRIS AND BUILDING MATERIALS .....</b>	<b>9-1</b>
9.1	Introduction .....	9-1
9.2	Background .....	9-1
9.2.1	Goals and Objectives for C&D Debris .....	9-1
9.2.2	State Legislation, Regulations, and Guidelines for C&D Debris and Building Materials .....	9-1
9.3	Existing Program Elements.....	9-2
9.3.1	C&D Debris Programs.....	9-2
9.3.2	Processing Facilities .....	9-3
9.3.3	Disposal.....	9-3
9.4	Status of 2017 Recommendations.....	9-4
9.5	Planning Issues .....	9-5
9.6	Alternatives.....	9-5
9.6.1	Alternative A - Encourage Green Building Practices .....	9-5
9.6.2	Alternative B - Establish Diversion Specifications for County Construction Projects .....	9-5
9.6.3	Alternative C - Support Recycling and Reuse Markets for Recycled Asphalt Pavement and Shingles .....	9-5
9.6.4	Alternative D - Perform Waste Characterization Study Focused on C&D Debris .....	9-6
9.6.5	Alternative E - Evaluate Purchasing Policies to Promote Reuse and/or Recycling of C&D Debris.....	9-6
9.6.6	Alternative F - Promote Use of Permitted C&D Debris Recycling Facilities.....	9-6
9.6.7	Evaluation of Alternative Strategies .....	9-7
9.6.8	Rating of Alternatives .....	9-7
9.6.9	Recommended Alternatives .....	9-8
<b>10</b>	<b>SPECIAL WASTES .....</b>	<b>10-1</b>
10.1	Introduction .....	10-1
10.2	Background .....	10-1
10.2.1	Goals and Objectives for Special Wastes.....	10-1
10.3	Agricultural Waste .....	10-2
10.3.1	Regulations and Guidelines .....	10-2
10.3.2	Current Practice .....	10-2
10.3.3	Planning Issues.....	10-2
10.4	Animal Carcasses.....	10-2

10.4.1	Regulations and Guidelines .....	10-2
10.4.2	Current Practice .....	10-3
10.4.3	Planning Issues .....	10-3
10.5	Appliances .....	10-3
10.5.1	Regulations and Guidelines .....	10-3
10.5.2	Current Practice .....	10-3
10.5.3	Planning Issues .....	10-4
10.6	Asbestos .....	10-4
10.6.1	Regulations and Guidelines .....	10-4
10.6.2	Current Practice .....	10-4
10.6.3	Planning Issues .....	10-4
10.7	Biomedical/Infectious Waste .....	10-5
10.7.1	Regulations and Guidelines .....	10-5
10.7.2	Current Practice .....	10-5
10.7.3	Planning Issues .....	10-6
10.8	Electronic Waste.....	10-6
10.8.1	Regulations and Guidelines .....	10-6
10.8.2	Current Practice .....	10-6
10.8.3	Planning Issues .....	10-7
10.9	Junk Vehicles.....	10-7
10.9.1	Regulations and Guidelines .....	10-7
10.9.2	Current Practice .....	10-7
10.9.3	Planning Issues .....	10-8
10.10	Petroleum-Contaminated Soils.....	10-8
10.10.1	Regulations and Guidelines .....	10-8
10.10.2	Current Practice .....	10-8
10.10.3	Planning Issues .....	10-8
10.11	Pharmaceuticals .....	10-9
10.11.1	Regulations and Guidelines .....	10-9
10.11.2	Current Practice .....	10-9
10.11.3	Planning Issues .....	10-9
10.12	Street Sweepings/Vactor Waste .....	10-9
10.12.1	Regulations and Guidelines .....	10-9
10.12.2	Current Practice .....	10-10
10.12.3	Planning Issues .....	10-10
10.13	Tire Disposal.....	10-10
10.13.1	Regulations and Guidelines .....	10-10
10.13.2	Current Practice .....	10-10
10.13.3	Planning Issues .....	10-10
10.14	Miscellaneous .....	10-11
10.15	Status of 2017 Recommendations.....	10-12
10.16	Alternatives.....	10-12
10.16.1	Alternative A - Increase Special Waste Education .....	10-12
10.16.2	Alternative B - Evaluate Future Special Waste Management Programs ...	10-12



10.16.3	Alternative C - At Home Safe Disposal of Pharmaceuticals and Sharps ...	10-12
10.16.4	Evaluation of Alternative Strategies .....	10-13
10.16.5	Rating of Alternatives .....	10-14
10.16.6	Recommended Alternatives.....	10-14
<b>11</b>	<b>DISASTER DEBRIS MANAGEMENT .....</b>	<b>11-1</b>
11.1	Introduction .....	11-1
11.2	Background .....	11-1
11.2.1	Goals and Objectives for Disaster Debris Management .....	11-1
11.2.2	Legislation, Regulations, and Guidelines for Disaster Debris Management.....	11-1
11.3	Existing Program Elements.....	11-2
11.3.1	Disaster Debris (Flood, Fire, Earthquake) .....	11-3
11.3.2	Bio-Disaster Waste (Diseased Animals) .....	11-5
11.3.3	Radioactivity Release .....	11-5
11.3.4	Funding Sources .....	11-5
11.4	Status of 2017 Recommendations.....	11-5
11.5	Alternatives.....	11-6
11.5.1	Alternative A – No Action.....	11-6
11.5.2	Alternative B – Develop a Disaster Debris Management Plan .....	11-6
11.5.3	Evaluation of Alternatives.....	11-6
11.5.4	Rating of Alternatives .....	11-7
11.5.5	Recommended Alternative.....	11-7
<b>12</b>	<b>MODERATE RISK WASTE.....</b>	<b>12-1</b>
12.1	Introduction .....	12-1
12.2	Background .....	12-1
12.2.1	Goals and Objectives for Moderate Risk Waste .....	12-1
12.2.2	Definitions .....	12-1
12.2.3	Regulations and Guidance.....	12-3
12.3	Moderate Risk Waste Generation .....	12-5
12.3.1	Hazardous Waste Inventory .....	12-5
12.4	Existing Program Elements.....	12-6
12.4.1	Current Moderate Risk Waste and Oil Programs.....	12-6
12.5	Status of 2017 Recommendations.....	12-9
12.6	Planning Issues .....	12-9
12.6.1	Public Education .....	12-9
12.6.2	Business Technical Assistance .....	12-10
12.6.3	Household Collection.....	12-10
12.6.4	Business Collection.....	12-10
12.6.5	Compliance and Enforcement.....	12-10
12.7	Alternatives.....	12-10
12.7.1	Alternative A - Evaluate Establishing Household Collection Service for HHW.....	12-10
12.7.2	Alternative B - User Fees for Small Quantity Generators.....	12-10

12.7.3	Alternative C - Establish an HHW Technical Support Service for School Districts.....	12-11
12.7.4	Evaluation of Alternative Strategies .....	12-11
12.7.5	Rating of Alternatives .....	12-11
12.7.6	Recommended Alternatives.....	12-12
<b>13</b>	<b>ADMINISTRATION AND ENFORCEMENT.....</b>	<b>13-1</b>
13.1	Introduction .....	13-1
13.2	Background .....	13-1
13.2.1	Goals and Objectives for Administration and Enforcement.....	13-1
13.3	Existing Program Elements.....	13-1
13.3.1	Yakima County Public Services Solid Waste Division.....	13-1
13.3.2	Yakima County Solid Waste Advisory Committee .....	13-6
13.3.3	Incorporated Cities.....	13-7
13.3.4	Yakima Health District.....	13-7
13.3.5	Washington State Department of Ecology .....	13-7
13.3.6	Washington Utilities and Transportation Commission .....	13-8
13.3.7	Yakima Regional Clean Air Agency.....	13-9
13.3.8	United States Environmental Protection Agency .....	13-9
13.3.9	Yakama Nation.....	13-9
13.3.10	United States Army .....	13-9
13.4	Status of 2016 Recommendations.....	13-9
13.5	Planning Issues .....	13-10
13.5.1	Collection and Disposal Districts .....	13-10
13.5.2	Long-Term Funding Needs .....	13-10
13.5.3	Flow Control.....	13-10
13.6	Alternatives.....	13-10
13.6.1	Alternative A - Establishment of Collection and Disposal District(s).....	13-10
13.6.2	Alternative B - Additional Funding Options.....	13-12
13.6.3	Alternative C - Consider Adoption of Flow Control Ordinance .....	13-13
13.6.4	Evaluation of Alternatives.....	13-13
13.6.5	Rating of Alternatives .....	13-13
13.6.6	Recommended Alternatives .....	13-14
<b>14</b>	<b>IMPLEMENTATION PLAN .....</b>	<b>14-1</b>
14.1	Introduction .....	14-1
14.2	Recommendations.....	14-1
14.2.1	Chapter 3: Promotion and Education .....	14-1
14.2.2	Chapter 4: Waste Reduction and Recycling.....	14-2
14.2.3	Chapter 5: Organics.....	14-2
14.2.4	Chapter 6: Collection .....	14-3
14.2.5	Chapter 7: Transfer System .....	14-4
14.2.6	Chapter 8: Disposal .....	14-4
14.2.7	Chapter 9: Construction, Demolition and Land Clearing Debris and Building Materials.....	14-4
14.2.8	Chapter 10: Special Wastes.....	14-5

14.2.9	Chapter 11: Disaster Debris Management .....	14-5
14.2.10	Chapter 12: Moderate Risk Waste .....	14-6
14.2.11	Chapter 13: Administration and Enforcement.....	14-6
14.3	State Environmental Policy Act.....	14-7
14.4	Estimated Additional Costs .....	14-7
14.5	Six-Year Implementation Schedule.....	14-15
14.6	Twenty-Year Implementation Program .....	14-22
14.7	Draft Plan Review.....	14-22
14.8	Procedures for Amending the Plan .....	14-22

## Appendices

- A. SWAC Resolutions
- B. Interlocal Agreement
- C. Resolution of Adoption
- D. Recycling Contamination Reduction and Outreach Plan
- E. Service Area Maps
- F. WUTC Cost Assessment
- G. SEPA Checklist and Determination
- H. Comment Letters and Responses

## Figures

Figure 2.1	Waste Composition by Material Category.....	2-8
Figure 5.1	Washington State Apple Maggot Quarantine Areas.....	5-4
Figure 5.2	Yakima County Apple Maggot Quarantine Areas .....	5-5
Figure 5.3.	Annual Quantity of Source Separated Yard Waste Delivered to County Facilities.....	5-7
Figure 7.1	Yakima County Solid Waste Transfer Stations.....	7-3
Figure 8.1	Yakima County Solid Waste Disposal Facilities .....	8-4
Figure 13.1	Yakima County Public Services Solid Waste Division .....	13-3
Figure 13.2	Allocation of Tipping Fees Across Division Cost Centers .....	13-6

## Tables

Table 1.1	Yakima County Solid Waste Advisory Committee .....	1-2
Table 1.2	2017 Plan Recommendations and Implementation Status .....	1-4
Table 1.3	Horizon 2040 Facility Rating System Results .....	1-10
Table 2.1	Population Projections.....	2-1
Table 2.2	2021 Waste Generation .....	2-2
Table 2.3	2018 Yakima County Recovery Tons by Type .....	2-5
Table 2.4	Yakima County Estimated Materials Generation by Type (tons) .....	2-7
Table 2.5	Quantity of MSW Disposed by Material Category.....	2-8
Table 3.1	Status of 2017 Recommendations .....	3-4

Table 3.2	Summary Rating of the Promotion and Education Alternatives.....	3-11
Table 4.1	Status of 2017 Recommendations for Waste Reduction and Recycling.....	4-2
Table 4.2	Markets for Recyclables Materials .....	4-7
Table 4.3	List of Designated Recyclable Materials .....	4-8
Table 4.4	Recovery Rates for Specific Recyclable Materials.....	4-11
Table 4.5	Recyclable Materials Disposed .....	4-13
Table 4.6	Collection Rates .....	4-14
Table 4.7	Summary Rating of the Recycling Alternatives .....	4-18
Table 5.1	Curbside Yard Debris Collection Programs.....	5-8
Table 5.2	Status of the 2017 Recommendations for Organics.....	5-10
Table 5.3	Rating of Alternatives.....	5-14
Table 6.1	Community Solid Waste Collection Program Data .....	6-4
Table 6.2	Recyclable Material Collection Data .....	6-5
Table 6.3	Status of 2017 Plan Recommendations .....	6-6
Table 6.4	Rating of Alternatives.....	6-9
Table 7.1	Status of Recommendations from 2017 Plan .....	7-4
Table 7.2	Transfer Station Demand .....	7-5
Table 7.3	Summary Rating of the Transfer System Alternatives.....	7-9
Table 8.1	Solid Waste Received at County Facilities (Tons) .....	8-2
Table 8.2	Customer Count by Facility .....	8-2
Table 8.3	Status of 2017 Disposal Recommendations.....	8-9
Table 8.4	Summary Rating of Disposal Strategies .....	8-11
Table 9.1	C&D Debris Disposal Facilities, 2018 Tons .....	9-4
Table 9.2	Status of 2017 Recommendations for C&D Wastes.....	9-4
Table 9.3	Summary Rating of the C&D and Green Building Alternatives .....	9-7
Table 10.1	Special Wastes.....	10-1
Table 10.2	Status of 2017 Recommendations .....	10-12
Table 10.3	Summary Rating of the Special Waste Alternatives .....	10-14
Table 11.1	Potential Disasters and Resultant Debris .....	11-4
Table 11.2	Status of the 2017 Recommendations for Disaster Debris Management .....	11-5
Table 11.3	Summary Rating of the Disaster Debris Management Strategies.....	11-7
Table 12.1	Hazardous Household Substances List.....	12-2
Table 12.2	Total MRW Processed, Transported, and Disposed .....	12-7
Table 12.3	Status of 2017 Recommendations .....	12-9
Table 12.4	Summary Rating of the MRW Alternatives .....	12-12
Table 13.1	Yakima County Solid Waste 2023 Projected Revenues And Expenses .....	13-5
Table 13.2	Status of 2016 Recommendations .....	13-9
Table 13.3	Potential Funding Methods for Solid Waste Management.....	13-12
Table 13.4	Summary Rating of the Administration and Enforcement Alternatives.....	13-14
Table 14.1	Six-Year Implementation Budget for Additional Costs.....	14-7
Table 14.2	Six-Year Implementation Schedule.....	14-15



# Chapter 1

## SWMP Update Introduction

# 1 SWMP UPDATE INTRODUCTION

## 1.1 INTRODUCTION

This Solid Waste and Moderate Risk Waste Management Plan (Plan) recommends strategies to manage solid waste and moderate risk waste (MRW) generated in Yakima County, Washington. Solid waste handling includes management, storage, collection, diversion, transportation, treatment, use, processing, and final disposal. This Plan addresses the following solid waste streams: municipal solid waste (MSW), construction and demolition (C&D) debris, organic materials, special wastes; and MRW.

## 1.2 PURPOSE

Washington State law assigns primary responsibility for managing solid waste and MRW to local governments. Chapter 70A.205 Revised Code of Washington (RCW) requires local government to maintain current solid waste management plans. Chapter 70A.300.005 RCW requires local government to develop plans for managing MRW, which in this Plan is covered in Chapter 12.

The purpose of this Plan is to inventory the existing waste management system as of 2021, and develop recommended solid waste and MRW management strategies for the period years 2023 through 2029. The Plan also looks forward to confirm that sufficient processing and disposal capacity will be available for at least the next twenty years, or through year 2041.

Local plans must be complete and in good standing to receive grant monies from the Washington State Department of Ecology (Ecology) Local Solid Waste Financial Assistance (LSWFA) program , which is an important source of funding for non-disposal related programs and activities.

## 1.3 GOALS AND OBJECTIVES

The overall goal of Yakima County and the participating jurisdictions is *to provide Yakima County citizens with efficient, reliable and affordable solid waste collection, handling, landfill diversion, and final management services in order to improve our quality of life while protecting and preserving human health, environmental quality and natural resources.*

Specific objectives include the following solid waste and MRW materials:

- Ensure convenient and reliable services for management;
- Promote the use of innovative and economical handling methods;
- Emphasize waste reduction as a fundamental management strategy;
- Support public-private partnerships for landfill diversion programs;
- Encourage the recovery of marketable resources from solid waste and MRW;
- Reduce environmental impacts to air, water and land that are associated with solid waste and MRW generation, transportation, handling, landfill diversion and disposal;
- Reduce the occurrence and environmental impacts associated with illegal dumping;

- Ensure compliance with State and local solid waste and MRW regulations; and
- Manage waste in a manner that promotes Washington State’s waste management priorities presented in Ecology’s *Moving Washington beyond Waste and Toxics* plan.

## 1.4 PARTICIPANTS IN THE PLANNING PROCESS

This document was developed with guidance from the Yakima County Solid Waste Advisory Committee (SWAC). Yakima County Commissioners passed Resolution 102-2016 which re-established the SWAC and adopted committee bylaws and Resolution 103-2016 that appointed members to the SWAC (Appendix A). Committee members and their affiliation are shown in Table 1.1.

Table 1.1 Yakima County Solid Waste Advisory Committee

Name	Affiliation Title
LaDon Linde	Yakima County Board of County Commissioners
Scott Carmack	Mayor, City of Zillah
Soneya Lund	City of Yakima
Sean Gellerson	Recycling Industry
Bob Groeneweg	Yakima County Farm Bureau
Dean Broersma	Mayor, City of Sunnyside
Shaun Burgess	City of Toppenish
Mark Lanter	Waste Connections DBA Yakima Waste Systems
Bill Moore	City of Grandview
Sherry Raymond	Mayor, City of Selah
Ryan Rodruck	Business and Industry
Ted Silvestri (Ex Officio Member)	Yakima Health District (YHD)
Chris Wickenhagen	Yakima Valley Conference of Governments
Rocky Wallace (Alternate Member)	City of Selah

## 1.5 PLANNING AREA

The planning area includes the incorporated and unincorporated areas of Yakima County. This includes the cities and towns of Grandview, Granger, Harrah, Mabton, Moxee, Naches, Selah, Sunnyside, Tieton, Toppenish, Union Gap, Wapato, Yakima, and Zillah,

Yakima County-owned and operated solid waste facilities also serve the members of the Yakama Nation. The Yakama Nation is a federally recognized tribe, and as such, its reservation and tribal government have a sovereign status. Without an agreement stating otherwise, Washington State solid waste regulations do not generally apply on tribal lands, and the Yakama Nation tribal government manages its solid waste and MRW.

One United States military installation, the Yakima Training Center, is located within Yakima County and receives solid waste management services from Yakima County and private vendors, as well as taking the lead on managing their own wastes.

## **1.6 PLANNING AUTHORITY**

This Plan is intended to satisfy the participating jurisdictions' responsibilities for maintaining a current solid waste management plan in accordance with Chapter 70A.205 RCW, and to provide a local MRW plan in accordance with Chapter 70A.300.005 RCW.

Cities and counties share the responsibility for developing and maintaining a local solid waste management plan. 70A.205.040 RCW provides three alternatives for cities to satisfy state planning responsibilities:

- Prepare and deliver to the county auditor a city solid waste management plan for integration into the county solid waste plan;
- Enter into an agreement with the county to prepare a joint city-county plan; or
- Authorize the county to prepare a plan for the city for inclusion in the county plan.

The incorporated communities of Grandview, Granger, Harrah, Mabton, Moxee, Naches, Selah, Sunnyside, Tieton, Toppenish, Union Gap, Wapato, Yakima, and Zillah executed interlocal agreements with Yakima County regarding solid waste management in 2017. The agreements authorize Yakima County to prepare a countywide solid waste and MRW management plan that includes each of these cities and towns.

Participating cities and towns have the opportunity and responsibility to participate in plan development, review and comment on the draft plan, and to adopt the final plan. An example of an executed Solid Waste Interlocal Agreement can be found in Appendix B. Resolutions of adoption for this Plan can be found in Appendix C.

## **1.7 PLAN UPDATE DEVELOPMENT PROCESS**

The Plan update was developed over a period of approximately 20 months. The process began in June 2021 with the contract execution with SCS Engineers (SCS) to lead development of the Plan. During the intervening months technical research, analysis, and recommendations were prepared by SCS and discussed with Yakima County staff, the YHD, the SWAC, the Yakima Valley Conference of Governments, Public Works Directors, City Managers, City Councils, and the Board of County Commissioners. This participatory, interactive process was undertaken in order to prepare and build support for the Plan.

The public participation process was largely focused on the SWAC. The Board of County Commissioners (BOCC) appoints SWAC members that represent a balance of interests including citizens, public interest groups, business, the waste management industry and local elected public officials. The SWAC provides guidance to the Yakima County Public Services Solid Waste Division in the development of programs and policies concerning solid waste handling and disposal. The SWAC reviews and comments on rules, policies, and ordinances before they are proposed for adoption. SWAC meetings are open to the public and meeting notices are published beforehand.



It is expected the Plan will be adopted by each participating city or town and by the BOCC in meetings open to the public.

## 1.8 STATUS OF PREVIOUS PLANS

This Plan supersedes all previous solid waste and MRW management plans, including the *Yakima County Solid Waste and Moderate Risk Plan, June 2017 (2017 Plan)*, *Yakima County Solid and Moderate Risk Waste Management Plan, June 2010 (the 2010 Plan)*, *Yakima County Solid Waste Management Plan, July 2003 (the 2003 Plan)*, and *Yakima County Hazardous Waste Management Plan, March 1991*. Table 1.2 lists key recommendations from the 2017 Plan and their current implementation status.

Table 1.2 2017 Plan Recommendations and Implementation Status

Recommendation Number	Description	Ongoing	Complete	Not Complete
PE1	Continue to incorporate a larger promotion and educational role for the stakeholder cities, through an active partnership with Yakima County. Existing Yakima County Public Services Solid Waste Division staff should continue to take the lead in most areas and will provide technical assistance on an as-needed basis. Engage other organizations, including service groups, schools, Yakima Waste Systems, Basin Disposal, and other private companies (as appropriate to the program or material being promoted), to conduct education for their own specific program.	X		
PE2	As new programs are developed, educational efforts will be coordinated.	X		
PE3	Assist businesses in developing a waste reduction and recycling plan specific to their waste stream.	X		
PE4	Continue to engage the media to promote waste reduction strategies.	X		
WRR1	Adopt the updated list of designated materials (Table 4.3) and maintain it through periodic review and updates.		X-	
WRR2	Continue to provide support for recycling at public events.	X		
WRR3	Adopt a County service-level ordinance that promotes residential recycling and waste reduction.			X
WRR4	Expand recycling drop-off opportunities in signatory cities and at private sites. The number of recycling drop-offs were reduced due to contamination.			X-
WRR5	Conduct a feasibility study for a mixed waste processing facility in Yakima County.		X	
WRR6	Support private sector programs, forums or other methods, such as a reusable	X		

Table 1.2 2017 Plan Recommendations and Implementation Status

Recommendation Number	Description	Ongoing	Complete	Not Complete
	materials exchange programs to facilitate business material exchanges.			
WRR7	Increase promotion of existing reuse programs through newsletters, community reuse events, guidebooks, and community-based social marketing.	X		
WRR8	Continue to conduct periodic waste characterization studies. Despite its relatively high cost and low direct impact on diversion in Yakima County, these efforts provide data to track progress of Yakima County's waste reduction and diversion program performance, refine existing programs, and identify new program opportunities.	X		
WRR9	Encourage the use of small-sized garbage carts to incentivize participation in curbside and/or drop-off recycling.	X		
O1	Continue the yard debris composting program as is for material collected in the 'pest free' area.			X
O2	Comply with the WSDA apple maggot quarantine requirements, specifically the Notice of Correction regarding the management of yard waste within the quarantine area separately from material in the 'pest free' area.	X		
O3	Seek to clarify appropriate measures that could allow composting of yard wastes collected within the apple maggot quarantine area at Natural Selection Farms, such as implementing pathogen reduction compost measures, as appropriate.		X	
O4	Explore other options, including a Yakima County-owned and operated compost facility, if Recommendation O3 cannot be implemented due to terms or other reasons.		X	
SWC1	Continue to require waste to be routed through Yakima County-owned facilities in future inter-local agreements.		X	
SWC2	Review collection contracts to confirm compliance with the Plan.	X		
SWC3	Consider requiring adequate space for garbage and recycling collection in new housing developments by modifying land development codes.	X		
TS1	Consider purchasing (or taking an option on) property suitable for a future transfer station as land becomes available in the	X		

Table 1.2 2017 Plan Recommendations and Implementation Status

Recommendation Number	Description	Ongoing	Complete	Not Complete
	West Valley Service Area and as funds allow.			
TS2	Expand tipping capacity at the Terrace Heights Transfer Station (THTS) to accommodate commercial traffic when THLF Phase 1 reaches capacity (currently estimated for 2030).	X		
TS3	Review Lower Valley Transfer Station (LVTS) utilization by commercial haulers to increase efficiency and convenience of operations for both commercial and self-haul customers.	X		
TS4	Consider commissioning a detailed study to evaluate alternatives for the LVTS to determine the best course of action at that facility.	X		
D1	Maintain the option to preserve capacity at the Terrace Heights Landfill (THLF). Fill THLF Phase 1 to its permitted capacity, predicted to be 2030.		X	
C&D1	Promote proper reuse, recycling and disposal of construction and demolition (C&D) debris.	X		
C&D2	Partner with private organizations such as the Habitat for Humanity Restore to promote recycling and reuse of C&D debris and building materials.	X		
SW1	Continue to dispose of special wastes <sup>1</sup> through a cooperative effort with the YHD and Ecology, and according to the established Solid Waste Policy & Procedures document.	X		
SW2	Update the Solid Waste Policies & Procedures document as necessary to address new issues or special wastes.	X		
SW3	Monitor USEPA and Washington State guidance regarding pharmaceutical waste and implement changes as needed to comply with statewide medicine take-back program.	X		
DD1	Coordinate with Yakima County Office of Emergency Management and City of Yakima Emergency Management Office to implement Disaster Debris Management Plan and prepare for disaster debris			X

<sup>1</sup> Ecology defines special wastes as any state-only dangerous waste that is solid only (non-liquid, non-aqueous, non-gaseous), that is: Corrosive waste (WAC 173-303-090 (6) (b) (ii)), toxic waste that has Category D toxicity (WAC 173-303-100(5)), PCB waste (WAC 173-303-9904 under State Sources), or persistent waste that is not EHW (WAC 173-303-100(6)). Any solid waste that is regulated by the United States EPA as hazardous waste cannot be a special waste.

Table 1.2 2017 Plan Recommendations and Implementation Status

Recommendation Number	Description	Ongoing	Complete	Not Complete
	response, including debris removal and disposal activities.			
DD2	Develop an internal plan for handling disaster debris, in coordination with the Yakima County Office of Emergency Management and City of Yakima Emergency Management Office.			X
DD3	Consider reserving landfill airspace for disaster debris disposal.		X	
MRW1	Continue with Yakima County staff promotion and education efforts regarding MRW, and enhance coordination with other departments and programs to find avenues for cross-sector education.	X		
MRW2	Utilize additional technical assistance for small quantity generators (SQGs) provided by Ecology and distribute promotional and educational materials directed at specific business, institutional, or agricultural processes.	X		
MRW3	Continue to coordinate the schedule and process for updating the MRW Plan with the solid waste management plan (as is the current practice).	X		
AE1	Consider adopting minimum collection service levels in the future to promote consistency in service County-wide.			X
AE2	Consider either Alternative B (Collection or Disposal District) and/or Alternative D (Flow Control Ordinance) as mechanisms to promote consistent service and to diversify funding and revenue. These also incorporate some of the Surcharge and Taxes category funding options listed in Table 13.3.			X
AE3	Consider pursuing some of the additional funding strategies listed in Table 13.3 in the "Other" possible funding methods category that can be implemented by Yakima County directly and independently from other alternatives. Specifically, sales of recovered energy is a viable alternative if a LFG energy project is implemented at THLF and/or Cheyne (CLF).			X

## 1.9 RELATIONSHIP TO OTHER PLANS

### 1.9.1 The State Solid and Hazardous Waste Plan Moving Washington beyond Waste and Toxics

Ecology released a waste and toxics reduction plan in June 2021 titled *Moving Washington beyond Waste and Toxics*. This plan focuses on reducing waste and toxics by adopting a sustainable materials management approach which is also used by the United States Environmental Protection Agency (USEPA). This approach looks at the full life-cycle of materials from the design and manufacturing, through use, to disposal or recycling. The USEPA believes a sustainable materials management approach can help identify more sustainable ways to produce products that are less impactful to the environment.

The vision of the *Moving Washington beyond Waste and Toxics* study is to “transition to a society where waste is viewed as inefficient, and where most wastes and toxic substances have been eliminated. This will contribute to economic, social and environmental vitality.” The report includes the following four priorities:

- Increase focus on manufacturing and use phases, not just on end-of-life issues;
- Reduce toxic threats in products and industrial processes;
- Increase efficiency of recycling (including organic processing) systems, and maximize effectiveness of existing solid and hazardous waste infrastructure; and
- Mitigate climate change through waste reduction, reuse, and recycling.

### 1.9.2 **Yakima Horizon 2040 County Comprehensive Plan**

Yakima County has a *Horizon 2040 Yakima County Comprehensive Plan* (Horizon 2040), which is a policy framework for development in the County. Volume 1 contains three chapters.

- Chapter I, the Policy Plan - Discusses demographics; goals and objectives for the natural setting, economic development, and land use; housing; parks and open space; utilities; transportation; capital facilities; and intergovernmental coordination.
- Chapter II, Plan Development – Discusses the planning process including updating and citizen involvement.
- Chapter III, Environmental Analysis - Addresses USEPA requirements, the Growth Management Act, and alternative growth scenarios.

The section on utilities in Chapter I indicates that residents rely on utilities as part of maintaining their health and wellbeing. Utilities must conscientiously plan for future growth so that services are adequate. In addition, environmental issues associated with management of solid waste, siting new transfer stations, and biosolids management need to be addressed. Horizon 2040 includes the following purpose statements, policies, and goals specifically for solid waste:

- The cost of solid waste management is becoming increasingly expensive. Yakima County should encourage continued improvements in methods of reducing landfill waste and

recognizes that planning for future land needs is an important cost-control method.

- Manage the solid waste system in a manner that cost effectively preserves the environment and protects the public health.
- Identify and adopt measures to improve the energy efficiency of recycling and trash collection, and implement feasible and effective measures.
- Review and revise the Solid Waste and MRW Management Plan at least every five years; continue to assess the need for solid waste transfer facilities, recycling centers, and materials recovery facilities, identifying potential locations and suggesting revisions to the zoning code as needed.
- Fees are held to reasonable levels and nuisance abatement laws are rigorously enforced, in order to protect rural and resource land owners from illegal dumping.
- Provide an environmentally safe biosolids management program to provide for present and future biosolids utilization needs.
- In order to reduce the amount of waste that ends up in landfills, encourage recycling and educational programs designed to reduce and minimize waste.
- Improve existing waste reduction/recycling programs.
- Strive to maximize the use of local markets, capabilities, and resources in developing and implementing waste reduction/recycling programs.
- Establish requirements for the use of recycled and used materials in construction activities undertaken by Yakima County or its contractors.
- Provide convenient recycling opportunities to the public to maximize participation in waste reduction/recycling programs.
- Encourage owners of new and existing multifamily, commercial and industrial buildings to provide space for separating and storing recyclable materials.
- Encourage recipients of construction and demolition permits to separate, recycle, and reuse demolition debris as well as use recycled and used materials where practicable. To assist, Yakima County should provide information on how and where to obtain used and recycled materials and assess the economic, legal, and technical feasibility of requiring the use of specific recycled or used materials in certain types of construction.

Horizon 2040 is the centerpiece of local planning in Washington State. Chapter 9 of Horizon 2040 titled Utilities, summarizes the County's existing solid waste management system and states that the County will close the THLF when it reaches capacity and replace it with a transfer station.

Horizon 2040 assessed the level of service (LOS) for solid waste facilities, examined the availability of different system components, and assigned a grade system using an A-through-F rating system. The A-level rating indicates a large amount of unused capacity. For example, how available are landfill sites, transfer stations, and recycling facilities? What are the collection days for waste

pickup? Another important consideration is the geographical distribution of facilities. Future additional transfer stations, for instance, need to be sited near population centers to reduce transportation costs and improve the environment. The results of the facility rating system completed as part of Horizon 2040 is provided in Table 1.3.

Table 1.3 Horizon 2040 Facility Rating System Results

Threshold LOS for the Solid Waste System	
Facility	LOS
Regional Landfills	B
Regional Transfer Stations	B
Garbage Pickup	B
Curbside Recycling Pickup	B
Rural Recycling Centers	B

## 1.10 SUSTAINABILITY AND PRODUCT STEWARDSHIP

A sustainable process or system is one that can be maintained at a certain level indefinitely. Before sustainability became a popular concept, waste management professionals were managing solid waste by balancing the concerns of human health, environmental protection, and the long-term conservation of materials, energy, and space (e.g., landfill volume), with limited financial and staff resources. Yakima County’s previous solid waste management plans included waste reduction, reuse and recycling as means of conserving raw materials.

Product stewardship is a concept wherein manufacturers (as opposed to local government and its rate payers) take responsibility for minimizing the environmental impact of their products throughout its life cycle. Product stewardship can minimize waste during product design, manufacturing, distribution, and consumption. It also develops a private-sector infrastructure to recover products at the end of their useful life, removing from local governments a portion of the financial burden for a specific waste.

Product stewardship programs can be mandatory or voluntary, and often take the form of “take-back” programs. Product stewardship programs are funded in a variety of ways, including advanced disposal fees collected at time of product purchase or end of life disposal fees at time of disposal. The additional costs of product stewardship programs are often incorporated in the purchase price of the product. Product stewardship can be coupled with incentives such as technical assistance; education for consumers; recognition programs; tax reductions; market development plans; grants; and government procurement policies. In Washington State, product stewardship programs are in place for electronic wastes (e-wastes), mercury containing lights, architectural paint, and other materials.

## 1.11 REQUIRED PLAN ELEMENTS

This Plan is intended to meet or exceed applicable requirements set by Washington State. 70A.205.045 RCW establishes requirements for local solid waste management plans. Local plans are required to include the following elements:

- Inventory and description of solid waste handling facilities including any deficiencies in meeting current needs;
- The projected 20-year needs for solid waste handling facilities;
- A program for the development of solid waste handling facilities that meets applicable laws and regulations, takes into account the comprehensive land use plans of participating jurisdictions, contains a six-year construction and capital acquisition program and a plan for financing both capital costs and operational expenditures;
- A program for surveillance and control (to avoid or mitigate the negative impacts of improper waste handling);
- An inventory and description of solid waste collection operations and needs within each jurisdiction, including state collection certificate holders and municipal operations;
- Comprehensive waste reduction and recycling strategy;
- Recycling Contamination Reduction and Outreach Plan (CROP);
- Assessment of the Plan's impact on the costs of solid waste collection; and
- Review of potential areas that meet state criteria for land disposal facilities.

70A.205.045 RCW establishes the required elements for local MRW management plans which includes:

- Plan or program to manage MRW including an assessment of the quantities, types, generators, and management strategy;
- Plan or program to provide for ongoing public involvement and education including the potential hazards to human health and the environment resulting from improper use and disposal of the waste.
- Inventory of existing generators of hazardous waste and facilities managing hazardous waste;
- Description of the public involvement process used in developing the plan; and
- Description of the eligible zones designation in accordance with RCW 70.105.225.

## **1.12 REGULATORY OVERVIEW**

Key statutes and regulations that govern solid waste handling are summarized below.

### **1.12.1 Solid Waste Handling Standards**

The rule governing solid waste facilities and handling practices, Chapter 173-350 of the WAC, also known as *Solid Waste Handling Standards*, went into effect in 2003. This rule replaced Chapter 173-304 WAC, which governed solid waste facilities and handling practices prior to 2003. Chapter 173-



350 WAC sets standards for operations and permit requirements for solid waste handling facilities, including for recycling, intermediate handling (i.e., transfer), composting, MRW, and tires (unless exempted by definition or due to beneficial use). The rule also regulates landfill disposal of “inert” wastes.

Chapter 173-350 WAC places importance on local solid waste management plans (such as this document) by requiring solid waste handling facilities (whether exempt or requiring a permit) to conform to local solid waste plans. Chapter 173-350 WAC also states a facility’s exemption for handling only recyclable materials is contingent on meeting the definition of a recyclable material as designated in a local solid waste management plan. Chapter 173-350 WAC, except rules regarding organics, is currently under review by Ecology.

Landfill disposal of solid waste is regulated under a separate rule, Chapter 173-351 WAC, *Criteria for Municipal Solid Waste Landfills*. This rule was last revised in October 2015. Yakima County operates its active landfills, Cheyne (CLF) and Terrace Heights (THLF), in compliance with Chapter 173-351 WAC.

### 1.12.2 Hazardous Waste Management Act

In 1982, Ecology adopted rules that combined the state and federal regulation of hazardous wastes. These rules, as amended several times in the ensuing years, are contained in Chapter 173-303 WAC and are the main body of regulations for hazardous wastes in the State. In 1983, the State Legislature adopted a hierarchy of hazardous waste management methods in 70.105.150 RCW. In descending order of priority for management, the hierarchy is: waste reduction; recycling; physical, chemical, and biological treatment; incineration; solidification/stabilization treatment; and landfilling.

Amendments to Chapter 70A.300.005 RCW in 1985 and 1986 defined MRW and required that local governments (counties) develop plans for the proper management of MRW. As stated in RCW 70A.300.007 the legislature’s intent was “to promote cooperation between state and local governments by assigning responsibilities for planning for hazardous waste to the state and planning for MRW to local government.” In 1987, the legislature appropriated funds for grants to counties to assist in their planning efforts and clarified the schedule.

The legislature enacted the Used Oil Recycling Act, Chapter 70A.224 RCW in 1991. This statute requires local governments to manage used oil in conjunction with their MRW programs and to submit annual reports to Ecology. Local governments were required to adopt used oil recycling amendments to their MRW management plans by July 1, 1993.

New *Solid Waste Handling Standards* (Chapter 173-350 WAC) were developed by Ecology and became effective February 10, 2003. These standards address MRW facilities (including construction, record keeping and reports).

The *Dangerous Waste Regulations* (Chapter 173-303 WAC) have been amended several times to address new issues and to incorporate new provisions of state and federal regulations.

### 1.12.3 Product Stewardship for Mercury-Containing Lights

Chapter 173-910 WAC requires establishment of a product stewardship program for mercury-containing lights throughout Washington State. Producers of mercury-containing lights sold for residential use must finance and participate in the product stewardship program by doing the following:

- Funding its producer share cost of the standard plan and program operated by the department-contracted stewardship organization or operating, either individually or jointly, an independent plan and program approved by Ecology;
- Pay administrative and operational costs associated with the standard program or the independent program in which they participate, except for the collection costs associated with curbside and mail-back collection programs. For curbside and mail-back programs, a stewardship organization must finance the costs of transporting and processing mercury-containing lights from the point of accumulation. For collection locations, including household hazardous waste facilities, charities, retailers, government recycling sites, or other suitable locations, a stewardship organization must finance the costs of collection, transportation, and processing of mercury-containing lights collected at the collection locations;
- Submit market share data to Ecology in the event more than one approved product stewardship plan is operating;
- Meet its financial obligations to the plan, which includes Ecology's annual fee;
- Comply with producers' requirements;
- Participate in a fully implemented plan; and
- Take actions required to correct violations.

Refer to Chapter 12 and Section 3.5.4 for additional information.

#### 1.12.4 Revenue-Sharing Agreements

An update to 81.77.185 RCW allows waste collection companies to retain up to fifty percent of the revenue paid to the companies for the material if the companies submit a plan to the Washington Utilities and Transportation Commission (WUTC). The plan must be certified by the appropriate local government authority as being consistent with the local government solid waste plan and that demonstrates how the revenues will be used to increase recycling. The remaining revenue shall be passed to residential customers.

#### 1.12.5 County Comprehensive Solid Waste Management Plan

In 2010, 70A.205.040 RCW was updated to indicate that each local comprehensive plan (after June 10, 2010) must, at a minimum, consider methods that will be used to address the following:

- Construction and demolition waste for recycling or reuse;
- Organic material diversion including yard debris, food waste, and food contaminated paper products for composting or anaerobic digestion;
- Metal, glass, and plastic recycling; and
- Waste reduction strategies.

### 1.12.6 Construction Aggregate and Recycled Concrete Materials

Effective January 1, 2016, 70A.205.700 RCW requires that local governmental entities with a population of one hundred thousand residents or more must, as part of their contracting process, request and accept bids that include the use of construction aggregate and recycled concrete materials for each transportation, roadway, street, highway, or other transportation infrastructure project. Prior to awarding a contract for a transportation, roadway, street, highway, or other transportation infrastructure project, the local governmental entity must compare the lowest responsible bid proposing to use construction aggregate and recycled concrete materials with the lowest responsible bid not proposing to use construction aggregate and recycled concrete materials.

The local government must award the contract to the bidder proposing to use the highest percentage of construction aggregate and recycled concrete materials if that bid is the same as, or less than, a bid not proposing to use construction aggregate and recycled concrete materials or proposing to use a lower percentage of construction aggregate and recycled concrete materials.

### 1.12.7 Quarantine – Agricultural Pests

The Washington State Department of Agriculture amended Chapter 16-470 WAC by adding MSW, yard debris, organic feedstocks, organic materials, and agricultural wastes to the list of commodities regulated under the apple maggot quarantine. Special permits are required for the following:

- Transportation and disposition of MSW from an area under quarantine for disposal at a solid waste landfill or disposal facility in the apple maggot and plum curculio pest-free area.
- Transportation and disposition of yard debris, organic feedstocks, organic materials, and agricultural wastes from the area under quarantine for disposal at a solid waste landfill or treatment at a composting facility in the apple maggot and plum curculio pest-free area.

Refer to Chapter 5 regarding Organics for additional information regarding how these rules affect solid waste in Yakima County.

### 1.12.8 Landfill Gas and Air Permitting

The following landfill gas/air permitting regulations were introduced or amended in 2016:

- Federal New Source Performance Standards (NSPS) and Emission Guidelines (EG): These rules are under revision to reduce the annual Non-Methane Organic Compound (NMOC) emission threshold/trigger for an active LFG collection and control system (GCCS) from 50 Mg/year down to 34 Mg/year. The USEPA issued final updates to the NSPS (40 CFR Subpart 62) and the EG (40 CFR Subpart Cf) on July 14, 2016. 40 CFR Part 62 Subpart 000 new EG rules became active on June 21st, 2021 and were published on May 21, 2021 into the CFR. The new NESHAPS rules in 40 CFR Part 63 Subpart AAAA became active on September 28th, 2021 and establishes that all sites over 34 Mg/year to comply with NSPS XXX, EG Cf, or EG 000 which was published in Mar 26, 2020.
- Ecology adopted a new Clean Air Rule (Chapter 173-442 WAC) in September 2016 described as a type of cap and trade program. Bill E2SSB 5126 passed in 2021, it relieves landfills from the gas reduction regulations and cap and trade until 2031.

## **1.13 SUMMARY OF RECENT CHANGES IN SOLID WASTE REGULATION AND POLICY**

Several new rules have been adopted since the 2017 Plan was developed. Important new rules and regulations for consideration in the Plan development are shown below.

### **1.13.1 Recycling Development Center**

In 2019, the Washington Legislature established the Recycling Development Center (RDC) to research, incentivize, and develop new markets and expand existing markets for recycled commodities and recycling facilities. The RDC will facilitate research and development, marketing, and policy analysis to bolster recycling markets and processing capacity in Washington.

Initially, the RDC will focus on businesses that convert or remanufacture waste into new products, especially mixed waste paper and plastics. The RDC is also partnering with the Washington Department of Commerce, which will provide business, marketing, and technical assistance to support the public and private sectors.

### **1.13.2 HB 1543 – Sustainable Recycling**

HB 1543, Sustainable Recycling, was signed on April 29, 2019 and took effect July 1, 2019. The act requires Ecology to create a state recycling Contamination Reduction and Outreach Plan (CROP) by July 1, 2020, with local jurisdictions required to either create their own CROP or adopt the state CROP by July 1, 2021. The County chose to create their own CROP plan. Ecology approved this CROP plan and it is included in Appendix D. The CROP plan includes:

- Actions for reducing contamination in recycling programs for single-family and multi-family residences, commercial properties, and drop boxes;
- Key contaminants;
- A discussion of problem contaminants and the impact on the collection system;
- An analysis of the costs and other impacts associated with contaminants to the recycling system; and
- An implementation schedule and details of how Yakima County will conduct outreach.

### **1.13.3 House Bill 1114 – Food Waste Reduction**

To reduce food waste in Washington, the Legislature passed HB 1114 in 2019 which is now codified as 70A.205.715 RCW. The law establishes a statewide 50 percent food waste reduction goal, relative to 2015 levels, and requires a subset of the goal to focus on reducing the amount of edible food that is wasted.

The law requires Ecology to establish baseline data and annually track progress toward the statewide food waste reduction goals. The law also requires Ecology to develop and implement a food waste reduction plan, now titled the Use Food Well Washington Plan (UFWW Plan) that focuses on three key strategies:

- Prevention - Prevent and reduce the amount of food that is wasted.

- Rescue - Rescue edible food that would otherwise be wasted and ensure the food reaches those who need it.
- Recovery - Support productive uses of inedible food materials, including using it for animal feed, energy production through anaerobic digestion, and for off-site or on-site management systems including composting, vermicomposting, or other biological systems.

Ecology consulted with the Washington state departments of Agriculture, Health, Commerce, the Office of Superintendent Public Instruction, and over 150 subject matter experts to draft the plan. Ecology also conducted research and literature reviews to support the recommendations in the plan. This process and collaboration identified a total of 30 recommendations to reduce food waste. The comment period for UFWW ended on September 10, 2021 and the UFWW delivered to the legislature by the end of October 2021.

#### 1.13.4 **Substitute House Bill 1652 – Architectural Paint Stewardship Program**

On July 28, 2019, the Governor signed Substitute House Bill 1652 into law that established the Washington Architectural Paint Stewardship Program. This bill is codified as Chapter 70A.515 RCW. The goals of the law are for paint manufacturers to:

- Assume responsibility for the development and implementation of a cost-effective architectural paint stewardship program;
- Develop and implement strategies to reduce the generation of leftover paint;
- Promote the reuse of postconsumer architectural paint; and
- Collect, transport, and process postconsumer architectural paint for end-of-product-life management.

#### 1.13.5 **SB 5323 - Single-Use Plastic Bag Ban**

In 2020, the legislature passed SB 5323 – a statewide ban on single-use plastic bags. SB 5323 is codified as 70A.530 RCW. The law was supposed to go into effect January 1st, 2021 but implementation was delayed due to COVID. The law went to effect in October 2021 and:

- Prohibits single-use plastic carryout bags in all retail and grocery stores, restaurants, takeout establishments, festivals, and markets;
- Requires an eight-cent charge for all recycled content paper carryout bags and reusable carryout bags made of film plastic;
- The fee may not be collected from anyone using a voucher or electronic benefits card issued under the Supplemental Nutrition Assistance Program (SNAP), Women, Infants and Children (WIC), Temporary Assistance for Needy Families (TANF), or Food Assistance Program (FAP);

- Requires a minimum of 40 percent post-consumer recycled content and meet composting requirements in all retail-provided paper bags;
- Requires that a reusable bag made of plastic film contain 20 percent post-consumer recycled content and be at least 2.25 mil thick;
- Requires compliant paper and reusable plastic film bags to be labeled with the above specifications; and
- Creates consistent policy and fees across the state.

This ban does not apply to food banks and food assistance programs; however, those programs are encouraged to take actions to reduce the use of single-use plastic carryout bags.

### 1.13.6 **SB 5022 - Minimum Recycled Content**

In May 2021, the Governor signed SB 5022 into law (79A.245 RCW), which requires more recycled content in plastic beverage containers, trash bags, and containers for household and personal care products. Beverage manufacturers will be required to include more post-consumer recycled plastic in products over time, starting with 15 percent recycled content by weight by 2023 increasing to 50 percent by 2031. This will apply to most beverages in containers that hold between two ounces and a gallon, except for dairy milk and plastic 187 ml wine containers, which must reach 50 percent recycled content by 2036. It would exempt items like infant formula and medical products. Manufacturers of plastic trash bags would have to meet a 10 percent recycled content benchmark by 2023 and eventually use 20 percent by 2027. Household and personal care products would have to have 15 percent minimum recycled content by 2025 and 50 percent by 2031.

SB 5022 also bans expanded polystyrene (EPS) food service products such as clamshell containers, plates and cups, as well as EPS recreational coolers and packing peanuts. These restrictions apply beginning June 1, 2023 for void filling packaging products, and June 1, 2024 for cold storage containers and food service products. As of January 1, 2022, the law required plastic utensils, straws, and cup lids to only be provided to customers on request.

SB 5022 makes Washington the second state with recycled-content requirements for plastic beverage containers, the sixth to ban some form EPS products, and the first to set comprehensive opt-in requirements for single-use food ware.

### 1.13.7 **HB 1569 - Compostable Labeling**

HB 1569 requires environmental marketing claims for plastics to follow uniform and recognized standards for “compostability” and “biodegradability.” Plastic products marketed as such must be readily and easily identifiable as meeting these standards. Under this law, the Washington State Attorney General and local governments have authority to pursue false or misleading environmental claims about a plastic product’s “compostability” and “biodegradability.”

Products that are labeled as compostable and sold, offered for sale, or distributed for use in Washington by a manufacturer or supplier, must:

- Either be comprised of only wood or fiber-based substrate, or must meet the American Society of Testing and Materials (ASTM) standards for products designed to be

composted in municipal or industrial facilities that are made of plastic or that incorporate plastic coatings onto paper or another substrate;

- Meet Federal Trade Commission (FTC) green guide labeling requirements; and
- Feature labeling that uses a logo indicating that the product has been third-party certified as meeting ASTM standard specification, displays the word “compostable” and meets industry standards for being distinguishable upon quick inspection. Compostable products must be considered compliant if they have green or brown labeling, are labeled as compostable, and use other distinguishing colors or marks.

### 1.13.8 **43.19A.120 RCW - Compost Products Usage**

43.19A.120 RCW encourages state agencies and local governments to consider whether compost products can be utilized in their projects. If compost products can be utilized in the project, the state agency or local government must use compost in the following circumstances:

- When planning government-funded projects or soliciting and reviewing bids for such projects, all state agencies and local governments shall consider whether compost products can be utilized in the project.
- If compost products can be utilized in the project, the state agency or local government must use compost products, except as follows:
  - A state agency or local government is not required to use compost products if:
    - Compost products are not available within a reasonable period of time;
    - Compost products that are available do not comply with existing purchasing standards;
    - Compost products that are available do not comply with federal or state health, quality, and safety standards;
    - Compost purchase prices are not reasonable or competitive.
  - A state agency is also not required to use compost products in a project if:
    - The total cost of using compost is financially prohibitive;
    - Application of compost will have detrimental impacts on the physical characteristics and nutrient condition of the soil as it is used for a specific crop;
    - The project consists of growing trees in a greenhouse setting, including seed orchard greenhouses; or
    - The compost products that are available have not been certified as being free of crop-specific pests and pathogens, including pests and pathogens that could result in the denial of phytosanitary permits for shipping seedlings.

- Before the transportation or application of compost products under this section, composting facilities, state agencies, and local governments must ensure compliance with department of agriculture pest control regulations provided in chapter 16-470 WAC.
- State agencies and local governments are encouraged to give priority to purchasing compost products from companies that produce compost products locally, are certified by a nationally recognized organization, and produce compost products that are derived from municipal solid waste compost programs and meet quality standards adopted by rule by the department of ecology.





# Chapter 2

## Waste Stream

## 2 WASTE STREAM

### 2.1 INTRODUCTION

This chapter provides information on current and estimated population and waste generation rates for Yakima County. This data is used in various ways in the following chapters of this Plan, such as assessing the need for determining the impact of a proposed new solid waste management program. The Baseline Year for this Plan is 2021, as this was the most recent full year that Ecology provided data for solid waste disposal facility quantities. The exception to this are the recycled and diverted tonnage figures, as well as the C&D debris and special waste tonnages. The Plan references 2018 data because this is the most recent data currently available from Ecology’s annual survey.

### 2.2 WASTE STREAM AND POPULATION PROJECTIONS

#### 2.2.1 Population and Waste Generation Rates

##### 2.2.1.1 Population

Current population levels and future population growth are important factors to consider for solid waste management plans. People create solid waste and in general, the more people there are (now and in the future), the more waste is created.

Table 2.1 provides current and future estimates of the population in Yakima County. This table uses a combination of population figures from the 2020 Census and the Washington State Office of Financial Management (OFM) 2018 county population projections 2010 through 2040. For future population estimates, the OFM produces three different sets of forecasts for population growth: a low, medium, and high series. The medium series figures are used in the County’s Comprehensive Plan (Plan 2015) and in this Plan.

In addition to the population figures shown in Table 2.1, there are a large number of temporary residents who assist with farm work including general fieldwork, harvesting, and processing fruit. The number of these seasonal and migrant workers was estimated in a statewide study of this issue more than a decade ago, and no more recent study was found. For Yakima County, the number of seasonal and migrant workers, including family members who accompany them, was estimated to be 9,000 additional people per year.

Table 2.1 Population Projections

Area	2021	2025	2030	2035	2040	2045
Unincorporated	92,220	96,445	100,878	104,594	107,902	108,981
Incorporated	170,667	178,487	186,689	193,568	199,689	201,686
Grandview	10,891	11,390	11,913	12,352	12,743	12,870
Granger	4,155	4,345	4,545	4,713	4,862	4,910
Harrah	680	711	744	771	796	804
Mabton	2,330	2,437	2,549	2,643	2,726	2,753
Moxee	4,320	4,518	4,726	4,900	5,055	5,105

Area	2021	2025	2030	2035	2040	2045
Naches	995	1,041	1,088	1,129	1,164	1,176
Selah	8,208	8,584	8,979	9,309	9,604	9,700
Sunnyside	16,346	17,095	17,881	18,539	19,126	19,317
Tieton	1,305	1,365	1,428	1,480	1,527	1,542
Toppenish	8,774	9,176	9,598	9,951	10,266	10,369
Union Gap	6,530	6,829	7,143	7,406	7,640	7,717
Wapato	6,355	6,646	6,952	7,208	7,436	7,510
Yakima	96,578	101,003	105,645	109,537	113,001	114,131
Zillah	3,200	3,347	3,500	3,629	3,744	3,782
TOTAL	262,887	274,932	287,567	298,162	307,591	310,667

### 2.2.1.2 Waste Generation Rates

Washington State defines solid waste as “all putrescible and nonputrescible solid and semisolid wastes including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, sewage sludge, demolition and construction wastes, abandoned vehicles or parts thereof, contaminated soils and contaminated dredged material, and recyclable materials” (173-350-100 WAC).

This Plan focuses primarily on MSW, consisting of those wastes generated by residential and commercial sources that are meant to be handled by Yakima County’s solid waste disposal system. However, it is essential to plan for all wastes generated in Yakima County. Wastes generated by industrial and agricultural sources are generally included to the extent that these are similar to what is disposed through Yakima County’s system and they do not require special handling. Special wastes handled separately by these sources are only addressed briefly in this Plan. Table 2.2 shows all waste generated in Yakima County and where they were managed in 2021. Table 2.2 also presents an adjusted generation rate for solid was projections as the 2021 MSW generation includes a one-time quantity of remediation waste.

Table 2.2 2021 Waste Generation

Facility and Waste Stream	Tons
<b>MSW DISPOSED</b>	
CLF	99,730
Finley Buttes Landfill <sup>1</sup>	100,928
Greater Wenatchee Regional Landfill	2
Roosevelt Regional Landfill	12
THLF	194,671
<b>TOTAL MSW</b>	

Facility and Waste Stream	Tons
	<b>395,343</b>
<b>ASBESTOS DISPOSED</b>	
Greater Wenatchee Regional Landfill	10
<b>TOTAL ASBESTOS</b>	<b>10</b>
<b>C&amp;D DEBRIS DISPOSED</b>	
Caton Landfill	5,336
Columbia Ridge	22
DTG	51,130
Finley Buttes	11
Roosevelt Regional Landfill	21
Yakima Training Center	7
<b>TOTAL C&amp;D</b>	<b>56,526</b>
<b>INDUSTRIAL WASTE DISPOSED</b>	
Finley Buttes Landfill	10
Roosevelt Regional Landfill	13,343
<b>TOTAL INDUSTRIAL WASTE</b>	<b>13,353</b>
<b>INERT WASTE DISPOSED</b>	
Caton Landfill	16,611
DTG	3,646
<b>TOTAL INERT WASTE</b>	<b>20,258</b>
<b>LIME DISPOSED</b>	
DTG	201
<b>TOTAL LIME</b>	<b>201</b>
<b>MEDICAL WASTE DISPOSED</b>	
Spokane Waste-To-Energy	0.38
<b>TOTAL MEDICAL WASTE</b>	<b>0.38</b>
<b>PETROLEUM CONTAMINATED SOILS (PCS) DISPOSED</b>	
Columbia Ridge Landfill	9

<b>Facility and Waste Stream</b>	<b>Tons</b>
Finley Buttes Landfill	495
Roosevelt Regional Landfill	707
<b>TOTAL PCS</b>	<b>1,211</b>
<b>SOIL/ ROCK/ GRAVEL</b>	
Finley Buttes Landfill	6
<b>TOTAL SOIL, ROCK, GRAVEL</b>	<b>6</b>
<b>SPECIAL WASTE DISPOSED</b>	
Greater Wenatchee Regional Landfill	2
Spokane Waste-to-Energy	15
<b>TOTAL SPECIAL WASTE</b>	<b>17</b>
<b>TIRES DISPOSED</b>	
Finley Buttes Landfill	34
<b>TOTAL TIRES</b>	<b>34</b>
<b>WOOD WASTE DISPOSED</b>	
Caton Landfill	421
Yakima Training Center	600
<b>TOTAL WOOD WASTE</b>	<b>820</b>
<b>YARD WASTE DISPOSED</b>	
Caton Landfill	206
<b>TOTAL YARD WASTE</b>	<b>206</b>
<b>TOTAL SOLID WASTE DISPOSED</b>	<b>490,337</b>
<b>TOTAL SOLID WASTE RECOVERED THROUGH RECYCLING/COMPOSTING</b>	<b>97,638</b>
<b>TOTAL SOLID WASTE RECOVERED FOR ENERGY</b>	<b>19,953</b>
<b>TOTAL SOLID WASTE RECOVERED</b>	<b>117,591</b>
<b>TOTAL SOLID WASTE GENERATION</b>	<b>607,929</b>
<b>2021 POPULATION</b>	<b>262,887</b>

Facility and Waste Stream	Tons
<b>2021 PER CAPITA BASELINE GENERATION RATE (lbs./capita/day)</b>	<b>12.67</b>
<b>ADJUSTED PER CAPITA GENERATION RATE FOR PROJECTIONS (lbs./capita/day)</b>	<b>10.57</b>

<sup>1</sup> Yakima County deducted this quantity from MSW projections because it was from a one-time remediation project

## 2.2.2 Recovery Data

In 2017, Ecology redefined metrics for diverting waste from the landfill from a recycling rate to a recovery rate. Recovery can include recycling, composting, land applied, anaerobically digested, and conversion to energy. The most recent recovery survey conducted and compiled by Ecology (2021) indicates that approximately 98,000 tons of Yakima County’s solid waste was recovered for recycling, composting, and land applications in 2021. The quantity of waste recovered for creating energy in 2021 was approximately 19,000 tons of land clearing and 1,000 tons of tires. (See Table 2.3)

Table 2.3 2021 Yakima County Recovery by Type (tons)

Material Type	Total Recovered for Recycling and Composting by Material	Total Recovered for Energy by Material	Percent of MSW Generated	Percent of All Waste Generated
Agricultural Organics (Vegetative)	3,096		0.78%	0.63%
Aluminum Cans	228		0.06%	0.05%
Antifreeze	97		0.02%	0.02%
Appliances/White Goods	8,618		2.18%	1.76%
Asphaltic Materials (Excluding Roofing)	26,891		6.80%	5.48%
Batteries - Auto Lead Acid	816		0.21%	0.17%
Batteries - Household	6		0.002%	0.001%
C&D Debris	749		0.19%	0.15%
Electronics	112		0.03%	0.02%
Ferrous Metals	12,350		3.12%	2.52%
Food Processing Waste (Pre-Consumer)	7		0.002%	0.001%
Food Scraps	798		0.20%	0.16%
Glass Containers	199		0.05%	0.04%
Land Clearing		18,942	4.79%	3.86%
Light Bulbs	10		0.002%	0.002%

Material Type	Total Recovered for Recycling and Composting by Material	Total Recovered for Energy by Material	Percent of MSW Generated	Percent of All Waste Generated
Miscellaneous	3,241		0.82%	0.66%
Non-Ferrous	1,542		0.39%	0.31%
Oil Filters	74		0.02%	0.02%
Paper - Corrugated Cardboard	26,177		6.62%	5.34%
Paper - High Grade	993		0.25%	0.20%
Paper - Mixed	1,917		0.49%	0.39%
Paper - Newspaper	570		0.14%	0.12%
Plastic - HDPE	72		0.02%	0.01%
Plastic - LDPE	2,568		0.65%	0.52%
Plastic - Mixed	60		0.02%	0.01%
Plastic - Other	257		0.07%	0.05%
Plastic - PET	189		0.05%	0.04%
Rendering - (Meat/Used Cooking Oil)	272		0.07%	0.06%
Steel Cans	59		0.01%	0.01%
Textiles (Rags, Clothing)	92		0.02%	0.02%
Tires (Baled)	1,091		0.28%	0.22%
Tires (Burned for Energy)		1,012	0.26%	0.21%
Used Oil	1,379		0.35%	0.28%
Wood	62		0.02%	0.01%
Yard Debris	3,024		0.76%	0.62%
TOTAL	97,638	19,953	33.16%	30.20%

In Table 2.4, solid waste quantities have been projected using the adjusted 2021 per capita generation rate multiplied by population forecasts for Yakima County, consistent with the methodology used in the 2017 Plan. As previously discussed, the adjusted generation rate excludes the approximate 101,000 tons of remediation MSW sent to the Finley Buttes Landfill as this was a one-time occurrence. Solid waste generation was calculated by combining the tons of solid disposed in 2021 excluding the remediation MSW sent to Finley Buttes (389,410 tons) and all materials recycled, composted and recovered for energy in 2021 (117,591 tons) and then dividing by the 2021 population (262,887). By applying the current per capita rate to future years (10.57 lbs per capita per day), the waste projections for 2021 through 2045 assume no change in waste generation or disposal practices, or in the percentage of material recycled or recovered. This approach also assumes no change in the amount of waste migrating to out-of-county facilities and

other factors (such as the ratio of annual tourists and migrant workers to the general county population).

Table 2.4 Yakima County Estimated Materials Generation by Type (tons)

Year	Total Population	Amount of Solid Waste Generated	Amount of Solid Waste Recovered Through Recycling & Composting	Amount of Solid Waste Recovered Through Creating Energy	Amount of Solid Waste Disposed
2021	262,887	507,001	97,638	19,953	294,415
2025	274,932	530,351	102,112	20,867	407,371
2030	287,567	554,724	106,805	21,826	426,093
2035	298,162	575,162	110,740	22,631	441,792
2040	307,591	593,351	114,242	23,346	455,763
2045	310,667	599,284	115,384	23,580	460,320

Notes: All figures, except the year, population and generation rate, are shown as tons per year (TPY).

1. Population figures are from Table 2.1.
2. Projected waste generation figures for 2021 through 2045 are based on the estimated waste generation rate for 2021 (10.57 pounds per person per day) and population forecasts.
3. The projected amounts of recovery through recycling and composting, recovery through creating energy, disposed MSW and other wastes assume the same percentage of the total waste generated as in Table 2.2.

### 2.2.3 Composition of Disposed MSW

Composition data is useful for designing solid waste handling and disposal programs. A state-wide waste composition study (State WCS) was conducted in 2020/21 that divided the state into six Waste Generation Areas (WGAs):

- Central
- East
- Northwest
- Puget Sound
- Southwest
- West

Yakima County is part of the Central WGA, and the waste characterization study for this WGA was conducted at solid waste facilities in Kittitas and Okanogan Counties. The State WCS divided the waste into 143 material types and organized them into the following 12 broad material categories:

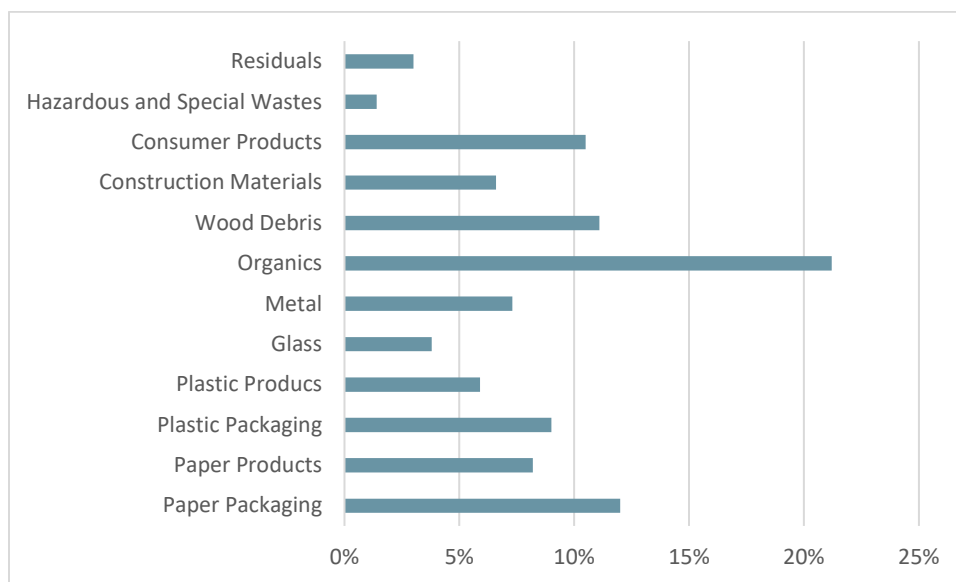
- Paper packaging
- Paper products
- Plastic packaging
- Plastic products



- Glass
- Metal
- Organics
- Wood debris
- Construction materials
- Consumer products
- Hazardous and special wastes
- Residuals

A summary of the results for the characterization conducted in the central WGA is shown Figure 2.1.

Figure 2.1 Waste Composition by Material Category



The data shown in Table 2.5 applies the composition from Figure 2.1 to the entire Yakima County's disposed MSW stream. Recovered materials are not included in the tonnage figure because the study sampled only MSW that was delivered to these facilities for disposal. Likewise, wastes disposed at limited purpose landfills and other special wastes are also not included in the MSW tonnages.

Table 2.5 Quantity of MSW Disposed by Material Category

Material Category	Percent	Tons
Paper Packaging	12.00%	35,330
Paper Products	8.20%	24,142
Plastic Packaging	9.00%	26,497
Plastic Products	5.90%	17,371
Glass	3.80%	11,188

<b>Material Category</b>	<b>Percent</b>	<b>Tons</b>
Metal	7.30%	21,492
Organics	21.20%	62,416
Wood Debris	11.10%	32,680
Construction Materials	6.60%	19,431
Consumer Products	10.50%	30,914
Hazardous and Special Wastes	1.40%	4,122
Residuals	3.00%	8,832

Waste composition can be expected to change in the future due to changes in consumption patterns, packaging methods, disposal habits, tourism and other factors. These changes are very difficult to predict in the long term. Furthermore, implementation of this Plan is expected to affect waste composition in Yakima County by changing purchasing and disposal habits.



# Chapter 3

## Promotion and Education

## 3 PROMOTION AND EDUCATION

### 3.1 INTRODUCTION

This chapter discusses existing promotion and education programs related to solid waste management, identifies relevant planning issues, and develops/evaluates alternative promotion and education strategies.

### 3.2 BACKGROUND

Public education and promotion are important elements for solid waste management systems. Yakima County residents and businesses need to be informed as to the proper and available methods for waste reduction, recycling, and disposal. Yakima County Public Services Solid Waste Division prioritizes this aspect of operations, and currently has two full-time staff members responsible for promotion and education activities. Promotional activities generally extend beyond education and help to support activities such as waste reduction and recycling, although rarely is there a strict line drawn between “promotion” and “education.” The programs described in this chapter encourage residents and businesses to take the extra steps to recycle or compost appropriate waste streams, or to avoid generating waste in the first place.

#### 3.2.1 Goals and Objectives for Promotion and Education

County goals and objectives specific to promotion and education (as addressed in Chapter 1 of this Plan) include the following:

- Promote the use of innovative and economical waste handling methods;
- Emphasize waste reduction as a fundamental management strategy;
- Support public-private partnerships for waste reduction and recycling programs;
- Encourage the recovery of marketable resources from the waste stream; and
- Reduce the occurrence and environmental impacts associated with illegal dumping.

### 3.3 EXISTING PROMOTION AND EDUCATION PROGRAM ELEMENTS

The Yakima County Public Services Solid Waste Division manages and delivers an extensive array of outreach programs designed to educate residents, students, and businesses about how to recycle, compost, and produce less waste. These programs also provide information on how to reduce and/or properly dispose of MRW. The Yakima County Public Services Solid Waste Division staff members are tasked with promotion and education activities, materials, and programs, as described below.

#### 3.3.1 Public Outreach Promotional Resources and Activities

- **Website.** Yakima County continues to improve its website, [www.yakimarecycles.com](http://www.yakimarecycles.com). This website features information about recycling resources, natural gardening, waste reduction, household hazardous waste, and garbage rates. The “Yakima County Recycling Guide” brochure is also available on the County website

- **Landfill Tours/Education.** Yakima County staff provide landfill tours that are interactive and that engage students with presentations and interesting handouts.
- **Public Events Recycling.** Yakima County has established a program to loan beverage container recycling bins free of charge to any group with an event that is open to the public and that serves or sells beverages in aluminum or plastic containers. These recycle bins have been placed at events such as the Central Washington State Fair, Central Washington Home Show, Hot Shots Basketball Tournament, Softball and Soccer Tournaments, Yakima Folklife Festival, Case of the Blues, and numerous other public events. RCW 70A.200.100 requires recycling at public events. **Newspaper.** The *Yakima County Recycling Guide* is placed every other year in the Yakima Herald-Republic and the local Spanish-language *El Sol* summarizing recycling opportunities available in Yakima County.
- **Electronic Billboard.** Yakima County promotes environmental messages throughout the year on an electronic billboard on South First Street. This billboard has addressed recycling, household hazardous waste collection, curbside recycling, unsecured loads, electronic recycling, Earth Day, and other topics.
- **Movie Theater and Radio Advertisements.** Yakima County advertises at movie theaters and on radio stations to promote environmental messages and recycling. These ads change topics every few months, including messages regarding reusable shopping bags, recycling electronics, tire disposal and more.

### 3.3.2 Waste Reduction and Recycling Education

- **School Recycling.** Yakima County staff provide worm composting, backyard composting, and recycling presentations to school children in grades 2-12 in Yakima County to encourage recycling and waste reduction. Free presentations are also provided to school staff to encourage the establishment of school recycling programs. Yakima County provides two different types of recycle bins for use on school grounds, and provides a demonstration of the recycle bin use (what can be recycled), as well as posters and classroom support materials.
- **Business Recycling.** Yakima County staff work with businesses and organizations to encourage recycling in the workplace. Yakima County also provides staff education and recycling bins for select non-profits to establish new programs and reinforce existing programs.
- **Public Event Recycling Education.** Yakima County provides recycling education and outreach with booths at several events throughout the year, including the Central Washington State Fair, Central Washington Home Show, Case of the Blues, Arboretum Arbor Festival, among others.
- **Organics Education.** Yakima County encourages residents to divert their organics from the waste stream through backyard composting or participating in curbside yard waste collection where available. Classes are hosted by Yakima County Public Services Solid Waste Division staff and local master gardeners to encourage composting and natural gardening practices. Ongoing education classes are also provided by Yakima County Public Services Solid Waste Division in partnership with the Yakima Area Arboretum on

topics such as grass-cycling, worm composting, natural gardening, and xeriscaping (low water usage gardening).

- **Youth Environmental Summit** (<http://www.yakimacounty.us/687/Youth-Environment-Summit>). The Yakima County Public Services Solid Waste Division has developed this free event for middle, junior and senior high students and staff. The goal of the summit is to empower students and staff to be environmental advocates and make a difference in their schools and communities. The one-day event occurs every other year and usually has an attendance in excess of 500 students. The event includes guest speakers, educational displays and opportunities to network with other students and educators about developing green practices in their schools. Fifteen plus environmental organizations exhibit at the summit.

### 3.3.3 Household/Small Quantity Generator Waste Education

Several of the public outreach activities, including the distribution of the *Yakima County Recycling Guide* brochure, address MRW management options and education. Yakima County has also sponsored free mercury collection events and free oil collection events.

Many of the activities conducted by Yakima County to educate residents about MRW also serve to educate businesses about small quantity generator (SQG) wastes. There are also specific activities that target businesses, such as a brochure called *Business Hazardous Waste Disposal* that describes options for proper handling and disposal of SQG wastes.

### 3.3.4 Product Stewardship Education

Yakima County is a steering committee member of the Northwest Product Stewardship Council and applies product stewardship practices within the county. Specifically, Yakima County has developed a network of computer recyclers to divert electronics from the waste stream, and this network is promoted on the County website at [www.yakimarecycles.com](http://www.yakimarecycles.com) and through the *Yakima County Recycling Guide* brochure.

### 3.3.5 Litter, Illegal Dumping and Secure Load Education

RCW 70A.200.060 sets the fines for littering, which can range from \$103 to \$5,000 depending on the amount or type. RCW 46.61.655 requires a secured load with a fine of \$194, and RCW 70A.200.120 mandates counties adopt an ordinance for unsecured load fees at solid waste facilities.

Several of the County's public outreach activities, including the distribution of the *Yakima County Recycling Guide* brochure, address the need to secure loads, higher landfill fees for unsecured loads, and potential fines for not properly securing loads. Yakima County also has in place an unsecured load ordinance to help prevent roadside litter and to encourage the safe transport of material on roadways. The Yakima County unsecured load fee can be \$6 or \$16, depending on vehicle capacity. The fines and education efforts being conducted for properly securing loads are effective and will be continued.

Litter and illegal dumping are chronic problems in Yakima County, and additional efforts in the schools could help educate children that these are undesirable activities. The Adopt-a-Road program is helping to address roadside litter, which the County plans to continue.

### 3.3.6 Private Sector Outreach and Promotion Programs

Outreach and promotion efforts by the private sector are often conducted in support of their programs, and many also participate in spreading a broader message when possible. Examples of specific activities are described below.

- **Central Washington Recycling** (<http://michelsenpackaging.com/recycling/>). This local business conducts outreach and education for their commercial accounts, and also provides technical assistance as needed to set up new programs. They also conduct tours of their operations for school groups and other organizations, and promote participation in the recycling drop-off sites to their clients.
- **Basin Disposal and Yakima Waste Systems.** The two main private collection companies that operate in Yakima County, Basin Disposal and Yakima Waste Systems, collect recyclables from both commercial and residential accounts. These companies provide information to their customers on proper recycling practices, as well as other recycling opportunities. This information is provided in the form of brochures, bill inserts and labels on containers. In addition, Yakima Waste Systems has participated in joint mailings with the City of Yakima.

## 3.4 STATUS OF 2017 RECOMMENDATIONS

The 2017 Plan had four recommended actions. Table 3-1 describes the status of the recommended activities outlined in the 2017 Plan.

Table 3.1 Status of 2017 Recommendations

Recommendations	Status
Continue to incorporate a larger promotion and educational role for the stakeholder cities, through an active partnership with Yakima County. Existing Yakima County Public Services Solid Waste Division staff should continue to take the lead in most areas and will provide technical assistance on an as-needed basis. Engage other organizations, including service groups, schools, Yakima Waste Systems, Basin Disposal, and other private companies (as appropriate to the program or material being promoted), to conduct education for their own specific program.	Ongoing
As new programs are developed, educational efforts will be coordinated.	Ongoing
Assist businesses in developing a waste reduction and recycling plan specific to their waste stream.	Ongoing
Continue to engage the media to promote waste reduction strategies.	Ongoing

## 3.5 PLANNING ISSUES

Currently, Yakima County Public Services Solid Waste Division provides the majority of the promotion, education and outreach programs conducted county-wide. Designation and/or sharing of this

continued responsibility will need to be determined. The subsections below address the planning issues associated with each of the existing program categories:

### 3.5.1 Public Outreach Promotional Resources and Activities

- **Website.** The website for solid waste and recycling information, [www.yakimarecycles.com](http://www.yakimarecycles.com), is an excellent tool and should continue to be maintained and expanded as appropriate.
- **Landfill Tours/Education.** Landfill tours and related educational activities provide first-hand exposure to disposal issues and should be continued.
- **Public Education/Outreach Events.** Education and outreach at public events is an important tool for distributing information and should be continued.
- **Radio/Newspaper/Billboard/Movie Theater Advertising.** Mass media advertising is essential for reaching people who might otherwise miss the messages distributed through other means such as flyers in utility bills. These advertising activities should be continued.

### 3.5.2 Waste Reduction and Recycling Education

- **School/Business/Public Event Recycling.** Existing efforts for school recycling programs are working well and should be continued. There is the “Washington Green Schools” program, which provides online resources for environmental improvements (see [www.wagreenschools.org/](http://www.wagreenschools.org/)). This program provides schools with support and resources to expand waste reduction, recycling, and other conservation education and practices. A significant amount of material is already being collected for recycling from the businesses in Yakima County, but more could be done to encourage waste reduction and other environmental programs. Current efforts to inform event organizers and support public event recycling appear to be working well and should be continued.
- **Organics Education.** Any new programs should be publicized and promoted in the first year or two of operation and continued throughout the life of the program.
- **Youth Environmental Summit.** This event is highly attended and is a showcase for waste and recycling education in Yakima County. Participation in this event should continue.

### 3.5.3 Small Quantity Generator Waste Education

Existing efforts do a good job of informing SQGs about proper handling and disposal practices for MRW, but more technical assistance could be provided to businesses, schools, and agricultural generators. See Chapter 12 of this Plan for more detailed discussion, planning issues, and recommendations.

### 3.5.4 Product Stewardship Education

- **Safe Medicine Return.** Safe Medication Return is a unified, statewide program that gives Washington residents free, convenient, and environmentally responsible options to dispose of unwanted medication. Drug manufacturers fund the program at no cost to taxpayers. 69.48 RCW established Washington’s Safe Medication Return program (also



known as the Drug Take-Back program). Yakima County promotes this program on their website

- **Paint.** Waste paint is currently handled at Yakima County’s Household & Small Business Waste Collection Facility (HSBWCF) located at THLF. On July 28, 2019, the Governor signed Substitute House Bill 1652 into law that established the Washington Architectural Paint Stewardship Program, making Washington the ninth state in the country with a paint stewardship program.

The bill is codified as Chapter 70A.515 RCW. The Washington law requires a stewardship organization representing producers to submit a plan for the implementation of a paint stewardship program to Ecology for approval. PaintCare Washington LLC submitted to Ecology the revised Washington paint stewardship program plan in February, 2021. Ecology conditionally approved the Plan in March 2021. The Washington PaintCare program serves the state’s residents, businesses, schools, government agencies and other entities that have leftover, unwanted paint.

Households may drop off up to 100 gallons per visit of post-consumer latex or oil-based paint at the THTS. Paints, stains and varnish are accepted in containers up to five gallons in size. No spray paint or other spray products are accepted. The site also gives away for free, or sells at a nominal cost, some of the unused paint and other products that are dropped off by others. For other locations of drop-off sites in Yakima County, refer to: <https://www.paintcare.org/states/washington/>. The quantity of paint accepted may be less at other sites.

- **Tires.** The state is still in the planning stages for a tire product stewardship program to address waste tires. Thus, it is unknown what role Yakima County or other local service-providers (i.e., auto repair shops and tire dealers) may have in any new programs to address this waste material. This and other programs are being evaluated by the Northwest Product Stewardship Council (see [www.productstewardship.net/](http://www.productstewardship.net/)).
- **Fluorescent Tubes.** The LightRecycle Washington program began on January 1, 2015, for the collection and recycling of mercury-containing lights. The program’s website ([www.LightRecycle.org](http://www.LightRecycle.org)) lists drop off collection sites in Yakima County where residents and businesses are able to recycle up to 10 mercury-containing lights per day free of charge. Yakima County promotes LightRecycle on their website. The Yakima County Household & Small Business Hazardous Waste Facility accepts fluorescent bulbs in tubes or as compact fluorescent bulbs (CFL). Free CFL bulb recycling is also available at all Home Depot and Lowe’s stores nationwide.

“The Mercury-Containing Lights-Proper Disposal law (70A.505 RCW) contains a sunset provision the Sunset Act (43.131 RCW), that the mercury-containing lights product stewardship program is subject to review, termination, and possible extension. July 1, 2026 is the date the program could effectively be terminated or extended.” “If the program is extended, no change to policy will occur in relation to collection and management of mercury-containing lights covered by the stewardship program.

“If the program is terminated, it is anticipated that the Yakima County could see increased mercury containing lights at the HSBWF. The Joint Legislative Audit and Review Committee will be reviewing the program in 2024 at the earliest. By July 1, 2025 – they will issue a report on the program which will include a recommendation on

whether or not the program should be terminated or extended. If it is terminated, Yakima County may apply for a Local Solid Waste Financial Assistance (LSWFA) grant to help offset the additional costs.

### **3.5.5 Private Company Outreach and Promotion Programs**

No specific needs or service gaps have been identified for private programs.

## **3.6 ALTERNATIVES**

In addition to developing campaigns to promote new State legislation, the County evaluated the following Alternative Strategies.

### **3.6.1 ALTERNATIVE A - Conduct Continuous Improvement of Education and Outreach Programs**

Yakima County has an established and effective education and outreach program to encourage waste reduction and recovery and promote participation in County programs. However, like many communities, Yakima County is at a juncture where existing education and outreach initiatives may require modification to optimize their impact on increasing waste reduction, reuse, recycling and composting, as well as improving the quality of the recyclables recovered. One of the values of a strategic planning process is that it provides opportunities to reflect on existing initiatives and reposition for the future.

Alternatives to improve the effectiveness of education and outreach initiatives may include:

#### **3.6.1.1 ALTERNATIVE A-1 Conduct Continuous Improvement Work Session**

The County may conduct an internal “Continuous Improvement” work session to identify the goals for each education and outreach initiative, target audiences, resource requirements, implementation mechanisms, and performance metrics. At the end of each year, the County would evaluate whether goals, target audiences, and resource requirement estimates were achieved, or if modifications are required.

#### **3.6.1.2 ALTERNATIVE A-2 Facilitate Focus Groups**

The County may facilitate focus groups for specific target audiences that are designed to understand what motivates or discourages these audiences to participate in County recovery programs. The County would conduct informal focus groups and more formally organized focus groups through Yakima County civic organizations or public institutions, such as schools and the Greater Yakima Chamber of Commerce. In the focus groups, the County will use information from the Ecology Diversion, Equity, and Inclusion website, EJSCREEN tool, to facilitate community-wide representation and perspectives..

#### **3.6.1.3 ALTERNATIVE A-3 Collect Additional Data**

The County may work with the Information Technology Department to query customers about where they learn about County services and what materials they should recycle. In addition, the County could survey participants at events where they have a booth and/or are making a presentation to

gather data to help target outreach messages. This data could include demographics and media choices.

### 3.6.2 **ALTERNATIVE B - Use Social Media to Educate Residents on “Recycling Right”**

The County may contract with Recollect, a technology company that helps communities and businesses reduce reliance on landfills, to develop Yakima County-specific platforms to educate residents about what can and cannot be recycled. Recollect calls the two platforms *Waste Wizard* and *Recycle Quest*.

*Waste Wizard* allows residents to search for over 200 hundred materials and learn if they should be recycled, composted or disposed, and where that activity can occur (i.e., if residents should take the material to the Yakima County Household & Small Business Waste Collection Facility or place materials in their cart).

*Recycle Quest* presents the player with a series of materials, which they must drag into the correct management category before proceeding to the next material. An incorrect choice requires the player to choose again. After the completion of the level (six correct choices), the player is rewarded with a choice of virtual items from which to construct their personal virtual park. After completing all five levels, *Recycle Quest* presents the player with the opportunity to create and print a certificate of completion.



















In addition, Recollect could customize the game to reflect Yakima County’s landfill diversion system. *Recycle Quest* would aggregate usage data to provide the following metrics to the County:

- A virtual waste audit: this would provide Yakima County with information about wrongly placed materials (e.g., number of wrong guesses, items most frequently misplaced, and the number of times each material was placed in the incorrect stream).
- Monthly reporting of number of game played and top misunderstood items.

Residents would have access to both *Waste Wizard* and *Recycle Quest* on a mobile a mobile app called Yakima Recycles. Residents could download Yakima Recycles for free in the Google Play store and iPhone App Store. Links to *Waste Wizard* and *Recycle Quest* could also be available on the County’s website.

### 3.6.3 **ALTERNATIVE C - Recognize Businesses with Green Business Certification Program**

The County may consider implementing a program similar to San Antonio, Texas’ ReWorksSA, where businesses are recognized for their commitment to waste reduction and recycling through recycling certification. For a business to be eligible for recycling certification, they would need to have a recycling program in place. The County would identify a series of waste reduction and recycling best practices that the business can choose. For each best practice the business implements, they receive points. The more points a business earns, the higher level of certification they could receive. San Antonio has 27 elective best practices and the highest certification is a gold level. Certifications are valid for two years.

	Bronze	Silver	Gold
Official Certificate			
Certification Window Decal			
Digital Logo Package			
Recognition on ReWorksSA.org			
Framed Official Certificate			
Thank You Letter From City Leadership			
Certification Plaque			
Dedicated Spotlight page on ReWorksSA.org			

### 3.6.4 **ALTERNATIVE D - Increase Awareness about Wasted Food and Food Recovery**

As previously discussed, food waste accounts for almost 15 percent of the disposed waste stream in Yakima County, which means approximately 41,000 tons were disposed during the Baseline Year. At the same time, almost 10 percent of residents in Yakima County live in food insecure homes and over 20 percent of children are food insecure<sup>2</sup>. To increase awareness about food waste and food recovery, the County is considering the following alternatives:

#### 3.6.4.1 **ALTERNATIVE D-1 Promote the USEPA “Food Recovery Challenge”**

The “Food Recovery Challenge” encourages universities, businesses, and other community organizations to make their food management systems more sustainable. Participants are required to set baseline goals, and annually report the amount of food waste diverted into the USEPA’s data management system. The USEPA then takes the amount of food that has been saved and translates that into measures such as “cars off the road” or reductions in greenhouse gas. This helps participants share what they have accomplished and encourages others to get involved. Each year the USEPA awards participating organizations for categories such as source reduction, leadership, innovation, education, and outreach. Winners of the “Food Recovery Challenge” awards are recognized on the USEPA’s various social media platforms.

#### 3.6.4.2 **ALTERNATIVE D-2 Link the County’s Website to the “I Value Food” Website Page**

The “I Value Food” campaign aims to raise awareness about food waste in the United States. The campaign’s website offers tools and tips on how to help end food waste and features useful articles such as “Creative Ways to Use Leftovers,” or “Cooking for One with Zero Waste.” The campaign’s website also offers a quiz to help see how much food individuals and families really waste every

<sup>2</sup> <https://www.livestories.com/statistics/hunger-in-washington/washington/yakima-county-food-insecurity>

day. "I Value Food" launched an online challenge and toolkit for reducing food waste at home. Through various social media platforms, "I Value Food" shares ways to reduce food waste.

### **3.6.4.3 ALTERNATIVE D-3 Incorporate "Save the Food" into Classroom Presentations**

The Food and Agricultural Organization of the United Nations developed "Save the Food," which is designed to raise awareness among school children, teachers, staff and their related families on food loss and waste issues, and introduce good practices conducive to food waste reduction. An education package named "Do Good: Save Food!" consists of different modules that can be used by the County or educators to plan lessons and activities on the issue. The content is adaptable and interactively designed to enable educators to select and implement components they consider to be most pertinent to the cause, depending on the needs related to time availability, knowledge and age of the students, curriculum context, etc.

### **3.6.4.4 ALTERNATIVE D-4 Develop a Database of Food Rescue Organizations**

Many businesses, institutions, and organizations are interested in donating edible food, but it needs to be convenient. The County may inventory all food rescue organizations to identify location, the types of food products they accept, hours of operation, and collection specifications. The County may then use this information to create a database where pre-consumer food waste generators can sort by these filters. The County may also establish a directory of large, pre-consumer food waste generators that food rescue organizations can access to find potential partners.

### **3.6.5 ALTERNATIVE E - Increase Awareness of Yakima County HHW Facility**

Many of the costs associated with the Yakima County Household & Small Business Hazardous Waste Facility (HHW Facility), such as overhead and staff, are fixed and remain the same regardless of the quantity of waste received. To optimize the performance of this program, the County may host an annual, month-long campaign at hardware and home improvement stores to remind shoppers about the Facility through in-store promotional materials. That activity could be supported by a print and radio advertising campaign conducted cooperatively with product manufacturers and local retailers to encourage residents to use the facility to properly dispose of hazardous materials.

### **3.6.6 Evaluation of Alternative Strategies**

The County assessed each of the alternative strategies for their impact on waste reduction/diversion, customer preferences and implementation costs.

#### **3.6.6.1 Waste Reduction/Diversion Potential**

Because Alternative D, increase awareness about wasted food and food recovery, targets one of the largest segments of the waste stream, significant waste reduction and diversion potential exists. However, education on food waste may only increase food reduction/diversion by one or two percent if there is no associated collection program or composting facility. Communities that have used *Waste Wizard* and *Recycle Quest* experienced a 5 to 10 percent increase in tons of recyclables recovered and up to a 50 percent decrease in contamination. These potential increases are discussed in Chapters 4 and 5.

### 3.6.6.2 Customer Preferences

Waste reduction education and promotion programs typically enjoy strong customer support. However, incorporating new information in classroom curriculum can be challenging.

### 3.6.6.3 Implementation Costs

With the exception of Alternative A, implementing each alternative may require the County to spend additional funds on promotion activities and materials. The County may incur expenses for Alternative A if they hire a facilitator for work sessions or focus groups. Alternative B, could cost the County between \$6,000 and \$12,000 based on the features the County selects. The County has included a \$12,000 budget.

### 3.6.7 Rating of Alternatives

Table 3.2 shows how the alternatives align with the evaluation criteria.

Table 3.2 Summary Rating of the Promotion and Education Alternatives

Alternative		Waste Reduction/ Diversion Potential	Customer Preferences	Cost to Implement	Average Overall Rating
A-1	Conduct Continuous Improvement Work Session	3	5	5	4.33
A-2	Facilitate Focus Groups	3	5	5	4.33
A-3	Collect Additional Data	3	3	3	3.00
B	Use Social Media to Educate Residents on "Recycling Right"	5	5	3	4.33
C	Recognize Businesses that Recycle with Green Business Certification Program	3	5	3	3.67
D-1	Promote the USEPA "Food Recovery Challenge"	1	5	5	3.67
D-2	Link the County's Website to the "I Value Food" Website Page	3	5	5	4.33
D-3	Incorporate "Save the Food" into Classroom Presentations	3	3	5	3.67
D-4	Develop a Database of Food Rescue Organizations	3	5	3	3.67

Alternative		Waste Reduction/ Diversion Potential	Customer Preferences	Cost to Implement	Average Overall Rating
E	Increase Awareness of Yakima County Household & Small Business Hazardous Waste Facility	1	5	3	3.00

5 – Highly Aligns, 3 – Aligns, 1 – Somewhat Aligns

### 3.6.8 Recommended Alternatives

In addition to continuing current existing public education and promotion activities, the following recommendations scored higher than a four, which means the County will implement them in the next five years:

- A-1 Conduct continuous improvement workshop
- A-2 Facilitate focus groups
- B Use social media to educate residents on “Recycle Right”
- D-2 Link the County’s website to the “I Value Food” website page



# Chapter 4

## Waste Reduction and Recycling



## **4 WASTE REDUCTION AND RECYCLING**

### **4.1 INTRODUCTION**

From the time the 50 percent recycling goal was originally established in 1989, the Ecology and local jurisdictions have gained much knowledge. However, the 50 percent benchmark measures how much material is collected for recycling, but not how much material is actually turned back into a new product, which is the true definition of this term. In 2017, Ecology made a policy decision to change metrics and focus on comprehensive waste reduction and recovery rather focusing on a recycling rate. Ecology will also honor the intent of the RCW by publishing the rate of materials collected for recovery vs. disposed. Local governments will still be able to calculate recycling rates based on the best available data if they desire.

Ecology defines recovery as recycling, composting and converting waste into energy. This Chapter focuses on waste reduction and recycling. This Chapter discusses existing waste recovery programs, identifies relevant planning issues to meet local and state goals, and develops and evaluates alternative strategies.

### **4.2 BACKGROUND**

This section discusses the County's goals and describes the applicable Washington State laws and rules regarding waste reduction and recycling programs.

#### **4.2.1 Goals and Objectives for Waste Reduction and Recycling**

Yakima County goals and objectives specific to waste reduction and recycling include:

- Ensure convenient and reliable services for managing solid waste and MRW materials;
- Promote the use of innovative and economical waste handling methods;
- Emphasize waste reduction as a fundamental management strategy;
- Support public-private partnerships for waste reduction and recovery programs;
- Encourage the recovery of marketable resources from the waste stream;
- Minimize contamination in recovery programs;
- Reduce environmental impacts to air, water, and land that are associated with waste generation, transportation, handling, and recycling;
- Manage waste in a manner that promotes Washington State's waste management priorities presented in Ecology's *Moving Washington beyond Waste and Toxics* document.

#### **4.2.2 State Legislation, Regulations, and Guidelines**

Chapters 4 and 5 provide an update of Yakima County's methods to divert waste away from landfill disposal and to comply with Washington State requirements regarding waste reduction and recycling opportunities and programs. The State's requirements are based in the "Waste Not Washington Act"

(ESHB 1671), which declared that waste reduction and recycling must become a fundamental strategy for solid waste management in Washington State. This law is reflected in various sections of the RCW and WAC. Chapter 70A.205 RCW includes the following goals (among others) and requires that solid waste management plans demonstrate how these goals will be met:

- Washington State is to achieve a statewide recycling rate of 50 percent<sup>3</sup>.
- Source-separation of waste (at a minimum, separation into recyclable and non-recyclable fractions) must be a fundamental strategy of solid waste management.
- Steps should be taken to make recovery at least as affordable and convenient to the ratepayer as disposal of mixed solid waste. Such steps would require adoption of a Yakima County service level ordinance or adoption by signatory cities of service standards that promote waste reduction and recovery, described in more detail in Section 4.5.7 and Section 4.5.8.

70A.205.050 RCW also requires that counties develop clear criteria for designating areas as urban or rural for the purpose of providing solid waste and recovery services. 70A.205.045 RCW requires recyclables to be collected from homes and apartments in urban areas (with some exceptions), whereas drop-off centers and other methods can be used in rural areas.

70A.205.045 RCW requires a monitoring program for collection of source-separated recyclables from non-residential sources when there is sufficient density to economically sustain a commercial collection program. Yakima County achieves this by working cooperatively with Ecology and using the data Ecology collects through the annual Washington State Recycling Survey.

In summary, Yakima County’s existing urban and rural collection programs and the non-residential monitoring program meet or exceed the recycling service requirements in Chapter 70A.205 RCW.

### 4.3 EXISTING PROGRAM ELEMENTS

This section provides background information regarding waste reduction and recycling, and discusses Yakima County’s existing programs.

#### 4.3.1 Status of 2017 Recommendations

The waste reduction and recycling recommendations made in the 2017 Plan and the current status of each are shown in Table 4.1.

Table 4.1 Status of 2017 Recommendations for Waste Reduction and Recycling

Recommendations	Status
WRR1 Adopt the updated list of designated materials (Table 4.3) and maintain it through periodic review and updates.	Plastics needs to be reviewed

<sup>3</sup> The Department of Ecology is retaining the 50% recycling rate goal even though the State is transitioning from recycling to recovery.

Recommendations	Status
WRR2 Continue to provide support for recycling at public events.	Ongoing
WRR3 Adopt a County service-level ordinance that promotes residential recycling and waste reduction.	This was not completed due to changes in recycling markets.
WRR4 Expand recycling drop-off opportunities in signatory cities and at private sites.	Implementing this recommendation was the responsibility of the municipalities. Due to the difficulty in finding markets for recycling and high contamination, there has been little drop-off expansion. In fact, some sites have closed.
WRR5 Conduct a feasibility study for a commingled recyclable processing facility in Yakima County.	City of Yakima completed. Study indicated it was not feasible to develop a commingled recyclable processing facility in Yakima County.
WRR6 Support private sector programs, forums or other methods, such as a reusable materials exchange program to facilitate business material exchanges.	Ongoing
WRR7 Increase promotion of existing reuse programs through newsletters, community reuse events, guidebooks, and community-based social marketing.	Ongoing
WRR8 Continue to conduct periodic waste characterization studies. Despite its relatively high cost and low direct impact on diversion in Yakima County, these efforts provide data to track progress of Yakima County's waste reduction and diversion program performance, refine existing programs, and identify new program opportunities.	Partially Complete. County conducts small-scale characterizations, but still needs a comprehensive study.

Work related to a number of recommendations from the 2003, 2010 and 2017 Plans is also still ongoing and will be continued in this Plan. These efforts include the following:

- Continuing the current mix of voluntary curbside (where available) and drop-off recycling services for urban and rural residents;
- Continuing to rely on the private sector to provide recycling collection for commercial generators;
- Exploring public-sector incentives and funding for expanded curbside and drop-off recycling programs in both incorporated and unincorporated areas;

- Providing expanded and targeted education and assistance to businesses on recycling, waste reduction, and reducing toxicity of commercial waste;
- Targeting hard-to-recycle materials and newly designated recyclables collection among residents and businesses; and
- Providing targeted market assistance for recyclable materials, such as through feasibility assessments, commercial technical assistance, and “buy recycled” campaigns.

In general, Yakima County’s diversion rate has stayed constant at 23 percent. A total of 117,591 tons was reported as recycled, composted, or otherwise diverted in 2021. Detail about existing waste reduction and recycling programs in Yakima County are provided in the sections that follow.

### 4.3.2 Waste Reduction and Reuse

Waste reduction is the highest priority for solid waste management according to Chapter 70A.205 RCW, and is preferred over recycling and composting because the social, environmental, and economic costs are typically lower for avoiding the creation of waste.

Waste collection fees are used to encourage waste reduction (and recycling) through existing “pay-as-you-throw” rates, in which single-family households are charged according to the amount of garbage they discard. Avid recyclers or households that minimize waste can also choose a smaller cart, instead of a 96-gallon cart, for a reduced collection cost where available in Yakima County (refer to Chapter 6 for additional information). Businesses and multifamily properties are generally already charged according to the amount of garbage disposed.

Onsite composting reduces the amount of yard debris disposed of as garbage or composted commercially. Yakima County provides educational materials for onsite composting, has distributed composting bins, and works with several groups (such as the Arboretum and Master Gardeners) to encourage these practices.

Other opportunities for reuse and waste reduction that are available in Yakima County include a non-profit Habitat for Humanity reuse store for building materials, Mail N More locations accepting reusable packing materials, and organizations such as the Salvation Army, Goodwill, and Union Gospel Mission accepting gently-used clothes, furniture, and home goods.

### 4.3.3 Urban Area Residential Recycling

Cities are responsible for curbside recycling and yard waste collection. Curbside recycling collection services are available in Moxee, Selah, Union Gap, and Yakima, and being added in Toppenish and Zillah. These programs collect primarily Tier 1 materials (see Table 4.3). Curbside recycling services are also available in the urban growth area on a subscription basis. These services are provided by Yakima Waste Systems and Basin Disposal (both private firms) through a variety of contractual arrangements and State-issued certificates.

According to Yakima Waste Systems, the number of customers that subscribe to curbside recycling increased by approximately 15 percent since 2015, and Basin Disposal Services reports a 24 percent increase. About 30,800 households out of the 39,500 households with access to curbside recycling participate in the program, which is a 78 percent subscription rate.

Urban residents who do not have access to or who do not subscribe to curbside service can use drop-off sites and private buy-back centers located in some towns and cities.

#### **4.3.4 Rural Area Residential Recycling**

Curbside recycling service is not available in rural areas; instead, rural residents rely on drop-off sites and buy-back centers. The CLF, LVTS, and THLF provide drop-off recycling services to rural customers. Yakima Waste System previously accepted recyclables at their GTS, and may do so in the future. Yakima County previously provided rural drop-off boxes in the towns of Harrah, Granger, and Zillah. These rural drop-boxes were removed because the recyclables were routinely contaminated with non-recyclable materials.

#### **4.3.5 Commercial Recycling**

Commercial-sector recycling collection is handled exclusively by the private sector. Yakima Waste Systems and Basin Disposal provide recycling collection service to commercial customers. Businesses who do not subscribe to recycling collection services may also use public drop-off sites and private buy-back centers. Yakima County offers technical assistance services to businesses on request.

#### **4.3.6 Public Event Recycling**

To help events comply with Washington State law requiring public event recycling (RCW 70A.200.100), Yakima County offers recycling bins at no charge for use at such events. The recyclables collected at these events can be delivered to Yakima Waste Systems or to Yakima County.

#### **4.3.7 Other Recycling Services**

Household batteries are accepted at Yakima County household hazardous waste facility at no cost and at a number of business locations. Appliances and tires are also accepted for a fee at Yakima County transfer stations and at a few private locations.

E-Cycle Washington and LightRecycle Washington are two statewide programs that allow residents and some small businesses or agencies to recycle electronics and mercury-containing lights, respectively, for free at two collection sites in Yakima County. The LightRecycle program will likely end in 2026.

A few private facilities specialize in metals recycling, such as Mayflower Metals and Pacific Steel & Recycling. They accept scrap metals, old automobiles, and appliances.

Michelson Packaging Company operates a recycling center in Yakima, known as Central Washington Recycling. Central Washington Recycling accepts source-separated cardboard, office paper, newsprint, magazines, and mixed paper from both the residential and commercial sectors.

The Wesley United Methodist Church operates a drop-off recycling center that accepts cardboard, paperboard, paper, aluminum cans, and tin cans. Union Gospel Mission in Yakima accepts cardboard, metal scraps, aluminum cans, and some electronics. A directory of other businesses and the materials that they will accept for recycling is available at Yakima County's website:

<http://www.yakimacounty.us/BusinessDirectoryII.aspx?IngBusinessCategoryID= 30>.

### 4.3.8 Incentives for Recycling

Yakima County provides recycling bins at its three solid waste sites, CLF, LVTS, and THLF, as an incentive to its self-haul customers by accepting source-separated recyclables at no cost in advance of weighing vehicles at the scale plazas. MRW is also accepted at no cost at these three Yakima County-owned sites.

Recycling can enable residents and businesses to reduce their garbage service volumes, lower their garbage bill, and for some recyclable materials such as aluminum or copper, even receive revenue if taken to a private recycling facility. Residents and businesses that subscribe to recycling collection services may be able to reduce their garbage service to a smaller size cart and lower their costs for garbage service.

### 4.3.9 Monitoring and Evaluation

Yakima County relies on Ecology for information on recycled quantities and an estimate of Yakima's countywide recycling rate. Annual figures for recycled tonnages are reported on a voluntary basis by both public- and private-sector entities.

### 4.3.10 Processing Facilities

The private sector handles the processing of the materials collected for recycling. The following is a list of facilities that process recyclables, and a brief description of their activities:

- Central Washington Recycling accepts old corrugated containers and mixed paper.
- Basin Disposal has the ability to hand-sort mixed recyclables from commercial sources.
- Yakima Waste Systems sends commingled recyclables to the Columbia Resource Company in Vancouver, Washington.
- There are private facilities that process specific waste streams, such as Mayflower Metals and Pacific Steel & Recycling, both of which sort and process metals.

### 4.3.11 Markets

Washington State regulations (RCW 70A.205.045) require “a description of markets for recyclables,” which is provided below. This description is intended to be only a brief report of current conditions, and it should be noted that market conditions for recyclables can change drastically and rapidly.

#### 4.3.11.1 Market Overview

Like most of the United States, a significant quantity of recyclables generated in the State of Washington were sent to China for final processing. In 2018, China enacted the “National Sword” that applied a strict new contamination standard that said scrap materials imported into China may not exceed 0.5 percent contamination. This is below typical processing standards of 3-5 percent at Washington recycling facilities. With a few exceptions, China also froze the approval of scrap paper import permits. As a result, most scrap paper import companies cannot import any scrap paper into China. Information on recycling markets can be found at <https://ecy.app.box.com>.

The import ban created a major disruption in Washington and throughout the country. Material recovery facilities in Washington, which receive mixed recyclables and sort them for resale to commodities brokers, slowed down their processing of recyclable materials in an attempt to reduce contamination. This slowdown reduced the amount of material that could be processed. The amount of material collected in Washington exceeded the processing capacity at these slower processing rates.

Markets for recyclable materials have been inconsistent since 2018. An important factor for marketing of recyclable materials collected in Yakima County is the cost of transporting them to end-markets, many of which are outside of Washington State. Recyclers in Eastern Washington are farther from most markets than recyclers along the Interstate 5 corridor, reducing market access and creating a transportation cost barrier. The low market value of many recyclable materials limits the number of materials that can be cost-effectively moved to markets.

Primary markets for specific materials and comments on factors that affect them are shown in Table 4.2.

Table 4.2 Markets for Recyclables Materials

Material	Primary Market(s)	Comments
<b>Paper:</b>		
Cardboard	Regional paper markets, paper mills and export	The markets for cardboard has been improving since 2018 due to new US paper mills coming on line.
Mixed Waste Paper	Local (Michelson Packaging)	Michelson Packaging continues to need more of these two materials than can be provided locally.
Newspaper	Local (Michelson Packaging)	
<b>Plastics:</b>		
Bottles	Regional markets in Western Washington, Oregon, and export	The markets for PET (#1) and HDPE (#2) bottles have improved since 2018, but continues to be extremely weak for bottles #3–7 due to oversupply.
Other Plastics	Primarily export	Markets are volatile and sometimes unreliable.
<b>Metals:</b>		
Aluminum	Regional markets in Western Washington and Oregon; can manufacturing in St. Louis	In the US, domestic aluminum scrap prices continued to trend downward in 2019 and some were at levels not seen since early 2009 following the 2008 financial crash. There is a probability that prices of cans may crash in 2021. <sup>1</sup>
Tin Cans, White Goods (Appliances), and	Regional markets in Western Washington and Oregon	Steel has fluctuated heavily, and the market is currently weak.

Material	Primary Market(s)	Comments
Ferrous and Non-Ferrous Scrap		
<b>Glass:</b>		
Clear Glass	Regional markets in Western Washington and Oregon	Prices are poor for clear glass but are better than for brown and green glass.
Brown and Green Glass	Regional markets in Western Washington and Oregon	Prices for brown and green glass are low or negative (i.e., the glass is recycled for a charge).
<b>Organics:</b>		
Wood	Hog fuel, mulch (clean sources only)	More information is provided in Chapter 5 on the markets for organic materials.
Yard Debris	Daily cover, compost	More information is provided in Chapter 5 on the markets for organic materials.

Note: Information was sourced from processors and collectors in Yakima County, and internet research.

<sup>1</sup> [www.metalbulletin.com](http://www.metalbulletin.com)

## 4.4 DESIGNATION OF RECYCLABLE MATERIALS

The 2017 Plan list of “designated recyclable materials is included in Table 4.3,” as required by Chapter 173- 350 WAC. This list should be used for guidance as to the materials to be recycled. This list is based on conditions (collection programs and markets) when the 2017 Plan was prepared. Section 4.6.1 recommends modifications to this list for the next planning period.

This list is not intended to create a requirement that recycling programs in Yakima County collect every designated material. Instead, the intent is that through a combination of programs offered throughout Yakima County, residents and businesses should have an opportunity to recycle the designated materials listed through at least one program. In other words, if plastics are on the designated materials list, then at least one program in Yakima County must collect plastics. In this case, the list has been prioritized, meaning that residents and businesses should have better access to recycling high priority materials.

Table 4.3 List of Designated Recyclable Materials

Priority Level	Material
<b>High Priority Materials:</b> Materials that should be collected by curbside and drop-off programs throughout Yakima County.	<ol style="list-style-type: none"> <li>1. Aluminum</li> <li>2. Cardboard</li> <li>3. High Grade Paper</li> <li>4. Mixed Paper</li> <li>5. Newspaper</li> <li>6. Plastic Bottles, #1 and #2</li> <li>7. Tin Cans</li> </ol>
<b>Medium Priority Materials:</b> Materials that should be	<ol style="list-style-type: none"> <li>1. Electronics covered by E-Cycle Washington</li> <li>2. Ferrous Metals</li> </ol>



collected at select locations throughout Yakima County.	<ol style="list-style-type: none"> <li>3. Mercury-Containing Lights covered by LightRecycle Washington</li> <li>4. Motor Oil</li> <li>5. Non-Ferrous Metals</li> <li>6. Plastic Bags and Film</li> <li>7. Textiles</li> <li>8. Tires</li> <li>9. Vehicle Batteries</li> <li>10. Yard Debris</li> <li>11. Clean Wood Waste</li> </ol>
<b>Low Priority Materials:</b> Hard to recycle materials that can be recycled if markets are available.	<ol style="list-style-type: none"> <li>1. Brown Glass</li> <li>2. Clear Glass</li> <li>3. Food Waste</li> <li>4. Green Glass</li> <li>5. Latex Paint</li> <li>6. Plastics, #3 through #7</li> <li>7. Plastic Containers (Non-Bottle)</li> <li>8. Poly-Coated Paper</li> </ol>

The following conditions are criteria for additions or deletions to the list of designated materials:

- The market price for an existing material becomes so low that it is no longer feasible to collect, process, or transport it to markets;
- Local markets or brokers expand their list of acceptable items based on new uses for materials or technologies that increase demand;
- New local or regional processing or demand for a particular material develops;
- No market can be found for an existing recyclable material, causing the material to be stockpiled with no apparent solution in the near future;
- The potential for increased quantities of diversion;
- Legislative mandate; and
- Other conditions not anticipated at this time.

Any proposed changes to the list of designated materials will be submitted to the SWAC for discussion. With the concurrence of the SWAC, followed by approval by the Yakima County Public Services Director, minor changes in the list can be adopted without formally amending the Plan. Thus, minor changes can be addressed in about 60 to 75 days, depending on the schedule of SWAC meetings at the time of the proposed change. Should the SWAC conclude the proposed change is a “major change” (what constitutes a “major change” is expected to be self-evident at the time, although criteria such as the length of the discussion by the SWAC or difficulty in achieving consensus could be used as indicators of a “major change”), then an amendment to the Plan would be necessary (a process that could take 120 days or longer to complete). In either case, Ecology will be notified of changes made to the list of designated materials or of the initiation of an amendment process.

## 4.5 PLANNING ISSUES

### 4.5.1 Climate Action Response

In 2016, Ecology issued a proposed rule (Chapter 173-442 WAC) to establish emission standards for GHG emissions from certain sources, including landfills in Washington State. Washington State Public Works Board (WSPWB) administers the funding of local county public works projects, and as a state agency required to comply with the mandates in RCW 70A.45.070 to meet the statewide GHG emission limits, opted to meet its obligations for taking action by requiring all jurisdictions receiving funding through the WSPWB to adopt their own GHG policies. Yakima County adopted Resolution 260-2012 supporting a reduction of GHG. Resolution 260-2012 includes multiple policies, and the ones focused most on waste reduction and recycling are as follows:

- Implement a solid waste strategy that:
  - Reduces the solid waste stream by recycling and other means;
  - Investigates ways to convert non-recyclable solid waste to energy; and,
  - Promotes the purchase of recycled and recyclable goods.
- Encourage jurisdiction-wide waste diversion services to include, for example, single stream curbside recycling, and curbside recycling of food and green waste.
- Reduce GHG emissions through improved management of waste handling and reductions in waste generation.
- Where and when allowed by the building code, encourage the use of building construction materials made from recycled and recyclable materials.

### 4.5.2 Glass Recycling and Reuse

The growth of wineries and microbreweries in Yakima County has increased public interest in recycling glass. Additionally, new residents coming from places where glass is recycled have requested that Yakima County look at providing this service. Yakima County has conducted a study and found that there is no local market for glass, and the cost of transporting it to markets in Seattle and Portland is significant. More glass could potentially be recycled if a local market could be developed to process the glass into new wine bottles and other containers; however, current conditions make economical glass recycling a challenge.

The County has suggested to local distilleries, breweries, and wineries that they consider a re-use program with bottles being returned and sanitized. This system would be similar to reusing beer growlers. The County will continue to work with key stakeholders to identify opportunities to increase glass recycling and make them aware of potential educational, infrastructure, and funding opportunities.

### 4.5.3 Recycling Rates by Material

Overall, Yakima County's diverted 117,591 tons of waste in 2021 for a diversion rate of 23 percent. Refer to Chapter 2 for data sources.

Table 4.4 uses data from the 2021 Ecology survey (see Table 2.4 in Chapter 2) and the 2020/21 State WCS (as applied to 2021 MSW disposal tonnages, see Table 2.5 in Chapter 2) to calculate the recovery rates for specific materials. As seen in Table 4.4, recovery rates vary depending on the

material. The recovery rates for cardboard and metals are the highest of the materials shown, consistent with the availability of several programs offering onsite collection of these materials, particularly from large commercial generators. Recovery rates were lower for newspaper, aluminum cans, and #1 and #2 plastics—and lower still for mixed waste paper and tin cans.

Table 4.4 Recovery Rates for Specific Recyclable Materials

Material Categories	Recycled Tonnages	Disposed Tonnages	Generated Tonnages	Recovery Rate
Paper Packaging	26,199	35,330	61,529	43%
Paper Products	2,970	24,142	27,112	11%
Plastic Packaging	2,886	26,497	29,383	10%
Plastic Products	260	17,371	17,631	1%
Glass	199	11,188	11,387	2%
Metal	22,797	21,492	44,289	51%
Organics	26,231	62,416	88,647	30%
Wood Debris	62	32,680	32,742	0.19%
Construction Materials	27,640	19,431	47,072	59%
Consumer Products	3,937	30,914	34,850	11%
Hazardous and Special Wastes	4,411	4,122	8,533	52%

#### 4.5.4 Curbside Recycling in Urban Areas

There is some demand for increased curbside recycling in urban areas of Yakima County. In Moxee, Selah, and Union Gap, residents can subscribe to curbside recycling from their garbage collector, and programs are beginning in Toppenish and Zillah. In the City of Yakima, residents receive garbage collection from the City’s Public Works Department and must subscribe with a separate private collector to receive curbside recycling service.

#### 4.5.5 Recycling Program Costs and Affordability

An overriding goal of Yakima County’s solid waste program is to keep costs and rates affordable for both residents and businesses. Recycling and other services discussed in this Plan may add to program costs and increase the rates. The key issues related to costs, rates, and affordability that should be considered as part of developing this Plan are as follows:

- How to provide recycling services on a cost-effective basis;

- How expanded recycling services may result in disposal cost savings by extending the life of existing landfills; and
- The potential for higher tip fees to provide a stronger incentive to recycle.

#### 4.5.6 Needs and Opportunities Identified by the Previous SWAC

In the development of the previous Plans, the SWAC noted several opportunities to expand and improve recycling services and identified a few key issues to be addressed. Several of these remain pertinent today:

- Increase use of residential curbside recycling service in urban areas;
- Collect more materials for recycling from the commercial sector; and
- Address the impacts of new regulations on solid waste and recycling services.

In addition to these previous concerns and opportunities, the 2018 China National Sword still impacts the stability of recycling markets. However, new paper markets have come on line which should increase the value of recycled fibers. Also, the demand for polypropylene (Plastic #5) is rapidly increasing. Polypropylene is the second-most widely produced plastic. Being light, heat resistant and sturdy, polypropylene is applied to various packaging and commonly used in the following products:

- Yogurt containers
- Liner in cereals boxes
- Disposable diapers
- Plastic bottles tops
- Kitchenware
- Disposable plates, cups, cutlery

#### 4.5.7 Urban/Rural Service Equity and Cost

As Yakima County establishes recycling goals and service levels for the next five to seven years, questions of equity and cost arise when considering what type of service to provide in urban versus rural communities. Issues considered include the following:

- Addressing how to provide equity between urban and rural residents in terms of opportunities for and convenience of recycling;
- Ensuring that rural residents have adequate service at a reasonable cost;
- Planning for whether these service levels will need to be adjusted in the future;
- Assessing whether minimum service levels should be established; and
- Establishing staffed drop-off centers.

### 4.5.8 Sham Recycling

Some facilities may claim they are recycling a material without actually doing so. Others haul mixed garbage they claim constitutes recyclable materials to avoid flow control policies in areas with high transfer station or landfill tip fees. These practices can both be considered “sham recycling.” Though Washington State’s 2005 “Sham Recycling Bill” and the Recyclable Materials Transporter and Facility Requirements (Chapter 173-345 WAC) limit this practice by requiring recycling haulers to register with Washington State and prohibiting delivery of recyclable materials to transfer stations and landfills, sham recycling may still occur. To date, no sham recycling has been documented in Yakima County.

Sham recycling may affect Yakima County through collectors or haulers who transport waste from Western Washington with the claim that they will process recyclables and instead landfill a substantial portion of the materials.

## 4.6 ALTERNATIVES

The 2020/21 State WCS found the top ten MSW materials categories that could be recovered in Yakima County account for over 50 percent of the landfilled waste stream. However, it should be noted that there are not markets for all of these materials in Yakima County. Table 4.5 presents the percent and tonnage of these materials disposed in 2021.

Table 4.5 Recyclable Materials Disposed

Recyclable Material	Overall Percentage Disposed	Material Tonnage Disposed
Food Waste	16.8%	49,459
Compostable Paper Products	5.3%	15,603
Furniture	3.4%	10,009
Pallets/Crates	3.2%	9,421
Packaging Film Plastic	3.1%	9,126
Mixed Paper	4.8%	14,131
Cardboard	6.6%	19,430
Textiles	4.0%	11,776
Glass	3.1%	9,126
Other Ferrous Metal	2.6%	7,654

Options for waste reduction and recycling strategies are described below. The options do not include glass and packaging film plastic since there is no market in Yakima County. Also, the State WCS did not provide enough information about furniture, pallets/crates or textiles to determine if they could be reused or repurposed. Options for recovering food waste and compostable paper products are provided in Chapter 5.

Increasing the recycling rate will require full participation by signatories to the Plan, including signatory cities. Yakima County’s primary role is to provide an integrated waste management system and to take the lead on waste reduction and recycling in unincorporated areas. Cities have primary responsibility for waste reduction and recycling of waste generated in their jurisdictions.

#### 4.6.1 **Alternative A - Adopt Updated List of Designated Materials**

Yakima County could adopt the updated list of designated recyclable materials (see Table 4.3) with the following changes since the 2017 Plan:

- Move single-use plastic bags from medium to low because of the plastic bag ban.
- Move food waste from low to medium due to HB 1114, education and outreach campaigns, and the possibility that one facility may accept it for composting.
- Move plastic #5 from low to medium due to increasing markets for this plastic grade.
- Add architectural paint to the list as medium priority due to Substitute HB 1652.

Yakima County could formally adopt the updated list of designated recyclables and create a formal process to review and revise (if necessary) by the SWAC, with revisions as needed based on available markets and materials in the waste stream.

#### 4.6.2 **Alternative B - Continue to Conduct Waste Composition Studies**

Yakima County conducted a waste composition study in 2015, and the 2017 Plan recommended repeating this study around 2020 as the State WCS does not accurately reflect the Yakima County waste streams and includes numerous materials where there is no market for recycling. COVID-19 prevented this from occurring. The County could conduct a study during the next five years to measure the impact of County policies and programs on recovering designated materials. The County could also design the study to assess results for individual cities and unincorporated areas, which would be helpful for monitoring the performance of various programs. Such a study is recommended to be conducted over the course of a year to address seasonal variations. A waste characterization study is estimated to cost between \$80,000 and \$100,000.

#### 4.6.3 **Alternative C - Continue to Promote Pay-As-You Throw and Evaluate Yakima Pricing Structure**

Of the four cities where residents have access to curbside recycling, three have two sizes of trash containers. Union Gap only offers a 96-gallon container. Table 4.6 provides container sizes and monthly rates for Moxee, Selah, and Yakima.

Table 4.6 Collection Rates

City or Town	Residential Garbage Cart Size	Monthly Household Rate	Dollar Difference	Percent Difference
Moxee	64- or 96-gallon	\$13.70; \$16.85	\$3.15	23%
Selah	64- or 96-gallon	\$11.72; \$14.28	\$2.56	18%
Yakima	32- or 96-gallon	\$19.10; \$21.85	\$2.75	14%

As Table 4.6 shows, Yakima has the smallest container (32-gallons), yet this container is more expensive than the 64-gallon carts for Moxee and Selah (64-gallons). Also, the difference in price for

the smallest and largest containers is the lowest in Yakima. The high price and low differential margin may be a deterrent for Yakima residents to select the 32-gallon cart. Because the variable rate system is an incentive to recycle, the current pricing structure may actually discourage residents from subscribing for this service. Therefore, the County will work with the City of Yakima to evaluate assess if there are opportunities to lower the price the 32-gallon cart and also offer a 64-gallon option.

#### **4.6.4 Alternative D - Locate Fiber Drop-Off Containers at Commercial and/or Multi-Family Clusters**

Based on the experience of SCS, contamination rates at fiber-only drop-off sites is much lower than at locations that accept commingled recyclables. Therefore, the County could work with Michelson Packaging Company or the waste haulers to establish drop-off containers at areas where there are “clusters” of commercial generators or multi-family establishments. These areas could include office complexes, such as the Creekside Business Park, large employers such as Yakima Valley Memorial Hospital, or multi-family complexes such as Lake Aspen Apartments. The County would work with the office managers of these facilities to conduct a cost benefit analysis of the potential savings in disposal costs versus the additional cost for recycling, and assist with revising waste collection contracts. The County would also design facility-specific education campaigns and signage, and periodically assess the program performance by measuring the contaminants in the recycling containers and trash in the recycling receptacle.

#### **4.6.5 Alternative E - Provide Technical Assistance to Businesses**

Yakima County could provide technical assistance to business to subscribe for recycling collection service. This assistance could include:

- Characterizing and quantifying recyclables in their waste stream
- Estimating the costs and savings associated with subscribing for recycling collection
- Evaluating contract terms and conditions
- Training custodial staff
- Educating employees
- Monitoring results

The County could target a specific category of business each year, such as arts, culture, and entertainment, and partner with the Greater Yakima Chamber of Commerce to promote the technical assistance program to their members in this specific category through presentations and direct mailings. The County would share the results of this engagement with similar businesses to encourage them to participate in the program.

#### **4.6.6 Alternative F - Promote Reuse Programs through Special Events**

The County has “Repurpose Park” that is located next to the Administrative Office at Terrace Heights where they have displays with new ideas for re-purposing items. To further increase awareness about venues that reuse domestic and building products, the County could coordinate an annual event that showcases reusable products to the community. These events could be fashion shows or product displays at events hosted or attended by County staff. In addition, the County will work with wineries to have wine tasting events that promote the reuse of bottles and environmental sustainability.

#### 4.6.7 **Alternative G - Provide Waste Reduction Grants**

Yakima County and signatory cities could provide grants to organizations, institutions, or municipalities for various waste reduction programs. This alternative would allow partnerships with others that have similar interests, thus creating more cost-effective approaches. It would also allow Yakima County and signatory cities to capitalize on the energy or resources of other organizations. The cost of this option could vary widely depending on the amount of the grants, targeted activities and available budget.

#### 4.6.8 **Evaluation of Alternatives**

The following alternative strategies are recommended for additional review:

- A. Adopt updated list of designated materials
- B. Continue to conduct waste characterization studies
- C. Evaluate Yakima pricing structure
- D. Locate fiber drop-off containers at commercial clusters
- E. Provide technical assistance to businesses
- F. Promote existing reuse programs through special events
- G. Provide waste reduction grants

The following parameters were used to evaluate the selected alternative strategies:

- Consistency with planning objectives
- Waste reduction/diversion potential
- Customer preferences
- Implementation costs

Each alternative was scored on how it aligns with each of the four parameters. The parameters for evaluation are described below, and scores for each of the selected alternatives are shown in Table 4.7.

##### 4.6.8.1 **Consistency with Planning Objectives**

The alternative supports the planning objectives of ensuring reliable services for managing solid waste materials and encouraging waste reduction and recycling programs.

##### 4.6.8.2 **Waste Reduction/Diversion Potential**

The alternative creates or supports increased diversion potential. Alternatives C, D, and E have the potential to drive large increases in waste diversion, and Alternative F has potential to moderately increase waste diversion. Alternatives A and G are either continuations of existing programs or have a relatively small impact and have potential for only small increases in waste diversion. Alternative B does not in itself directly increase waste reduction or diversion, but this strategy provides data that is used to assess waste diversion program performance and potential, and can inform the design and implementation of other alternatives.

Below is a summary of landfill diversion potential:

- **Alternative A:** Adopt Updated List of Designated Materials – The Plan recommends moving Plastic #5 from low to medium on the priority list. Based on the State WCS, 0.8



percent of the MSW waste stream in the central RGA is Plastic #5. This is equivalent to approximately 2,000 tons. The County estimates that 25 percent of Plastic #5, or about 500 tons, could be annually recovered by implementing Alternative A.

- **Alternative B:** Continue to Conduct Waste Composition Studies – Conducting waste composition studies does not in itself directly increase waste reduction or diversion, but this strategy provides data that is used to assess waste diversion program performance and potential, and can inform the design and implementation of other alternatives. The Plan does not assign a specific quantity of additional material that will be recovered through Alternative B.
- **Alternative C:** Evaluate Yakima Pricing Structure - According to USPEA, a variable rate system where customers do not pay for curbside recycling can increase landfill diversion by 14 to 27 percent. However, because the City of Yakima residents subscribe to curbside recycling, this Plan conservatively estimates a five percent diversion or approximately 4,700 tons per year. The County does not anticipate any additional costs to implement this alternative.
- **Alternative D:** Locate Fiber Drop-Off Containers at Commercial Clusters - Yakima County estimates that working with Michelson to locate drop off containers at clusters of commercial generators could increase cardboard and mixed paper recovery by 10 percent or approximately 2,900 tons per year.
- **Alternative E:** Provide Technical Assistance to Businesses - It is not possible for the County to estimate the additional tonnage of recyclables that would be recovered the providing technical assistance to businesses as each business will have different quantities and types of potentially, recyclable materials.
- **Alternative F:** Promote Existing Reuse Programs through Special Events – As shown in Table 4-5, over 10 percent of MSW disposed is furniture, textiles, pallets/crates. These material have potential for reuse if residents and businesses know where to take them and the specifications for these establishments accepting them. Because the County does not know the conditional of these potentially reusable materials, the Plan conservatively estimates an additional 1 percent landfill diversion rate or about 300 tons per year.
- **Alternative G:** Provide Waste Reduction Grants – During the Baseline Year, 256,762 tons of MSW was disposed. Since the County still needs to define the grant details, the Plan estimates that the funds will increase landfill diversion by 0.05 percent or approximately 1,300 tons per year.

### 4.6.8.3 Customer Preferences

Customers tend to recycle if it is convenient, easy, and available at a low cost. Several of the alternatives are consistent with customer preferences by increasing the convenience of recycling, especially Alternatives C, D, and E. Alternatives A and B do not affect customers, and the remaining alternatives only moderately support customer preferences.

#### 4.6.8.4 Implementation Costs

The County will not incur any costs from Alternative A and if completed by existing staff, the same is true for Alternatives C, D, and E. However, staff may require training or support from a consultant to implement these alternatives. Therefore, a budget of \$30,000 is included for YR 1 for all three Alternatives. In addition, Alternative D has an annual promotion, signage, and monitoring budget of \$5,000. The County could experience cost associated with promoting and hosting a large-scale event to promote reuse, thus the Plan includes an annual budget of \$5,000. Alternative B will be a one-time expense and the plan includes a budget of \$100,000. The plan includes an annual budget of \$10,000 for Alternative G.

#### 4.6.9 Rating of Alternatives

Table 4.7 shows how the alternatives align with the evaluation criteria.

Table 4.7 Summary Rating of the Recycling Alternatives

Alternative		Consistency with Objectives	Diversion Potential	Customer Preferences	Cost to Implement	Overall Rating
A	Adopt Updated List of Designated Materials	5	3	N/A	5	4.33
B	Continue to Conduct Waste Characterization Studies	5	3	N/A	3 <sup>(1)</sup>	3.66
C	Evaluate Yakima Pricing Structure	5	4	5	3	4.25
D	Locate Fiber Drop-Off Containers at Commercial Clusters	5	4	4	3	4
E	Provide Technical Assistance to Businesses	5	4	4	3	4
F	Promote Existing Reuse Programs Special Events	5	2	4	4	3.75
G	Provide Waste Reduction Grants	5	4	5	2	4

5 – Highly Aligns, 3 – Aligns, 1 – Somewhat Aligns

<sup>1</sup> Could be scored higher if the County received grants.

#### 4.6.10 Recommended Alternatives

In addition to continuing current recycling activities, the following recommendations scored a four or higher, which means the County will implement them in the next five years:

Alternative		Incremental Recovery	Incremental Cost
A	Adopt Updated List of Designated Materials	~ 500 TPY	No Additional Cost
B	Conduct Waste Composition Study	Not Able to Determine	\$100,000 (One-Time Cost)
C	Evaluate Yakima Pricing Structure	~4,700 TPY	\$10,000 (One-Time Cost)
D	Locate Fiber Drop-Off Containers at Commercial Clusters	~2,900 TPY	\$10,000 (One-Time Cost) \$5,000 (Annually)
E	Provide Technical Assistance to Businesses	Not Able to Determine	\$10,000 (One-Time Cost)
G	Provide Waste Reduction Grants	~1,300 TPY	\$10,000 per Year

# Chapter 5

## Organics

## 5 ORGANICS

### 5.1 INTRODUCTION

This chapter discusses existing programs, identifies relevant planning issues, and develops/evaluates alternative strategies for managing organic materials, including yard debris, wood waste, food waste, and agricultural waste. The State WCS estimates that about 33 percent of the waste stream is comprised of organics such as yard debris, food scraps, clean wood, and compostable wood. This equates to about 95,000 tons per year of materials that have the potential to be diverted from disposal.

### 5.2 BACKGROUND

This section provides background on Yakima County goals and objectives, while summarizing Washington State rules and regulations affecting organics management.

#### 5.2.1 Goals and Objectives for Organics

Goals and objectives specific to organics include:

- Support public-private partnerships for waste reduction and recycling programs;
- Emphasize waste reduction as a fundamental management strategy;
- Encourage the recovery of marketable resources from the waste stream;
- Confirm compliance with state and local solid waste regulations; and
- Manage waste in a manner that promotes Washington State's waste management priorities presented in Ecology's *Moving Washington beyond Waste and Toxics* document.

#### 5.2.2 State Legislation, Regulations, and Guidelines for Organics

This chapter, and the previous chapter on waste reduction and recycling, provide an update of Yakima County's waste diversion methods that comply with Washington State waste diversion program requirements. The requirements are based on "The Waste Not Washington Act" (ESHB 1671), which are reflected in various sections of the RCW and the WAC. The Waste Not Washington Act declared that waste reduction and recycling must become a fundamental strategy of solid waste management. To that end, Chapter 70A.205 RCW includes a statement that encouraged the elimination of yard debris from landfill disposal by 2012 in areas where waste diversion alternatives exist.

Washington Administrative Codes are the regulations put forth in the state of Washington and are arranged by subject or agency. Title 173 Chapter 150 covers Solid Waste Handling Standards, and the following sections have requirements specifically for organic materials:

- Section 220 - composting facility standards and permit requirements;
- Section 225 - identifies other organic material handling activities; and
- Section 250 - details an exception to section 220, Anaerobic Digesters and the facility requirements.

The following additional policies have the potential to impact organics management in Yakima County:

- **Food Waste Reduction Act** (House Bill 1114)) – This law, passed in 2019, requires the state to reduce food waste by 50 percent by 2030. The act is now codified as RCW 70A.205.715. Ecology, along with the departments of Agriculture, Health, Commerce, and others, must develop and adopt a state food waste reduction and diversion plan to achieve the above goal. Ecology introduced the *Use Food Well Washington Plan, a Roadmap to a More Resilient Food System* In February, 2022.
- **Compost Procurement and Use** (House Bill 2713) - The Compost Procurement and Use Law, effective June 11, 2020, requires compost produced from municipal organics management programs be considered and used in state and municipal landscaping and other projects, with some limited exceptions. The law also encourages communities with organic collection programs to establish buy-back agreements with organics processors to close the loop on the composting process.
- **Marketing the Degradability of Products** (House Bill 1569) – This law requires that environmental marketing claims for plastic products adhere to uniform and recognized standards for “compostability” and “biodegradability.” The goal of this requirement is to reduce or eliminate misleading, confusing, and deceptive labeling that can negatively impact local composting programs and material processing. This bill establishes labeling requirements for compostable products, authorizes the attorney general, cities, and counties to enforce labeling requirements, and establishes penalties for violation of labeling requirements. This law became effective July 1, 2020.
- **Recovering Edible Food** (House Bill 1799) - In 2022, Washington’s Legislature passed legislation requiring diversion of organic materials away from landfill disposal and towards food rescue programs and organics management facilities. These actions will help Washington achieve its 2030 goal to cut landfill-disposed organic material by 75 percent. By 2025, the amount of edible food wasted in landfill disposal must be reduced by 20 percent

### 5.2.3 Washington State Department of Agriculture Apple Maggot Quarantine

The Washington State Department of Agriculture (WSDA) implemented rules under their Pest Program (WAC 16-470-111) that specify methods to prevent the introduction, escape or spread of apple maggots beyond the quarantine area. Figure 5.1 indicates the 2018 quarantine areas and pest free areas throughout Washington. Figure 5.2 indicates the quarantine area and the pest free area as they relate to the cities and solid waste facilities in Yakima County. The rules prohibit the transportation of collected organics from THLF<sup>4</sup> to Yakima County’s contracted compost facility, Natural Selection Farms. Under these rules, “municipal green waste” generated in the quarantine area is defined as a “regulated commodity” and subject to strict controls. These controls are not imposed when the same municipal green waste is generated outside of the quarantine area, or in the “pest free area.”

---

<sup>4</sup> WAC 6-470-101(3).

To comply with these requirements, as of August 28, 2015, Natural Selection Farms is prohibited from importing green waste generated from within the quarantine area to its Sunnyside facility. Following the WSDA notice, Yakima County and Natural Selection Farms worked cooperatively to implement management measures that were approved by the Yakima County Health District for green waste. These approved measures include using green waste as alternative daily cover, and as a base for the construction of roads. The County also gives the green waste away to residents living in the Upper Valley.

Yakima County and Natural Selection Farms worked cooperatively with the United States Department of Agriculture (USDA) to perform testing of apple maggot larvae in compost. Natural Selection Farms and Yakima County provided their research to the WSDA in a document titled “Request for Approval of Emergency Interim Mitigation Steps for Apple Maggot,<sup>5</sup>” dated September 15, 2015. The document included a Yard Waste Composting Pathogen Reduction Plan with procedures that mirror the Process to Further Reduce Pathogens (PFRP) used by wastewater treatment facility operators when managing biosolids. The PFRP included achieving temperatures of 131-150 degrees Fahrenheit for three consecutive days. WSDA rejected these activities as a way to facilitate composting at Natural Selection Farms of yard wastes collected within the apple maggot quarantine area. Furthermore, additional measures explored were too costly to implement.

In July 2020, WSDA began regulating certain types of soils and growing mediums as part of the apple maggot quarantine. They created an outline for soils, and any soil that meets the circumstances outlined cannot be transported from an apple maggot quarantine area to a pest-free area in Washington. For nurseries in quarantine states such as California, Oregon, Utah, and Idaho, a phytosanitary certificate from the respective state’s department of agriculture must be obtained if they want to ship soils or other growing mediums to the pest-free areas in Washington.

In September 2022, a quarantine for Japanese beetle was put in place in the Grandview area of Yakima County (WAC 16-470-700 to 720). WSDA has worked with the City of Grandview and Alba's Excavating to open a free yard debris drop-off site for residents and businesses inside the Japanese beetle quarantine area. The County will support efforts to quarantine the Japanese beetle.

---

<sup>5</sup> Natural Selection Farms, Request for Approval of Emergency Interim Mitigation Steps for Apple Maggot, September 15, 2015.

Figure 5.1 Washington State Apple Maggot Quarantine Areas

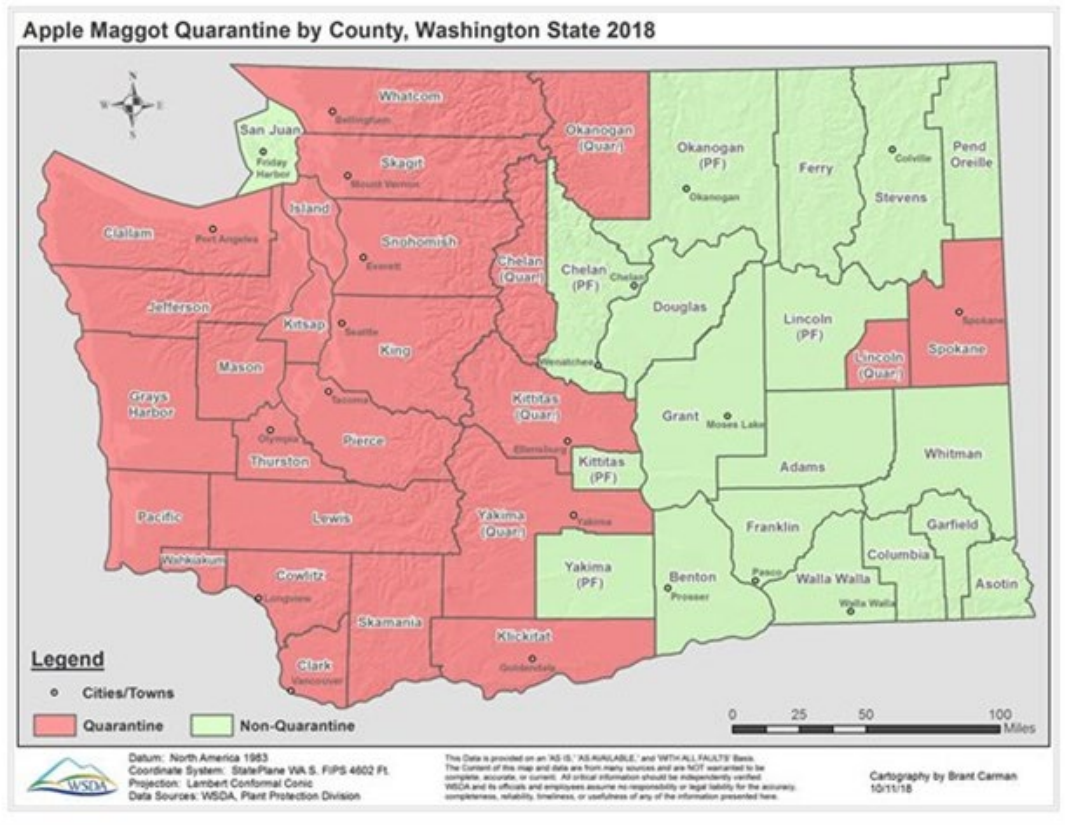
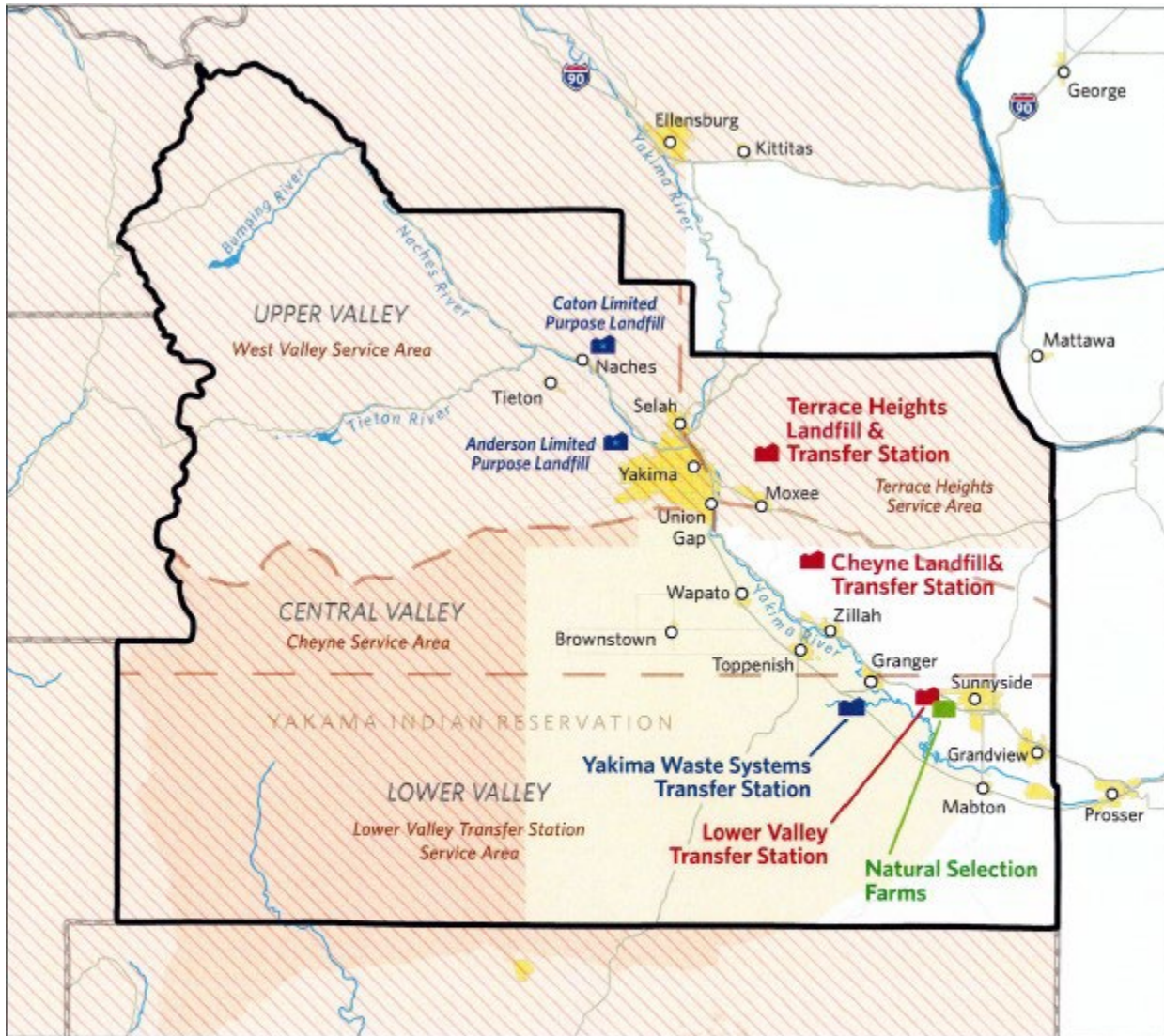




Figure 5.2 Yakima County Apple Maggot Quarantine Areas



**Legend**

-  Yakima County Existing Landfills/Transfer Stations
-  Private Existing Landfills/Transfer Stations (\* = Limited Purpose)
-  Private Existing Composting Facility
-  County Boundary
-  Quarantine Area (2015)

## **5.3 EXISTING PROGRAM ELEMENTS**

The sections below describe existing collection and processing activities for organic materials, followed by a discussion of the existing and potential market capacity for organics.

### **5.3.1 Yard Debris Composting**

The Yakima County solid waste disposal facilities accept yard debris, including grass clippings, leaves, garden and landscaping wastes, brush and other natural wood up to twelve inches in diameter, and Christmas trees. Typically, these materials are generated separately from other residential and commercial waste streams, and are more easily diverted to composting and other programs. Hay, straw, sod, manure, treated wood, stumps, rocks, and food waste are not accepted in Yakima County's yard debris program. Existing options in Yakima County for yard debris include a variety of drop-off and curbside programs, which are described below. The County provides chipped yard waste material at no charge to residents as material is available. The material is produced from the leaves, branches, grass clippings and other yard waste brought to the County's facilities.

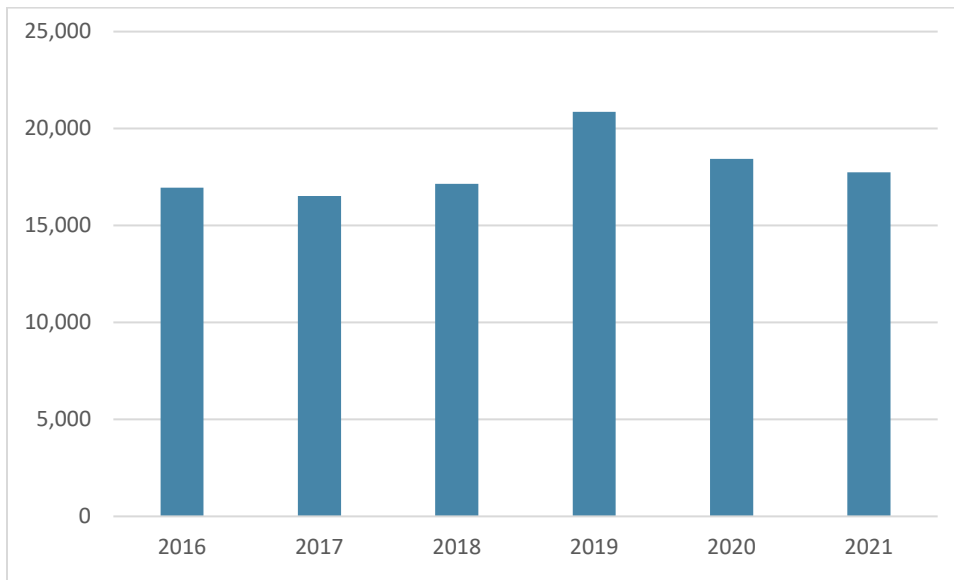
Ecology has expressed concerns about this practice and the regulations do not provide for shredding and giving away yard waste. However, Ecology supports Yakima County continuing to give away ground yard waste, as long as they ask where the resident lives, and provide information on the apple maggot quarantine area. Any resident that's found to live in the pest-free area will be prohibited from taking green waste from a facility located in the quarantine area.

Additionally, some privately owned and operated solid waste facilities accept yard debris for composting, including the Caton Landfill located in Naches.

### **5.3.2 Fee and Drop-Off Programs**

A reduced tip fee at the three Yakima County solid waste facilities provide an incentive for residents and businesses to separate and recycle yard debris and clean wood. The 2021 tip fee for yard debris and clean wood at the solid waste facilities was \$19.00 per ton, compared to \$38.00 per ton for solid waste. The quantity of source separated yard waste and wood waste delivered to Yakima County facilities is shown in Figure 5.3 for the period of 2016 to 2021.

Figure 5.3. Annual Quantity of Source Separated Yard Waste Delivered to County Facilities



The City of Grandview allows the public to drop off yard debris (primarily brush) at their public works building as part of a spring cleanup during the second and third week of April. This is strictly for the citizens of Grandview. The City of Grandview owns a wood chipper and uses it to grind the brush. For the last few years, the City of Grandview has spread the wood chips on the side roads at its wastewater treatment plant.

### 5.3.3 Christmas Tree Recycling Program

Yakima County continues to collaborate with Camp Prime Time to provide an opportunity for residents to recycle their Christmas trees at community grinding events. The resulting chips are used for horse bedding or composting at Natural Selection Farms.

### 5.3.4 Curbside Collection Programs

Curbside yard debris collection is available in the cities of Naches, Selah, Toppenish, Union Gap, Yakima, and Zillah, and well as the unincorporated area of Yakima County. These collection programs are summarized in Table 5.1. Yakima Waste Systems also provides yard debris collection every-other-week in their collection areas outside of the city limits, but only in the urban growth areas.

Table 5.1 Curbside Yard Debris Collection Programs

City/Town	Program	Cost per Month	Collection Entity	Notes
Naches	Every-other-week collection; 96-gallon cart	\$10.78	YWS	76 customers reported by YWS
Selah	Collection on the first and third full weeks of each month during season; up to 3 bags collected, not to exceed 40 pounds per bag	\$1.93	BDI	Seasonal; Mid-April through October
Toppenish	Weekly collection on Fridays; 96-gallon cart	\$11.46	City	Seasonal from mid-March to mid-November
Union Gap	At least two times per month collection, up to 4 bags collected, not to exceed 40 pounds per bag; Public Works Dept. collects yard waste in off-season by appointment	Cost paid by Public Works Department	BDI	Seasonal; May 1 to December 1
Unincorporated area	Every-other-week, 96-gallon cart	\$10.78	YWS	537 customers reported by YWS.
Yakima	Weekly collection 96-gallon cart	\$17.55 (second cart is \$8.77/month)	City	Seasonal from March 1 to November 30
Zillah	Weekly collection; 96-gallon cart	\$9.60 per cart	YWS	291 customers reported by YWS; one time tote delivery fee \$22.60

### 5.3.5 Wood Waste

According to the 2020/21 State WCS, 11.1 percent of the disposed MSW waste stream is comprised of wood waste. This amounts to about 33,000 tons in 2021. The County estimates 2,997 tons of wood waste were recovered from disposal in 2018. Similar to yard waste, source-separated clean wood is eligible for a reduced tip fee to incentivize residents and businesses to keep clean wood separate from other waste when transported to Yakima County disposal facilities. It should be noted that the State WCS did not have a separate category for clean wood waste.

### 5.3.6 Food Scraps

According to the 2021/21 State WCS, 16.8 percent of the disposed MSW waste stream is comprised of food scraps. This amounts to over 49,000 tons of food scraps being disposed in 2021. The County reports that approximately 800 tons of food scraps (both pre- and post-consumer) were diverted from disposal in 2021, for a total generation of 49,800 tons in 2021. Based on these estimates, only one percent of food scraps generated in the County are diverted from disposal.

There are few opportunities available for residents to divert food scraps; however, interest in diverting this material is growing. Small private enterprises, including High Desert Composting, have

established curbside food scraps collection programs in Yakima County. As of 2021, only a small number of households subscribe to curbside food scraps collection programs through High Desert Composting. Programs that do exist often provide the food scraps to local farmers for use in operations such as feed for livestock.

### 5.3.7 **Agricultural Waste**

As noted in the 2017 Plan, little agricultural waste is disposed within Yakima County Public Services Solid Waste Division's solid waste programs and facilities, and are not considered to be under the purview of Yakima County's solid waste planning activities. Agricultural waste, including crop residues or animal manures, can be land-applied at the farm where the material is generated.

### 5.3.8 **Processing Facilities**

Natural Selection Farms has been the primary processing facility for organic materials collected through the County's programs and facilities. Natural Selection Farms, located in Sunnyside, WA, processed all of Yakima County's collected source-separated yard waste until the apple maggot quarantine restrictions were enforced. Materials composted by Natural Selection Farms include hops, yard debris, food processing organics (pre-consumer), clean wood waste, and tree trimmings from both commercial and residential sources (residential yard debris only). In 2021, Natural Selection Farms received and processed approximately 3,000 tons of organics.

In addition to Natural Selection Farms, there are other private companies in Yakima County that compost yard debris or other materials or blend soils with compost. Additional entities and farms compost animal manures; however, onsite composting of agricultural wastes is exempt from Yakima County Health District permitting requirements.

Three main types of composting facilities can accept food scraps for composting, including permitted commercial facilities, permitted on-site composting facilities, and permit-exempt small-scale composters. According to data published by Ecology, Natural Selection Farms in Sunnyside is permitted to accept food processing waste and post-consumer food scraps at their facility.

### 5.3.9 **Markets**

#### 5.3.9.1 **Yard Debris**

Local markets for land application of yard debris, or compost derived from yard waste, continue to be impacted by an issue that occurred many years ago when a hops farm lost a portion of their crop after using composted yard debris. This problem was apparently caused by the presence of Clopyralid, an herbicide used to control weeds, in grass clippings used as compost feedstock. Due to the problems caused by Clopyralid,<sup>6</sup> use of pesticides containing Clopyralid is restricted when labeled for use on cereal grains, grass, hay, lawns and turf including golf courses. Pesticides containing Clopyralid may be applied to lawns and turf including golf courses if, per WAC 16-228-12371, no grass clippings, leaves, or other vegetation are removed from the site and placed in composting facilities that provide product to the public. Since Clopyralid is still used in some products for the control of weeds in hay and grains, animal manures may still contain trace amounts of this chemical. However, to mitigate the risk of Clopyralid presence in their compost, Natural

---

<sup>6</sup> <http://apps.leg.wa.gov/wac/default.aspx?cite=16-228>

Selection Farms tests their products in grow labs with beans and peas to monitor how they grow. Natural Selection Farms reports that there are no issues with herbicides in their products.

### 5.3.9.2 Wood Waste

Demand for recycled wood waste is low due to decreased logging. Decreased logging has an impact on hog fuel prices because logging generates byproducts that are also used for hog fuel.

### 5.3.9.3 Cooking Grease and Food Scraps

The main market for cooking grease continues to be conversion into biodiesel. The market for post-consumer food scraps continues to be production into a high-quality compost through processing at Natural Selection Farms. An additional market for food scraps includes using it for animal feed. As the quantity of food waste diversion continues to grow, it is not expected that all food waste could be used on farms, and additional composting capacity will be needed.

### 5.3.9.4 Compost

Natural Selection Farms markets its compost to agricultural, wholesale, and retail markets. The demand for compost appears strong, as Natural Selection Farms reports it is able to sell all compost product produced.

## 5.4 STATUS OF 2017 RECOMMENDATIONS

The status of the recommendations made in the 2017 Plan is shown in Table 5.2.

Table 5.2 Status of the 2017 Recommendations for Organics

Number	Recommendations	Status
01	Continue the yard debris composting program as is for material collected in the "pest free" area.	Not implemented – not enough material exists and is of poor quality
02	Continue to comply with the WSDA apple maggot quarantine requirements, specifically the Notice of Correction regarding the management of yard waste within the quarantine area separately from material in the "pest free" area.	Completed
03	Seek to clarify appropriate measures that could allow composting at Natural Selection Farms of yard wastes collected within the apple maggot quarantine area, such as implementing pathogen reduction compost measures, as appropriate.	Completed – suggested measures were either cost prohibitive or denied by the Dept. of Agriculture
04	Explore other options, including a Yakima County-owned and operated compost facility, if Recommendation O3 cannot be implemented due to terms or other reasons.	Completed – no new option identified; no room at THLF; additional development nearby increases public opposition

## **5.5 PLANNING ISSUES**

### **5.5.1 Food Scraps Diversion**

Diversion of food scraps represents a significant opportunity to increase organic material diversion in the County. Significant quantities of pre-consumer food processing waste are currently diverted; however, diversion of post-consumer food scraps is largely untapped at this time. In addition to insufficient collection services, no facility in the County is permitted to accept post-consumer food scraps for processing.

### **5.5.2 Yard Debris Composting**

The current plan for yard debris collected at Yakima County facilities to be composted at Natural Selection Farms complies with Ecology's goals and definition for recycling in Washington State. However, since August 2015, yard debris collected at the THLF may not be transported to Natural Selection Farms due to Apple Maggot quarantine boundaries (refer to Section 5.2.3 for additional information).

The Caton Landfill located in Naches accepts organics, including yard debris, and anticipates partnering with another private operator to process the collected material to produce compost and mulch products. The Landfill anticipates becoming the primary supplier of nutrient rich compost when Morton and Sons closes.

### **5.5.3 Odors**

Yakima County occasionally receives complaints about odors from its yard debris stockpile at THLF. The every-other-week collection of yard debris in some parts of Yakima County may contribute to the odor problem.

### **5.5.4 Organics-to-Energy**

Current research and technology development efforts in the solid waste industry may create future opportunities to convert biomass (plant material) to energy. In addition, the technology is currently available to process food waste, grocery waste, and animal manures in anaerobic digesters to create methane, which can be used to generate electricity or to produce renewable natural gas. Anaerobic digestion is a well-proven technology for processing manures, sludge, and biosolids, and is already being used in Yakima County by DeRuyter Dairy.

## **5.6 ALTERNATIVES**

This section describes and evaluates alternative strategies for managing organics within the Yakima County solid waste system.

### **5.6.1 Alternative A - Establish Diversion Goal**

Diversion of organic waste is necessary for the County to continue to reduce material disposal and create a more sustainable community. The County should establish an organic material diversion goal and encourage programs and policies that help meet the goal. The goal should be based on current diversion levels and conform to the requirements of the plan being developed by Ecology and other departments as part of the Food Waste Reduction Act. The County should develop a timeline for meeting the goal.

### **5.6.2 Alternative B - Assess County Capacity for Organics Diversion**

The County should quantify the available capacity for organic material diversion in the County and region. Understanding how much capacity currently exists in the County and region to manage and process organic waste will help the County understand how much capacity is currently utilized and if additional capacity is needed to meet the County's goal (Alternative A). The County should aim to maximize organics diversion, and by quantifying available capacity, Yakima can put themselves on a path for further material diversion.

### **5.6.3 Alternative C - Support Expansion of Organics Management Capacity to Meet Needs**

Based on the results of the capacity analysis discussed above, the County should identify opportunities for supporting the expansion of organics processing capacity to meet the County's established goal and beyond. The expansion of organics processing capacity would facilitate organics diversion by all generators. Activities the County may wish to evaluate include providing incentives for private companies to expand operations or study the feasibility of the County establishing their own organics processing facility to be located on existing landfill property or in a separate location. The County may also wish to encourage composting throughout the cities and towns via community gardens or backyard composting.

### **5.6.4 Alternative D - Support Opportunities for Food Scraps Diversion**

Food scraps comprise a significant portion of the disposed waste stream, and diverting more of this material would reduce the County's reliance on disposal facilities. There are multiple entities that generate food scraps, including individual residents, large food manufacturers/processors (which already divert a significant portion of the food scraps they generate), and other commercial establishments. The County should support existing efforts to divert food scraps from these generators and work with organic waste processors to facilitate acceptance of this material (i.e. permitting). The County should take an active role in facilitating the implementation of these diversion methods.

### **5.6.5 Alternative E - Explore Partnerships with Stakeholders to Develop/Enhance Infrastructure for Food Recovery**

The County should partner with stakeholders that will allow the development and enhancement of infrastructure for food recovery that reduces the material going to disposal facilities. A more structured program would provide better resources to reduce landfill waste and encourage food diversion.

### **5.6.6 Alternative F - Target Pre-Consumer Food Scraps Collection/Diversion from Large Quantity Generators**

Natural Selection Farms is permitted by Ecology to accept and process pre-consumer food processing wastes into compost products. In 2021, about 800 tons of pre-consumer food scraps were recovered for composting, most of which was processed at Natural Selection Farms. The County should evaluate the impact of current pre-consumer food scraps diversion programs to understand their level of success and identify what additional opportunities exist for further



diversion. To do this, the County should identify all major pre-consumer food waste generators in the County, including food manufacturing/processing facilities and retail grocery stores. The County should contact the owners/operators of these facilities to understand if there is an established pre-consumer food scraps diversion program at each facility. Facilities that do not divert pre-consumer food scraps for composting can be provided technical assistance by the County to set-up a program. The County may also facilitate connections between the facility owner/operator, composting facilities, and hauler(s) that provide food scraps transportation services.

## 5.6.7 Evaluation of Alternatives

### 5.6.7.1 Consistency with Planning Objectives

The above alternative strategies support the objectives of convenient and reliable services for managing solid waste materials, as well as planning for the management and diversion of organic materials generated in the County.

### 5.6.7.2 Waste Reduction/Diversion Potential

All alternatives discussed above are important for building a plan, program, and infrastructure for managing organic materials. Some alternatives would directly support increased organic material diversion. Other alternatives would indirectly support increased organics material diversion.

Following are estimated diversion potential for each alternative strategy:

- **Alternative A - Establish Diversion Goal:** The County will establish a goal of increasing landfill diversion of organics by 10 percent from the baseline year. If the County achieves this goal, approximately 4,300 tons will be annually diverted.
- **Alternative B - Assess County Capacity for Organics Diversion:** This alternative will not directly increase organics recovery but will help the County achieve the organics diversion goal.
- **Alternative C - Support Expansion of Organics Management Capacity to Meet Needs:** This alternative will not directly increase organics recovery but will help the County achieve the organics diversion goal.
- **Alternative D - Support Opportunities for Food Waste Diversion:** This alternative will not directly increase organics recovery but will help the County achieve the organics diversion goal.
- **Alternative E- Explore Partnerships with Stakeholders to Develop/Enhance Infrastructure for Food Recovery:** This alternative will not directly increase organics recovery but will help the County achieve the organics diversion goal.
- **Alternative F – Target Pre-Consumer Food Scraps Collection/Diversion from Large Quantity Generators:** Based on research of food scraps generated by grocery stores, the average store generates approximately 300 tons a year of compostable food scraps. For planning purposes, the County estimates that they could work with ten stores over the next five years to recover food scraps which would divert 3,000 tons of food from the landfill.

### 5.6.7.3 Customer Preferences

Residential customers would be minimally impacted by the alternatives identified. Commercial or private companies would benefit from these alternatives through additional support from the County.

### 5.6.7.4 Implementation Costs

It is assumed the listed alternatives have some implementation cost for which the County would be responsible, such as staff time and resources. The County is not expected to incur large capital expenses by implementing these alternatives, as the County would be supporting private industries that will build the infrastructure for managing source-separated organics. Alternative B, Assess County Capacity for Organics Diversion, may be the highest cost item as a vendor may be required to complete this assessment (\$30,000). The County has also budgeted \$10,000 for Alternative F for a consultant to provide training to County staff conducting waste audits.

### 5.6.8 Rating of Alternatives

The alternatives identified above are rated in accordance with the evaluation criteria discussed above. The higher the rating of each alternative, the greater the conformance to the evaluation criteria. Results of the rating are provided in Table 5.3.

Table 5.3 Rating of Alternatives

Alternative		Consistency with Planning Objectives	Waste Reduction/ Diversion Potential	Customer Preferences	Cost to Implement	Average Overall Rating
A	Establish Diversion Goal	5	3	3	5	4.00
B	Assess County Capacity for Organics Diversion	5	3	3	2	3.25
C	Support Expansion of Organics Management Capacity to Meet Needs	5	5	5	2	4.25
D	Support Opportunities for Food Scraps Diversion	5	5	5	3	4.50
E	Explore Partnerships with Stakeholders to Develop/Enhance Infrastructure for Food Recovery	5	4	5	3	4.25
F	Target Pre-Consumer Food Scraps Collection/ Diversion from Large Quantity Generators	5	5	3	4	4.25

5 – Highly Aligns, 3 – Aligns, 1 – Somewhat Aligns

### 5.6.9 Recommended Alternatives

The following recommendations had an average rating of higher than a four, which means the County will implement them in the next five years:

Alternative		Incremental Recovery	Incremental Cost
A	Establish Diversion Goal	~4,300 tpy	None
C	Support Expansion of Organics Management Capacity to Meet Needs	Not Applicable	None
D	Support Opportunities for Food Waste Diversion	Not Applicable	None
E	Explore Partnerships with Stakeholders to Develop/Enhance Infrastructure for Food Recovery s	Not Applicable	None
F	Target Pre-Consumer Food Scraps Collection/Diversion from Large Quantity Generators	3,000 Tons (Over Five Years)	\$10,000 (One-Time Cost)

# Chapter 6

## Collection

## **6 COLLECTION**

### **6.1 INTRODUCTION**

This chapter discusses existing MSW collection services in Yakima County and in the fourteen participating cities and towns, identifies relevant planning issues, and develops and evaluates alternative collection strategies. The key variables that affect collection are population densities and land use types, and the resulting types and quantities of materials generated that require collection. Collection services vary throughout Yakima County, and include a mix of publicly and privately operated systems.

### **6.2 BACKGROUND**

#### **6.2.1 Goals and Objectives for Solid Waste Collection**

Goals and objectives related specifically to solid waste collection include:

- Promote the use of innovative and economical waste handling methods;
- Support public-private partnerships for waste reduction and recycling programs;
- Emphasize waste reduction as a fundamental management strategy;
- Encourage the recovery of marketable resources from the waste stream;
- Manage waste in a manner that promotes Washington State’s waste management priorities presented in Ecology’s *Moving Washington Beyond Waste and Toxics* document;
- Reduce the environmental impacts to air, water, and land that are associated with waste generation, transportation, handling, recycling, and disposal;
- Reduce the occurrence and environmental impacts associated with illegal dumping; and
- Ensure convenient and reliable services for managing solid waste materials.

#### **6.2.2 Legal Authority**

Ecology, the WUTC, Yakima County, cities and towns, and the Yakama Nation share the legal authority for solid waste collection within Yakima County. 70A.205.010 RCW assigns primary responsibility for solid waste handling (management) to local government. Private industry’s role in waste management is reflected in the legislative language: “It is the intent of the legislature that local governments are encouraged to use the expertise of private industry and to contract with the same to the fullest extent possible to carry out solid waste recovery and recycling programs” (70A.205.010 RCW). For information regarding establishment of collection and disposal districts as allowed by Chapter 36.58A RCW, refer to Chapter 13, Administration and Enforcement. Refer to Chapter 9 Construction, Demolition and Land Clearing Debris for information on the “Sham Recycling Bill” and the Recyclable Materials Transporter and Facility Requirements (Chapter 173-345 WAC).

### 6.2.3 Incorporated Areas

Cities and towns have three alternatives for collecting solid waste within their boundaries:

1. **Municipal collection:** The municipality collects waste using municipal employees and equipment.
2. **Contract collection:** The municipality conducts a competitive procurement process and selects a private company to provide collection services.
3. **Permitted Solid Waste Carriers:** If a municipality does not wish to be involved in managing solid waste collection within its boundaries, a WUTC certified hauler for the area can provide collection services. A municipality may pass an ordinance requiring that specific collection services be provided. A municipality may also require a permitted hauler to secure a license that authorizes them to collect in their jurisdiction.

### 6.2.4 Unincorporated Areas

Waste collection companies are included as a regulated transportation industry. As such, the WUTC grants exclusive rights to specific haulers, referred to as “Solid Waste Carriers” in unincorporated areas. 81.77.030 RCW, amended in 2020 (reorganization of the law), allows the WUTC to supervise and regulate waste collection companies by:

1. Fixing and altering its rates, charges, classifications, rules and regulations.
2. Regulating the accounts, service, and safety of operations.
3. Requiring the filing of annual and other reports and data.
4. Supervising and regulating such persons or companies in all matters impacting the relationship they have with their customers and the public.
5. Requiring compliance with local solid waste management plans and related implementation ordinances.
6. Requiring certificate holders under Chapter 81.77 RCW to use rate structures and billing systems consistent with the solid waste management priorities set forth under RCW 70A.205.005 and the minimum levels of solid waste collection and recycling services pursuant to local comprehensive solid waste management plans.

Chapter 480-70 WAC implements Chapter 81.77 RCW by establishing standards for public safety; fair practices; just and reasonable charges; nondiscriminatory application of rates; adequate and dependable service; consumer protection; and compliance with statutes, rules and commission orders.

Three companies have solid waste authority to operate in Yakima County, including Rabanco, LTD., Basin Disposal of Yakima, LLC (BDI), and Yakima Waste Systems, Inc. (YWS). The service area maps for each of these haulers are included as Appendix E. Note that while Rabanco, LTD. currently holds solid waste authority to operate in Yakima County, they do not currently provide collection services in the County.

The following list provides the details of each hauler's certificate of collection:

- BDI - Operates under certificate #G-45. BDI of Yakima is located at 1405 W Ahtanum Road, Yakima, WA, 98903-1880, and can be contacted at (509) 248-7533.
- YWS - Operates under certificate #G-89 and is owned by Waste Connections. YWS is located at 2812 1/2 Terrace Heights Drive, Yakima, WA, 98901-1408, and can be contacted at (509) 248-4213.
- Rabanco LTD – Holds certificate #G12, but does not collect waste in Yakima County. Republic Waste Services purchased Rabanco.

Current information on the service areas for these companies can be found on the WUTC web page and in Appendix E.

## **6.3 EXISTING PROGRAM**

Residential curbside waste collection is mandatory in incorporated areas (cities and towns) of Yakima County. Residents in unincorporated areas may choose to subscribe to curbside waste collection services or self-haul materials to a facility. Curbside services are provided primarily by YWS, which is authorized by the WUTC to collect waste within the boundaries of Yakima County. BDI is also authorized to collect waste in part of the unincorporated lower valley (east of Granger, surrounding Sunnyside and Grandview, and north of the Yakima River). Rabanco is authorized to collect waste in the eastern part of the unincorporated area, although they currently do not have collection service business in Yakima County. More detailed information about the haulers' service areas can be found at the WUTC's website at [www.utc.wa.gov](http://www.utc.wa.gov).

### **6.3.1 City and Town Residential Collection Service**

Most communities in Yakima County contract with private waste haulers to provide curbside residential solid waste collection services. Four communities collect solid waste curbside with municipal staff and equipment, including the cities of Grandview, Granger, Toppenish, and Yakima. The two private haulers that provide curbside solid waste collection services include Yakima Waste Systems and Basin Disposal, Inc. Solid waste collection programs operate within city and town boundaries and are adjusted periodically by annexations. The two private haulers that provide collection services in cities and towns also operate in the unincorporated areas. The population density for the rest of Yakima County (excluding the four municipal collection programs) is 30.9 people per square mile.

Each of the communities within Yakima County uses automated (or semi-automated) cart collection. Most cities or towns offer variable sized carts for customers to choose from to meet their solid waste needs. Four communities do not offer variable sized carts as part of their solid waste collection program, including Grandview, Granger, Toppenish, and Union Gap. Monthly household rates vary from a low of \$7.23 in Mabton for a 48-gallon cart to a high of \$24.61 in Toppenish for a 96-gallon cart. The variation in solid waste rates is due to transportation distances, container size, and services provided, including whether the rate includes recycling and/or yard waste collection.

Table 6.1 Community Solid Waste Collection Program Data

City or Town	Population (2021)	Residential Customers	Residential Garbage Cart Size	Collection Entity	Mandatory Service	Rate per Household per Month
Grandview	10,891	3,000	90- or 300 <sup>2</sup> -gallon	City	Yes	\$14.23; \$46.87
Granger	4,155	755	90- or 3002-gallon	City	Yes	\$22.33; \$62.83
Harrah	680	210	32- or 96-gallon	YWS	Yes	N/A
Mabton	2,330	409	48- or 96-gallon	YWS	Yes	\$7.23; \$17.86
Moxee	4,320	1,155	64- or 96-gallon	BDI	Yes	\$13.70; \$16.85
Naches	995	309	48-, 64-, or 96-gallon	YWS	Yes	\$11.09; \$11.82; \$12.56
Selah	8,208	2,397	60- or 90-gallon	BDI	Yes	\$14.00; \$17.04
Sunnyside	16,346	2,828	48-, 96-, or 3002- gallon	YWS	Yes	\$10.09; \$13.38; \$59.91
Tieton	1,305	438	48-, 96-, and 3002-gallon	YWS	Yes	\$11.58; \$15.47; \$84.87
Toppenish	8,774	2,000	96-gallon	City	Yes	\$24.61
Union Gap	6,530	1,526	96- and 32 gallon	BDI	Yes	\$13.91
Wapato	6,355	927	32-, 64-, or 96-gallon	BDI	Yes	\$10.80; \$15.65; \$17.64
Yakima	96,578	25,879	32- or 96-gallon	City <sup>3</sup>	Yes	\$19.10; \$21.855
Zillah	3,200	967	64- or 96-gallon	YWS	Yes	\$14.75; \$15.82
Unincorporated area	92,220	1,797 8,022	32-, 64-, or 96-gallon 48-, 64-, or 96-gallon	BDI YWS	No	\$7.25; \$8.91; \$10.84 \$10.21; \$10.72; \$13.05
Total	262,887	51,801				

<sup>1</sup> Population estimates from the U.S. Census Bureau, 2021.

<sup>2</sup> 300-gallon containers are offered to commercial and multi-family residential customers.

<sup>3</sup> YWS collects curbside recyclables in City of Yakima.



Recyclable materials are collected curbside from residential and commercial sources within the City of Yakima urban area by YWS or BDI on a voluntary subscription basis. Table 6.2 shows the number of residential customer accounts served, type of collection, collection entity, and whether participation has increased or decreased in the opinion of the respective hauler. More information relating to recycling in Yakima County can be found in Chapter 4 Waste Reduction and Recycling.

Table 6.2 Recyclable Material Collection Data

City/Town	Residential Accounts	Residential Recycling Collection Container Details	Collection Entity	Has Participation Increased or Decreased Since 2017?
Yakima (urban area)	2,556	64-gallon cart	YWS	Reported Increase
Moxee	779	96-gallon cart	BDI	Reported Increase
Selah	1,217	96-gallon cart	BDI	Reported Increase
Union Gap	1,526 <sup>1</sup>	Two Bins	BDI	Reported Increase
Total Reported	4,283 <sup>1</sup>			

Notes:

<sup>1</sup> Garbage and recycling collection are bundled in Union Gap, and residents can opt in for recycling collection at no additional charge. The number of residential accounts for Union Gap recycling collection is listed as the total number of residential accounts for garbage collection. However, all customers may not subscribe to recycling collection.

Yard debris is collected on a voluntary subscription basis in six of Yakima County’s incorporated areas, and is available in the unincorporated areas. The jurisdictions that offer curbside collection of residential yard debris are shown in Table 5.2 in *Chapter 5 Organics* and includes information on frequency of service, collection entity, and monthly rate. More information relating to yard debris in Yakima County can be found in *Chapter 5 Organics*.

### 6.3.2 Bulky Waste Collection Service

Bulky waste collection service is available countywide through YWS. BDI also offers bulky waste collection in the City of Moxee twice per year and after Christmas for the collection of Christmas trees. The City of Selah has a call-ahead bulky waste collection service with BDI.

### 6.3.3 Commercial Collection Service

Similar to the residential sector, solid waste collection in the commercial sector is mandatory in all jurisdictions other than the unincorporated areas of Yakima County. Container size options, frequency of service, and rates charged vary by service provider and customer. Recyclable material collection service is optional for commercial customers. Most commercial recycling services provided target the recovery of corrugated cardboard.

### 6.3.4 Waste Disposal

Waste collected within Yakima County must be delivered to one of the Yakima County solid waste disposal facilities. This requirement is part of the interlocal agreement between Yakima County and

the cities and towns, which have twenty (20) year terms that began in 2002. For the unincorporated areas, County policy states that waste must be delivered to one of Yakima County’s transfer stations or landfills. The inter-local agreement also allows for all 14 cities and towns and the County to have one solid waste management plan and not have to each write a plan. See Chapter 13 for more information about the inter-local agreements and flow control.

## 6.4 STATUS OF 2017 RECOMMENDATIONS

The status of the recommendations made in the 2017 plan is shown in Table 6.3.

Table 6.3 Status of 2017 Plan Recommendations

Recommendations	Status
Continue to require waste be routed through Yakima County-owned facilities in future inter-local agreements	Completed – inter-local agreements expire in 2022
Review collection contracts to confirm compliance with the Plan.	Ongoing
Consider requiring adequate space for garbage and recycling collection in new housing developments by modifying land development codes.	Ongoing

## 6.5 PLANNING ISSUES

With respect to collection, the primary consideration for Yakima County is the relatively small population living outside the City of Yakima urban area. The urban area covers approximately 90 square miles from Moxee to the West Valley and from Selah in the north to Union Gap in the south. Most municipalities are located on the I-82 corridor along the Yakima River. Due to distances, providing collection services to residents and businesses in the remaining 4,200 square miles outside of the urban area of the County is often more expensive. All incorporated jurisdictions have mandatory collection of garbage, but recycling or yard debris collection is voluntary on a subscription basis.

Curbside collection of recyclable materials is limited to the areas near the City of Yakima since there is a high concentration of residents who desire the program. For cities that have variable collection rates, residents may be able to reduce their solid waste fee by separating recyclable materials from trash, which allows them to reduce the size of their solid waste collection cart. Recycling services are included in the monthly garbage fee for residents in Selah, Moxee, and Union Gap. Residents of the City of Yakima pay an additional fee to YWS for curbside recycling service. There are a number of factors that increase the cost of curbside recycling in less- populated areas:

1. **Less material over larger distances** - Curbside recycling is a service provided for an additional fee and generally there are fewer recycling customers than garbage customers as not everyone subscribes to recycling services. This means that the truck must travel farther between customers. Furthermore, since the average customer sets out fewer pounds of recyclable materials than garbage, the cost per ton to transport recyclable materials is higher.

2. **Similar equipment costs for reduced tonnages** - YWS and BDI currently utilize fully- automated trucks to collect both garbage and recyclable materials. Customers are typically provided with either a 64- or 96-gallon cart for garbage and recycling (if this service is elected). Garbage is often compacted (compressed) in the trucks to a greater degree than recyclable materials. Further, garbage and recyclable materials have different compaction ratios, meaning one cubic yard of recyclable materials weighs less than one cubic yard of garbage due to differences in composition within each material stream. On average, a truck carrying garbage hauls approximately 25 percent to 30 percent more materials (by weight) than a truck of the same size carrying recyclable materials. Thus, while the capital equipment costs are similar for collection vehicles for both solid waste and recyclable materials, there are fewer tons of recyclable materials over which to spread these costs.
3. **Processing and transportation costs** - Once garbage is collected it is transported directly to a disposal facility. In contrast, recyclable materials are taken to a materials recovery facility for processing that often includes sorting and baling. After processing, recyclable commodities are then shipped to markets, usually in the Seattle, Tacoma, or Portland metropolitan areas. Approximately ten years ago, commodity prices paid for recyclables such as cardboard, steel, aluminum, and paper reached historic highs, driven by strong international demand. In 2018, China's policies on contamination in recyclables caused commodity prices to decline precipitously, which is slowly recovering. Recent experience has shown that revenue from the sale of recyclable materials can rarely be relied upon to offset the higher costs per ton of collection, processing, and shipping materials to market.
4. **Economic incentives for recycling** - When communities adopt garbage collection policies that limit the size of garbage carts available for use by customers, the economic incentive to recycle can be reduced if the rate is not proportional the trash capacity provided (i.e. rate per gallon is less for larger carts than smaller carts). A good practice for communities is to not provide a per unit (gallon) discount for customers who select a larger size solid waste collection cart.

## 6.6 ALTERNATIVES

This section includes a discussion of collection alternatives for the County to consider. Strategies are presented for incorporated and unincorporated portions of the planning area.

### 6.6.1 Alternative A - Facilitate Adequate Capacity and Space for Recycling Collection

In order to minimize the issue of inadequate space for collection of recyclable materials, particularly at commercial and multi-family properties, Yakima County could consider adopting a requirement that new developments provide adequate space to accommodate collection containers for both trash and recyclable materials. This requirement could be incorporated in the land development code. For this alternative, new mixed use, multi-family, and commercial properties would be required to estimate the amount of waste and recyclable materials that will be generated at the property. Waste generation estimates would be based on properties of a similar size and use or calculated using waste generation factors provided by a known source. Based on the waste generation estimates, the property owner or developer would be required to submit a plan to the County that shows the location, number, and size of trash and recycling collection containers. The County would have the opportunity to review the plan and request modifications as necessary.

## **6.6.2 Alternative B - Require County-Generated Waste be Delivered to County-Owned Facilities**

As noted in Section 6.3.4, waste collected within Yakima County is required to be delivered to one of the Yakima County facilities through inter-local agreements with the cities and towns. The inter-local agreements began in 2002, and have twenty year terms. With the expiration of the inter-local agreements in 2022, Yakima County will renew the inter-local agreements with each of the cities and towns.

## **6.6.3 Alternative C - Collection Contract Compliance with the Plan**

In order to check that the solid waste collection contracts cities and towns have with private haulers comply with the Plan, each city and town should implement a contract review process. Yakima County could provide a checklist of items that should be considered by contract administrators in each city or town to confirm collection contracts are in compliance with the Plan. The review process could occur at the time of renewals and/or re-procuring.

## **6.6.4 Evaluation of Alternatives**

### **6.6.4.1 Consistency with Planning Objectives**

The above alternative strategies support the objectives of convenient and reliable services for managing solid waste materials as well as promoting an efficient and sustainable collection program.

### **6.6.4.2 Waste Reduction/Diversion Potential**

Alternative A directly supports waste reduction and diversion by requiring adequate space for recycling collection at new developments. The County estimates that implementing Alternative A could increase recovery of recyclables from businesses and multi-family units by approximately five percent. The County does not know how much recyclables these establishments dispose and therefore, can't quantify the amount of potentially recovered materials. Alternative B does not directly increase waste reduction or diversion opportunities. However, Alternative B helps facilitate proper handling of waste and promotes a solid waste program that is self-sufficient. Alternative C supports waste reduction and diversion by confirming the strategies in this Plan are incorporated in municipal collection contracts, as appropriate and applicable.

### **6.6.4.3 Customer Preferences**

Alternative A would benefit residents of future developments by providing adequate space to support and facilitate recycling. This alternative would also create added planning work for developers and/or commercial/multi-family/multi-use property owners. Alternative B would have minimal to no impact on customers while Alternative C would only impact customers if a change in collection contract occurred to comply with the Plan.

### **6.6.4.4 Implementation Costs**

Implementation costs for Alternative A would include staff time to develop the proper language for modifying the land development code and review and approval of each property's waste and recycling plan. Implementation costs for Alternative A would include the costs for administrative tasks to renew interlocal agreements. Alternative B implementation costs would include Yakima

County staff time to develop a checklist for use by contract administrators in each community. The County does not envision any of these alternatives

### 6.6.5 Rating of Alternatives

The alternatives identified above are rated in accordance to the evaluation criteria discussed above. The higher the rating of each alternative, the greater the conformance to the established criteria. Results of the rating are provided in Table 6.4.

Table 6.4 Rating of Alternatives

Alternative		Consistency with Planning Objectives	Waste Reduction/ Diversion Potential	Customer Preferences	Cost to Implement	Average Overall Rating
A	Adequate Capacity and Space for Recycling Collection	5	5	3	4	4.25
B	Require County-Generated Waste be Delivered to County-Owned Facilities	5	2	5	5	4.25
C	Collection Contract Compliance with Plan	5	2	5	5	4.25

5 – HIGHLY ALIGNS, 3 – ALIGNS, 1 – SOMEWHAT ALIGNS

### 6.6.6 Recommended Alternatives

The following recommendations had an average rating of four or higher, which means the County will implement them in the next five years:

- Alternative A - Facilitate adequate capacity and space to support recycling
- Alternative B - Require county-generated waste to be delivered to Yakima County facilities
- Alternative C - Confirm municipal collection contracts conform to the Plan

# Chapter 7

## Transfer System

## 7 TRANSFER SYSTEM

### 7.1 INTRODUCTION

This chapter discusses existing transfer facilities and programs, identifies relevant planning issues, and develops/evaluates alternative strategies for transfer of solid waste to disposal sites.

### 7.2 BACKGROUND

The transfer system in Yakima County includes three public facilities and one private facility. The public facilities including the CTS, LVTS, and THTS. The THTS and CTS are co-located at County disposal facilities and are designed to serve self-haulers delivering waste to each facility so those smaller vehicles do not mix with larger commercial vehicles delivering waste to the landfill working face. The LVTS is a stand-alone facility that serves both commercial and self-hauler waste customers operating in the Lower Valley. Waste brought to the LVTS is loaded into transfer trailers and transported about 16 miles to the CLF for final disposal. The private facility, the Granger Transfer Station, is owned and operated by YWS (a subsidiary of Waste Connections), is located near Granger and serves self-haulers primarily from the Yakama Nation and the surrounding area. This facility closed in 2020 when the COVID-19 pandemic took hold on the United States, and has not re-opened. There are plans for it to eventually re-open but they have not announced any dates.

#### 7.2.1 Goals and Objectives for Transfer

The objectives of this plan for waste transfer include:

- Facilitate convenient and reliable services for managing solid waste materials;
- Promote innovative and economical waste handling methods;
- Reduce the impacts to air, water, and land that are associated with waste generation, transportation, handling, recycling, and disposal;
- Reduce the occurrence and environmental impacts associated with illegal dumping;
- Confirm compliance with state and local solid and MRW regulations; and
- Manage waste to promote Washington State's waste management priorities presented in Ecology's *Moving Washington beyond Waste and Toxics* document.

An efficient transfer system supports the entire solid waste program and helps reduce the environmental and public health impacts of waste transportation. Transfer stations can help reduce occurrences of illegal dumping by providing a convenient and economical waste disposal alternative for those who generate little waste or larger quantities on an intermittent basis, or choose not to subscribe to curbside collection services. These facilities also serve as an information source about various waste management programs and options that are available to citizens.

## 7.2.2 State Legislation, Regulations, and Guidelines for Waste Transfer

The guidelines and requirements for siting, design, operation, and closure of transfer facilities are provided in WAC 173-350-310, Transfer Stations and Drop Box Facilities, which regulates intermediate solid waste handling facilities. Washington code 173-350-100 defines transfer stations as “a facility that receives solid waste (i.e. municipal solid waste, contaminated soil, or other solid wastes) from off-site from persons or route collection vehicles for consolidation into transfer vehicles, vessels, or containers for transport to a solid waste handling facility.” This definition subjects all three of the County’s transfer stations to the requirements of WAC 173-350-310.

## 7.3 EXISTING PROGRAM ELEMENTS

Figure 7.1 provides a map of the existing transfer stations in Yakima County and their locations relative to the County service areas.

### 7.3.1 Cheyne Transfer Station

CTS was built in 2013 on the CLF site and serves residential and commercial self-haulers delivering waste in cars and trucks. Commercial and municipal collection vehicles unload waste directly at the CLF working face. The CTS keeps self-haul customers from the landfill working face to promote safety and efficient operations. The CTS has a covered solid waste transfer area, drop-off area for source-separated self-hauled recyclable materials, secured canopy for MRW collection, and yard waste, tire, and appliance collection areas. The transfer building is approximately 10,000 SF. When full, the trailers are hauled to the CLF working face for disposal.

### 7.3.2 Lower Valley Transfer Station

LVTS opened in 1997 and accepts solid waste delivered from commercial and municipal collection vehicles, as well as residents and businesses that self-haul their waste. LVTS includes a single vehicle scale, scale house, transfer building, employee building, and areas to receive source-separated recyclable materials, yard debris from commercial sources, white goods (major appliances), tires, and limited types and quantities of MRW.

Waste tipping and transfer takes place in a 5,000 square foot (SF) metal building with two bays for top-loading transfer trailers using a rubber tire bucket loader. A road tractor transports loaded trailers to the CLF for disposal.

### 7.3.3 Terrace Heights Transfer Station

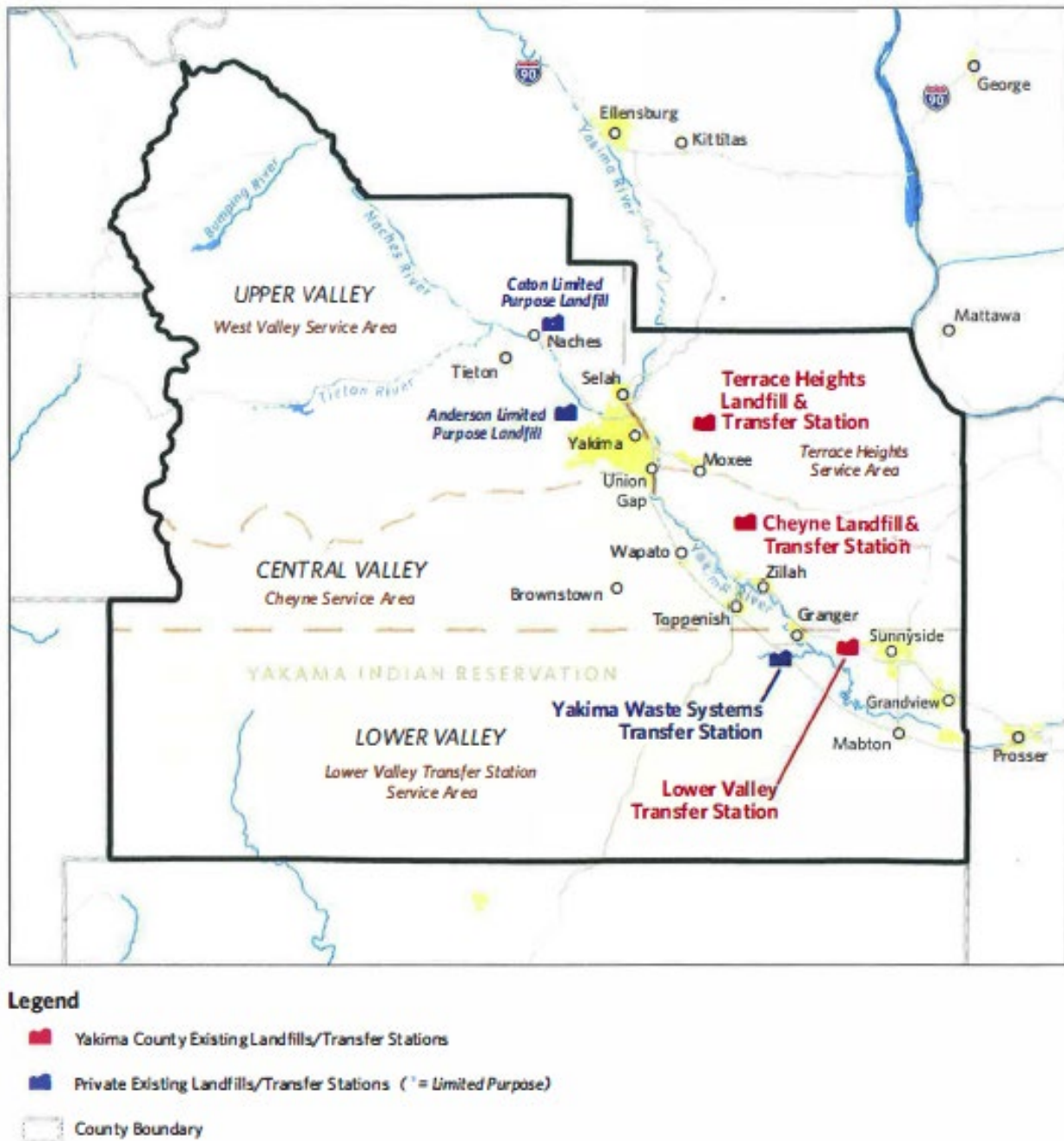
THTS was built in 2006 on the THLF site and serves residential and commercial self-haulers delivering waste in cars and trucks. Commercial and municipal collection vehicles unload directly at the working face of the landfill. THTS shares some facilities that are used by the landfill operations, including three vehicle scales, two scale houses, and an employee building. There is a MRW facility and shared areas for receiving source-separated self-hauled recyclable materials, yard debris, white goods, and tires. The transfer building is a 20,000 SF metal building with two bays for top-loading transfer trailers using a rubber tire bucket loader. When full, the trailers are hauled to the THLF working face for disposal.



### 7.3.4 Granger Transfer Station

Yakima Waste Systems owns and operates a private transfer station in Granger. It is open to the public and primarily serves self-haulers in and around the Yakama Nation. The facility accepts MSW and limited amounts of MRW. There are no limits to the amount of waste that can be received at the facility. It is open Monday through Friday from 9:00 a.m. to 4:00 p.m.; however, the facility closed in early 2020 at the outset of the COVID-19 pandemic, and has not re-opened. There are plans for it to eventually re-open but they have not announced any dates. .

Figure 7.1 Yakima County Solid Waste Transfer Stations



## 7.4 STATUS OF 2017 RECOMMENDATIONS

The status of the recommendations made in the 2017 plan is shown in Table 7.1.

Table 7.1 Status of Recommendations from 2017 Plan

Recommendations	Status
Consider purchasing (or taking an option on) property suitable for a future transfer station as land becomes available in the West Valley Service Area as funds allow.	Ongoing
Expand tipping capacity at the THTS to accommodate commercial traffic when THLF Phase 1 reaches capacity (currently estimated for 2030).	Ongoing – anticipate expansion in 2026
Review LVTS utilization by commercial haulers to increase efficiency and convenience of operations for both commercial and self-haul customers.	Ongoing
Consider commissioning a more detailed study to evaluate Alternatives (from 2010 plan) D (modification/expansion of LVTS), E (Property search and purchase for new transfer facility in the Lower Valley Service Area), and F (Permanent closure of LVTS) to determine the best course of action at that facility.	Ongoing

## 7.5 PLANNING ISSUES

### 7.5.1 Capacity

Commercial and municipal garbage trucks unload directly at the working face of CLF and THLF, so only self-haulers utilize the CTS and THTS. The LVTS allows both commercial and self-haul traffic to drop waste materials on the tipping floor. Commercial vehicles generally use the LVTS during the week. Some self-haulers such as businesses and small construction or landscaping contractors are also weekday users. However, the majority of self-hauler traffic at Yakima County transfer stations are residents that typically use the stations on weekends, in lieu of subscribing to regular curbside solid waste collection, or when they have accumulated larger quantities of waste (e.g., spring cleaning).

### 7.5.2 Demand

In April 2008, the County commissioned a study titled the Solid Waste Level of Service Study and Infrastructure Needs Assessment. That study evaluated solid waste infrastructure needs over the next 20 years and suggested various alternatives to alleviate crowding at the transfer stations and to maintain service levels for waste transfer. The study estimated design capacities and future demand for transfer capacity for the LVTS and the THTS based on tonnage projections through 2030. Table 7.2 shows updated MSW tonnage projections through 2030, and provides estimates of peak vehicles per hour (VPH) rates for both commercial and self-haulers for each transfer station. The annual number of vehicles was calculated based on assumed average payloads for commercial and self-haul vehicles carrying MSW and yard debris. Peak hourly arrival rates in VPH were estimated at 20 percent of the total daily volume for commercial vehicles and 15 percent for self-haul vehicles.

Table 7.2 Transfer Station Demand

Transfer Station	Year	MSW (TPY)	Peak VPH (Commercial MSW) <sup>2</sup>	Peak VPH (Self-Haul MSW) <sup>3</sup>
Lower Valley	2015	38,131 <sup>1</sup>	8	22
	2020	40,455 <sup>1</sup>	8	24
	2025	42,365 <sup>1</sup>	8	25
	2030	44,225 <sup>1</sup>	9	26
Cheyne	2015	39,222 <sup>1</sup>	NA <sup>5</sup> – tip at landfill	23
	2020	41,612 <sup>1</sup>	NA – tip at landfill	24
	2025	43,577 <sup>1</sup>	NA – tip at landfill	25
	2030	45,490 <sup>1</sup>	NA – tip at landfill	26
Terrace Heights	2015	170,905 <sup>4</sup>	NA – tip at landfill	99
	2020	181,321 <sup>4</sup>	NA – tip at landfill	105
	2025	189,882 <sup>4</sup>	NA – tip at landfill	110
	2030	198,219 <sup>4</sup>	39	115

Notes:

- <sup>1</sup> Assume CLF will continue to receive 30 percent of County MSW disposal, and assume LVTS will receive approximately 50 percent of total waste disposed at Cheyne.
- <sup>2</sup> Assumes an average of 4 tons/vehicle, 260 days/year, peak hour = 20 percent of daily traffic.
- <sup>3</sup> Assumes an average of 1 ton/vehicle, 260 days/year, peak hour = 15 percent of daily traffic.
- <sup>4</sup> Assumes THLF will continue to receive 70 percent of County MSW disposal.
- <sup>5</sup> NA – Not Applicable.

## 7.5.3 Facilities

### 7.5.3.1 Lower Valley Transfer Station

The existing 100-foot-wide transfer building has space for between six and eight vehicles to unload simultaneously. It is common design practice to allow a 12-foot-wide stall for a self-haul vehicle and a 15-foot-wide stall for a commercial vehicle. However, in actual practice the painted lines marking the stalls become eroded or covered with trash; hence, the actual number of stalls is approximate. Commercial garbage trucks are mechanically unloaded and it is common to assume that a single stall can handle six commercial VPH. Because self-haul vehicles take more time to unload manually; the typical assumption is four self-haul VPH.

In 2030, the peak commercial traffic (weekdays) is estimated to be nine VPH, which would require only two of the six commercial-width stalls. The situation is more complex for self-haul vehicles. Non-professional drivers are generally less experienced at maneuvering in tight spaces so the number of potential unloading stalls could fluctuate between six and eight. Assuming that it takes 15 minutes to park and unload a self-haul vehicle, the capacity of the station on a weekend could range from 24 to 32 VPH based on six to eight stalls. Peak hourly self-haul traffic is estimated to increase to 26 VPH

in 2030. Therefore, design capacity is within the expected traffic range, although self-haul customers may experience some delays and extended waiting times on peak weekends.

On weekends at LVTS, the limiting factor for station capacity is the ability to handle the volume of self-haul vehicles. The challenge is to help self-haulers back up and unload quickly, thus minimizing the time that other customers must wait in a queue. In 2018, the County started closing the LVTS on Sundays as few customers used the facility. When the County closed the LVTS on Sundays, they opened the CLF and Transfer Station from 9am-5pm on Sundays. This facility was previously open from 12-5 pm.

On weekdays at LVTS, when most of the waste tonnage is handled, the limiting factor is the need to stockpile waste on the floor. The County currently uses road tractors to pull waste packed in transfer trailers to CLF for disposal. Based on a round trip of about one hour between LVTS and CLF and a payload of 20 tons, a trailer can make seven round trips and haul about 140 TPD to CLF each day. While a trailer is on the road, waste must be stored on the floor at LVTS. This restricts the ability to efficiently maneuver and unload vehicles and to swap-out trailers after they are loaded.

The LVTS, which was opened in 1996, has reached its design capacity. The County will permanently close the LVTS by the end of 2022. The County made this decision due to lack of native ground to reconstruct the scale house, the failing scale, and its close proximity to the Cheyne Transfer Station.

### **7.5.3.2 Terrace Heights Transfer Station**

The THTS's existing 165-foot-wide north wall is completely open and has room for approximately 11 self-haul vehicles to unload simultaneously. The west wall of the facility is also open and can accommodate up to eight more vehicles. This allows 76 self-haul vehicles to unload per hour, assuming a turnover of four VPH per stall (15-minute assumed load-out time). In 2015, the peak arrival of self-haul vehicles was estimated to be 99 VPH. As outlined in Table 7.2, the system is expected to be further taxed as the population increases and waste generation grows. During peak usage periods, this results in the station's ability to quickly process self-haul vehicles being exceeded, requiring some drivers to wait in the queue for a stall to become available.

The THTS building has a modular design that allows for an expansion on the east side to increase the number of tipping stalls available. THTS typically does not handle commercial trucks, as these vehicles usually go directly to the working face of the THLF. When Phase 1 of the THLF has reached its capacity (estimated to be 2030), the County plans to provide transfer station capacity at this site for its commercial customers. Although the facility has not undergone significant upgrades over the last few years, the County plans to install a tipping floor crane in 2022.

### **7.5.3.3 Cheyne Transfer Station**

The CTS existing 100-foot-wide transfer building currently houses eight, 12-foot wide unloading stalls. This transfer station has not undergone significant upgrades over the last couple years; however, the County plans to update the hopper and waste chute at the facility in 2022. The design capacity of the CTS allows for a peak hourly rate of 27 self-haul vehicles to unload per hour. Peak hourly self-haul traffic is estimated to increase to 26 VPH in 2030. Therefore, design capacity is within the expected traffic range, although self-haul customers may experience some delays and extended waiting times during peak weekends. CTS currently does not typically handle commercial vehicles, as these usually go directly to the working face of CLF to unload.

### **7.5.3.4 Potential New Transfer Station**

To provide equitable levels of service to Yakima County residents, it is desirable for transfer facilities to be conveniently located to serve urban, suburban, and rural populations. This might include a new transfer station in the West Valley Service Area and/or a new transfer station in the Lower Valley Service Area to replace the existing LVTS. Issues related to the location of solid waste transfer facilities are as follows:

- Increased travel distances for self-haulers as residential development expands to areas that are more remote from waste management facilities.
- The current and anticipated shift in the center of population and waste generation toward the West Valley Service Area.
- Traffic congestion for self-haulers from the West Valley Service Area traveling east to THTS.
- Suitable location options in the Lower Valley Service Area for the LVTS to better serve users.

The Solid Waste Level of Service Study and Infrastructure Needs Assessment examined options for servicing the West Valley Service Area after THLF Phase 1 closes, including various combinations of expanding THTS or building a new transfer station. To optimize the overall transfer system, the study recommended the County:

- Work with haulers to review operations at CLF.
- Reduce the number of self-haulers at County transfer facilities by using adjusting prices to encourage customers to either bring in heavier loads (make fewer trips) or subscribe to curbside collection.

## **7.6 ALTERNATIVES**

### **7.6.1 Alternative A - Update 2008 Solid Waste Level of Service Study and Infrastructure Needs Assessment Study**

The 2008 Solid Waste Level of Service Study and Infrastructure Needs Assessment Study provided important planning level guidance for the future of the County's network of transfer station facilities. That study evaluated solid waste infrastructure needs over the next 20 years and suggested various alternatives to alleviate crowding at the transfer stations and to maintain service levels for waste transfer. The study estimated design capacities and future demand for transfer capacity for the LVTS and the THTS based on tonnage projections. This study, which is now 15 years old, can be updated for the THTS to understand how the conclusions and estimates provided in this study mirror actual facility usage over the 15 years since the study was commissioned. With the THLF nearing capacity, updating this study over the next planning period would provide the County with important data that can inform the future of their solid waste facilities and operations for many years to come.

## **7.6.2 Alternative B - Evaluate Expanding the THTS to Accommodate Commercial Haulers**

With the anticipated closure of the THLF, the County should consider expanding the onsite transfer station to accommodate commercial haulers. Currently, commercial haulers arriving at the THLF transport their waste loads directly to the working face of the landfill. With the anticipated closure of the landfill, commercial haulers collecting waste in that part of the County will need to drive to the CLF to dispose of their waste. The County may have an opportunity to expand the existing transfer station at the THLF to accommodate those commercial haulers so they can save time and expense by continually using the Terrace Heights property. The results of Alternative A should inform the County's plan on whether or not to expand the THTS.

## **7.6.3 Alternative C - Implement Plan to Better Serve the Lower Valley Service Area**

The County is currently working through options and opportunities for providing improved solid waste management services to the Lower Valley Service Area. These options were discussed and included as part of the 2017 Solid Waste Management Plan Update. Using the research and analysis from those ongoing efforts along with the results of updating the 2008 Solid Waste Level of Service Study and Infrastructure Needs Assessment (Alternative A), the County can move forward with modifying their transfer station system serving the Lower Valley. Ongoing efforts by the County to improve waste transfer in this area, which can be informed by updating the 2008 level of service and needs assessment study, include exploring the following options: 1) Modifying or expanding the Cheyne Transfer Station; 2) Constructing a new transfer facility in the area (either at the existing site or another location); and 3) Promoting the use of commercial waste collection services.

## **7.6.4 Evaluation of Alternative Strategies**

### **7.6.4.1 Consistency with Planning Objectives**

The above alternatives are consistent with the objectives of providing convenient and reliable services; economical waste handling methods; reduction of environmental impacts associated with waste generation, transportation, handling, recycling, and disposal; and compliance with state and local solid waste regulations.

### **7.6.4.2 Waste Reduction/Diversion Potential**

If recycling drop-off continue to be part co-located at transfer stations, they will contribute landfill diversion especially for communities without curbside recycling.

### **7.6.4.3 Customer Preferences**

Alternative A would not have an impact on the County's customers. Alternative B should be favorable to customers, particularly commercial customers, as it will facilitate their use of the THTS after the THLF closes so that few adjustments to collection operations will need to be made. Alternative C may or may not have a favorable impact on customer preferences depending on the results of Alternative A with respect to transfer operations in the Lower Valley.

#### 7.6.4.4 Implementation Costs

Alternative A would not be considered to have a substantial cost to the County as the goal will be to update the study that has already been completed. Expanding the THTS (Alternative B) to accommodate commercial haulers will incur some capital costs, although not as substantial as building a new transfer facility. The costs to implement Alternative C are unknown and will vary significantly based on the ongoing analysis of the County and the results of the revised Solid Waste Level of Service Study and Infrastructure Needs Assessment Study (Alternative A). It is expected that some capital costs will be necessary over the next planning period continue to meet the transfer needs in the Lower Valley.

#### 7.6.5 Rating of Alternative Strategies

The alternatives identified above are rated in accordance to the evaluation criteria discussed above (Table 7.3). The higher the rating of each alternative, the greater the conformance to the following criteria:

- Consistency with planning objectives
- High potential for waste reduction/diversion
- Improves customer experience/increases service/reduces costs, etc.
- Low cost

Table 7.3 Summary Rating of the Transfer System Alternatives

Option	Consistency with Planning Objectives	Waste Reduction/ Diversion Potential	Customer Preferences	Cost to Implement	Average Overall Rating
A - Update 2008 Solid Waste Level of Service Study and Infrastructure Needs Assessment Study	5	3	5	4	4.25
B - Evaluate Expanding the THTS to Accommodate Commercial Haulers	5	3	5	4	4.25
C - Implement Plan to Better Serve the Lower Valley Service Area	5	3	5	3	4.00

5 – Highly Aligns, 3 – Aligns, 1 – Somewhat Aligns

#### 7.6.6 Recommended Alternatives

The following alternatives scored higher a four or higher, which means the County will implement them in the next five years:

- Alternative A - Update the 2008 Solid Waste Level of Service Study and Infrastructure Needs Assessment Study.
- Alternative B - Evaluate Expanding the THTS to Accommodate Commercial Haulers.
- Alternative C - Implement Plan to Better Serve the Lower Valley Service Area.

# Chapter 8

## Disposal



## **8 DISPOSAL**

### **8.1 INTRODUCTION**

This chapter discusses existing programs and facilities, identifies relevant planning issues, and develops/evaluates alternative strategies for disposal of MSW.

### **8.2 BACKGROUND**

#### **8.2.1 Goals and Objectives for Disposal**

The goals and objectives specific to disposal include:

- Confirm convenient and reliable services for managing solid waste materials;
- Promote the use of innovative and economical waste handling methods;
- Reduce environmental impacts to air, water, and land that are associated with waste generation, transportation, handling, recycling and disposal; and.
- Reduce the occurrence and environmental impacts associated with illegal dumping.

#### **8.2.2 State Legislation, Regulations, and Guidelines for Disposal**

This chapter provides an update of Yakima County's waste disposal system, which is regulated by Chapter 70A.205 RCW Solid Waste Management, Chapter 173-350 WAC Solid Waste Handling Standards, and Chapter 173-351 WAC Criteria for Municipal Solid Waste Landfills

#### **8.2.3 Waste Disposal Data**

As population growth occurs in the towns, cities, and unincorporated areas of Yakima County, the total tonnage of MSW increases. MSW tonnage disposed at Yakima County facilities has increased about seven percent over the last four years. In 2016, 261,871 tons were disposed. MSW disposal increased to 294,362 tons in 2021. Table 8.1 summarizes the quantities of MSW (excluding yard debris and construction and demolition debris) received at the three Yakima County-owned and operated facilities from 2016 to 2021<sup>7</sup>.

The number of MSW customers that visited the County's disposal facilities also increased from 169,673 in 2016 to 222,679 in 2021. Table 8.2 summarizes the number of customers that visited each of the County's facilities for the period 2016 to 2021.

When planning for the construction and operation of solid waste facilities, including landfills and transfer facilities, it is prudent to project higher waste tonnages. This helps facilitate adequate waste disposal capacity as needed. Conversely, when estimating revenues from tipping fees, it may be best to project lower tonnages. If tonnages and revenues are lower (by historical standards), this method helps reduce the size of the rate increase that may be required to recover costs.

---

<sup>7</sup> The Finley Buttes Landfill in Oregon reported 35 tons of Yakima County MSW in 2018.

Table 8.1 MSW Received at County Facilities (Tons)

Year	THLF	CLF			Total Landfilled
		Direct Haul to CLF	Direct Haul to LVTS <sup>1</sup>	CLF Total	
2016	179,858	42,349	39,672	82,021	261,879
2017	190,170	48,964	35,673	84,637	274,807
2018	189,110	55,464	34,686	90,150	279,260
2019	189,078	55,172	35,758	90,930	280,008
2020	213,949	66,645	40,957	105,127	319,076
2021	213,284	107,199	39,262	143,960	357,244

<sup>1</sup> MSW delivered to the LVTS is disposed of at the CLF. However, not all non-MSW that is delivered to LVTS is disposed of at the CLF.

Table 8.2 MSW Customer Count by Facility

Year	THLF	LVTS	Total
2016	121,496	22,323	143,819
2017	127,128	22,495	149,623
2018	133,788	22,636	156,424
2019	134,399	22,496	156,895
2020	183,340	30,076	172,757
2021	188,269	28,238	178,852

## 8.3 EXISTING PROGRAM ELEMENTS

There are currently four operating landfills in Yakima County. Yakima County owns and operates two landfills, the (THLF and the CLF. Both landfills accept solid waste for disposal, including MSW) and construction and demolition debris, land clearing (CDL) waste from nearby cities, farms, and industries. The Caton Landfill in Naches and the Anderson Rock and Demo Pit Landfill near Yakima are both privately owned and operated. Figure 8.1 shows the location of the four disposal facilities in Yakima County on a map.

### 8.3.1 Terrace Heights Landfill

The THLF is located approximately six miles east of the City of Yakima and has been in operation since the early 1970s. Currently, the THLF occupies approximately 116 acres on a 424 acre parcel of land. THLF contains over 5.8 million tons of MSW, and when fully developed, it will contain approximately 7.9 million tons of waste. Principal users include the cities of Moxee, Selah, Union

Gap, and Yakima; the towns of Naches and Tieton; YWS; agricultural, construction, and food processing firms, and businesses and residents that self-haul their waste.

The THLF has a small gas extraction system on the south side of the landfill consisting of six gas extraction wells and a blower flare station with a candlestick flare to assist in controlling LFG migration. There are also six gas vents on the western portion of the Landfill that allow LFG to vent to the atmosphere.

Commercial and municipal collection vehicles unload waste directly at the working face of the landfill. For safety reasons, self-haul vehicles unload inside the onsite THTS building, which is then moved in transfer trailers to the working face for final disposal.

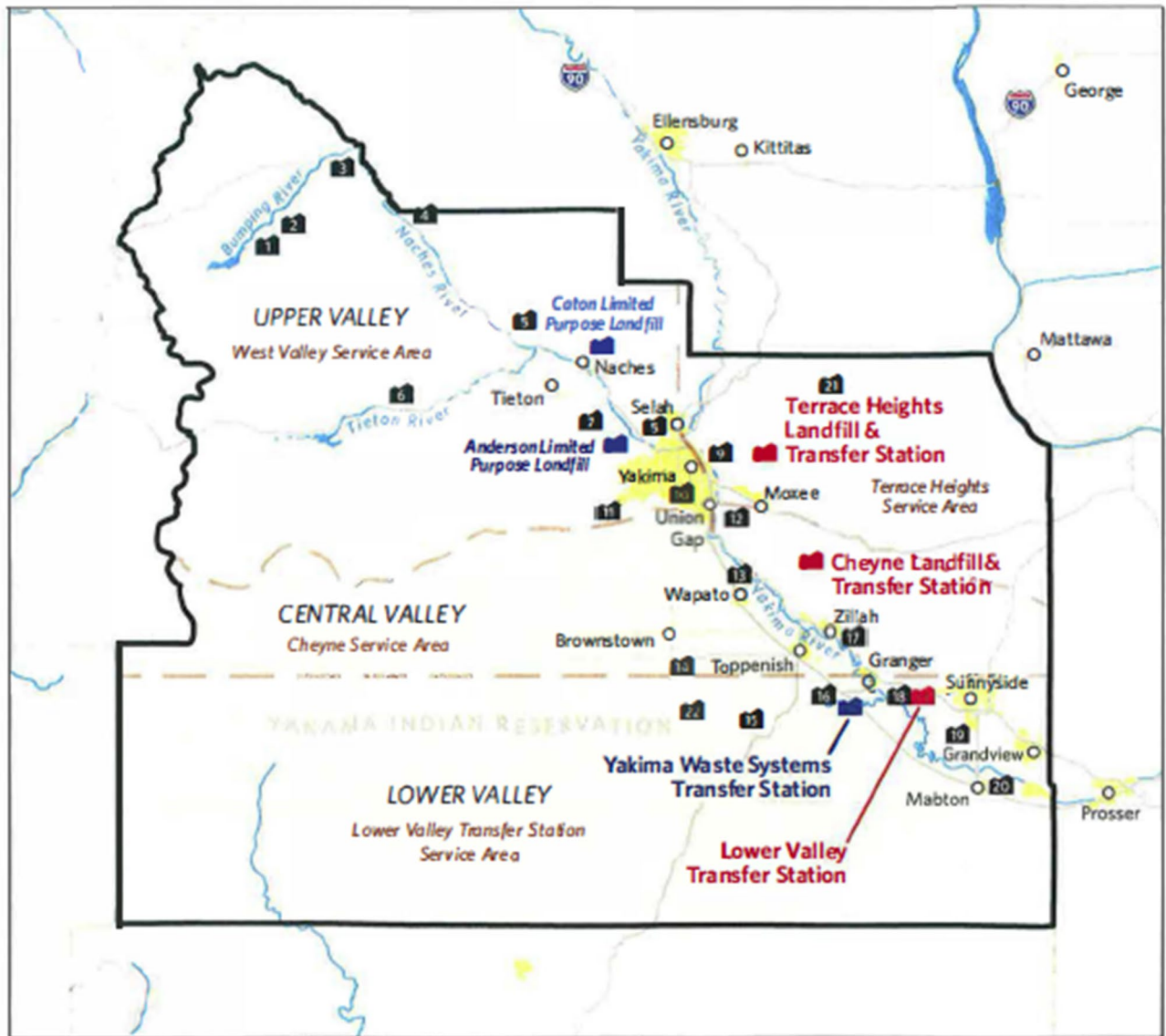
Since 2001, THLF has disposed of approximately 70 percent of the total solid waste received at the County's disposal facilities. The County anticipates that both Phase 1 and Phase 2 of the THLF will reach capacity sometime around 2030, after which all waste will need to be disposed at the CLF. The County had previously set aside some airspace for emergency use at the THLF, which is now currently being filled. The timing of THLF's closure is impacted by waste generation, recycling activities, and disposal rates, as well as landfill operations and design factors.

Yakima County has increased its airspace utilization factor (AUF), tonnage of waste disposed divided by airspace consumed, at the THLF over the past several years. The County has taken three decisive steps to preserve airspace at the THLF, including:

- Purchase Large Compactor – The County purchased a new larger compactor to better compact solid waste.
- Use of Alternative Daily Cover (ADC) Instead of Soil – The County stopped using soil as ADC and instead uses the alternative ADC, PosiShell, which encapsulates the waste and does not use airspace like soil. The County uses waste latex paint collected through their household hazardous waste program to produce the PosiShell material used at the landfill.
- Utilize GPS on their Compactor – The County recently digitized their solid waste filling plan, which is available to operators in the equipment as waste is compacted. This allows operators to view in real-time waste densities to confirm maximum airspace utilization.

Yakima County exceeded 1,200 pounds per cubic yard for the recent analysis period, which is noteworthy for a landfill in an arid climate. Maintaining these operational practices will continue to extend the remaining airspace at THLF.

Figure 8.1 Yakima County Solid Waste Disposal Facilities



**Legend**

- Yakima County Existing Landfills/Transfer Stations
- Private Existing Landfills/Transfer Stations ( \* = Limited Purpose)
- Closed/Abandoned Disposal Sites

1 Bumping 1	6 Trout Lodge	11 Wiley	16 Tule	21 US Military
2 Bumping 2	7 Cowiche	12 Moxee	17 Zillah	22 Yakama Nation
3 Indian Flats	8 Selah	13 Wapato	18 Snipes Mountain	
4 Cottonwood	9 Yakima 1	14 Tecumseh	19 Sunnyside	
5 Horseshoe Bend	10 Yakima 2	15 Toppenish	20 Grandview	

### 8.3.2 Cheyne Landfill

The CLF is located approximately five miles north of the town of Zillah and has been in operation since the early 1970s. The CLF occupies approximately 75 acres on a 960 acre parcel of land. When fully developed, it will contain approximately 13.2 million cubic yards (about 9.4 million tons) of waste. The landfill is exempt from Ecology from having a bottom liner for the following reasons:

- Distance to Groundwater Supply – Analysis has shown that the groundwater supply is significantly deeper below the waste fill area.
- Soil Type – The type of naturally occurring soil that separates the waste from the groundwater prevents the leakage of liquids and other contaminants from seeping into the groundwater supply.

The CLF currently does not have a LFG collection and control system in place, although the County is in the planning and design phase of a system that will be installed in the near future.

Principal users of the CLF include the cities of Zillah, Toppenish, Wapato, Granger, Sunnyside, Grandview, Harrah and Mabton; Yakima Waste Systems; agricultural, construction, and food processing firms, and self-haul businesses and residents. In recent years, the CLF has accepted for disposal about 30 percent of MSW received at County disposal facilities. Landfill Cell 1 reached capacity in 2016.

In November 2008, Yakima County Public Services Solid Waste Division received a solid waste permit from the Yakima County Health District for development of a new cell. Cell 2 was permitted and developed so Yakima County can continue to provide long-term waste disposal services. Cell 2 excavation began in 2010 and future excavation depends on disposal needs. Cell 2 is anticipated to be full in 2053 and is expected to hold 13.2 million cubic yards of waste on about a 75-acre footprint. Construction of new site access roads, scales/scale house, and a residential self-haul drop-off area was completed in 2013 and filling began shortly thereafter.

Similar to THLF, Yakima County has also increased the AUF at CLF in recent years by purchasing a large compactor. In addition, waste settlement and site configuration (four-sided pyramid design with piggybacking of waste) facilitates AUF values in excess of 1,200 pounds per cubic yard. Continuing these operational practices and maintaining the AUF will continue to extend the remaining airspace at CLF.

### 8.3.3 Private Landfills

The Anderson Rock and Demo Pit Landfill in Yakima and Caton Landfill in Naches are privately owned and operated. These facilities are limited purpose, inert waste and construction and demolition landfills that are open to the public. Anderson Rock and Disposal Pit Landfill is now known as DTG Recycling and accepted 477,599 cubic yards of material in 2021. The Caton Landfill received 133,979 cubic yards of material in 2021.

In addition, the Yakima Training Center Limited Purpose Landfill in Yakima operates a facility restricted to military use only that disposes of inert and construction and demolition debris and some MRW. In 2021, this facility received about 600 cubic yards of wood waste and 25 cubic yards of C&D debris.

### 8.3.4 Closed Landfills

There are twenty-two closed or abandoned disposal sites in Yakima County. The Selah Dump, sometimes called the Selah Landfill, is included on Ecology's Hazardous Sites List. According to the latest issue of Ecology's Hazardous Sites List, the Selah Landfill has a ranking of three, which is considered to be a moderate risk. The site is awaiting cleanup.

Snipes Mountain Landfill located in Sunnyside is also included on Ecology's Hazardous Sites List. The site has a ranking of four, indicative of a lower assessed risk. The Hazardous Site List indicates that cleanup has started. Yakima County has an ongoing monitoring program for this site.

### 8.3.5 Waste Import

In accordance with Resolution 520-1994, disposal facilities owned and operated by Yakima County do not accept waste generated from out-of-county. The County will not accept solid waste from the quarantine area at CLF or LVTS unless WSDA issues a special permit allowing it.

The two privately owned and operated landfills in Yakima County: Caton Landfill and DTG Recycling, accept waste generated from out-of-county sources. Ecology records report that in 2021, Caton Landfill received 20,247 tons of out-of-county waste, and DTG Recycling accepted 67,205 tons from non-Yakima County sources.

### 8.3.6 Waste Export

Based on Ecology data, the following waste was exported from Yakima County in 2021:

- Columbia Ridge Landfill in Oregon - 22 tons of C&D debris, nine tons of petroleum contaminated soil (PCS), and two tons of soil.
- Finley Buttes Landfill in Oregon - 11 tons of C&D debris, ten tons of industrial waste, 100,928 tons of MSW<sup>8</sup>, 495 tons of PCS, and 34 tons of tires.
- Greater Wenatchee Regional Landfill in Douglas County, WA - Ten tons of asbestos, two tons of MSW, and two tons of special waste.
- Roosevelt Regional Landfill in Klickitat County, WA - 21 tons of C&D debris, 13,343 tons of industrial waste, 12 tons of MSW and 707 tons of PCS.
- Spokane Waste-to-Energy Facility - 0.38 tons of medical waste and 15 tons of special waste.

## 8.4 LANDFILL GAS PLANNING ISSUES

Microbial degradation of in-place refuse generates LFG, which is principally methane (50 percent), but also contains non-methane organic compounds (NMOCs), volatile organic compounds (VOCs), hazardous air pollutants (HAPs) and greenhouse gases (GHGs). Currently, all LFG emissions are primarily fugitive at both sites. Both sites have planned installations of a gas collection and control

---

<sup>8</sup> As previously discussed, the MSW was one-time remediation waste and was excluded from the waste generation rate and projections.

system (GCCS) with an enclosed system or candlestick flare, which will partially control these emissions.

When RCW 70A.540 becomes effective, the County will begin implementation at both the CLF and THLF. CLF will have in place a LFG migration system. If the requirements of the new regulation are exceeded, the County will evaluate the need to expand the LFG migration system into those areas.

### 8.4.1 Updated Regulations

The following regulations are either being introduced or amended:

- Federal New Source Performance Standards (NSPS) and Emission Guidelines (EG): In May 2021, the EPA published the Federal Plan under 40 CFR Part 62, Subpart 000 to lower NMOC emissions. The new rules became effective June 21, 2021 and applies to states without an approved implementation plan, including Washington. The revised rules lowered the NMOC threshold for GCCS requirements from 50 Mg/yr to 34 Mg/yr.
- Clean Air Rule (WAC 173-442): Described as a type of cap and trade program that became effective on October 17, 2016. However, Ecology adopted a new Clean Air Rule (Chapter 173-442 WAC) in September 2016 described as a type of cap and trade program. Bill E2SSB 5126 passed in 2021, it relieves landfills from the gas reduction regulations and cap and trade until 2031.
- Quarantine – Agricultural Pests: WSDA revised Chapter 16-470 WAC in May 2016. Due to restrictions on the transfer of yard waste across apple maggot quarantine areas, some yard waste delivered to THLF was chipped and given away for free or used in road beds because it cannot be composted at Natural Selection Farms which is located in the pest free area. Refer to Chapter 5 Organics for additional information on the Apple Maggot Quarantine.

### 8.4.2 Regulatory History

Both THLF and CLF are subject to Title V of the Clean Air Act (CAA) and have Title V operating permits which detail the applicable regulations and requirements for each site. Previously, both sites were subject to the New Source Performance Standards (NSPS), under the Code of Federal Regulations (CFR), Chapter 40, Part 60, Subpart WWW, (40 CFR Part 60 Subpart WWW) for municipal solid waste landfills, due to the age of the landfills and the overall design site capacities. Both landfills have a design capacity of equal to or greater than 2.5 million Mg and 2.5 million cubic meters (approximately 2.75 million tons and 3.27 million cubic yards, respectively). Landfills meeting or exceeding the design capacity threshold are required to estimate emissions of non-methane organic compounds (NMOCs) on a regular basis (every five years) to determine whether these emissions exceed the threshold to require the installation and operating of an active GCCS. Under NSPS Subpart WWW, the NMOC threshold was 50 Mg/year.

In August 2016, the U.S. Environmental Protection Agency (EPA) revised the landfill air regulations, and both sites became subject to the Emission Guideline (EG) rules published under 40 CFR 60 Subpart Cf, which apply to existing MSW landfills that have accepted waste after November 8, 1987, and have not undergone construction, reconstruction, or modification since July 17, 2014. The revised EG rules provided time for states to submit and receive approval for their plans for implementation of the new rule. In May 2021, the EPA published the Federal Plan under 40 CFR Part 62, Subpart 000, which became effective June 21, 2021 and applies to any states without an

approved implementation plan, including Washington. The revised Cf rules lowered the NMOC threshold for GCCS requirements from 50 Mg/yr to 34 Mg/yr.

With the last Tier 2 analyses completed, both landfills were under the old NMOC threshold of 50 Mg/yr through 2020 (THLF) and 2021 (CLF). With the revision to this threshold, it is expected that the THLF is now above the threshold and will begin the process of installing and operating an active GCCS in accordance with the regulations. With the NMOC threshold at 34 Mg/yr, the County has decided to forego another Tier 2 analysis for THLF and begin design of an active GCCS. Due to COVID-19 and later scheduling conflicts with drillers, the Tier 2 Analysis for the CLF was rescheduled for later in 2022 to evaluate the NMOC levels at the site to plan for the installation and operation of the a GCCS.

### **8.4.3 Terrace Heights Landfill Gas**

The THLF is permitted by the Yakima Regional Clean Air Agency (YRCAA). A candlestick flare at the THLF operates infrequently to help control LFG migration along the northern boundary of the site. The County submitted an original Title V permit application for the THLF to YRCAA on March 8, 2000, and was issued a Title V permit, which has been renewed twice. The first renewal application was submitted on July 16, 2007, and the next was submitted on May 13, 2013.

The current Air Operating Permit (AOP) became effective on August 11, 2022. This permit includes the installation of a LFG flare, to control the migration of subsurface LFG. The County anticipates construction of the system in 2023. The County opted to transition THLF into the NSPS program in an effort to control and manage costs, and the County anticipates installing the GCCS in phases.

### **8.4.4 Cheyne Landfill Gas**

The CLF is permitted by the Yakima Regional Clean Air Agency (YRCAA). The CLF had an original permitted design capacity of approximately 1.8 million tons (1.6 million Megagrams [Mg]), which was below the threshold of applicability in NSPS Subpart WWW. The landfill became subject to NSPS Subpart WWW requirements in 2009 when it received an Order of Approval to expand the capacity to 8.2 million tons (7.44 million Mg), exceeding the design capacity threshold of the regulation. On January 7, 2011, the County submitted a Title V AOP application to YRCAA, and was issued a Title V permit on March 26, 2012. The original permit expired on March 27, 2017, and a renewal application was submitted on March 26, 2016.

The renewal permit was issued on March 14, 2017, No. Y-0063-1, with an expiration date of March 14, 2022. The County requested and received an extension from YRCAA to submit a late application due to delays related to the pandemic, and submitted a new permit application on June 13, 2022. In addition, a NOC application was submitted on November 23, 2020, for the installation of a LFG flare. Similar to the THLF, the GCCS system is being designed in 2021 and the County anticipates construction of the system in 2023. CLF has experienced offsite migration of LFG and the GCCS is being designed to mitigate the subsurface migration of LFG.

The Governor recently signed legislation that would restrict the use of candlestick flares at landfills. This will require the installation of an enclosed flare at CLF. To “feed” the flare, more LFG wells will need to be installed than were anticipated for the mitigation of methane migration using the limited GCCS. The County prepared an estimate for the mitigation systems in 2018, but not for the limited GCCS systems yet. Since the County can no longer use a candlestick flare, they will need to increase the number of extraction wells to keep the flare(s) lit. The County has not yet completed that portion of the designs. Thus, the County still needs to estimate the capital costs.



## 8.5 STATUS OF 2017 RECOMMENDATIONS

Table 8.3 provides a status update on the County’s efforts to implement the recommendations provided in the 2017 solid waste management plan update.

Table 8.3 Status of 2017 Disposal Recommendations

Recommendation	Status
Maintain the option to preserve capacity at THLF. Fill THLF Phase 1 to its permitted capacity, predicted to be 2030.	Ongoing – filled lower area to make best use of airspace
Consider purchasing (or taking an option on) property adjacent to CLF suitable for landfilling purposes.	Ongoing
Consider LFG to energy in the future, but only if this can be proven to be cost- effective.	Ongoing

## 8.6 ALTERNATIVES

The following alternatives are provided for the County’s consideration.

### 8.6.1 Alternative A - Deploy Methods that Save Airspace

Preserving available airspace at both the THLF and CLF is critical to preserving the life of these facilities and providing for the economical, sustainable and environmentally sound management of solid waste in the County. As of 2021, the THLF has limited airspace available and at current landfilling rates will reach capacity about 2030. CLF has substantial capacity available and it is estimated to provide for the disposal needs of the County through at least 2053, possibly longer if additional waste reduction and recycling methods are implemented or expanded.

Over the last several years the County has modified operational practices and implemented strategies to preserve airspace at both facilities. Under this alternative the County will continue to use these space-saving methods and strategies in landfill operations throughout the next planning period. The THLF is located near the major population center of Yakima County, which makes it prudent to extend the life of this facility in order to minimize transportation costs. Even with extensive capacity at the CLF, it remains good practice to preserve capacity at this facility to extend its life and delay the need for additional landfill capacity.

### 8.6.2 Alternative B - Fill “Emergency” Area at THLF

Previous SWMP’s recommended that the County set aside airspace at the THLF for emergency use as needed. In 2018, the County began filling this area with waste to satisfy the need for convenient disposal capacity near major Yakima County population centers. Although maintaining emergency landfill airspace to manage waste generated from natural disasters and other unforeseen events is generally good practice, this alternative includes the use of this airspace for meeting the current disposal needs for daily waste generation. Use of this airspace for waste disposal is suggested for the following reasons:

- Close Proximity to CLF – The CLF is located less than 30 miles from the THLF in the Central Valley. With decades of life still available, the CLF provides adequate airspace availability for waste generated from emergency events in the County. Although some

haulers operating in the Upper Valley will incur increased transportation costs by using the CLF, use of the “emergency” airspace at the THLF for current waste disposal needs is not expected to compromise the County’s ability to have convenient access to landfill airspace to meet the disposal needs from natural disasters or other emergencies that may create significant, unexpected quantities of waste.

- Intermediate Site Maintenance – Holding usable airspace available for future use increases the County’s cost for maintaining the THLF in an intermediate state as it cannot enter post-closure care until it reaches capacity. Additionally, efforts to direct and re-direct waste disposal from one facility to another when the County decides to use the “emergency” airspace will require a change in County and hauler operations that can increase inefficiencies and costs.
- Efficient Operations – Use of the existing “emergency” landfill airspace at THLF continues to promote sustainable waste management in the County by reducing transportation costs and associated emissions from the transportation of waste generated in the Central Valley. Redirecting that waste to the CLF when airspace is currently available at THLF increases costs due to increased transportation.

### **8.6.3 Alternative C - Evaluate LFG Beneficial Use Options**

Installation of a GCCS at both the THLF and CLF provides an opportunity for the County to consider implementation of a beneficial LFG energy project. While the air regulations require that LFG be collected and flared, the County has a unique opportunity to develop a project where the LFG is used to generate electricity or be used directly in boilers to offset the use of natural gas. However, it does not appear that the THLF has enough gas to support an LFG system.

Therefore, the County would work with a qualified engineer to evaluate the feasibility of implementing a LFG energy project at CLF. The feasibility study should include estimates of LFG generation over an extended planning period, beneficial use opportunities that include electricity generation or nearby end-use, and a financial pro-forma to understand the costs incurred and revenue generated from the project. The feasibility study may consider multiple end uses for the gas so that the most feasible and cost-effective option is identified.

Before hiring a professional engineer to complete the detailed feasibility study, the County may consider using the complementary services of the U.S. EPA Landfill Methane Outreach Program (LMOP) to pre-screen both the THLF and CLF on the potential feasibility of implementing a LFG energy project at either site. LMOP’s pre-screening tools include using LandGEM to estimate gas production, LFG cost to understand the project’s finances and net present value, and the LMOP Locator to identify nearby industries that could serve as partners for a LFG energy project.

### **8.6.4 Alternative D - Consider Potential of a Evapotranspiration Cover**

Alternative E includes a consideration to install an evapotranspiration cover on the closed cells of the CLF. An evapotranspiration cover typically includes placing a two-to-ten foot layer of fine grained soil containing silt and clay over the landfilled waste. The thickness of the layer is determined by the amount of rain or snow received at the site. Grass or shrubs are planted on the cover material to slow the downward movement of rainwater and snowmelt and promotes the storage of water. Installation of an evapotranspiration cover at the CLF will better protect the environment as the County anticipates the CLF to become the primary disposal site for waste generated in the County.

This is particularly important as the current landfill footprint is exempt from Ecology from having a bottom liner as discussed above. The stored water in the cover will then either evaporate or transpire and thus does not seep into the waste mass and the subsequent soil and groundwater below the landfilled waste.

## 8.6.5 Evaluation of Alternative Strategies

### 8.6.5.1 Consistency with Planning Objectives

All options are consistent with the objectives of this Plan.

### 8.6.5.2 Waste Reduction/Diversion Potential

No alternative discussed in Chapter 8 would directly facilitate increased waste reduction, recycling and diversion. However, all options promote a more sustainable solid waste disposal system in the County. The alternatives would contribute to increased efficiency, reduced emissions, and the potential expansion of renewable energy generation in the County.

### 8.6.5.3 Customer Preferences

Alternative B may have the biggest impact on customer preferences in that haulers operating in the Upper Valley can continue to transport waste to the THLF rather than incur additional transportation costs for taking waste to the CLF. Alternative C has the potential to impact customers if an LFG energy project were to be developed at either disposal site. Renewable energy from LFG has the potential to provide additional energy sources to expand energy options in the County. The other alternatives discussed are not likely to have a direct impact on customers.

### 8.6.5.4 Implementation Costs

Alternative B (Fill “Emergency” Area at THLF) is not expected to incur additional costs to the County as the THLF will continue to be used as the primary disposal facility in the County over the next planning period. Alternative C (Evaluate LFG Beneficial Use Options) is also not expected to incur significant costs, particularly if the County uses the complementary facility pre-screening tools offered by LMOP. Alternatives A (Deploy Methods that Save Airspace) and D (Evaluate Potential for an Evapotranspiration Cover) are expected to incur some additional costs.

## 8.6.6 Rating of Alternatives

The alternatives identified above are rated in accordance to the evaluation criteria discussed above. This rating is provided below in Table 8.4.

Table 8.4 Summary Rating of Disposal Strategies

Alternative		Consistency with Planning Objectives	Waste Reduction/Diversion Potential	Customer Preferences	Cost to Implement	Average Overall Rating
A	Deploy Methods that Save Airspace	5	1	1	3	2.50
B	Fill “Emergency” Area at THLF	4	2	5	5	4.00

Alternative		Consistency with Planning Objectives	Waste Reduction/ Diversion Potential	Customer Preferences	Cost to Implement	Average Overall Rating
C	Evaluate LFG Beneficial Use Options	5	2	4	5	4.00
D	Consider Potential for a Evapotranspiration Cover	3	1	1	3	2.00

5 – Highly Aligns, 3 – Aligns, 1 – Somewhat Aligns

### 8.6.7 Recommended Alternatives

The following recommendations are being made for disposal programs:

- Alternative B - Fill “Emergency” area at THLF.
- Alternative C - Evaluate LFG beneficial use options.

## Chapter 9

# Construction, Demolition, and Land Clearing Debris and Building Materials

## **9 CONSTRUCTION, DEMOLITION, AND LAND CLEARING DEBRIS AND BUILDING MATERIALS**

### **9.1 INTRODUCTION**

This chapter discusses existing programs, identifies relevant planning topics, and evaluates alternative strategies for the management of C&D debris and also addresses salvage and reuse of building materials.

### **9.2 BACKGROUND**

C&D debris contain those materials used in the construction process or that are present in the structure being demolished. Construction wastes typically include substantial quantities of wood scraps, drywall scraps, and excess concrete, as well as cardboard boxes and other packaging used to hold construction materials or products prior to installation. Demolition debris typically contain substantial quantities of concrete, brick, wood, drywall and other materials. Land clearing debris (i.e., tree stumps, brush and soil, etc.) is often included with C&D debris, but little of this is actually sent to disposal facilities. Land clearing debris is typically managed at mulching and composting facilities or used as clean fill as permissible.

Another component of C&D debris are reusable building materials, which are salvaged materials from construction or demolition activities that would otherwise be landfilled.

#### **9.2.1 Goals and Objectives for C&D Debris**

Overall goals and objectives that apply to construction, demolition and land clearing debris and building materials include:

- Ensure convenient and reliable services for managing solid waste materials;
- Promote the use of innovative and economical waste handling methods;
- Encourage the recovery of marketable resources from the waste stream;
- Ensure compliance with State and local solid waste regulations; and
- Manage waste in a manner that promotes Washington State's waste management priorities presented in Ecology's *Moving Washington beyond Waste and Toxics* document.

#### **9.2.2 State Legislation, Regulations, and Guidelines for C&D Debris and Building Materials**

Construction, demolition and land clearing debris are a solid waste resulting from the construction, renovation, and demolition of buildings, roads, and other man-made structures. WAC 173-350-400 allows many types of C&D debris to be disposed in limited purpose landfills. In addition, State law prohibits the open or unregulated burning of "treated wood, metal and construction debris."

Ecology released an updated waste and toxics reduction plan, *Moving Washington beyond Waste and Toxics Plan*, which focuses on reducing C&D debris through design and recycling. This Plan provides the following goals pertaining to construction and demolition debris:

- Waste generation will be reduced throughout the system by both businesses and residents (GOAL SWM 4):
  - Advance building salvage and building material reuse to reduce C&D debris by promoting design for deconstruction principles, sharing model contract language that requires salvage, and other related efforts.

On July 28, 2019, the Governor signed Substitute House Bill 1652 into law that established the Washington Architectural Paint Stewardship Program. This bill is codified as Chapter 70A.515 RCW. The goals of the law are for paint manufacturers to:

- Assume responsibility for the development and implementation of a cost-effective architectural paint stewardship program.
- Develop and implement strategies to reduce the generation of leftover paint.
- Promote the reuse of postconsumer architectural paint.
- Collect, transport, and process postconsumer architectural paint for end-of-product-life management.

## **9.3 EXISTING PROGRAM ELEMENTS**

### **9.3.1 C&D Debris Programs**

C&D debris is generated by construction companies, homeowners and others. Large quantities of C&D debris generated by construction companies and contractors are more likely to be collected separately from household waste and brought to special management sites. Homeowners are more likely to bring small, mixed loads containing both C&D debris and refuse to County disposal facilities.

Examples of recycling or reuse opportunities for C&D debris in Yakima County include the following:

- Metals can be brought to one of the metal recycling businesses and Yakima County Debris disposal facilities.
- Clean wood waste can be brought to separate collection areas at Yakima County disposal facilities.
- Household hazardous wastes related to C&D debris (e.g., oil-based paints, solvents, etc.) can be brought to the Household and Small Business Waste Collection Facility (HSBWCF) located at the THLF. Depending on the material and condition, some of the hazardous wastes may be reused or recycled.
- Reusable construction materials can be brought to the Habitat for Humanity ReStore Shop and other non-profits.

- Excess but usable construction materials are passed along for reuse through informal networks.

The ReStore is a division of Yakima Valley Partners/Habitat for Humanity. The ReStore acts as a fund-raising activity for the Habitat for Humanity by reselling new and used building materials that are donated. The ReStore handles a variety of materials, including doors, windows, hardware, cabinets, plumbing and electrical fixtures, appliances, lumber, and paint. The ReStore accepts building materials as new or gently used in such a condition that they can be resold, otherwise it is not accepted.

The Central Washington Home Builders Association (<https://cwhba.org>) provides members with resources that includes training and connection with builders. Built Green (<https://builtgreen.net>) provides resources for consumers and builders concerning environmentally sound designs, construction, and development practices in Washington. The Home Builders Association of Tri-Cities has an established Built Green program that provides information and online resources for the development of safer, healthier and more efficient homes, including those within Yakima County. This program supports these initiatives in part by delivering a credible standard for home construction that reflects established standards for environmental responsibility.

### 9.3.2 Processing Facilities

There are no operational C&D debris processing facilities in Yakima County at this time. However, DTG is currently permitted to recycle cured concrete, asphaltic materials, metal, and wood at their facility. DTG is working with Ecology to obtain permission to expand the C&D debris they can process for recycling. Additionally, the ReStore does a small amount of sorting at its facility.

### 9.3.3 Disposal

Most of the area's C&D debris are brought to one of two limited purpose landfills (DTG or Caton Limited Purpose Landfill).

DTG accepts the following materials:

- |                           |                                    |
|---------------------------|------------------------------------|
| • Asphalt                 | • Glass                            |
| • Brick                   | • Metals                           |
| • Brush, stumps, and logs | • Roofing                          |
| • Concrete                | • Sheet rock                       |
| • Crushed rock            | • Some types of contaminated soils |
| • Dirt                    | • Wood/lumber                      |

The Caton Limited Purpose Landfill accepts the following materials:

- |                                  |                   |
|----------------------------------|-------------------|
| • Asphalt (Five years and older) | • Grass clippings |
| • Block                          | • Inert waste     |
| • Boats                          | • Leaves          |
| • Brick                          | • Limbs           |
| • Brush                          | • Logs/stumps     |
| • Campers                        | • Metal           |
| • Cardboard                      | • Mobile homes    |
| • Carpet                         | • Paper           |



- Cement
- Clothing
- Concrete
- Construction debris
- Construction sheet rock
- Dirt and rocks
- Furniture
- Glass
- Pipe
- Plastic
- Railroad ties (2 years and older)
- Roofing material
- Shredded rubber
- Shrubs
- Spent CA lime
- Wood

Another facility in the Lower Valley area, Alba Excavating in Grandview, is open to the public and accepts small quantities of concrete and asphalt.

These facilities assess a per cubic yard fee for the disposal of approved materials. There is also a limited purpose landfill operated by the Yakima Training Center, but this is for military use only. The tonnages handled by these facilities in 2021 are shown in Table 9.1.

Table 9.1 C&D Debris Disposal Facilities, 2021 Tons

Facility	C&D Debris Disposed, 2021 (Tons)	Status
DTG	43,153	Open to the public
Caton Limited Purpose Landfill, Naches	124,447	Open to the public
Yakima Training Center, Yakima	7	Operated by the military, not open to the public
<b>Total</b>	<b>167,607</b>	

Source: Data from Ecology Annual Survey.

## 9.4 STATUS OF 2017 RECOMMENDATIONS

The status of the recommendations included in the 2017 Plan for C&D debris is shown in Table 9.2.

Table 9.2 Status of 2017 Recommendations for C&D Wastes

Item	Recommendations	Status
C&D1	Promote proper reuse, recycling and disposal of C&D.	Ongoing
C&D2	Partner with private organizations such as the Habitat for Humanity ReStore to promote recycling and reuse of C&D wastes and building materials.	Ongoing <sup>1</sup>

<sup>1</sup> The County does not have a formal partnership but continues to promote reuse through these programs.

## **9.5 PLANNING ISSUES**

Recycling and reuse alternatives cannot easily compete with the inexpensive disposal options provided by local landfills (both limited purpose landfills and Yakima County facilities).

## **9.6 ALTERNATIVES**

Potential alternatives for C&D debris include increased recycling and reuse, new disposal options, and other alternatives.

### **9.6.1 Alternative A - Encourage Green Building Practices**

Green building practices can include a variety of practices such as using products with recycled content, requiring construction projects to meet an established reuse and/or recycling percentage goal, incorporating energy efficiency into the structure design, sourcing locally available materials, and more. Yakima County could support green building practices through a variety of methods that include:

- Partner with the Central Washington Home Builders Association to establish a local Green Built program. This program could provide local support and resources to builders, construction contractors, and consumers concerning environmentally sound design and construction practices. This program could help connect interested building designers and contractors with identified suppliers that manufacture construction materials that are more environmentally sound than traditional materials or manufacturing practices.
- Promote companies that offer green building practices and businesses that have completed projects using certified green building practices.
- Establish a list of preferred materials, design practices, and construction methods that would receive preferential scoring on competitively bid building projects for the County.
- Establish a list of green building practices that are required for County building projects.
- Work with state and local officials to support alternative building and zoning regulations that encourage reuse and recycling of materials in construction projects.

### **9.6.2 Alternative B - Establish Diversion Specifications for County Construction Projects**

As a strategy to increase C&D debris diversion, the County could develop C&D debris recovery specifications for construction projects within the County. Specifications would require specific materials or practices to be used and/or certain diversion goals for the project to be met by the contractor. The County could include these requirements as part of the building permit process. Established deposits for the building permit could be collected from the applying company and reimbursed based on the verified diversion rates for the construction project.

### **9.6.3 Alternative C - Support Recycling and Reuse Markets for Recycled Asphalt Pavement and Shingles**

The Washington State Department of Transportation (WSDOT) has established specifications for the use of recycled asphalt pavement (RAP) in the state's road mixes. However, WSDOT only allows up to

20 percent RAP to be used in hot mix asphalt (HMA) projects. The County could establish requirements or incentives for road construction and improvement projects to use RAP or recycled asphalt shingles (RAS). The County could also work with WSDOT and/or other counties to consider allowing higher RAP or RAS percentages to be used for various projects (i.e., trails, parking lots, etc.).

#### **9.6.4 Alternative D - Perform Waste Characterization Study Focused on C&D Debris**

Determining the type and quantities of C&D debris being generated and disposed of within Yakima County would provide important information that could be used to develop targeted waste diversion programs and services. Typically, waste characterization studies are performed to provide a wide view of the types of waste within the waste stream as generated by residential and/or commercial generators. However, open top containers (such as those used to transport C&D debris) are not typically selected for the materials to be sorted. Evaluating the C&D debris in the waste stream can help the County understand not only what specific materials are being generated (i.e., untreated dimensional lumber, treated wood, painted or stained wood, gypsum board, plywood, vinyl siding, metal, etc.) but how the materials are being generated and what incentives, policies, or regulations may help reduce C&D debris. This data could also help develop an understanding of future markets that may become available if targeted C&D debris were to be captured for reuse and/or recycling.

#### **9.6.5 Alternative E - Evaluate Purchasing Policies to Promote Reuse and/or Recycling of C&D Debris**

The County could coordinate with County Departments, municipalities within the County, and other organizations to establish purchasing policies that encourage the reuse and/or recycling of C&D debris in construction projects that they administer. Competitive bid scoring criteria could give preference to companies that will reuse or recycle targeted C&D debris in the project. The awarded contractor would be responsible for meeting their reuse and/or recycling obligation for the project. If they did not meet their requirement, some level of enforcement (i.e., financial penalties, etc.) would need to be performed. This enforcement would help contractors fairly compete in the bidding process. This preferential scoring for bid projects would help educate contractors about the availability and benefits of reusing and/or recycling C&D debris and would help to establish a market for companies willing to provide these services.

#### **9.6.6 Alternative F - Promote Use of Permitted C&D Debris Recycling Facilities**

Currently, the County has no C&D debris recycling capacity. If Ecology approves a C&D debris recycling facility, the County will consider promoting the facility through electronic and print media. The County will work with the building and remodeling community to understand how to separate C&D debris and the benefits of C&D debris recycling. If C&D debris recycling does not become available within the next five years, the County will conduct a technical and financial feasibility study on developing a facility. The County could define “develop” as County-owned and operated, County-owned and privately operated, or a concession where the County provides land and a private consortium owns and operates the facility.

## 9.6.7 Evaluation of Alternative Strategies

### 9.6.7.1 Consistency with Planning Objectives

The above alternative strategies support the objectives of convenient and reliable services for managing solid waste materials as well as promoting the use of economical waste handling methods.

### 9.6.7.2 Waste Reduction/Diversion Potential

All listed alternatives would provide immediate support of diversion efforts. Combined, the County believes the alternative strategies will divert about 5 percent of C&D debris from the landfill or approximately 1,800 tpy.

### 9.6.7.3 Customer Preferences

Waste generators prefer the least expensive option for managing C&D debris. They will typically choose to dispose of C&D debris at approved sites when provided with adequate information about their options.

### 9.6.7.4 Implementation Costs

All listed alternatives are assumed to have an implementation cost that the County would be responsible for covering through their staff. The only external cost to the County would be the characterization study. The County estimates that this could cost \$30,000.

## 9.6.8 Rating of Alternatives

Table 9-3 presents how alternatives are compared as they align with the evaluation criteria.

Table 9.3 Summary Rating of the C&D and Green Building Alternatives


	Alternative	Consistency with Planning Objectives	Waste Reduction/Diversion Potential	Customer Preferences	Cost to Implement	Overall Rating
A	Encourage Green Building Practices	5	5	3	3	4.00
B	Establish Diversion Specifications for County Construction Projects	5	3	3	5	4.00
C	Support Recycling and Reuse Markets for Recycled Asphalt Pavement and Asphalt Shingles	5	3	3	5	4.00
D	Perform Waste Characterization Study Focused on C&D Debris	5	3	1	3	3.00
E	Evaluate Purchasing Policies to Promote Reuse and/or Recycling of C&D Debris	5	3	1	5	3.50
F	Promote Use of Permitted C&D Debris Recycling Facilities	5	5	3	3	4.00

5 – Highly Aligns, 3 – Aligns, 1 – Somewhat Aligns

### 9.6.9 **Recommended Alternatives**

The following recommendations are being made for C&D programs:

- A Encourage Green Building Practices
- B Establish Diversion Specifications for County Construction Projects
- C Support Recycling and Reuse Markets for Recycled Asphalt Pavement and Shingles
- F Promote Use of Permitted C&D Debris Recycling Facilities



# Chapter 10

## Miscellaneous Wastes

## 10 MISCELLANEOUS WASTES

### 10.1 INTRODUCTION

This chapter discusses existing programs, identifies relevant planning issues, and develops and evaluates alternative strategies for the management of miscellaneous wastes.

### 10.2 BACKGROUND

Miscellaneous wastes have some similarities to “typical” MSW and can be managed in a similar fashion with some additional precautions or special handling procedures. Each type of miscellaneous waste is governed by slightly different regulations, based on its physical and chemical characteristics and the degree of environmental, health, or safety risk it poses. Yakima County has established a Solid Waste Policies & Procedures document (updated 2017) to address the acceptance of miscellaneous wastes for disposal at County-owned waste facilities. This Chapter is subdivided into the sections shown in Table 10.1 to describe regulations, current programs, and planning issues for each type of miscellaneous waste.

Table 10.1 Miscellaneous Wastes

Section	Special Waste
10.3	Agricultural Waste
10.4	Animal Carcasses
10.5	Appliances
10.6	Asbestos
10.7	Biomedical/Infectious Waste
10.8	Electronic Waste
10.9	Junk Vehicles
10.10	Petroleum Contaminated Soils
10.11	Pharmaceuticals
10.12	Street Sweepings/Vactor Waste
10.13	Tires
10.14	Miscellaneous

#### 10.2.1 Goals and Objectives for Miscellaneous Wastes

Overall goals and objectives that apply to miscellaneous wastes include:

- Ensure convenient and reliable services for managing solid waste materials;
- Promote the use of innovative and economical waste handling methods;
- Reduce environmental impacts to air, water, and land that are associated with waste generation, transportation, handling, recycling, and disposal;

- Reduce the occurrence and environmental impacts associated with illegal dumping;
- Ensure compliance with state and local solid waste and MRW regulations; and
- Manage waste in a manner that promotes Washington State’s waste management priorities presented in Ecology’s *Moving Washington beyond Waste and Toxics* document.

## **10.3 AGRICULTURAL WASTE**

### **10.3.1 Regulations and Guidelines**

173-350-100 WAC defines agricultural wastes as, “wastes from farms resulting from the raising or growing of plants and animals including, but not limited to, crop residue, livestock manure, animal bedding, and carcasses of dead animals.” 173-350-230 WAC establishes standards for the application of solid waste that is beneficially used on the land through application at an agronomic rate as a soil amendment or for land reclamation.

### **10.3.2 Current Practice**

As defined above, little of the agricultural waste generated is disposed of within Yakima County’s Solid Waste Division’s programs. Hence, agricultural wastes are not under the purview of this Plan. Agricultural wastes, whether crop residues or animal manures, can be returned to the land where these were generated.

Exceptions to this are the disposal of animal carcasses which is addressed below in Section 10.4 and empty pesticide and herbicide containers that may be disposed of in the landfill following triple rinsing. The loads containing these items are certified at the scale house.

### **10.3.3 Planning Issues**

Current agricultural waste management and disposal practices are generally adequate.

## **10.4 ANIMAL CARCASSES**

This section addresses disposal of animal carcasses within Yakima County.

### **10.4.1 Regulations and Guidelines**

Animal carcass disposal requirements generally differ according to cause of death, as follows:

1. Animals that die of natural causes (but not an infectious disease) can be buried on site (typically on a farm) in accordance with state and local regulations, taken to a rendering facility, or taken to the THLF or CL.
2. Animals killed by collision with motor vehicles (“road kill”) can be landfilled.
3. The carcasses of animals that die from an infectious disease must be treated to destroy the disease-causing agent to prevent it from infecting other animals or humans. This involves coordination with the YHD.



## 10.4.2 Current Practice

Yakima County's Policy and Procedures for disposal of animals can be summarized as follows:

- Animal carcasses are accepted at the THLF and CLF. No animal carcasses or animal parts are accepted at the County transfer stations.
- Yakima County facilities do not accept diseased animals or animals preserved in formaldehyde.
- Animal parts and butcher parts must be double-bagged even if they are in a separate container (i.e., 55-gallon drum).
- Customers disposing of a large amount of animals or suspicious animal loads must complete a load certification.
- Customers are currently charged the same rate as for garbage disposal and are also assessed a special handling fee if carcasses need to be buried immediately or assistance is needed. The County is currently performing a rate study which will include a review of animal carcass disposal rates compared to rates for other alternative processing options available within the County.
- Customers wishing to dispose of infectious and/or diseased animals are directed to contact the YHD at (509) 575-4040.

## 10.4.3 Planning Issues

The THLF is currently scheduled to cease accepting waste in 2030. The County will need to determine how the disposal of non-diseased animal carcasses will continue and how these practices may impact the only other County-owned facility accepting non-diseased animal carcasses (CLF).

## 10.5 APPLIANCES

This section addresses disposal of appliances generated within Yakima County.

### 10.5.1 Regulations and Guidelines

Major appliances, also known as white goods, are considered to be a special waste because their size makes it difficult to handle them in the "normal" garbage collection system, and because some types of appliances contain chlorofluorocarbons (CFCs, or "Freon") that must be removed prior to disposal. On the federal level, the Clean Air Act prohibits the release of CFCs, and State law (RCW 70A.60.070) also requires that CFCs be handled in a manner that prevents their release into the atmosphere. Furthermore, CFCs and hydro chlorofluorocarbons are designated as dangerous wastes under Chapter 173-303 WAC, although they are exempt from these rules if recycled properly.

### 10.5.2 Current Practice

White goods are composed mainly of steel, copper, plastic, and rubber, but are typically recycled as ferrous scrap metal. As a service to customers, some appliance dealers recycle the old appliance when a new one is delivered. Yakima Waste Systems, Basin Disposal, and the City of Yakima also pick up white goods and other bulky items through "call to haul" programs. White goods are

accepted for a fee at Yakima County-owned solid waste facilities. At its facilities, Yakima County staff remove the “Freon” refrigerants from refrigerators, freezers, air conditioners, and similar devices. Industrial-sized appliances must have Freon and oil removed prior to delivery at one of the disposal sites.

Commercial refrigerator units are only accepted at the THLF. If the compressor motor oil was removed prior to the unit’s acceptance at the THLF, County staff should ask the customer how the oil was removed. For units that contain refrigerants, compressor motors, and/or oil, County staff do not remove these materials from the units. The County is currently updating their policies and procedures for these materials from refrigerators.

Yakima County contracts with Pacific Steel & Recycling to haul and recycle the white goods.

### **10.5.3 Planning Issues**

Current appliance/white goods management and disposal practices are generally adequate. However, the THLF is currently scheduled to cease accepting waste in 2030. The County will still accept appliance/white goods at the transfer stations.

## **10.6 ASBESTOS**

This section addresses asbestos disposal within Yakima County.

### **10.6.1 Regulations and Guidelines**

Asbestos is a naturally occurring crystalline material that breaks down into very small particles that float easily in air, and once inhaled these particles can become lodged in a person’s lungs and cause cancer. Several federal laws address asbestos removal and disposal, including the Toxic Substances Control Act, the Occupational Safety and Health Act, the Clean Air Act, and the Clean Water Act. There are also several state laws that address asbestos through worker training and protection requirements as well as disposal rules under the Dangerous Waste Regulations (173-303 WAC).

### **10.6.2 Current Practice**

Asbestos waste is currently accepted only at the THLF and requires 24 hours’ advance notice for disposal. Asbestos disposal is between the hours of 9:30 a.m. and 4 p.m., Tuesday through Friday. Asbestos waste material must be adequately wet, sealed into a leak-tight container or double bagged in six-millimeter minimum polyethylene, and properly labeled. After placed, the asbestos containing waste material is covered with six inches of compacted non-asbestos waste material within 24 hours.

Customers with asbestos waste on tribal land must contact the USEPA at (800) 424-4372.

### **10.6.3 Planning Issues**

Current asbestos waste management and disposal practices are generally adequate. However, the THLF is currently scheduled to cease accepting waste in 2030. The County will need to determine how asbestos waste will continue to be managed after the THLF stops accepting waste for disposal.

## 10.7 BIOMEDICAL/INFECTIOUS WASTE

This section addresses disposal of biomedical waste generated within Yakima County.

### 10.7.1 Regulations and Guidelines

Washington State's definition of biomedical waste (70A.228.010 RCW) includes the following waste types:

- **Animal waste:** animal carcasses, body parts and bedding of animals that are known to be infected with, or have been inoculated with, human pathogenic microorganisms infectious to humans.
- **Biosafety level 4 disease waste:** contaminated with blood, excretions, exudates, or secretions from humans or animals who are isolated to protect others from highly communicable infectious diseases that are identified as pathogenic organisms assigned to biosafety level 4 by the Center for Disease Control, National Institute of Health, Biosafety in Microbiological and Biomedical Laboratories, current edition.
- **Cultures and stocks:** wastes infectious to humans, including specimen cultures, cultures and stocks of etiologic agents, wastes from production of biologicals and serums, discarded live and attenuated vaccines, and laboratory waste that has come into contact with cultures and stocks of etiologic agents or blood specimens. Such waste includes, but is not limited to, culture dishes, blood specimen tubes, and devices used to transfer, inoculate, and cultures.
- **Human blood and blood products:** discarded waste human blood and blood components, and materials containing free flowing blood and blood products.
- **Pathological waste:** human source biopsy materials, tissues, and anatomical parts that emanate from surgery, obstetrical procedures and autopsy. Does not include teeth, human corpses, remains and anatomical parts that are intended for final disposition.
- **Sharps waste:** all hypodermic needles, syringes with needles attached, intravenous tubing with needles attached, scalpel blades, and lancets that have been removed from the original sterile package.

The WUTC regulates transporters of biomedical wastes. Its regulations also allow regular solid waste haulers to refuse to haul wastes that they observe to contain infectious wastes as defined by the WUTC.

### 10.7.2 Current Practice

Stericycle, Inc., collects biomedical/infectious wastes in Yakima County. Due to privacy considerations, Stericycle, Inc. does not provide detailed information about where these wastes are generated. The THLF and CLF also currently accept medical waste and sharps. Medical waste must be pre-approved prior to acceptance and customers must contact the office in advance to make prior arrangements for disposal. Approved medical waste must be double bagged in orange or red bags that have the universal biohazard symbol, and transported to the landfill by a commercial hauler licensed to handle medical waste. Businesses are also permitted to haul their own waste to the landfills.

Sharps must be placed in either a sharps container or in a strong, plastic container (i.e., laundry detergent or bleach bottle), sealed with duct tape, and labeled “DO NOT RECYCLE”. These containers are not to be placed in trash or the recycling containers. Information on drop-off locations and proper sharps disposal can be found at <https://safeneedledisposal.org/states/washington>. Liquid medical wastes are not accepted at County disposal facilities.

### 10.7.3 Planning Issues

The list of potential generators of biomedical waste includes medical and dental practices, hospitals and clinics, veterinary clinics, farms and ranches, as well as individual residences. Some of these may not always dispose of biomedical wastes properly. There is no definitive estimate of the quantity of syringes and other biomedical wastes that are improperly disposed locally, but haulers in other areas often report seeing syringes sticking out of garbage bags. This problem is expected to increase due to an aging population and additional medications that have recently become available for home use (for human immunodeficiency virus, arthritis, osteoporosis, and psoriasis).

The THLF is currently scheduled to cease accepting waste in 2030. The County will need to determine how the disposal of biomedical and infectious wastes will continue and how these practices may impact the only other County-owned facility accepting these wastes (CLF).

## 10.8 ELECTRONIC WASTE

This section addresses disposal of electronic and electronic equipment waste, commonly referred to as “e-waste,” generated within Yakima County.

### 10.8.1 Regulations and Guidelines

Electronic products contain valuable materials that can be recycled and toxic chemicals that should be kept out of the landfill. The Electronic Product Recycling law (Chapter 70A.500 RCW) requires manufacturers of computers, monitors, laptops and portable computers to provide recycling services throughout the state at no cost to households, small businesses, small local governments, charities and school districts. This law led to the E-Cycle Washington program developed by the Ecology. Names and locations of collection sites can be obtained by calling 1-800-RECYCLE or going to [www.ecyclewashington.org](http://www.ecyclewashington.org).

### 10.8.2 Current Practice

The E-Cycle Washington program allows for the collection and recycling of televisions, desktop computers, laptop computers, tablet computers, e-readers, portable video disc players, and computer monitors. However, peripherals such as keyboards, mice, and printers are not covered by the program.

Yakima County includes information regarding E-Cycle Washington online ([www.yakimacounty.us/658/Electronics-Cell-Phone-Recycling](http://www.yakimacounty.us/658/Electronics-Cell-Phone-Recycling)). According to the Ecology’s E-Cycle Washington’s 2021 annual report, approximately 336,228 pounds of electronics was collected from Yakima County as part of the program. Yakima County accounted for 2.2 percent of electronics collected from all counties in 2021. Yakima County-owned solid waste disposal sites are not part of the E-Cycle Washington network. There are several business and donation locations in Yakima County that accept electronics for recycling.

Yakima County-owned waste disposal sites accept up to five electronic waste items (i.e., computer monitor, television, etc.) per load from residential customers for disposal. Electronic wastes from businesses are not accepted due to State regulations prohibiting disposal in landfills.

### 10.8.3 Planning Issues

Based on the E-Cycle statistics, the statewide program is working well.

## 10.9 JUNK VEHICLES

This section addresses disposal of vehicles within Yakima County.

### 10.9.1 Regulations and Guidelines

70A.200.060 RCW prohibits the abandonment of junk vehicles upon any property located in an unincorporated area of a county. Abandoned vehicles are also regulated under 46.55 RCW, which establishes rules for removal and disposal of junk vehicles. If a junk vehicle is abandoned in violation of 70A.200.060 RCW, 46.55.230 RCW governs the vehicle's removal, disposal, sale, and penalties that may be imposed against the registered owner of the vehicle.

### 10.9.2 Current Practice

46.79 RCW, determines the acceptance of junk vehicles. Pursuant to RCW 46.79 and RCW 46.80 it is illegal to dispose of major component vehicle parts in this manner without release from the Washington State Patrol. Landfills and transfer stations are not in the business of buying or selling major component parts but accept them for recycling.

Yakima County-owned solid waste disposal sites do not accept major vehicle components which includes engines, short blocks, frames, transmission and/or transfer case, cab, front half of car from firewall back. Yakima County-owned solid waste disposal sites also do not accept motorcycles, motorhomes, snowmobiles, utility trailers, or pickups.

Yakima County-owned solid waste disposal sites do accept the following other vehicle components in quantities of no more than three:

- Smashed door
- Crushed truck bed
- Damaged seat
- Hood
- Fender

When accepting these components, the Washington State Patrol requires the County to fill out a load certification. If the customer refuses to provide the necessary information, then the materials must be rejected.

Some businesses in the County have approval from the Washington State Patrol and Solid Waste Manager to accept more than three car parts from customers. Plastic vehicle bumpers are accepted at the THLF and CLF.

Yakima County-owned solid waste disposal sites also accept camp trailers, campers, and boats. All refrigeration units must be removed before they can be brought to the landfill and they must have a

title or junk vehicle affidavit, signed by law enforcement or towing company affidavit of sale. Boats under 16' are considered garbage and do not require a title. Customers wishing to dispose of a camp trailer, camper, or boat must produce the vehicle title or affidavit of sale, display the VIN number, or provide a completed Yakima County code enforcement inspection form.

Mobile homes are accepted at the THLF and CLF for disposal. Customers wishing to dispose of a mobile home must have the unit inspected by the Yakima County Permit Services prior to entering the landfill. The inspector will review required documents and may issue a disposal authorization letter to the Solid Waste Division.

Customers must provide 48 hours' notice to the Solid Waste Division Office prior to disposal. Appointments will be made with the customer for disposal Tuesday through Thursday 9 a.m. through 12 p.m. All appliances, tires, hazardous wastes, and asbestos must be removed prior to the mobile home being accepted for disposal.

Several recycling facilities in Yakima County provide collection and processing services for auto bodies. After fluids are removed, the auto bodies are crushed and transported out of Yakima County for recycling as ferrous scrap metal.

### 10.9.3 Planning Issues

Current junk vehicle waste management and disposal practices are generally adequate.

## 10.10 PETROLEUM-CONTAMINATED SOILS

This section addresses disposal of PCS within Yakima County.

### 10.10.1 Regulations and Guidelines

PCS can contain fuel oil, gasoline, diesel, or other volatile hydrocarbons in concentrations below dangerous waste levels, but greater than cleanup levels established by the Ecology. Small amounts of PCS may be disposed of as a solid waste in an approved landfill. Depending on the contamination levels, large amounts may need to be treated by a process that removes or destroys the contamination. Treatment processes include aeration, bioremediation, thermal stripping, and incineration.

### 10.10.2 Current Practice

The DTG (formerly Anderson Landfill), is a privately owned facility permitted by the Yakima County Health District to receive and treat PCS. The facility takes soils that have been contaminated with petroleum (gas, diesel, oil, mineral oil, etc.). They then treat the soils until the levels of petroleum are below the clean-up levels. All batches of PCS must be approved by the YHD prior to being transported to the DTG. This facility received 1,665 tons of PCS in 2018.

Yakima County disposal facilities only accept PCS with prior approval from the Solid Waste Manager. This may include testing of the PCS before acceptance.

### 10.10.3 Planning Issues

Current management and disposal practices are generally adequate to handle the volume of PCS generated within Yakima County.

## 10.11 PHARMACEUTICALS

This section addresses disposal of pharmaceuticals within Yakima County.

### 10.11.1 Regulations and Guidelines

Generally, two types of pharmaceuticals are of interest to Yakima County waste management: 1) controlled substances (prescription drugs and illegal drugs); and 2) over-the-counter, non-prescription substances (e.g., aspirin, vitamins, other health supplements, cold medicines, etc.). Controlled substances are covered by their own regulations, which do not address disposal other than to prevent their reuse. Over-the-counter substances are not specifically addressed by solid waste regulations.

### 10.11.2 Current Practice

Law enforcement officials occasionally need to dispose of quantities of controlled substances and illegal drugs. This is typically accomplished at landfills under conditions of increased security and secrecy at the THLF and CLF.

Washington State has a website dedicated to helping people dispose of their unwanted medications ([www.takebackyourmeds.org](http://www.takebackyourmeds.org)). Medicine drop-off locations take used/unused prescription medications, over-the-counter medications, and pet medicines. There are many secure medicine drop-off options available in Yakima County including Yakima Valley Memorial (Emergency Room), the Yakima Police Department (also has free sharps disposal locations), Sheriff's Station, and Yakima Neighborhood Health. A list of secure disposal options operated by the Washington Poison Center is available at [www.takebackyourmeds.org/search-by-list](http://www.takebackyourmeds.org/search-by-list)

Alternatively, medications can be taken to the County landfills in a plastic container, such as a milk jug or liter soda bottle for disposal at the garbage rate. The Yakima Police Department also has free sharps disposal locations next to their prescription drug take back container.

### 10.11.3 Planning Issues

Current pharmaceutical waste management and disposal practices are generally adequate.

## 10.12 STREET SWEEPINGS/VACTOR WASTE

This section addresses disposal of wastes generated from maintaining paved areas within Yakima County.

### 10.12.1 Regulations and Guidelines

Street sweepings and vactor wastes (liquid or solid waste material collected from catch basins, retention/detention facilities or drainage pipes) may be contaminated with a variety of materials, depending on the locale, unauthorized or accidental discharges, and frequency of cleaning. Both street sweepings and vactor waste may contain small amounts of petroleum hydrocarbons from motor oil that leaks from vehicles traveling on public streets. Currently, vactor wastes can be classified as clean fill, solid waste, or dangerous wastes, depending upon the level of contamination.

## 10.12.2 Current Practice

Street sweepings consist of sand, gravel, rocks, leaves, and smaller amounts of litter (paper, plastic, metal and glass) that accumulate on streets and roads and are collected by street sweeping vehicles. Street sweepings are currently stockpiled by the municipalities and then disposed of as solid waste at the THLF or the DTG.

Based on a 1993 study by the Ecology called *Contaminants in Vector Truck Wastes*, vector waste has a low probability of designating as dangerous waste. Vector waste is collected by vacuum suction (vector) trucks and is similar to street sweeping except that it is generally wet. Vector waste is typically stockpiled along with street sweepings and then disposed of as solid waste at THLF. Vector waste generated within the City of Yakima is typically handled at the City of Yakima Wastewater Treatment Plant (YWTP). Vector waste goes to the YWTP drying bed and is then tested for contaminants such as total petroleum hydrocarbons and metals. If possible, the YWTP recycles vector waste for use as clean fill. DTG also accepts vector waste as long as it is uncontaminated and passes the paint filter test.

## 10.12.3 Planning Issues

Current waste management and disposal practices for street sweepings and vector waste are generally adequate. However, the THLF is currently scheduled to cease accepting waste in 2030. The County will need to determine how the disposal of vector wastes will continue.

## 10.13 TIRE DISPOSAL

This section addresses tire disposal within Yakima County.

### 10.13.1 Regulations and Guidelines

WAC 173-350-100 defines waste tires as any tires that are no longer suitable for their original intended purpose because of wear, damage or defect. WAC 173-350-350 imposes restrictions on storage piles of more than 800 tires with each tire to weigh less than 500 pounds or up to 20-tons of heavy equipment tires when each tire weighs more than 500 pounds.

### 10.13.2 Current Practice

Many tire shops and auto repair shops recycle the tires they replace (typically for a fee). Waste tires (on-rim or off-rim) are also accepted at Yakima County solid waste facilities for a fee. Customer loads with more than 20-tires must be weighed and require a completed load certification.

Yakima County currently contracts with L&S Tire Company for reclamation and recycling of tires for the THL, CLF, and the LVTS. Tires are then processed into tire derived fuel, crumb rubber, or treads and rings for bumper applications, traffic barricades, and farm silage. Yakima Waste Systems burned 1,012 tons of tires for energy in 2021.

### 10.13.3 Planning Issues

Recycling and disposal practices for tires replaced by an automotive retail or repair facility are generally adequate. The areas of primary concern are large tire stockpiles, loads of tires that are illegally dumped on public or private property, and small quantities of tires stored by residents and businesses for disposal at some indeterminate future date.



## 10.14 MISCELLANEOUS

In addition to the items described in the sections above, the *Solid Waste Policies & Procedures* document also addresses the following miscellaneous items:

- Barrels
- Confidential material
- C&D debris
- Cooking oil and grease from restaurants
- Creosote treated material
- Drums
- Electrical transformers
- Fluorescent tubes
- Liquid wastes, including septic tank and portable toilet waste
- Out-of-County waste
- Pallets
- Pesticides and pesticide containers
- Recyclables
- Underground storage tanks
- Yard and wood waste

Yakima County's *Solid Waste Policies & Procedures* document requires the following wastes to be handled and/or initially inspected at the HSBWCF:

- Commercial refrigerated units
- Drums (oil or chemical)
- HHW
- Oil quantities over 5-gallons
- Paint (latex and oil-based)
- Pesticides and pesticide containers
- Propane containers and compressed gas cylinders
- Smudge pots

Yakima County currently contracts with Clean Earth, Inc. to collect and process several MRW materials including, but not limited to the following:

- Aerosol paint
- Antifreeze
- Batteries
- Contaminated oil and PCBs
- Fluorescent light tubes
- Insecticides
- Latex paint
- Mercury
- Oil filters
- Pesticides
- Propane

Yakima County also currently contracts with Thermofluids to collect and process used motor oil, spent antifreeze, and crushed and uncrushed oil filters.

Some special wastes described in this Chapter are approved for acceptance on a case-by-case basis by the Yakima County Solid Waste Manager. This promotes compliance with existing policies and procedures and knowledge of the waste received and disposed of at Yakima County facilities.

## 10.15 STATUS OF 2017 RECOMMENDATIONS

The current status of the recommendations made in the 2017 Solid Waste Management Plan is shown in Table 10.2.

Table 10.2 Status of 2017 Recommendations

Action	Recommendation	Status
SW1	Continue to dispose miscellaneous wastes through a cooperative effort with the YHD and Ecology, and according to the established <i>Solid Waste Policy &amp; Procedures</i> document.	Ongoing
SW2	Update the Solid Waste Policies & Procedures document as necessary to address new issues or miscellaneous wastes.	Ongoing
SW3	Monitor EPA and Washington State guidance regarding pharmaceutical waste and implement changes as needed to comply with statewide medicine take-back program.	Ongoing

## 10.16 ALTERNATIVES

Section 10.16 describes alternatives to manage special wastes.

### 10.16.1 Alternative A - Increase Miscellaneous Waste Education

Additional education for generators and consumers of miscellaneous wastes focusing on right size purchasing, proper storage, use, and disposal practices may help reduce the amounts of special wastes being generated and would help increase knowledge of available special waste management programs.

### 10.16.2 Alternative B - Evaluate Future Miscellaneous Waste Management Programs

Monitoring state and federal regulations, practices, and programs associated with miscellaneous wastes will be important to help the County continue to meet the needs of generators and consumers within the County. As regulations or products change, it may be desired to evaluate the feasibility of modifying existing special waste management programs.

### 10.16.3 Alternative C - At Home Safe Disposal of Pharmaceuticals and Sharps

Developing a reliable and consistent program to accept pharmaceutical and sharps for safe disposal is important in reducing the amount of these materials being flushed down toilets or disposed with

regular waste. These disposal practices present health and safety as well as risks to the environment. Chemicals from pharmaceuticals flushed down toilets can be found in water sources and pharmaceuticals disposed of with waste may end up in the wrong hands such as children or pets. Sharps disposed of with waste may stick sanitation workers managing the disposal of the waste.

While there are several drop-off locations throughout the County for pharmaceuticals and the THLF and CLF accept sharps for disposal, residents may not be able to or willing to transport these materials to these locations. Mail back programs are offered by companies that specialize in the safe handling and disposal of pharmaceuticals and sharps. These services provide postage paid containers specifically designed for customers to safely mail in these materials for disposal. A mail back program would offer an additional alternative to customers for the proper management of their pharmaceutical and/or sharp waste.

With the THLF scheduled to cease accepting waste in 2030, if the facility will continue to accept other materials for management (i.e., tires, appliances, etc.), the County could consider establishing a pharmaceutical and sharps drop-off location at the THLF.

#### **10.16.4 Evaluation of Alternative Strategies**

For the most part, management practices for special wastes in Yakima County are adequate. A wait-and-see approach is desired as emerging regulations, creation of new special wastes, and guidance regarding pharmaceutical waste may require future action.

It is anticipated that the THLF will cease accepting waste for on-site disposal in 2030. The County will need to determine if the facility will continue to accept other materials for management (i.e., tires, appliances, etc.). However, for materials that require immediate disposal (i.e., animal carcasses, asbestos, etc.) the County will need to determine how these materials will continue to be managed.

##### **10.16.4.1 Consistency with Planning Objectives**

The above alternative strategies support the objectives of convenient and reliable services for managing solid waste materials as well as promoting the use of economical waste handling methods.

##### **10.16.4.2 Waste Reduction/Diversion Potential**

Alternative A would likely decrease the amount of miscellaneous wastes generated for end-of-life management.

##### **10.16.4.3 Customer Preferences**

Miscellaneous waste generators prefer the least expensive and most convenient option for managing these wastes.

##### **10.16.4.4 Implementation Costs**

Alternatives A and B likely have low implementation costs. However, the results of evaluations from Alternative B could lead to expenses associated with special waste program and service modifications. However, the County is not able to estimate those costs until regulations change.

## 10.16.5 Rating of Alternatives

Table 10.3 presents how the alternatives align with the evaluation criteria.

Table 10.3 Summary Rating of the Miscellaneous Waste Alternatives

	Alternative	Consistency with Planning Objectives	Waste Reduction/ Diversion Potential	Customer Preferences	Cost to Implement	Average Overall Rating
A	Increase Special Waste Education	5	5	3	5	4.50
B	Evaluate Future Special Waste Management Programs	5	3	3	5	4.00
C	At Home Safe Disposal of Pharmaceuticals and Sharps	5	3	5	1	3.50

5 – Highly Aligns, 3 – Mostly Aligns 1 – Somewhat Aligns

## 10.16.6 Recommended Alternatives

The following recommendations are being made for miscellaneous wastes:

- A Increase miscellaneous waste education
- B Evaluate future miscellaneous waste management programs



# Chapter 11

## Disaster Debris Management

# 11 DISASTER DEBRIS MANAGEMENT

## 11.1 INTRODUCTION

This chapter discusses programs, identifies relevant planning topics, and evaluates alternative strategies for the management of disaster debris.

## 11.2 BACKGROUND

Natural and man-made disasters can result in a surge of unanticipated debris that can inhibit or obstruct emergency services and overwhelm normal Yakima County Public Services capabilities. It is critical to clear debris immediately after a disaster to allow emergency vehicles to respond to life-threatening situations. Once the debris is cleared from the right-of-way and vehicle access is achieved, the removal and disposal of debris are important for the community's recovery from a disaster.

Being prepared with a plan to address the increased quantity and potential types of disaster debris can help to protect the health and safety of the community. Successful implementation of that plan can positively affect speed and cost of recovery, and the ability to obtain financial assistance for the recovery efforts.

### 11.2.1 Goals and Objectives for Disaster Debris Management

The objectives of this Plan related to disaster debris management include:

- Ensure convenient and reliable services for managing solid waste and MRW materials;
- Promote the use of innovative and economical waste handling methods;
- Reduce environmental impacts to air, water and land that are associated with waste generation, transportation, handling, recycling and disposal;
- Reduce the occurrence and environmental impacts associated with illegal dumping;
- Ensure compliance with State and local solid waste and MRW regulations; and
- Manage waste in a manner that promotes Washington State's waste management priorities presented in Ecology's *Moving Washington beyond Waste and Toxics* document.

Because disaster debris can have characteristics that make it similar to both MSW and C&D debris, the management techniques used for these wastes are also applicable to disaster debris. A goal for this Plan is to provide guidance for developing a stand-alone disaster debris management plan.

### 11.2.2 Legislation, Regulations, and Guidelines for Disaster Debris Management

Numerous resources that provide guidance for the development of disaster debris management plans are available. In April 2019, the USEPA updated the Planning for Natural Disaster Debris document previously updated in March 2008. This document provides guidance for local

communities to create their own plans. Another guidance tool is the Federal Emergency Management Agency's (FEMA) Public Assistance Program and Policy Guide Version 4 (FEMA 2020). Both of these documents are available online and provide guidance that could assist Yakima County in developing a disaster debris management plan (DDMP).

### **11.3 EXISTING PROGRAM ELEMENTS**

The Yakima County Office of Emergency Management has a Comprehensive Emergency Management Program (CEMP) that addresses overall emergency response to disasters. The CEMP identifies the roles and responsibilities of governmental agencies including Yakima County Public Services, which is responsible for coordination of debris removal and for providing debris clearance.

A review of background information and the CEMP identified the following issues:

1. The CEMP does not specifically address the disposal of disaster debris but does note local public works agencies are responsible for providing debris clearance.
2. Following a disaster, it is crucial that the operation of Yakima County solid waste facilities be restored to normal. The ability to receive, process, and dispose of solid waste is critical to community recovery.
3. A plan to manage disaster debris in a manner that minimizes interference with operation of the municipal solid waste system has not yet been developed.
4. The existing solid waste system may need to be modified or augmented to handle the addition of large quantities of disaster debris.
5. Procedures for effective communication, debris tracking, cost control, and waste diversion or storage during a disaster have not yet been developed.
6. The recovery efforts following Hurricane Katrina indicate that the proper handling of household hazardous waste was an issue of concern.

In an emergency, timely response, saving lives, and minimizing property damage are the primary goals. Following the initial response, disaster debris management becomes important. A DDMP can be used to coordinate between emergency responders and Yakima County agencies that provide various services. Following the DDMP during and after an emergency is likely to allow for a speedier response and recovery and assist in reducing the financial impact. The DDMP is a supplement to the CEMP by elaborating on debris clearance and demolition activities. Following are issues the DDMP could address:

- Forecast of type and quantity of debris;
- Types of equipment required to manage debris;
- Description of critical local accessibility routes;
- Plan for public debris collection and removal, and debris removal from private property;
- Plan for informing the public regarding debris handling;

- Health and safety requirements for emergency workers;
- List of environmental considerations and regulatory requirements;
- Temporary debris management sites and disposal locations, including any necessary permits or variances;
- Potential resources, such as contractors or Yakima County staff, and their responsibilities; and
- Plan for monitoring debris removal and disposal operations, including FEMA requirements.

Recently, the City of Yakima formed its own Emergency Management Office. A City of Yakima document similar to the CEMP was developed in 2019.

### 11.3.1 **Disaster Debris (Flood, Fire, Earthquake)**

Between 1995 and 2021, nine federally declared disasters affected Yakima County (not including fire management assistance) according to FEMA's website (<https://www.fema.gov/data-visualization/disaster-declarations-states-and-counties>).

- Two declared disasters including severe storms with high winds, and flooding in 1996
- Severe winter storms, flooding, landslides, and mudslides in 1997
- Earthquake in 2001
- Two declared disasters including severe winter storms with record and near record snow, flooding, landslides, and mudslides in 2009
- Mudslides in 2015
- COVID-19 Pandemic in 2020 (On-Going)

Yakima County is historically at risk primarily for storm, fire, flood and earthquake disasters. The following sections discuss the types of debris that could be generated by a disaster and the potential value of advance planning for such occurrences.

Table 11.1 summarizes the types of disasters most likely to occur in or near Yakima County and the types of debris likely to be generated. Evaluation of potential disasters and resultant debris can help prepare for disaster response and recovery.



Table 11.1 Potential Disasters and Resultant Debris

Debris	Pandemic	Bio Disaster	Earthquakes	High Winds/ Tornadoes	Floods	Wildfires	Winter Storms	Volcano Eruptions
C&D Material: concrete, asphalt, metals, wallboard, bricks, glass, wood			••	••	••	•	•	
Personal Property: white goods, e-waste, household hazardous waste, furniture, other personal belongings			••	••	••	•		
Vehicles and Vessels			••	•	•	•		
Vegetative Debris: trees, yard debris, woody debris				••	••	•	••	
Animal Carcasses, bedding, manure, contaminated items		••						
Displaced Sediments: sand, soil, rock, sediment			•		••	•		•
Personal Protective Equipment	••	••						
Mixed Other Debris			•	•	•	•		•

• = Smaller Quantity  
 •• = Significant Quantity

Planning for debris management enables Yakima County to consider and evaluate alternative debris management options before a natural disaster occurs. Adequate preparation will ensure that Yakima County’s disaster debris management can be cost-effective and meet community concerns, which typically include:

- Public health and safety
- Prioritizing response activities to target resources in an appropriate manner
- Preserving property and the environment
- Minimizing impact or disruption of normal solid waste services
- Cost
- Maintaining compliance with regulations governing specific waste streams such as asbestos and hazardous waste
- Availability of facilities permitted to accept specific waste streams
- Ability to recycle portions of the waste stream
- Eligibility for cost-recovery funds through FEMA or other government programs

### 11.3.2 Bio-Disaster Waste (Diseased Animals)

The first known case of BSE, commonly known as mad cow disease, in the United States was diagnosed in a Yakima County cow in December 2003. At the time, neither Yakima County nor the State had a written plan for handling, treatment, or disposal of BSE-infected carcasses. Ecology and YHD officials quickly devised a method of disposal at Roosevelt Regional Landfill in Klickitat County. Roosevelt Regional Landfill was selected for disposal because its leachate recirculates back into the landfill cell and is evaporated rather than sent to a sewage treatment plant, thus preventing the spread of the BSE infectious particles known as prions, which are not deactivated by the normal sewage treatment process.

Yakima County has a large population of livestock. In fact, according to the 2017 Census of Agriculture published by the United States Department of Agriculture (USDA), Yakima County had the greatest total sales for livestock, poultry, and products in the state. Public concerns about BSE, avian flu, West Nile virus and other potential animal-transmitted diseases can be appeased by having policies and plans for handling diseased animal carcasses and wastes. Animal carcass disposal is addressed further in Chapter 10 Special Wastes.

### 11.3.3 Radioactivity Release

Yakima County's proximity to the Hanford Nuclear Reservation exposes it to a potential release of radioactive materials. Since almost any material existing in Yakima County could conceivably become contaminated with radioactivity, the quantity and variety of materials that require disposal could be extensive. A Yakima County DDMP should consider methods for identifying, handling, stockpiling, and disposing of materials contaminated with radioactivity.

### 11.3.4 Funding Sources

To date, no sources of funding for developing a DDMP have been identified.

## 11.4 STATUS OF 2017 RECOMMENDATIONS

The status of the recommendations made in the 2017 Plan is shown in Table 11.2.

Table 11.2 Status of the 2017 Recommendations for Disaster Debris Management

Number	Recommendations	Status
DD1	Coordinate with the Yakima County Office of Emergency Management and City of Yakima Emergency Management Office to prepare for disaster debris response with detailed plans for debris removal and disposal activities.	Not Complete
DD2	Develop an internal plan for handling disaster debris, in coordination with the Yakima County Office of Emergency Management and City of Yakima Emergency Management Office.	Not Complete
DD3	Consider reserving landfill airspace for disaster debris disposal.	Complete - It was determined that keeping the lower

Number	Recommendations	Status
		section open for future disasters would waste airspace; with the close proximity of the CLF debris could be diverted to that site.

## 11.5 ALTERNATIVES

There are two potential alternatives for disaster debris management:

### 11.5.1 Alternative A – No Action

This alternative requires no action. In the event of a disaster the CEMP would be used for guidance. Decisions would be made during a disaster concurrent with a determination of the extent of damage and possible options for addressing them.

### 11.5.2 Alternative B – Develop a Disaster Debris Management Plan

This alternative would require Yakima County Public Services to develop a separate DDMP. In this case, both the CEMP and a DDMP would be used together for guidance in the event of a disaster. The DDMP could either be a separate plan or added as an appendix to the CEMP. The DDMP could provide the detail for critical lines of communication specific to debris management activities, identify disasters that would most likely impact the solid waste system, the type of debris that would be generated from each one, address the need for temporary staging areas including potential locations, contain forms and brochures that could be easily modified for use in such an event, and have identified reuse/recycle activities that would minimize disposal at landfills. The level of detail for this plan could range from simple plans consisting largely of checklists and an outline of procedures to more complex plans that would be reviewed and approved by FEMA.

### 11.5.3 Evaluation of Alternatives

#### 11.5.3.1 Consistency with Planning Objectives

Alternative A is not consistent with Yakima County’s objectives, as it does not plan for convenient and reliable services for managing solid waste and MRW materials during a disaster.

Alternative B supports the objectives of convenient and reliable services for managing solid waste materials, as well as promoting the use of economical waste handling methods.

#### 11.5.3.2 Waste Reduction/Diversion Potential

Alternative A is not consistent with Yakima County’s objectives as it does not emphasize waste reduction as a fundamental management strategy and would likely force decisions to be made under tight time constraints.

Alternative B would allow for Yakima County to explore potential waste reduction and diversion options for debris generated during a disaster. This alternative would likely allow for the greatest

opportunity for waste reduction and diversion. However, it is not possible to project the amount of disaster debris will be annually generated or diverted.

### 11.5.3.3 Customer Preference

There are no customer preferences for disaster debris anticipated.

### 11.5.3.4 Implementation Costs

Alternative A would have no implementation costs. The cost of Alternative B would be the greatest, and would vary depending on the level of detail desired and whether staff time was dedicated to it or a consulting firm was hired to write the DDMP. Thus, the County has not assigned a budget for this alternative

## 11.5.4 Rating of Alternatives

Table 11.3 shows how the alternatives align with the evaluation criteria.

Table 11.3 Summary Rating of the Disaster Debris Management Strategies

Alternative		Consistency with Planning Objectives	Waste Reduction/ Diversion Potential	Customer Preferences	Cost to Implement	Overall Rating
A	No Action	1	1	5	5	3.00
B	Develop DDMP	5	5	5	1	4.00

5 – Highly Aligns, 3 – Aligns, 1 – Somewhat Aligns

## 11.5.5 Recommended Alternative

In addition to continuing current disaster management activities, the following recommendation scored higher than a four, which means the County will implement it in the next five years:

- Develop DDMP

# Chapter 12

## Moderate Risk Waste

## 12 MODERATE RISK WASTE

### 12.1 INTRODUCTION

This chapter discusses programs for Moderate Risk Waste (MRW), identifies relevant planning issues, and develops and evaluates alternative strategies.

### 12.2 BACKGROUND

Section 12.2 provides MRW definitions, regulations and guidance, and Yakima County objectives for managing MRW.

#### 12.2.1 Goals and Objectives for Moderate Risk Waste

Goals and objectives related to MRW include:

- Ensure convenient and reliable services for managing solid waste and MRW materials;
- Promote the use of innovative and economical waste handling methods;
- Reduce environmental impacts to air, water, and land that are associated with waste generation, transportation, handling, recycling, and disposal;
- Reduce the occurrence and environmental impacts associated with illegal dumping;
- Ensure compliance with State and local solid waste and MRW regulations; and
- Manage waste in a manner that promotes Washington State's waste management priorities presented in Ecology's *Moving Washington beyond Waste and Toxics* document.

#### 12.2.2 Definitions

MRW refers to materials that have the characteristics of and pose the same risks as hazardous wastes – they are flammable, corrosive, toxic, and/or reactive. State and Federal laws do not regulate these wastes as hazardous wastes due to their relatively small quantities. MRW is regulated by WAC 173-350-360 and Chapter 70A.300 RCW. MRW is defined as solid waste that is limited to SQG waste and HHW.

The Hazardous Household Substances List developed by the Ecology is shown in Table 12.1. When generated in a residence, these products become HHW when discarded.

Many businesses and institutions produce small quantities of hazardous wastes; the list is the same as for HHW (see Table 12.1). SQGs produce hazardous waste at rates less than 220 pounds per month (or 2.2 pounds per month or per batch of extremely hazardous waste) and accumulate less than 2,200 pounds of hazardous waste onsite (or 2.2 pounds of extremely hazardous waste). Extremely hazardous wastes include certain pesticides and other poisons that are more toxic and pose greater risks than other HHW. SQGs are conditionally exempt from State and Federal regulation, meaning they are exempt only as long as they properly manage and dispose of their wastes.

Table 12.1 Hazardous Household Substances List

Substance or Class of Substance	Flammable	Toxic	Corrosive	Reactive
<b>Group 1: Repair and Remodeling</b>				
Adhesives, Glues Cements	•	•		
Roof Coatings, Sealants		•		
Caulking and Sealants		•		
Epoxy Resins	•	•		•
Solvent Based Paints	•	•		
Solvents and Thinners	•	•	•	•
Paint Removers and Strippers		•	•	
<b>Group 2: Cleaning Agents</b>				
Oven Cleaners		•	•	
Degreasers and Spot Removers	•	•	•	
Toilet, Drain and Septic Cleaners		•	•	
Polishes, Waxes and Strippers	•	•	•	
Deck, Patio, and Chimney Cleaners	•	•	•	
Solvent Cleaning Fluid	•	•	•	•
Household Bleach (>8% solution)			•	
<b>Group 3: Pesticides</b>				
Insecticides	•	•		
Fungicides		•		
Rodenticides		•		
Molluscicides		•		
Wood Preservatives		•		
Moss Retardants		•	•	
Herbicides		•		
Fertilizers		•	•	•
<b>Group 4: Auto, Boat, and Equipment Maintenance</b>				
Batteries		•	•	•
Waxes and Cleaners	•	•	•	
Paints, Solvents, and Cleaners	•	•	•	•
Additives	•	•	•	•
Gasoline	•	•	•	•
Flushes	•	•	•	•
Auto Repair Materials	•	•		
Motor Oil		•		
Diesel Oil	•	•		
Antifreeze		•		
<b>Group 5: Hobby and Recreation</b>				
Paints, Thinners, and Solvents	•	•	•	•

Table 12.1 Hazardous Household Substances List

Substance or Class of Substance	Flammable	Toxic	Corrosive	Reactive
Chemicals (including Photo and Pool)	•	•	•	•
Glues and Cements	•	•	•	
Inks and Dyes	•	•		
Glazes		•		
Chemistry Sets	•	•	•	•
Pressurized Bottled Gas	•	•		•
White Gas	•	•		•
Charcoal Lighter Fluid	•	•		
Batteries		•	•	•
<b>Group 6: Persistent Bio accumulative Toxins</b>				
Mercury-Containing Products		•	•	
Lead-Containing Products		•		
Polycyclic Aromatic Hydrocarbons		•		
Polychlorinated Biphenyl		•		
<b>Group 7: Miscellaneous</b>				
Ammunition	•	•	•	•
Asbestos		•		
Fireworks	•	•	•	•
Marine Aerial Flares	•	•		
Pharmaceuticals		•		
Non-Controlled Substances		•		
Sharps				
Personal Care Products	•	•	•	

Source: Guidelines for Developing and Updating Local Hazardous Waste Plans - Appendix F, Ecology, 2010. <https://fortress.wa.gov/ecy/publications/documents/1007006.pdf>.

### 12.2.3 Regulations and Guidance

MRW is regulated primarily by State and Federal laws that govern proper handling and disposal of these wastes. A review of the recent regulatory changes affecting solid wastes and MRW is provided in Chapter 1, and the relevant details are reproduced below.

#### 12.2.3.1 Moving Washington beyond Waste and Toxics Plan

Ecology released a waste and toxics reduction plan, *Moving Washington beyond Waste and Toxics*, which focuses on reducing waste and toxics by adopting a sustainable materials management approach, which is also used by USEPA. This approach looks at the full life cycle of materials from the design and manufacturing, through use, to disposal or recycling. The USEPA believes a sustainable materials management approach can help identify more sustainable ways to produce products that are less impactful to the environment. *Moving Washington beyond Waste and Toxics'* vision is as follows: "We can transition to a society where waste is viewed as inefficient, and where



most wastes and toxic substances have been eliminated. This will contribute to economic, social and environmental vitality.”

One of the five sections of *Moving Washington beyond Waste and Toxics* Plan is “Managing Hazardous Waste and Materials.” The background information for this initiative explains that perhaps as little as 1 percent of SQG waste is properly managed on a statewide basis. For HHW, only about 16 percent (statewide) is estimated to be collected through local programs. *Moving Washington beyond Waste and Toxics* Plan provides the following goals pertaining to MRW:

1. Until toxic substances are phased out of products, and use of hazardous materials declines, MRW collection will be maximized (GOAL HWM 11);
2. MRW locations and programs will provide increased services for residents, businesses, and underserved communities (GOAL HWM 12); and
3. Facilities that collect MRW will be properly permitted (if required) and in compliance with applicable laws and rules (GOAL HWM 13).

### **12.2.3.2 Hazardous Waste Management Act (Chapter 70A.300 RCW)**

The Hazardous Waste Management Act establishes requirements for State and local hazardous waste management plans, rules for hazardous waste generation and handling, criteria for siting hazardous waste management facilities, and local zoning designations that permit hazardous waste management facilities. The Hazardous Waste Management Act also establishes waste management priorities for hazardous wastes.

In order of decreasing priority, the management priorities are:

- Waste reduction
- Waste recycling
- Physical, chemical, and biological treatment
- Incineration
- Solidification/stabilization/treatment
- Landfill

The waste hierarchy is a key element in determining compliance of this Plan with State requirements.

Rules implementing the Hazardous Waste Management Act are codified in the Dangerous Waste Regulations (Chapter 173-303 WAC). This regulation defines dangerous waste materials and establishes minimum handling requirements. State rules specifically exclude HHW and SQG wastes from dangerous waste regulation. The Dangerous Waste Regulations have been amended several times over the years, most recently in 2020.

### **12.2.3.3 Used Oil**

Washington State law (70A.224 RCW) requires local governments to manage used oil in conjunction with their MRW programs and to submit annual reports to the Ecology.

## 12.3 MODERATE RISK WASTE GENERATION

70A.300.350(1) RCW requires local governments to prepare hazardous waste plans that contain an assessment of the quantities, types, generators and fate of hazardous waste in each jurisdiction. This Plan serves to compile that data for Yakima County and this Chapter focuses on the MRW associated with HHW and SQG aspects/quantities of hazardous waste. The quantities, types and fate of MRW in Yakima County are described in detail in Section 12.4. The following subsections focus on the generators of this waste in Yakima County.

### 12.3.1 Hazardous Waste Inventory

The following information helps provide an inventory of hazardous waste management in Yakima County by addressing dangerous waste generators (i.e., large-quantity generators), contaminated sites, transporters and processing facilities, and locations where hazardous waste facilities can be sited (“zone designations”). All jurisdictions in Yakima County have submitted a certificate of compliance for zone designations.

#### 12.3.1.1 Dangerous Waste Generators

Ecology 2021 records show that the following numbers of businesses and institutions in Yakima County are registered as hazardous waste generators:

- 4 large-quantity generators
- 20 medium-quantity generators
- 46 small-quantity generators
- 28 businesses and institutions with EPA or State identification numbers but that did not generate waste in the most recent year (November 2021)

Ecology provides a list of hazardous waste generators in Yakima County at: <https://app.box.com/s/84eogxzejwj66iw60wIha9smkatby>

#### 12.3.1.2 Remedial Action Sites

Ecology’s list of confirmed and suspected contaminated sites in Yakima County can be found at [What’s In My Neighborhood](#). As of March 2023, there were 134 of these sites identified in Yakima County.

#### 12.3.1.3 Inventory of Moderate Risk Waste Generators

As stated above, MRW generators include HHW from local residents, as well as SQG from local businesses and institutions. The 2021 population of Yakima County is 262,887 residents, currently residing in an estimated 91,356 housing units.<sup>9</sup> However, not all residents and/or businesses are generators of MRW. For residential sources in particular, products may be stored for several years before the resident determines that the material is no longer useful and is thus a MRW. In addition, although quantities and types of MRW collected and shipped are tracked, it is unknown how many

<sup>9</sup> 2021 estimate of total housing units (Source: US Census Bureau Quick Facts).

residents are recycling products using various drop-off programs, or disposing of wastes through drop-off programs and private collection services. Also unknown is the number of SQGs and large-quantity generators utilizing the services of private collection companies for their hazardous wastes in addition to, or in lieu of, the HSBWCF.

Therefore, when analyzing the effectiveness of current programs for MRW, Section 12.4 estimates capture rates based on a comparison of the measured material quantities in both the MSW waste stream and the MRW waste stream (see Table 12.3).

## **12.4 EXISTING PROGRAM ELEMENTS**

This section describes existing programs to manage MRW in Yakima County.

### **12.4.1 Current Moderate Risk Waste and Oil Programs**

#### **12.4.1.1 Collection**

MRW in Yakima County is collected primarily through drop-off programs. There is a variety of drop-off programs active in Yakima County, including:

- The HSBWCF at the THLF, which accepts hazardous wastes from households and SQGs. Wastes are accepted from both at no charge, but SQGs are required to make an appointment prior to bringing in wastes. Residents can bring in HHW any time that the facility is open (currently 9 a.m. through 4:30 p.m. Monday through Saturday).
- Yakima County also provides satellite HHW facilities at the LVTS and CLF. No SQG HHW is accepted at these facilities. Only small quantities of HHW are accepted at these locations, as in no containers with a volume of 5-gallons or greater are accepted.
- An HHW drop-off facility at the GTS is owned and operated by Yakima Waste Systems. This drop-off operation is required by the YHD through the permit for this facility, and the relatively small amounts of materials collected there are brought to the HSBWCF. The GTS accepted 100 pounds of HHW in 2019. The GTS has not been operating since 2020 due to COVID
- The Yakima Training Center military facility collects MRW from their personnel as well as their own operations.
- Several businesses throughout Yakima County accept used motor oil for recycling.
- Several locations in Yakima County accept household batteries (sizes AAA through D), 9-volt batteries, and smaller batteries used for hearing aids, calculators and similar applications. Most of these locations are private companies such as hardware and grocery stores. Yakima County HSBWCF picks up and processes the batteries from these businesses. Lead-acid vehicle batteries are taken back by auto parts stores and similar retail locations that sell new batteries, and are also accepted at Yakima County's HSBWCF, LVTS, and CLF.
- The Washington State Department of Agriculture (WSDA) operates the Waste Pesticide Identification and Disposal Program. This program collects unusable agricultural and

commercial grade pesticides from residents, farmers, small businesses, and public agencies at no charge. Participants must sign up in advance to bring in wastes, but there is no cost to participate.

- SQGs and large-quantity generators also use the services of private companies that collect specific types of wastes, but little information is available on the amounts collected in this manner.

### 12.4.1.2 Ready to Reuse Program

The HSBWCF includes a Ready to Reuse Program, which was implemented as a way to repurpose household products that are still usable to others (including automotive products, gardening chemicals, household cleaners, paint, stain, and primer). These products are free for individuals, businesses, or service groups that have a use for a specific product. There is a 10-item limit per week, per customer, and all products must be used by the individual or group taking them; they cannot be sold or given to anyone else. The Ready to Reuse Program is open Monday through Saturday from 9 a.m. to 4:30 p.m.

### 12.4.1.3 Processing, Transport and Disposal

MRW to be shipped off-site for recycling or disposal is sorted at the HSBWCF according to its Washington State Department of Transportation hazard classification (flammable, toxic, acid, corrosive or reactive) and consolidated for shipment. The drums of waste are stored at HSBWCF until truckload quantities are available for transport. MRW is shipped to licensed hazardous waste treatment, storage and/or disposal facilities. The current oil and antifreeze contractor is Thermofluid. Other MRW is treated or disposed under contract with Clean Earth. Table 12.2 provides the estimated quantities of MRW processed, transported and disposed of in 2021:

Table 12.2 Total MRW Processed, Transported, and Disposed

Waste Type	HHW (pounds)	SQG (pounds)
Acids	1,200	2,593
Aerosols	0	0
Auto Batteries	23,800	11,180
Ballasts	0	0
Bases	0	1,499
Batteries	7,059	14,564
CFCs	1,534	1,534
Contaminated Oil	3,716	0
Flammables	19,089	22,529
Iodine Crystals	0	12

Table 12.2 Total MRW Processed, Transported, and Disposed

<b>Waste Type</b>	<b>HHW (pounds)</b>	<b>SQG (pounds)</b>
Mercury Tubes/Thermostats	20,325	8,711
Non-regulated cleaners	403	1,000
Paint Latex	36,327	15,570
Paint Oil Based	30,000	11,182
Peroxides and Oxidizers	0	140
Pesticides	566	1,000
Propane Bottles/Tanks	551	0
Public Used Oil Sites	390,382	0
Pure Mercury	0	0
Reactives	0	0
Refrigerant	1,802	0
Soil	0	1,000
Solvents	0	0
Used Oil-THLF	202,013	0
<b>Total Pounds</b>	<b>738,767</b>	<b>92,514</b>
<b>Total Tons</b>	<b>369</b>	<b>46</b>
<b>Combined Total Pounds</b>	<b>831,281</b>	
<b>Combined Total Tons</b>	<b>416</b>	

#### 12.4.1.4 HHW Education

Yakima County conducts several activities to educate residents about proper handling and disposal of HHW. These include production and distribution of a series of brochures that address HHW in general along with oil, and batteries. More information about HHW education and related activities is found in Chapter 3.

### 12.4.1.5 SQG Education/Technical Assistance

Many of the activities conducted by Yakima County to educate residents about HHW also serve to educate businesses about SQG wastes. More information about SQG education and related activities is provided in Chapter 3.

### 12.4.1.6 Compliance and Enforcement

Compliance issues are handled by the YHD, who responds to complaints and other problems as these are identified. The YHD receives grant funds specifically for this purpose.

## 12.5 STATUS OF 2017 RECOMMENDATIONS

The status of the recommendations made in the 2017 Plan is shown in Table 12.3.

Table 12.3 Status of 2017 Recommendations

Item	Recommendation	Status
MRW1	Continue with Yakima County staff promotion and education efforts regarding MRW, and enhance coordination with other departments and programs to find avenues for cross-sector education.	Ongoing
MRW2	Utilize additional technical assistance for SQGs provided by Ecology and distribute promotional and educational materials directed at specific business, institutional, or agricultural processes.	Ongoing
MRW3	Continue to coordinate the schedule and process for updating the MRW Plan with the solid waste management plan (as is the current practice).	Ongoing

## 12.6 PLANNING ISSUES

There are generally five components for local MRW management programs: two that address educational efforts, and three that help fulfill the mandate to prepare a “program to manage moderate-risk waste” (RCW 70A.300.350). These five elements are as follows:

- Public education program
- Technical assistance program for businesses
- Collection program for HHW and used oil
- Collection program for business wastes
- A plan or program to encourage compliance by SQG and others

The existing service gaps and other issues connected to these components are discussed below.

### 12.6.1 Public Education

Public education activities and planning issues are discussed in detail in Chapter 3 of this Plan. As concluded there, the current and ongoing efforts to inform the public about opportunities for proper disposal of oil and HHW are working well.

## 12.6.2 Business Technical Assistance

Many of the activities conducted by Yakima County to educate residents about HHW also serve to educate businesses about SQG wastes. There are also specific activities that target businesses, such as a brochure called “Business Hazardous Waste Disposal” that describes options for proper handling and disposal of SQG wastes. More information about SQG education and related activities is provided in Chapter 3. Although limited technical assistance could be provided by Yakima County staff in the future, the level of expertise required to assist many businesses would require significant amounts of training for specific types of businesses, and might be better handled at the State level.

## 12.6.3 Household Collection

Household collection is currently being provided through the HSBWCF and other opportunities. One potential service gap for household collection is the idea of on-call services for elderly and disabled residents that cannot easily access the HSBWCF or other drop-off programs.

## 12.6.4 Business Collection

Business collection is currently being provided through the HSBWCF and other opportunities, including private contractors. One idea that could be explored for handling business MRW is to charge SQGs to use the HSBWCF, as is done in most other Washington counties. This approach could generate revenue, but might have an adverse effect on capture rates.

## 12.6.5 Compliance and Enforcement

Compliance and enforcement is currently being conducted on an as-needed basis and there are no known problems with this approach.

## 12.7 ALTERNATIVES

Section 12.7 describes additional potential alternatives to manage MRW in Yakima County.

### 12.7.1 Alternative A - Evaluate Establishing Household Collection Service for HHW

The County could offer doorstep HHW collection service for residents that are unable to deliver their materials to the HSBWCF or would rather have the material collected at their residence. This service would likely encourage more residents to participate in proper HHW disposal practices due to the convenience of the service. This County could assess a user/convenience fee to customers using the program, establish a fee structure based on customer type (i.e., elderly, apartment residence, etc.) or subsidize a portion of or all of the service costs through other funding sources. Other funding sources may include subsidies from other recycling or disposal service fees.

### 12.7.2 Alternative B - User Fees for Small Quantity Generators

SQG waste collection is currently being provided through Yakima County’s HSBWCF at no charge. An alternative for handling business MRW is to charge SQGs to use Yakima County’s HSBWCF. The imposition of fees may cause some of the SQGs to dispose of their MRW by mixing it in with their solid waste or disposing of it in other undesirable ways. Mixing SQG waste with solid waste can lead to accidental and dangerous exposure for garbage truck and landfill operators. Disposal of SQG waste in other ways can also create human safety issues or environmental damage problems.

If the County determined that assessing a fee to SQGs was appropriate, the County may want to evaluate the existing expenses for providing these services and assess what other counties charge for similar services to SQGs. The results from this assessment would help establish the basis for possible service fees.

### **12.7.3 Alternative C - Establish an HHW Technical Support Service for School Districts**

School districts across the United States struggle with limited financial resources, labor, and sometimes the experience necessary to properly manage hazardous materials stored in their laboratories. Teachers assigned to manage these chemicals used in their science curriculum may have inherited unknown materials from previous teachers, may not have the experience, time, or resources necessary to properly store materials, and may not have the funding necessary to properly dispose the materials. The County could identify or establish internal resources or provide contract services to assist school district teachers with the proper identification, and removal and disposal of unsafe and/or no-longer needed chemicals. These services could also include providing technical support on how to properly use and store remaining chemicals.

### **12.7.4 Evaluation of Alternative Strategies**

#### **12.7.4.1 Consistency with Planning Objectives**

The three alternatives support the planning objective of ensuring compliance with State and local MSW and MRW regulations and supporting *Moving Washington beyond Waste and Toxics* Plan goals.

#### **12.7.4.2 Consistency with Management Hierarchy**

The three alternatives support the management hierarchy for hazardous wastes.

#### **12.7.4.3 Customer Preferences**

Customers typically prefer choices rather than mandates and lower costs rather than higher costs. Education and promotion programs typically enjoy strong customer support. Alternative B is contrary to customer preferences.

#### **12.7.4.4 Implementation Costs**

The County has budgeted \$20,000 for Alternative A to hire a firm to research other communities with similar programs and financial model how much this could cost in Yakima County and the additional amount of HHW that could be diverted. Alternative B would result in additional revenue for the County. The Solid Waste Division they could implement Alternative C with existing resources.

### **12.7.5 Rating of Alternatives**

The alternatives are compared with respect to the evaluation criteria in Table 12.4.



Table 12.4 Summary Rating of the MRW Alternatives

Alternative		Consistency with Planning Objectives	Consistency with Management Hierarchy	Customer Preferences	Cost to Implement	Overall Rating
A	Evaluate Establish Household Collection Service for HHW	5	5	5	1	4.00
B	User Fees for SQGs	3	5	1	5	3.50
C	Establish an HHW Technical Support Service for School Districts	5	5	5	1	4.00

5 – Highly Aligns, 3 – Aligns, 1 – Somewhat Aligns

### 12.7.6 Recommended Alternatives

The following recommendations are made for MRW programs:

- Alternative A - Evaluate Establishing Household Collection Service for HHW.
- Alternative C - Establish an HHW Technical Support Service for School Districts.



# Chapter 13

## Administration and Enforcement

## **13 ADMINISTRATION AND ENFORCEMENT**

### **13.1 INTRODUCTION**

This chapter addresses the administrative and enforcement activities related to solid and moderate risk wastes.

### **13.2 BACKGROUND**

Yakima County, the cities, and several other organizations and agencies are responsible for providing enforcement of federal, state, and local laws and regulations that guide the planning, operation, and maintenance of the region's solid waste management system. This local enforcement authority ensures the Yakima County system meets all applicable standards for the protection of human health and environmental quality in the region.

#### **13.2.1 Goals and Objectives for Administration and Enforcement**

Goals and objectives specific to administration and enforcement include the following:

- Ensure convenient and reliable services for managing solid waste and MRW materials;
- Promote the use of innovative and economical waste handling methods;
- Emphasize waste reduction as a fundamental management strategy;
- Support public-private partnerships for landfill diversion programs;
- Encourage the recovery of marketable resources from solid waste and MRW;
- Reduce environmental impacts to air, water and land that are associated with solid waste and MRW generation, transportation, handling, landfill diversion, and disposal;
- Reduce the occurrence and environmental impacts associated with illegal dumping;
- Ensure compliance with State and local solid waste and MRW regulations; and
- Manage waste in a manner that promotes Washington State's waste management priorities presented in Ecology's *Moving Washington beyond Waste and Toxics* plan.

### **13.3 EXISTING PROGRAM ELEMENTS**

Administrative responsibility for solid waste handling systems in Yakima County is shared among several agencies and jurisdictions in local, county, and state government. Each organization involved in the Yakima County solid waste management system is described below.

#### **13.3.1 Yakima County Public Services Solid Waste Division**

The Washington State Solid Waste Management Act, Chapter 70A.205 RCW assigns local government the primary responsibility for managing solid waste. Solid waste handling, as defined in Chapter 70A.205 RCW, includes the "management, storage, collection, transportation, treatment, utilization, processing, and final disposal of solid wastes, including the recovery and recycling of

materials from solid wastes, the recovery of energy resources from solid wastes or the conversion of the energy in solid wastes to more useful forms or combinations thereof.” Chapter 36.58 RCW authorizes Yakima County to develop, own, and operate solid waste handling facilities in unincorporated areas, or to accomplish these activities by contracting with private firms. Yakima County may regulate tipping fees, hours of operation, facility access, and waste acceptance policies at each of its facilities. Yakima County also has the authority and responsibility to prepare comprehensive solid waste management plans for unincorporated areas and for jurisdictions that agree to participate with Yakima County in the planning process. Yakima County has entered into interlocal agreements with the incorporated cities and towns within Yakima County. These agreements address the Plan participation and other aspects of solid and moderate risk waste. The interlocal agreements also stipulate waste collected by or in the cities must go to a Yakima County disposal facility.

Yakima County exercises its solid waste responsibilities through the Public Services Solid Waste Division. The specific administrative functions performed include the following:

- Administering, staffing, and operating two landfills, three transfer stations, the HSBWCF plus satellite MRW collection facilities at LVTS and CTS, managing the closed Snipes Mountain Landfill, and various recycling and organics collection programs;
- Administering and staffing public education programs for waste reduction and recycling;
- Administering contracts;
- Maintaining the Solid and Hazardous Waste Management Plan as adopted relating to public health, safety, and sanitation, and providing regulations to govern the storage, collection, transfer, transportation, processing, use, and final disposal of solid waste by all persons in Yakima County; and
- Providing staff support for the SWAC.

Figure 13.1 illustrates the Yakima County Public Services Solid Waste Division organizational structure. The Yakima County Public Services Solid Waste Division is staffed by about 53 employees, most of which are involved in the operation of transfer and disposal facilities. The Division will be adding five positions in 2022.

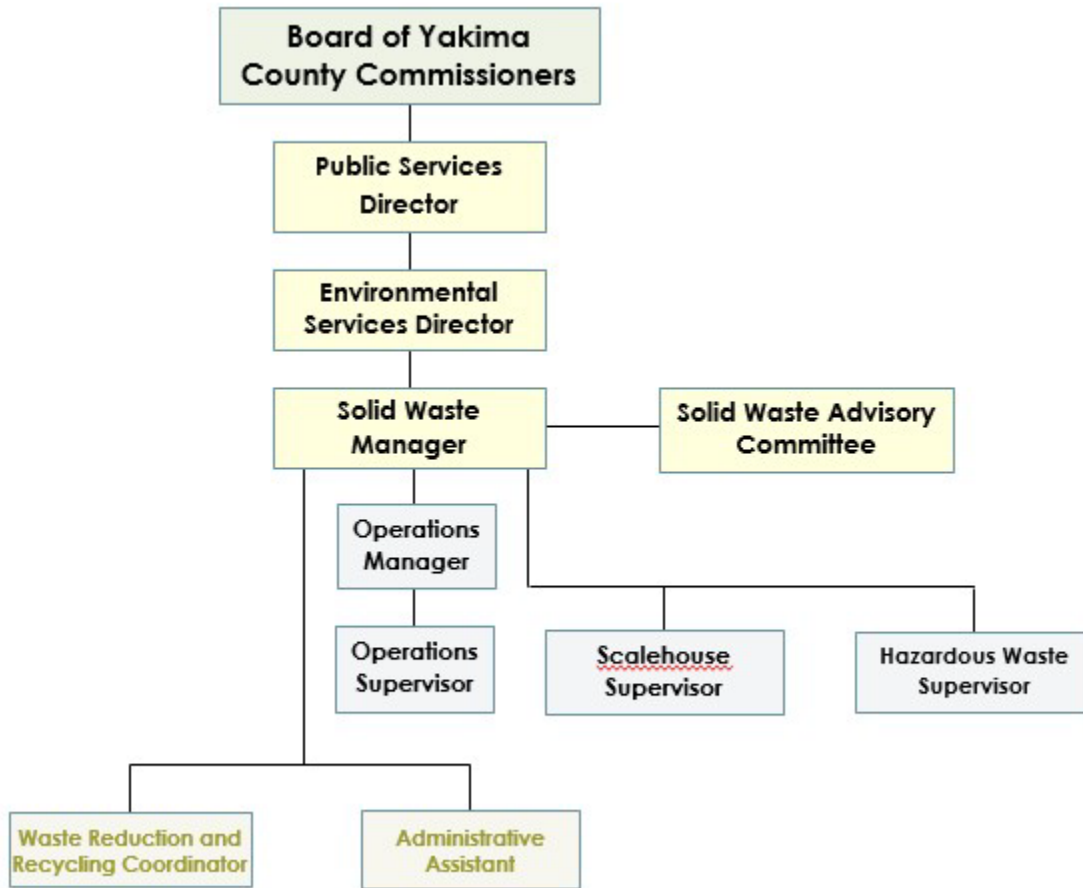


Figure 13.1 Yakima County Public Services Solid Waste Division

The Yakima County Public Services Division is funded by the fees collected at the three scale houses located at the transfer station and landfills. Fees charged at Yakima County’s solid waste facilities are set by resolution by the Board of County Commissioners. The tipping fee at the county landfills and transfer station is currently \$38 per ton, with a \$10 minimum, for disposing garbage. All vehicles are weighed in and out at the scales. Clean yard and wood waste is charged a discounted fee of \$19 per ton, with a \$6 minimum fee. Yard and wood waste must be free of any painted or other treated wood, particle board, glass, plastics, rocks, sod, pet wastes, food wastes, concrete or any other non-compostable materials.

Any yard waste in plastic bags, and all contaminated loads is charged at garbage rates, and directed to the disposal site. Certain residential recyclables may be dropped off free at the landfills and transfer stations in the recycling bins provided by the Division. All facilities charge the same fees; the current fees are presented in Table 13.1.

Table 13.1 Facility Fees

Item	Cost	Unit Size
Passenger-Sized, up to 20	\$2.00	Each
More than 20 Passenger Tires	\$179.00	Ton
Truck (semi)	\$9.00	Each
Tractor	\$18.00	Each
Heavy Equipment	\$90.00	Each

Item	Cost	Unit Size	Minimum Rate <sup>1</sup>
Small Animal (under 200 pounds)	\$38.00	Ton	\$10.00
Large Animal (over 200 pounds)	\$38.00	Ton	\$10.00
Septage	\$14.25	Ton	N/A
Appliances (residential)	\$6.00	Each	N/A
Asbestos - must schedule appointment	\$71.25	Ton	\$71.25
Clean yard and wood waste	\$19.00	Ton	\$6.00
Special Handling	\$2.40	Yard	\$12.00
Unsecured Load (1-3 yards)	\$6.00	Yard	N/A
Unsecured Load (over 3 yards)	\$18.00	Yard	N/A

<sup>1</sup> Rates include State Refuse Tax

Table 13.2 shows the 2023 projected revenues and expenditures for the Yakima County Public Services Solid Waste Division.

Table 13.2 Yakima County Solid Waste 2023  
Projected Revenues and Expenses

<b>Revenues</b>	<b>2023 Projected</b>
Solid Waste Tip Fees	\$14,135,247
Miscellaneous	\$312,699
<b>Total Revenues</b>	<b>\$14,447,947</b>
<b>Expenses</b>	
Total Operations & Maintenance	\$10,377,178
Bond Debt Service	\$0
Closure/Post-Closure Funding	\$327,030
Capital	\$4,510,052
<b>Total Expenses</b>	<b>\$14,887,230</b>
<b>Total Balance/(Deficiency)</b>	<b>-\$439,283</b>

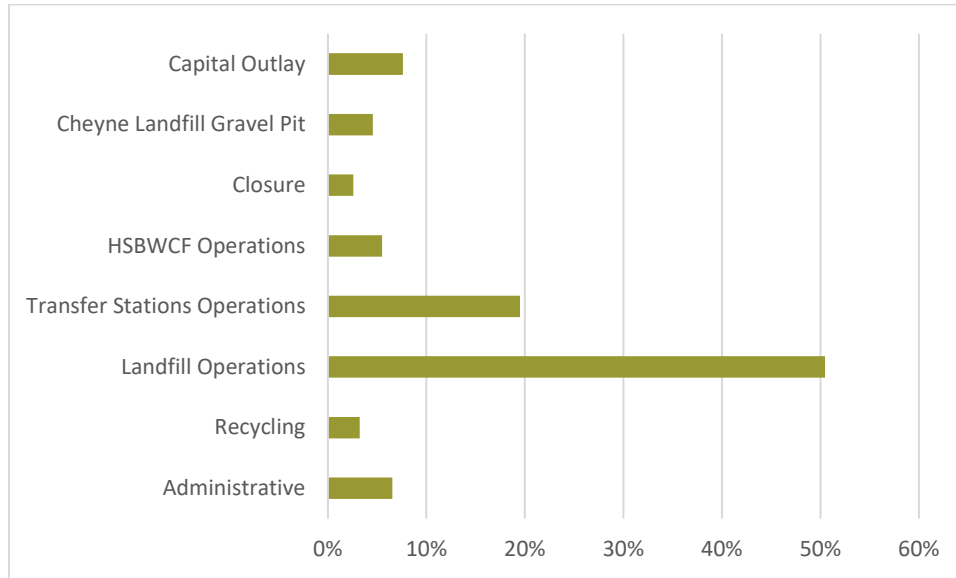
As Table 13.2 shows, tip fees account for over 96 percent of Yakima County’s solid waste revenue. Therefore, The County estimated tipping fee rates from 2023 through 2026 are as follows:<sup>10</sup>

<b>YEAR</b>	<b>TIP FEE</b>
2023	\$44.00
2024	\$44.00
2025	\$46.00
2026	\$46.00
2027	\$48.00
2028	\$48.00
2029	\$48.00

<sup>10</sup> Rates in \$ per ton, and are rounded to the nearest 10<sup>th</sup>.

Figure 13.2 shows how tipping fee revenues are generally allocated across the Division’s cost centers. Yakima does not envision any significant variations in the distribution of tipping fees during the next six years.

Figure 13.2 Allocation of Tipping Fees across Division Cost Centers



Concerning capital improvements, below is a description and estimated dollar amount over the next six years:

PROJECT	COST
Various construction projects	\$925,000
Terrace Heights LFG collection system design and construction	\$1,000,000
Cheyne LFG operation and maintenance	\$500,000
Paving area next to HSBWCF	\$350,000
Terrace Heights transfer station expansion	\$8,200,000
THLF Phase 1 closure design	\$ 100,000

### 13.3.2 Yakima County Solid Waste Advisory Committee

Per 70A.205.110 RCW, the BOCC has appointed the SWAC to help develop solid waste handling programs and policies. The SWAC has adopted bylaws that can be amended by the SWAC at any time, subject to approval by the BOCC. The term of the SWAC members is two years and members can be re-appointed by the BOCC to serve consecutive terms. The SWAC consists of up to 13 members each with one vote and membership is outlined in the bylaws to include Yakima County,



cities, Yakima Valley Conference of Governments, business and industry, waste industry, recycling industry, agricultural industry, and an ex officio position for public health and safety.

### **13.3.3 Incorporated Cities**

RCW 35.21.152 empowers cities to develop, own, and operate solid waste handling systems and to provide for solid waste collection services within their jurisdictions. There are fourteen incorporated cities and towns in Yakima County.

Four municipalities operate their own collection programs and two private haulers currently operate in Yakima County. The four municipal collection programs are operated by Grandview, Granger, Toppenish, and Yakima. Those programs operate within city boundaries, as adjusted periodically by annexations. The two private haulers operate in the unincorporated areas and in the other municipalities.

Fees charged for the service cover the expenses of the system, although some cities also charge a “utility tax” that helps fund other city functions. Detailed information about collection in individual cities is included in Chapter 6 Collection. The cities coordinate their activities for a number of issues through the Yakima Valley Conference of Governments.

### **13.3.4 Yakima Health District**

The YHD is responsible for enforcing solid waste regulations and issuing permits for solid waste facilities. Permits are required for all solid waste facilities in accordance with Chapter 173-350 WAC and Chapter 173-351 WAC. Permitted solid waste facilities include, but are not limited to, landfills, transfer stations, recycling, processing, composting, and petroleum-contaminated soil remediation sites. YHD inspects solid waste facilities permitted by YHD at least once per year. YHD also reviews permit applications to ensure proposed facilities meet applicable laws and regulations, conforms to the approved Plan, and complies with zoning requirements.

Yakima County pays a fixed amount to YHD in lieu of facility permit fees. This fixed amount provides funding for YHD’s assistance to Yakima County in the implementation of the Plan under RCW 70.95.160. YHD also receives grant funds from Ecology for enforcement and permit fees for non-County facilities.

### **13.3.5 Washington State Department of Ecology**

RCW 70A.205 provides for a comprehensive, statewide solid waste management program and assigns primary responsibility for solid waste handling to local governments. This regulation gives each county, in cooperation with its cities, the task of setting up a coordinated SWMP that places an emphasis on waste reduction and recycling programs. Enforcement and regulatory responsibilities are assigned to cities, counties, or jurisdictional health departments (like YHD), depending on the specific activity and local preferences, but Ecology issues permits for land application of bio-solids.

Ecology has promulgated Chapter 173-350 WAC, Solid Waste Handling Standards, which addresses the operational and other requirements for recycling and composting facilities as well as inert and special purpose landfills. Chapter 173-351 WAC, Criteria for Municipal Solid Waste Landfills, contains the current standards for municipal solid waste landfills.

The Model Litter Control and Recycling Act (70A.200.060 RCW) prohibits depositing garbage on any property not properly designated as a disposal site. There is also a “litter fund” that has been

created through a tax levied on wholesale and retail businesses, and the monies from this fund are used for education, increased litter clean-up efforts, and contracts to eligible county entities for illegal dump clean-up activities.

Under the Model Toxics Control Act (70A.305 RCW), grants are available to local governments for solid waste management plans and programs, hazardous waste management plans and programs, and remedial actions to clean up existing hazardous waste sites. Solid and hazardous waste planning and programs are funded through the Local Solid Waste Financial Assistance grants, administered by Ecology's Solid Waste and Financial Assurance Program. The state rule that governs this program is Chapter 173- 312 WAC – Coordinated Prevention Grants.

### 13.3.6 Washington Utilities and Transportation Commission

The WUTC regulates privately owned utilities that provide public services such as electric power, telephone, natural gas, private water, transportation, and refuse collection. WUTC's authority over solid waste collection is established in Chapter 81.77 RCW. This authority does not extend to companies operating under contract with any city or town, or to any city or town that undertakes solid waste collection. WUTC regulates solid waste collection companies by granting "certificates of convenience and necessity" that permit collection companies to operate in specified service areas. WUTC also regulates solid waste collection, under authority of 81.77.030 RCW, by performing the following functions:

- Fixing collection rates, charges, classifications, rules, and regulations;
- Regulating accounts, service, and safety of operations;
- Requiring annual reports and other reports and data;
- Supervising collection companies in matters affecting their relationship to their customers; and
- Requiring collection companies to use rate structures consistent with Washington State waste management priorities.

The WUTC requires certificate holders to provide the minimum levels of solid waste collection and recycling services established by a local SWMP and enacted through an ordinance. Solid waste companies operating in the unincorporated areas of a county must comply with the SWMP (81.77.040 RCW).

At its option, Yakima County may notify the WUTC of its intention to have the G- certificate holder bid on the collection of source-separated recyclable materials from residences in unincorporated areas. Commercial recycling is also regulated by the WUTC, under laws that apply in general to motor freight carriers (Chapter 81.80 RCW), although their oversight is limited to requiring a permit (at \$100 per year) and also to require companies to carry insurance, conduct drug testing of employees, and conduct a few other activities.

This Plan contains a cost assessment (Appendix F) prepared according to the WUTC Cost Assessment Guidelines for Local Solid Waste Management Planning (WUTC 2001). 70A.205.065 RCW grants the WUTC 45 days to review the plan's impact on solid waste collection rates charged by solid waste collection companies regulated under 81.77 RCW, and to advise Yakima County and Ecology of the probable effects of the Plan's recommendations on those rates.

### 13.3.7 Yakima Regional Clean Air Agency

Yakima Regional Clean Air Agency (YRCAA) is delegated to enforce certain Federal regulations, State regulations including the Washington Clean Air Act, and YRCAA regulations within the boundaries of Yakima County. This applies to all areas of Yakima County except for Yakama Nation Reservation lands (which are guided by the Federal Air Rule regulations for Reservations), and the Yakima Training Center.

### 13.3.8 United States Environmental Protection Agency

At the Federal level, the Resource Conservation and Recovery Act (RCRA) of 1976, as amended by the Solid Waste Disposal Act Amendments of 1980 (42 U.S.C. 6901-6987), is the primary body of legislation addressing solid waste. Subtitle D of RCRA addresses non-hazardous solid waste disposal and requires the development of a state comprehensive solid waste management program that outlines the authorities of local, state and regional agencies. Subtitle D requires that the state program must prohibit “open dumps”, and must provide that solid waste be handled in an environmentally sound manner.

### 13.3.9 Yakama Nation

The Yakama Nation is a federally recognized Indian Nation and its reservation occupies 1.4 million acres located in south central Washington. This is the largest land area of the 29 federally recognized Indian Tribes in Washington State. The reservation encompasses the cities of Toppenish and Wapato and the town of Harrah, as well as unincorporated areas. The Tribe is governed by a Tribal Council made up of elected members. Tribal Council holds regular meetings and handles Yakama Nation business affairs. The Yakama Nation has inherent authority to govern all activities as they pertain to solid waste management within the boundaries of the Yakama Nation Reservation. The Yakama Nation does not have an interlocal agreement with Yakima County and therefore is not a signatory to this Plan.

### 13.3.10 United States Army

The United States Army is responsible for the collection of solid waste on the Yakima Training Center. Yakima Waste Systems, Inc. is the current hauler for the training center. Most of the waste collected from the Training Center is brought to the THLF for disposal.

Yakima Training Center owns and operates a permitted limited purpose landfill on the property. Refer to Chapter 9 Construction, Demolition and Land Clearing Debris and Building Materials for additional information regarding this limited purpose landfill.

## 13.4 STATUS OF 2017 RECOMMENDATIONS

The status of the recommendations included in the 2017 Plan are shown in Table 13.3.

Table 13.3 Status of 2017 Recommendations

Item	Recommendation	Status
AE1	Consider adopting minimum collection service levels in the future to promote consistency in service Countywide.	Not completed

Table 13.3 Status of 2017 Recommendations

Item	Recommendation	Status
AE2	Consider either Alternative B (Collection or Disposal District) and/or Alternative D (Flow Control Ordinance) as mechanisms to promote consistent service and to diversify funding and revenue. These also incorporate some of the Surcharge and Taxes category funding options listed in Table 13.3.	Not completed
AE3	Consider pursuing some of the additional funding strategies listed in Table 13.3 in the “Other” possible funding methods category that can be implemented by Yakima County directly and independently from other alternatives. Specifically, Sales of Recovered Energy is a viable alternative if a LFG energy project is implemented at THLF and/or CLF.	Not completed

## 13.5 PLANNING ISSUES

Existing service gaps and other issues connected to Administration and Enforcement components of solid waste management are discussed below.

### 13.5.1 Collection and Disposal Districts

A collection district would also allow Yakima County to set standards and implement services such as recycling, while a disposal district would allow Yakima County to collect fees and implement disposal and other programs.

### 13.5.2 Long-Term Funding Needs

Long-term trends in recycling and composting rates show a continuing increase, therefore, the amount of solid waste disposed of in landfills continues to decrease. Yakima County may need to find other sources of funding besides relying primarily on the refuse tipping fee as recycling and diversion increase.

### 13.5.3 Flow Control

Flow control for the wastes collected in the cities is currently achieved through the interlocal agreements. Yakima County has a policy that waste collected in the unincorporated areas must be delivered to Yakima County’s disposal facilities. Although the current system is working well, Yakima County’s ability to make long-range plans and invest in future disposal facilities might be improved if a flow control ordinance were adopted, thus avoiding unforeseen changes in the future.

## 13.6 ALTERNATIVES

Section 13.6 describes additional potential strategies related to Administration and Enforcement.

### 13.6.1 Alternative A - Establishment of Collection and Disposal District(s)

Chapter 36.58 RCW, Solid Waste Disposal, establishes the counties’ rights and responsibilities regarding solid waste management, including the authority to establish solid waste disposal districts.

The authority to establish solid waste collection districts is provided in 36.58A RCW. Either district can include the incorporated areas of a city or town only with the city's consent. A solid waste district (for collection or disposal) could centralize functions that are now handled by a variety of county and city agencies, but it may be difficult to develop a consensus on the formation and jurisdiction of either type of district. Either type of district may be able to alleviate illegal dumping and other problems through the institution of mandatory garbage collection (for a collection district only) and different financing structures.

The establishment of a solid waste collection district that can act in a similar capacity is allowed by 36.58A RCW. A collection district can be created following the adoption of a SWMP; however, a collection district does not appear to possess taxing authority. According to 36.58A.040 RCW, the revenue-generating authority of a collection district is limited.

A solid waste disposal district is a quasi-municipal corporation with taxing authority set up to provide and fund solid waste disposal services. A disposal district has the usual powers of a corporation for public purposes, but it does not have the power of eminent domain. A county legislative authority (i.e., the Board of County Commissioners) would be the governing body of the solid waste disposal district.

36.58.130 RCW allows the creation of a disposal district to provide for all aspects of solid waste disposal. This includes processing and converting waste into useful products, but specifically does not allow the collection of residential or commercial garbage. A disposal district may enter into contracts with private or public agencies for the operation of disposal facilities, and then levy taxes or issue bonds to cover the disposal costs. Thus, a disposal district established in Yakima County could assess each resident or business (in incorporated areas only with the city's approval) a pro rata share of the cost of disposal. This could help to discourage illegal dumping by covering at least part of the disposal cost through mandatory payments, so that the additional expense for proper disposal would be lower than it is currently. In other words, the assessment by the disposal district would be paid regardless of where the resident or business dumped the waste or whether it was self-hauled or transported by a commercial hauler, and the latter two options would be less expensive by the amount of disposal costs already paid.

36.58.140 RCW states that a disposal district may "collect an excise tax on the privilege of living in or operating a business in the solid waste disposal taxing district, provided that any property which is producing commercial garbage shall be exempt if the owner is providing regular collection and disposal." The district has a powerful taxing authority, since it may attach a lien to each parcel of property in the district for delinquent taxes and penalties, and these liens are superior to all other liens and encumbrances except property taxes.

The funds obtained by a disposal district tax may be used "for all aspects of disposing of solid wastes... exclusively for district purposes" (36.58.130 RCW). Potential uses include:

- Cleanup of roadside litter and solid wastes illegally disposed of on unoccupied properties within the district;
- Public information and education about waste reduction and recycling;
- Defraying a portion of the cost of disposal;
- Subsidizing waste reduction/recycling activities;
- Subsidizing the HSBWCF and collection events; and

- Closure and post-closure costs for the old landfill and for other solid waste facilities.
- Solid waste planning.

### 13.6.2 Alternative B - Additional Funding Options

Solid waste operations in Yakima County are financially self-supporting. Almost all revenue needed to achieve this goal is currently generated through tipping fees, but other options do exist, including the collection and disposal districts discussed in Alternative A. These alternative funding sources include pursuing grants from state and federal agencies, or private organizations. Additional funding options (grouped by category) and the associated implementation entity are provided on Table 13.4.

Table 13.4 Potential Funding Methods for Solid Waste Management

Possible Funding Methods	Potential Implementation Entity			
	City	County	State	Private Sector
<b>User Fees, Rates, Surcharges</b>				
1. Cost-of-Service-Based Rates	•	•		•
2. Other Volume-Based Rates	•			
3. Fixed Per-Customer Service Rates	•			•
4. Collection Rate Surcharges	•			
5. Planning Fees		•		
6. Weight or Volume-Based Disposal Fees	•	•		•
7. Fixed Per-Customer Disposal Fees	•	•		•
8. Disposal Surcharges	•	•		
<b>Taxes</b>				
9. MTCFA Funds, Hazardous Substance Tax		(•)	•	
10. State Litter Tax		(•)	•	
11. Disposal District Excise Tax		•		
12. Mandatory Collection		•		
13. Franchise Fees	•		•	
<b>Other</b>				
16. Enforcement Fines/Penalties		•		
17. Sales of Recyclable Materials	•	•		•
18. Recycling Fees/Charges	•	•		•
19. Sales of Recovered Energy		•		•
20. Utility Tax	•			
21. General Fund Revenues	•	•		
22. Bond Financing		•		(•)
23. Public Works Assistance Account <sup>1</sup>	•	•		
24. Grants	•	•		

Table 13.4 Potential Funding Methods for Solid Waste Management

Possible Funding Methods	Potential Implementation Entity			
	City	County	State	Private Sector

Note:

• = Implementing authority.

(•) = Potentially benefits from funding method, but cannot implement it.

<sup>1</sup> Public Works Assistance Account, commonly known as the Publics Works Trust Fund, was established by C 43.155 to be used by the Public Works Board to finance local government infrastructure loans.

### 13.6.3 Alternative C - Consider Adoption of Flow Control Ordinance

Although the current system is working well, Yakima County’s ability to make long-range plans and invest in future disposal facilities might be improved if a flow control ordinance were adopted, thus avoiding unforeseen changes in the future. This ordinance would be a mechanism to “guarantee” revenue streams into the future in a holistic way, rather than reliance on individual interlocal agreements.

### 13.6.4 Evaluation of Alternatives

The alternatives are compared with respect to the evaluation criteria below.

#### 13.6.4.1 Consistency with Planning Objectives

The alternatives are consistent with the objectives of this Plan. The alternatives are administrative and enforcement alternatives designed to achieve the Plan objectives.

#### 13.6.4.2 Customer Preferences

Customers generally prefer flexibility and low-cost alternatives, and hence may not like Alternatives A and B. Customers may be neutral on Alternative C, depending on whether any new funding mechanisms may be perceived as an increase in costs or not. Alternative D may not have any significant change perceived by customers.

#### 13.6.4.3 Implementation Costs

The implementation costs for Alternative C are not applicable, since these are methods for collecting additional funds. Alternatives A and B would not cost much to implement, although these alternatives could lead to higher costs for customers and citizens.

Alternative D would not be expensive to implement, and would likely have no inherent increase in costs to customers, but would be a mechanism to guarantee revenue into the future for Yakima County.

### 13.6.5 Rating of Alternatives

The alternatives are compared with respect to the evaluation criteria, in Table 13.5.

Table 13.5 Summary Rating of the Administration and Enforcement Alternatives

Alternative		Consistency with Planning Objectives	Customer Preferences	Cost to Implement	Overall Rating
A	Collection or Disposal District	5	1-3	3	3
B	Funding Options	5	3	1-3	3
C	Flow Control Ordinance	1	5	3	1

5 – Highly Aligns, 3 – Aligns, 1 – Somewhat Aligns

### 13.6.6 Recommended Alternatives

The following recommendations are being made for administrative and enforcement programs:

- **AE1):** Consider either Alternative A (Collection or Disposal District) and/or Alternative C (Flow Control Ordinance) as mechanisms to promote consistent service and to diversify funding and revenue. These also incorporate some of the Surcharge and Taxes category funding options listed in Table 13.3.
- **AE2):** Consider pursuing some of the additional funding strategies listed in Table 13.3 in the “Other” possible funding methods category that can be implemented by Yakima County directly and independently from other alternatives. Specifically, Sales of Recovered Energy is a viable alternative if a landfill gas to energy project is implemented at THLF and/or CLFs.





# Chapter 14

## Implementation Plan

## **14 IMPLEMENTATION PLAN**

### **14.1 INTRODUCTION**

This chapter provides information about the cost and schedule for implementing the recommendations made in this Plan. Information is also provided on monitoring progress and maintaining the Plan. The costs associated with implementing these recommendations are provided in Chapter 14 and in the WUTC Cost Assessment (Appendix F). Yakima County has the primary responsibility for these recommendations. More details on the budget can be found in Table 14.1.

### **14.2 RECOMMENDATIONS**

The recommendations included in previous chapters of this Plan are repeated below for convenient reference, as later sections of this chapter discuss costs and implementation responsibilities. These include both new alternatives as well as alternatives that are continuing from the 2017 Plan. More details about specific recommendations can be found in the respective chapters.

#### **14.2.1 Chapter 3: Promotion and Education**

Chapter 3 of the Plan discusses public education activities. Much is already being accomplished in Yakima County regarding public education, but there are opportunities for additional activities, leading to the following recommendations:

- PE1) Continue to incorporate a larger promotion and educational role for the stakeholder cities, through an active partnership with Yakima County. Existing Yakima County Public Services Solid Waste Division staff should continue to take the lead in most areas and will provide technical assistance on an as-needed basis. Engage other organizations, including service groups, schools, Yakima Waste Systems, Basin Disposal, and other private companies (as appropriate to the program or material being promoted), to conduct education for their own specific program.
- PE2) As new programs are developed, educational efforts will be coordinated.
- PE3) Assist businesses in developing a waste reduction and recycling plan specific to their waste stream.
- PE4) Continue to engage the media to promote waste reduction strategies.
- PE5) Conduct a continuous improvement workshop for promotion and education campaigns.
- PE6) Facilitate focus groups to understand motivators to reduce, reuse, and recover waste.
- PE7) Use Social Media to Educate Residents on “Recycle Right.”
- PE8) Link the County’s Website to the “I Value Food” Website Page.

## 14.2.2 Chapter 4: Waste Reduction and Recycling

Chapter 4 discusses existing programs and provides recommendations for two related topics: waste reduction and recycling. The following recommendations are proposed:

- WRR1) Adopt the updated list of designated materials and maintain it through periodic review and updates.
- WRR2) Continue to provide support for recycling at public events.
- WRR3) Adopt a County service-level ordinance that promotes residential recycling and waste reduction.
- WRR4) Support private sector programs, forums or other methods, such as reusable materials exchange programs to facilitate business material exchanges.
- WRR5) Increase promotion of existing reuse programs through newsletters, community reuse events, guidebooks, and community-based social marketing.
- WRR 6) Continue to conduct periodic waste characterization studies.
- WRR7) Encourage the use of small-sized garbage carts and evaluate the City of Yakima's pricing structure for variable-sized waste collection carts.
- WRR8) Locate Fiber drop-off containers at commercial and multi-family clusters.
- WRR9) Provide technical assistance to businesses.
- WRR10) Provide waste reduction grants.

Some of these policies have no direct costs, but could lead to additional costs through new programs that may be needed in the future. Similarly, a waste characterization study (WRR6) will require funding. Yakima County has the primary responsibility for these recommendations except for WRR2, for which the municipalities are responsible. More details on the budget can be found in Table 14.1.

## 14.2.3 Chapter 5: Organics

Chapter 5 discusses existing programs, identifies relevant planning issues, and develops/evaluates alternative strategies for organic materials, including yard debris, wood waste, food waste, and agricultural wastes. Opportunities for additional programs to address these wastes have resulted in the following recommendations:

- 01) Continue the yard debris composting program as is for material collected in the 'pest free' area.
- 02) Comply with the WSDA apple maggot quarantine requirements, specifically the Notice of Correction regarding the management of yard waste within the quarantine area separately from material in the 'pest free' area.

- 03) Seek to clarify appropriate measures that could allow composting of yard wastes collected within the apple maggot quarantine area at Natural Selection Farms, such as implementing pathogen reduction compost measures, as appropriate.
- 04) Explore other options, including a Yakima County-owned and operated compost facility, if Recommendation 03 cannot be implemented due to terms or other reasons.
- 05) Survey residents about origin of their yard waste; research options to replace grinding yard/wood waste delivered to County solid waste facilities
- 06) Establish organic waste diversion goal
- 07) Support expansion of organics management capacity to meet needs
- 08) Support opportunities for food waste diversion: Food scraps comprise a significant portion of the disposed waste stream, and diverting more of this material would reduce the County's reliance on disposal facilities. There are multiple entities that generate food scraps, The County will support existing efforts to divert food scraps from these generators and work with organic waste processors to facilitate acceptance of this material (i.e. permitting).
- 09) Explore partnerships with stakeholders to develop/enhance infrastructure for food recovery: This alternative will not directly increase organics recovery but will help the County achieve the organics diversion goal.
- 10) Target pre-consumer food scraps collection/diversion from large-quantity generators: The County estimates that they could work with ten stores over the next five years to recover food scraps which would divert 3,000 tons of food from the landfill.

The budget for these activities will consist primarily of continuing the existing budget plus reallocation of existing funds for new activities. More details on the budget can be found in Table 14.1.

#### 14.2.4 Chapter 6: Collection

Chapter 6 discusses existing municipal solid waste collection services in unincorporated Yakima County and in the fourteen participating cities and towns. These programs are operating satisfactorily. Chapter 6 concludes with the following recommendations:

- SWC1) Continue to require waste to be routed through Yakima County-owned facilities in future interlocal agreements.
- SWC2) Review collection contracts to confirm compliance with the Plan.
- SWC3) Facilitate adequate space for garbage and recycling collection in new housing developments by modifying land development codes.

The budget for these activities will consist primarily of continuing the existing budget plus additional amounts and/or reallocation of existing funds for new activities. More details on the budget can be found in Table 14.1.

### 14.2.5 Chapter 7: Transfer System

Chapter 7 discusses existing and potential transfer facilities and programs. The following recommendations are made for future changes in the transfer system:

- TS1) Update the 2008 Solid Waste Level of Service Study and Infrastructure Needs Assessment Study.
- TS2) Expand tipping capacity of the THTS to accommodate commercial traffic when THLF Phase 1 reaches capacity (currently estimated for 2030).
- TS3) Implement a plan to better serve the lower valley service area.

Yakima County would take the lead in implementing these recommendations. TS2 involves the highest cost, and will be critical to the continued operation of the solid waste system. The timing of TS2 is a function of when THLF is projected to reach capacity. More details on the budget can be found in Table 14.1.

### 14.2.6 Chapter 8: Disposal

The current system of a mix of Yakima County-owned and privately-owned landfills is working well. Chapter 8 outlines the following recommendations:

- D1) Maintain the option to preserve capacity at THLF. Fill THLF Phase 1 to its permitted capacity, predicted to be 2030. Previous SWMP's recommended that the County set aside airspace at the THLF for emergency use as needed. In 2018, the County began filling this area with waste to satisfy the need for convenient disposal capacity near major Yakima County population centers. Although maintaining emergency landfill airspace to manage waste generated from natural disasters and other unforeseen events is generally good practice, this alternative includes the use of this airspace for meeting the current disposal needs for daily waste generation
- D2) Consider purchasing (or taking an option on) property adjacent to CLF suitable for landfilling purposes.
- D3) Consider LFG to energy in the future, but only if this can be proven to be cost-effective.

Yakima County is the lead agency for solid waste disposal. Because it owns and operates two MSW landfills, Yakima County has considerable autonomy and flexibility in choosing disposal options and their timing. The budget for these activities will greatly depend on future decisions made by Yakima County regarding land purchase, landfill expansion, and LFG to energy. More details on the budget can be found in Table 14.1.

### 14.2.7 Chapter 9: Construction, Demolition and Land Clearing Debris and Building Materials

Chapter 9 discusses construction, demolition and land clearing debris and building materials. The following recommendations are proposed:

- C&D1) Promote proper reuse, recycling and disposal of C&D debris.
- C&D2) Encourage green building practices.
- C&D3) Partner with private organizations such as the Habitat for Humanity ReStore to promote recycling and reuse of C&D debris and building materials.
- C&D4) Establish diversion specifications for county construction projects.
- C&D5) Support recycling and reuse markets for recycled asphalt pavement and shingles.

Yakima County is the lead agency for these recommendations, and all are essentially ongoing activities. Assistance with Recommendation C&D5 should be supported by the private sector and cities where appropriate.

### 14.2.8 Chapter 10: Miscellaneous Wastes

For the most part, miscellaneous wastes can be handled by the existing solid waste infrastructure and programs, but with a few additional considerations:

- SW1) Continue to dispose of miscellaneous wastes through a cooperative effort with the YHD and Ecology, and according to the established Solid Waste Policy & Procedures document.
- SW2) Update the Solid Waste Policies & Procedures document as necessary to address new issues or miscellaneous wastes.
- SW3) Monitor USEPA and Washington State guidance regarding pharmaceutical waste and implement changes as needed to comply with statewide medicine take-back program.
- SW4) Increase miscellaneous waste education - Additional education for generators and consumers of miscellaneous wastes focusing on right size purchasing, proper storage, use, and disposal practices may help reduce the amounts of miscellaneous wastes being generated and would help increase knowledge of available miscellaneous waste management programs.
- SW5) Evaluate future miscellaneous waste management programs - Monitoring state and federal regulations, practices, and programs associated with miscellaneous wastes will be important to help Yakima County continue to meet the needs of generators and consumers.

Yakima County is the lead agency for these recommendations, and these are essentially ongoing activities. SW1 and SW3 would be in collaboration and/or dependent upon other agencies.

### 14.2.9 Chapter 11: Disaster Debris Management

Chapter 11 discusses the management of debris generated by a natural or human-caused disaster and makes the following recommendations:

- DD1) Coordinate with Yakima County Office of Emergency Management and City of Yakima Emergency Management Office to prepare for disaster debris response with detailed plans for debris removal and disposal activities.
- DD2) Develop an internal plan for handling disaster debris, in coordination with the Yakima County Office of Emergency Management and City of Yakima Emergency Management Office.
- DD3) Consider reserving landfill airspace for disaster debris disposal.

Yakima County Public Services Solid Waste Division is the lead agency for these three recommendations. More details on the budget can be found in Table 14.1.

### 14.2.10 Chapter 12: Moderate Risk Waste

Chapter 12 provides an update of Yakima County Moderate Risk Waste programs and facilities. The following recommendations are being proposed for MRW programs:

- MRW1) Continue with Yakima County staff promotion and education efforts regarding MRW, and enhance coordination with other departments and programs to find avenues for cross-sector education.
- MRW2) Utilize additional technical assistance for SQGs provided by Ecology and distribute promotional and educational materials directed at specific business, institutional, or agricultural processes.
- MRW3) Continue to coordinate the schedule and process for updating the MRW Plan with the solid waste management plan (as is the current practice).
- MRW4) Evaluate establishing curbside collection of HHW.
- MRW5) Establish an HHW technical support service for school districts

Yakima County has the primary authority for four of these recommendations (MRW1, MWR3, MRW3, MRW4, and MWR5). Ecology has the primary authority for MRW2, the cost and schedule for which will be dependent on the amount of assistance requested by SQGs. The budget for these activities will consist primarily of continuing the existing budget plus small additional amounts and/or reallocation of existing funds for research. More details on the budget can be found in Table 14.1.

### 14.2.11 Chapter 13: Administration and Enforcement

The administration and enforcement of the solid waste system is an activity that is shared among several parties, including Yakima County, YHD, cities and towns, Yakama Nation and the private sector. Yakima County and YHD have the primary responsibility for these activities, except on the Yakama Reservation where the Yakama Nation has the primary authority for solid waste activities.

- AE1) Consider adopting minimum collection service levels in the future to promote consistency in service county-wide.
- AE2) Consider either Alternative B (Collection or Disposal District) and/or Alternative D (Flow Control Ordinance) as mechanisms to promote consistent service and to

diversify funding and revenue. These also incorporate some of the surcharge and taxes category funding options listed in Table 13.3.

- AE3) Consider pursuing some of the additional funding strategies listed in Table 13.3 in the “Other” possible funding methods category that can be implemented by Yakima County directly and independently from other alternatives. Specifically, sales of recovered energy is a viable alternative if a LFG to energy project is implemented at THLF and/or CLF.

Yakima County is the lead agency for these recommendations so the additional costs are largely limited to a portion of staff time (for existing staff). The budget for these activities will consist primarily of continuing the existing budget plus additional amounts and/or reallocation of existing funds for new activities. More details on the budget can be found in Table 14.1.

### 14.3 STATE ENVIRONMENTAL POLICY ACT

Ecology requires the potential impacts of this Plan be evaluated according to the State Environmental Policy Act (SEPA) process. The checklist has been prepared to fulfill that requirement and is included as Appendix G.

The SEPA checklist is a “non-project proposal” intended to address new programs recommended by the Plan. As a non-project proposal SEPA checklist, it is unable to fully address the potential impacts of facilities proposed in this Plan. Any new facility will need to undergo its own SEPA review process.

On February 3, 2023, Yakima County issued a determination of non-significance that the recommendations in the 2023 Plan will not have a probable significant adverse impact on the environment. A copy of this determination is included in Appendix G.

### 14.4 ESTIMATED ADDITIONAL COSTS

Table 14.1 shows the approximate budget for Plan recommendations that incur additional costs above and beyond current status quo costs and programs.

Table 14.1 Six-Year Implementation Budget for Additional Costs

Recommendation	Additional Cost by Implementation Year						
	2023	2024	2025	2026	2027	2028	2029
<b>3. Promotion and Education</b>							
PE1) Increase promotion and education in stakeholder cities	No Additional Cost						
PE2) Coordinate education efforts with new programs	No Additional Cost						



Table 14.1 Six-Year Implementation Budget for Additional Costs

Recommendation	Additional Cost by Implementation Year						
	2023	2024	2025	2026	2027	2028	2029
PE3) Assist businesses in developing a waste reduction and recycling plan specific to their waste stream	No Additional Cost						
PE4) Continue to engage media	No Additional Cost						
PE5) Conduct a continuous improvement workshop for promotion and education campaigns	No Additional Cost						
PE6 ) Facilitate focus groups to understand motivators to reduce, reuse, and recover waste	No Additional Cost						
PE7) Use social media to educate residents on "Recycle Right."	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000
<b>4. Waste Reduction and Recycling</b>							
WRR1) Adopt and maintain list of designated materials	No Additional Cost						
WRR2) Support recycling at public events	No Additional Cost						
WRR3) Adopt service-level ordinance to promote recycling and waste	No Additional Cost						

Table 14.1 Six-Year Implementation Budget for Additional Costs

Recommendation	Additional Cost by Implementation Year						
	2023	2024	2025	2026	2027	2028	2029
WRR4) Support private sector programs	No Additional Cost						
WRR5) Increase promotion of existing reuse programs	No Additional Cost						
WRR6) Continue periodic waste characterization	-	-	\$100,000	-	-		
WRR7) Encourage the use of small-sized garbage carts and .evaluate the City of Yakima's pricing structure for variable-sized waste collection carts	\$10,000						
WRR8) Locate fiber drop-off containers at commercial and multi-family clusters			\$10,000	\$5,000	\$5,000	\$5,000	\$5,000
WRR9) Provide technical assistance to businesses	\$10,000						
WRR10) Provide waste reduction grants				\$10,000	\$10,000	\$10,000	

Table 14.1 Six-Year Implementation Budget for Additional Costs

Recommendation	Additional Cost by Implementation Year						
	2023	2024	2025	2026	2027	2028	2029
<b>5. Organics</b>							
O1) Continue program as is in 'pest free' area	No Additional Cost						
O2) Comply with WSDA apple maggot quarantine requirements	No Additional Cost						
O3) Consider options within apple maggot quarantine area	No Additional Cost <sup>3</sup>						
O4) Explore other options if needed	No Additional Cost <sup>3</sup>						
O5) Survey participants on origin of yard waste; research options to replace grinding yard/wood waste delivered to County solid waste facilities	Note 4						
O6) Establish organic waste diversion goal	No Additional Cost						
O7) Support expansion of organics management capacity to meet needs	No Additional Cost						
O8) Support opportunities for food waste diversion	No Additional Cost						

Table 14.1 Six-Year Implementation Budget for Additional Costs

Recommendation	Additional Cost by Implementation Year						
	2023	2024	2025	2026	2027	2028	2029
O9) Explore partnerships with stakeholders to develop/enhance infrastructure for food recovery	No Additional Cost						
O10) Target pre-consumer food scraps collection/diversion from large-quantity generators	\$10,000						
<b>6. Solid Waste Collection</b>							
SWC1) Require waste routed through Yakima County-owned facilities	No Additional Costs						
SWC2) Review collection contracts	No Additional Costs						
SWC3) Require space in new development	No Additional Costs						
<b>7. Transfer System</b>							
TS1) Purchase or option property	Note 5						
TS2) Expand transfer station at THLF	Note 6						
TS3) Evaluate options for improving solid waste service in the Lower Valley			\$25,000				

Table 14.1 Six-Year Implementation Budget for Additional Costs

Recommendation	Additional Cost by Implementation Year						
	2023	2024	2025	2026	2027	2028	2029
<b>8. Disposal</b>							
D1) Maintain option to preserve capacity at THLF	No Additional Costs						
D2) Purchase or option property	Note 5						
D3) Consider LFG to Energy in future	Note 7						
<b>9. Construction, Demolition and Land Clearing Debris and Building Materials</b>							
C&D1) Promote proper management of C&D debris	No Additional Costs						
C&D2) Partner with private organizations	No Additional Costs						
<b>10. Miscellaneous Wastes</b>							
SW1) Cooperative effort for miscellaneous wastes	No Additional Costs						
SW2) Update the Solid Waste Policies and Procedures	No Additional Costs						
SW3) Monitor guidance regarding pharmaceutical waste	No Additional Costs						
SW4) Increase miscellaneous waste education	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000

Table 14.1 Six-Year Implementation Budget for Additional Costs

Recommendation	Additional Cost by Implementation Year						
	2023	2024	2025	2026	2027	2028	2029
SW5) Evaluate future miscellaneous waste management programs	No Additional Costs						
<b>11. Disaster Debris Management</b>							
DD1) Coordinate with Office of Emergency Management and Emergency Management Office	No Additional Costs						
DD2) Develop a disaster debris plan			\$50,000				
DD3) Reserve landfill airspace	No Additional Costs						
<b>12. Moderate Risk Waste</b>							
MRW1) Continue promotion and education coordination	No Additional Costs						
MRW2) Promote technical assistance by Ecology	No Additional Costs						
MRW3) Update MRW plan with solid waste plan	No Additional Costs						
MRW4) Evaluate establishing curbside collection of HHW				\$20,000			
MRW5) Establish an HHW technical support service for school districts	No Additional Costs						

Table 14.1 Six-Year Implementation Budget for Additional Costs

Recommendation	Additional Cost by Implementation Year						
	2023	2024	2025	2026	2027	2028	2029
<b>13. Administration and Enforcement</b>							
AE1) Consider adopting minimum service levels	No Additional Costs						
AE2) Consider mechanisms to promote consistent service	No Additional Costs						
AE3) Consider additional funding strategies	No Additional Costs						
<b>TOTAL</b>	<b>\$44,000</b>	<b>\$114,000</b>	<b>\$99,000</b>	<b>\$49,000</b>	<b>\$29,000</b>	<b>\$29,000</b>	

Notes:

1. All figures are approximate and subject to update.
2. Costs for curbside recycling in additional urban areas and collection containers at solid waste facilities are highly contingent on details of the chosen approach. Insufficient information is currently available to accurately determine these costs.
3. Pending compliance with WSDA requirements
4. Research will be no additional cost, the cost for the selected alternative is not able to be determined at this time.
5. Cost of property depends on size, location, and timing. Insufficient information is currently available to accurately determine cost.
6. Expansion of THTS to enable hauling of waste to CLF will begin in 2030. Costs would include equipment and construction costs that would be spread over several years beginning in 2025. Estimated cost is \$5,715,000 (Updated from the 2010 Plan Appendix E estimated cost of \$4,027,000 in 2009 to 2022 dollars @ 3 percent inflation). The County will incur planning costs in 2026 and these are discussed in Chapter 13.
7. Cost information is unknown at this time.
8. Contingent upon funding.

## 14.5 SIX-YEAR IMPLEMENTATION SCHEDULE

The proposed implementation schedule and primary responsibility is shown in Table 14.2. The SWAC will review and comment on proposed resolutions and ordinances prior to their adoption.

Table 14.2 Six-Year Implementation Schedule

Recommendation	Implementation Responsibility	Implementation Year						
		2023	2024	2025	2026	2027	2028	2029
<b>3. Promotion and Education</b>								
PE1) Increase promotion and education in stakeholder cities	Yakima County				Ongoing			
PE2) Coordinate education efforts with new programs	Yakima County				Ongoing			
PE3) Assist businesses in developing a waste reduction and recycling plan specific to their waste stream	Yakima County				Ongoing			
PE4) Continue to engage media	Yakima County				Ongoing			
PE5) Conduct a continuous improvement workshop for promotion and education campaigns	Yakima County				Ongoing			
PE6 ) Facilitate focus groups to understand motivators to reduce, reuse, and recover waste	Yakima County				Ongoing			



Table 14.2 Six-Year Implementation Schedule

Recommendation	Implementation Responsibility	Implementation Year						
		2023	2024	2025	2026	2027	2028	2029
PE7) Use social media to educate residents on "Recycle Right"	Yakima County	Ongoing						
<b>4. Waste Reduction and Recycling</b>								
WRR1) Adopt and maintain list of designated materials	Yakima County	Ongoing						
WRR2) Support recycling at public events	Yakima County	Ongoing						
WRR3) Adopt service-level ordinance to promote recycling and waste	Yakima County	X						
WRR4) Support private sector programs	Yakima County	Ongoing						
WRR5) Increase promotion of existing reuse programs	Yakima County	Ongoing						
WRR6) Continue periodic waste characterization	Yakima County		X					
WRR7) Encourage the use of small-sized garbage carts and evaluate the City of Yakima's pricing structure for variable-sized	Yakima County	Ongoing						

Table 14.2 Six-Year Implementation Schedule

Recommendation	Implementation Responsibility	Implementation Year						
		2023	2024	2025	2026	2027	2028	2029
waste collection carts.								
WRR8) Locate fiber drop-off containers at commercial clusters	Yakima County and cities/towns			X	X	X	X	X
WRR9) Provide technical assistance to businesses	Yakima County	Ongoing						
WRR10) Provide waste reduction grants	Yakima County and cities/towns				X	X	X	X
<b>5. Organics</b>								
O1) Continue program as is in 'pest free' area	Yakima County	Ongoing						
O2) Comply with WSDA apple maggot quarantine requirements	Yakima County	Ongoing						
O3) Consider options within apple maggot quarantine area	Yakima County	X						
O4) Explore other options if needed, including Yakima County-owned compost facility	Yakima County		X					
O5) Research options to replace grinding	Yakima County	X						

Table 14.2 Six-Year Implementation Schedule

Recommendation	Implementation Responsibility	Implementation Year						
		2023	2024	2025	2026	2027	2028	2029
yard/wood waste delivered to County solid waste facilities								
O6) Establish organic waste diversion goal	Yakima County	X						
O7) Support expansion of organics management capacity to meet needs	Yakima County	Ongoing						
O8) Support opportunities for food waste diversion	Yakima County	Ongoing						
O7) Support expansion of organics management capacity to meet needs	Yakima County	Ongoing						
O8) Support opportunities for food waste diversion	Yakima County	Ongoing						
O9) Explore partnerships with stakeholders to develop/enhance infrastructure for food recovery	Yakima County	Ongoing						
O10) Target pre-consumer food scraps	Yakima County	Ongoing						

Table 14.2 Six-Year Implementation Schedule

Recommendation	Implementation Responsibility	Implementation Year						
		2023	2024	2025	2026	2027	2028	2029
collection/diversion from large-quantity generators								
<b>6. Solid Waste Collection</b>								
SWC1) Require waste routed through Yakima County facilities	Yakima County							Ongoing
SWC2) Review collection contracts	Yakima County							Ongoing
SWC3) Require space in new development	Yakima County							Ongoing
<b>7. Transfer System</b>								
TS1) Purchase or option property	Yakima County							Ongoing
TS2) Evaluate and Expand transfer station at THLF <sup>1</sup>	Yakima County				X			
TS3) Evaluate improving solid waste service in Lower Valley	Yakima County		X					
<b>8. Disposal</b>								
D1) Maintain option to preserve capacity at THLF	Yakima County							Ongoing
D2) Purchase or option property	Yakima County							Ongoing

Table 14.2 Six-Year Implementation Schedule

Recommendation	Implementation Responsibility	Implementation Year						
		2023	2024	2025	2026	2027	2028	2029
D3) Consider LFG to energy in future	Yakima County	Ongoing						
<b>9. Construction, Demolition and Land Clearing Debris and Building Materials</b>								
C&D1) Promote proper management of C&D debris	Yakima County	Ongoing						
C&D2) Partner with private organizations	Yakima County, Private Orgs	X						
<b>10. Special Wastes</b>								
SW1) Cooperative effort for special wastes	Yakima County, YHD, Ecology	Ongoing						
SW2) Update the Solid Waste Policies and Procedures	Yakima County	Ongoing						
SW3) Monitor guidance regarding pharmaceutical waste	Yakima County, Ecology	Ongoing						
SW4) Increase special waste education	Yakima County	Ongoing						
SW5) Evaluate future special waste management programs	Yakima County	Ongoing						

Table 14.2 Six-Year Implementation Schedule

Recommendation	Implementation Responsibility	Implementation Year						
		2023	2024	2025	2026	2027	2028	2029
<b>11. Disaster Debris Management</b>								
DD1) Coordinate with Office of Emergency Management and Emergency Management Office	Yakima County					Ongoing		
DD2) Develop a disaster debris plan	Yakima County					Ongoing		
DD3) Reserve landfill airspace	Yakima County					Ongoing		
<b>12. Moderate Risk Waste</b>								
MRW1) Continue promotion and education coordination	Yakima County					Ongoing		
MRW2) Promote technical assistance from Ecology	Yakima County					Ongoing		
MRW3) Update MRW plan with solid waste plan	Yakima County						X	
MRW4) Evaluate establishing a curbside collection of HHW.	Yakima County					X		
MRW5) Establish an HHW technical support service for school districts	Yakima County					Ongoing		

Table 14.2 Six-Year Implementation Schedule

Recommendation	Implementation Responsibility	Implementation Year						
		2023	2024	2025	2026	2027	2028	2029
<b>13. Administration and Enforcement</b>								
AE1) Consider adopting minimum service levels	Yakima County	X						
AE2) Consider mechanisms to promote consistent service	Yakima County					X		
AE3) Consider additional funding strategies	Yakima County	Ongoing						

Notes:

1. Expansion of THTS to enable hauling of waste to CLF will need to begin in 2025. The implementation is outside the timeframe of this Plan, but should be reviewed in 2022.

## 14.6 TWENTY-YEAR IMPLEMENTATION PROGRAM

Solid waste management in Yakima County will continue to evolve based on changes in population, demographics, the local, state, and national economy, regulations, and advancements in waste handling and recycling. Fortunately, Yakima County’s current solid waste management system is functioning effectively. Yakima County operation of two landfills forms the foundation of the system, giving it stability and local control.

The current process of solid waste rate reviews and adjustments provides adequate funding for solid waste programs and facilities. If in the future it becomes advisable to seek additional sources of funding, Chapter 13 provides a list of potential funding sources.

## 14.7 DRAFT PLAN REVIEW

Yakima County provided the draft Plan for review to stakeholders. Comments were received from Ecology, WSDA, and WUTC. Comments received and response to comments by Yakima County and these are included as Appendix H. Yakima County will periodically review the Plan.

## 14.8 PROCEDURES FOR AMENDING THE PLAN

The Solid Waste Management-Reduction and Recycling Act (Chapter 70A.205 RCW) requires local governments to maintain their solid waste plans in current condition. Plans must be reviewed and revised, if necessary, at least every five years. This Plan should be reviewed in 2027. Before that time, the Plan can be kept in current condition through amendments. An “amendment” is defined as

a simpler process than a revision. If there is a significant change in the solid waste system, however, a revision may be necessary before the five-year period is done.

Changes in the Plan may be initiated by Yakima County, working with the SWAC to develop and review proposed changes, or by outside parties. For the latter, individuals or organizations wishing to propose plan amendments before the scheduled review must petition Yakima County's Solid Waste Manager in writing. The petition should describe the proposed amendment, its specific objectives, and explain why immediate action is needed prior to the next scheduled review. The Solid Waste Manager will investigate the basis for the petition and prepare a recommendation for the Director of the Public Services Department.

If the Public Services Director decides that the petition warrants further consideration, the petition will be referred to the SWAC for review and recommendation. The Solid Waste Manager will draft the proposed amendment together with the SWAC. Whether the proposed amendment has been initiated by Yakima County or an outside party, the proposed amendment must be submitted to the legislative bodies of all participating jurisdictions and the Department of Ecology for review and comment. Adoption of the proposed amendment will require the concurrence of all affected jurisdictions.

The Public Services Director may develop reasonable rules for submitting and processing proposed plan amendments, and may establish reasonable fees to investigate and process petitions. All administrative rulings of the Director may be appealed to the Board of County Commissioners.

Minor changes may occur in the solid waste management system, whether due to internal decisions or external factors. These can be adopted without going through a formal amendment process. If there is uncertainty about whether or not a change is "minor," it should be discussed by the SWAC and a decision made based on the consensus of that committee.

Implicit in the development and adoption of this Plan is the understanding that in the future, the County may need to take emergency action for various reasons, and that these actions can be undertaken without the need to amend this Plan beforehand. In that case, Yakima County staff will endeavor to inform the SWAC and other key stakeholders as soon as feasibly possible, but not necessarily before new actions are implemented. If the emergency results in permanent and significant changes to the Yakima County solid waste system, an amendment to this Plan will be prepared in a timely fashion. If, however, the emergency actions are only undertaken on a temporary or short-term basis, an amendment may not be considered necessary. Any questions about what actions may be considered "temporary" or "significant" should be brought to the SWAC for their advice.

Similar to the allowance for emergency action discussed above, Yakima County will need to make operational decisions and expenditures to comply with future regulatory changes and update permit requirements as applicable. Plan update and coordination with the SWAC will not be required or initiated for these future actions, as they are considered operational activities.



## Appendix A

Resolution 102-2016 which Re-established the SWAC and Adopted Committee Bylaws and Resolution 103-2016 that Appointed Members to the SWAC (Appendix A).

# BOARD OF YAKIMA COUNTY COMMISSIONERS

IN THE MATTER OF RE-ESTABLISHING )  
THE YAKIMA COUNTY SOLID WASTE )  
ADVISORY COMMITTEE AND ) **RESOLUTION 102-2016**  
ADOPTING COMMITTEE BY-LAWS )

**WHEREAS**, it is the intention of the Board of County Commissioners of Yakima County, Washington, to re-establish a Solid Waste Advisory Committee as required by RCW 70.95.165 and to rescind all previous resolutions relating to the Solid Waste Advisory Committee; and,

**WHEREAS**, the Solid Waste Advisory Committee shall be re-established to assist the Board of County Commissioners of Yakima County, Washington, in the development of programs and policies concerning solid waste handling and disposal, in the preparation of solid waste management plans and by reviewing and commenting on proposed rules, policies or ordinances relating to solid waste prior to adoption in accordance with the attached by-laws and organizational structure; now, therefore,

**BE IT HEREBY RESOLVED** by the Board of County Commissioners of Yakima County, Washington, that the Yakima County Solid Waste Advisory Committee is established, and the attached by-laws are adopted for the aforesaid Solid Waste Advisory Committee.

DONE this 15<sup>th</sup> day of March, 2016



*Tiera L. Girard*

Attest: Tiera L. Girard  
Clerk of the Board

*[Signature]*

Michael D. Leita, Chairman

*[Signature]*

Kevin J. Bouchey, Commissioner

*[Signature]*  
J. Rand Elliott, Commissioner

*Constituting the Board of County Commissioners  
for Yakima County, Washington*

**YAKIMA COUNTY  
SOLID WASTE ADVISORY COMMITTEE  
BY-LAWS**

**Adopted by Resolution No. 102-2016**

**I. ORGANIZATION – COMPOSITION AND PURPOSE**

The Yakima County Solid Waste Advisory Committee (SWAC) shall consist of up to thirteen (13) members appointed by the Board of Yakima County Commissioners and any number of ex-officio members. The SWAC shall assist the Yakima County Board of Commissioners in the development of programs and policies concerning solid waste handling and disposal, in the preparation of solid waste management plans and by reviewing and commenting on proposed rules, policies or ordinances relating to solid waste prior to their adoption.

**II. OFFICERS/MEMBERSHIP**

**A. Members** – The SWAC shall be composed of thirteen (13) members, each having one vote. Membership is as follows:

1. Yakima County Board of Commissioners (1)
2. City of Yakima (1)
3. Two Cities with Population exceeding 5,000 (2)
4. Three Cities with Population under 5,000 (3)
5. Yakima Valley Conference of Governments (1)
6. Business and Industry Representative (1)
7. Waste Industry Representative (1)
8. Recycling Industry Representative (1)
9. Agriculture Industry Representative (1)

**B. Ex-Officio Members** – The Yakima County Board of Commissioners may appoint non-voting ex-officio members to the SWAC.

**C. Appointments** – Members shall be appointed by the Board of County Commissioners.

**D. Terms** – Members shall serve a term of two (2) years commencing from the appointment date. Members may be reappointed to serve consecutive terms. Reappointment shall be subject to confirmation by the Yakima County Board of Commissioners.

**E. Chair** – The initial Chairperson shall be appointed for a two (2) year term by the Board of County Commissioners. Subsequent chairpersons shall be elected by the SWAC sitting in regular, open public meetings. The Chair will preside over committee meetings and coordinate development of the agenda with the Yakima

County Public Services – Solid Waste Division Manager. The Chair will sign all correspondence originated by the SWAC on behalf thereof.

- F. **Vice Chair** – A majority of the SWAC shall elect one of its members as Vice Chair. The term of the Vice Chair shall be for two (2) years. The Vice Chair will preside over SWAC meetings in the absence of the Chair.
- G. **Secretary** – The Yakima County Public Services – Solid Waste Division Manager, or designate, shall act as Secretary to the SWAC.
- H. **Attendance** – A SWAC member who accrues three (3) consecutive, unexcused absences from regular meetings may be removed from the SWAC by the Board of County Commissioners with the concurrence of two-thirds majority of the SWAC members.

### III. MEETINGS

- A. **Regular Meetings** – Meetings of the SWAC shall be called when necessary by the Chair. It is anticipated that meetings will be held monthly during active review of Solid Waste Management Plan Updates and at a minimum not less than semi-annually during off-planning years. At least fourteen (14) days prior notice shall be given.
- B. **Minutes/Agendas** – Minutes of all meetings shall be kept by the Secretary and distributed to the members within three (3) weeks after a meeting. Agendas shall be prepared by the Solid Waste Division staff with input and verbal approval by the Chair and distributed to the SWAC members at least seven (7) days in advance of any regularly scheduled meeting. Meeting minutes will be approved by the SWAC at the next regular meeting.
- C. **Public Access** – All regular meetings of the SWAC shall be held in a place that is open and easily accessible to the public. Provision shall be made for public comment at each meeting. Approved meeting minutes shall be available to the public on request. The SWAC is subject to, and will conform with, the provisions of RCW 42.30, the State Open Meeting Act.
- D. **Quorum** – A quorum is required to be present before an official, regular meeting of the SWAC can take place. A simple majority of the voting members of the SWAC shall constitute a quorum.

#### IV. RECOMMENDATIONS

The role and purpose of the SWAC shall be to advise and make recommendation to the Yakima County Board of Commissioners on matters within their scope and charge as provided for in SWAC By-Laws. Written reports, recommendations and correspondence submitted to the Yakima County Board of Commissioners shall be forwarded on behalf of a majority of the members over the signature of the Chair. Minority reports, if any, shall be attached to, and forwarded with such reports, recommendations or correspondence without comment by the Chair.

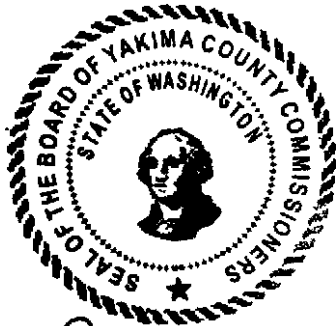
#### V. WAIVER OF RULES

Any of the above rules or procedures may be waived by a majority vote of the quorum provided further that the reason therefore be included in each motion for waiver.

#### VI. AMENDMENT OF BYLAWS

Any of the By-Laws may be amended or repealed, and new By-Laws may be adopted, by two-thirds majority vote of the quorum and approval by the Yakima County Board of Commissioners. Prior notice of thirty (30) days shall be given to the SWAC before undertaking amendatory action.

DONE this 15<sup>th</sup> day of March, 2016



Attest: Tiera L. Girard  
Clerk of the Board

Michael D. Leita, Chairman

Kevin J. Bouchey, Commissioner

J. Rand Elliott, Commissioner  
*Constituting the Board of County Commissioners  
for Yakima County, Washington*

## Appendix B

### An Example of an Executed Solid Waste Interlocal Agreement

## SOLID WASTE INTERLOCAL AGREEMENT

This Agreement is entered into between Yakima County, a political subdivision of the State of Washington and Wenatchee, WA, a municipal corporation of the State of Washington, hereinafter referred to as "County" and "City" respectively.

### PREAMBLE

This Agreement is entered into pursuant to Chapter 39.34 RCW for the purpose of cooperative management of solid waste in Yakima County. It is the intent of the parties to work cooperatively in establishing a Solid Waste Management Plan pursuant to Chapter 70.95 and with emphasis on the established priorities for solid waste management of waste reduction; waste recycling; energy recovery, incineration, or landfilling of separated waste; and landfilling of mixed wastes. The parties acknowledge their intent to meet or surpass applicable environmental standards with regard to the solid waste system.

### I. DEFINITIONS

For purposes of this Agreement the following definitions shall apply:

"Landfill" means a disposal facility or part of a facility at which waste is placed in or on land and which is not a land treatment facility, as that term is defined in and may be modified by amendment to RCW 70.95.030.

"Moderate Risk Waste" means (a) any waste that exhibits any of the characteristics of hazardous waste but is exempt from regulation under this chapter solely because the waste is generated in quantities below the threshold for regulation and (b) any household wastes which are generated from the disposal of substances identified by the department as hazardous household substances, as that term is defined in and may be modified by amendment to RCW 70.105.010.

"Solid Waste" means all putrescible and nonputrescible solid and semi-solid wastes, including but not limited to garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities, but shall not include dangerous, hazardous or extremely hazardous waste, as that term is defined in and may be modified by amendment to RCW 70.105.010.

"Solid Waste Advisory Committee" or SWAC means a group formed pursuant to RCW 70.95.040 — .070 and comprised of representatives of unincorporated Yakima County, incorporated cities and towns, industry and businesses appointed by the Board of Yakima County Commissioners.

"Solid Waste Management Plan" means the coordinated comprehensive plan for solid waste management and updates as required by RCW 70.95.080.

"System" means all facilities for solid waste handling owned, operated or contracted for by the County, and all administrative activities related thereto.

"Waste Recycling" means reusing waste materials and extracting valuable materials from a waste stream.

"Waste Reduction" means reducing the amount or type of waste generated but shall not include reduction through energy recovery or incineration.

## II. PURPOSE

The purpose of this Agreement is to establish the respective responsibility of the parties in a solid waste management system which includes, but is not limited to: planning, waste reduction, recycling, and disposal of mixed municipal solid waste, industrial waste, demolition debris and all other waste defined as Solid Waste in RCW 70.95.030, and as Moderate Risk Waste in RCW 70.105.010.

## III. TERM

This Agreement shall become effective on date of signing by the City and remain in effect for a period of 20 years.

## IV. APPROVAL AND FILING

Pursuant to RCW 39.34.050, this Agreement shall be submitted to the Washington State Department of Ecology for its approval as to all matters within its jurisdiction. This Agreement shall be filed with the City Clerk, the Clerk of the Board of Yakima County Commissioners, the Yakima County Auditor, and the Secretary of State of the State of Washington.

## V. REVIEW AND RENEGOTIATION

- 5.1 Either party may request review and/or renegotiation of any provision of this Agreement other than those specified in Section 5.2 below during the six-month period immediately preceding the fifth anniversary of the effective date of this Agreement. Such request must be in writing and must specify the provision(s) of the Agreement for which review/renegotiation is requested. Review and/or renegotiation pursuant to such written request shall be initiated within thirty days of said receipt.
- 5.2 Review and/or renegotiation shall not include the issues of System rates and charges, waste stream (flow) control or diversion unless agreed to in writing by both parties.
- 5.3 Notwithstanding any other provision in this paragraph to the contrary, the parties may, pursuant to mutual agreement, modify or amend any provision of this Agreement at any time during the term of said Agreement.

## VI. WITHDRAWAL

In the event, following unsuccessful discussion between or among the parties, that a party that has requested review and/or renegotiation of any provision of this Agreement pursuant to Section V determines it is in that party's best interest to terminate its participation in and withdraw from



the Agreement, for any reason, then that party may withdraw from the remaining term of the Agreement after final satisfaction and completion of the following two conditions: first, that the withdrawing party must have prepared and gained approval from the Department of Ecology of its own Solid Waste Management Plan pursuant to RCW 70.95 and related provisions, and including each of the elements identified in Section 9.3 of this Agreement; and second, that the withdrawing party must enter into a written agreement with the County that the withdrawing party will remain responsible to the County for, and will continue to pay to the County when due, the withdrawing party's share of System costs, capital and operating, during the remaining term of this Agreement.

## VII. GENERAL OBLIGATIONS OF THE PARTIES

### 7.1 YAKIMA COUNTY

a. Management. Yakima County shall (1) provide county-wide solid waste management services for waste generated and collected within jurisdictions which are parties to this Agreement and (2) designate disposal facilities for all Solid Waste and Moderate Risk Waste generated and/or collected within the corporate limits of the City.

b. Planning. Yakima County shall serve as the planning authority within Yakima County for Solid Waste and Moderate Risk Waste, but shall not be responsible for planning for hazardous or dangerous waste or any other planning responsibility that is specifically delegated by State or Federal statute.

c. Operation. Yakima County, directly or by its designee, shall be the operating authority for County transfer, processing and disposal facilities (including public landfills, waste reduction or recycling facilities and energy resource recovery facilities) and shall have closure and post-closure responsibilities for landfills which are operated by Yakima County.

d. Collection Service. Yakima County shall not provide solid waste collection services within the corporate limits of the City, unless permitted by law and agreed to by both parties.

e. Support and Assistance. Yakima County shall provide limited support and technical assistance to the City if the City seeks to establish a waste reduction and recycling program compatible with the County waste reduction and recycling plan. The County may develop educational materials related to waste reduction and recycling, Moderate Risk Waste, and strategies for maximizing the usefulness of the materials and will make any such materials available to the City for its use.

f. Facilities and Services. All personal and real property acquired by Yakima County for solid waste management system purposes shall be the property of Yakima County.

### 7.2 CITY

a. Collection. The City shall be responsible for solid waste collection within the City's corporate limits.

b. Disposal. The City shall (1) designate the System for the disposal of all Solid Waste generated and/or collected within the City and (2) authorize the County to designate disposal facilities for the disposal of all Solid Waste including Moderate Risk Wastes, generated or collected within the corporate limits of the City, except for Solid Waste which is eliminated through Waste Reduction or Waste Recycling activities consistent with the Solid Waste Management Plan. No Solid Waste generated or collected within the City may be diverted from the System without County approval.

c. Compliance. All waste generated or collected from within the corporate limits of the City which is delivered to the System for disposal shall be in compliance with RCW 70.95 and all other federal, state and local environmental health laws, rules or regulations.

### **VIII. COUNTY SHALL SET DISPOSAL RATES AND OPERATING RULES FOR DISPOSAL**

In establishing or amending disposal rates for System users, the County may adopt and amend by resolution rates necessary to recover all costs of operating the System, including without limitation the costs of waste planning, handling, processing, disposal, defense and payment of claims, capital improvements, operational improvements, and the closure and post-closure of landfills which are or were operated by Yakima County or for which the County is responsible. The SWAC will provide comments or recommendations to the County in considering system or rate modifications.

### **IX. SOLID WASTE MANAGEMENT PLAN**

9.1 Yakima County is designated to prepare the Solid Waste Management Plan (SWMP) and updates, including the incorporated areas of the County pursuant to RCW 70.95.080(3).

9.2 The Solid Waste Management Plan will promote waste reduction and recycling goals that meet or exceed the Washington State Solid Waste Management priorities pursuant to Chapter 70.95 RCW.

9.3 The Solid Waste Management Plan will be prepared in accordance with Chapter 70.95 RCW and solid waste planning guidelines developed by the Department of Ecology. The plan shall include, but not be limited to:

a. Descriptions of and policies regarding management practices and facilities required for handling all waste types;

b. Schedules and responsibilities for implementing policies;

c. Policies concerning waste reduction, recycling, energy and resource recovery, collection, transfer, long-haul transport, disposal, enforcement and administration.

d. The designation of disposal site(s) for all Solid Waste collected within the incorporated and unincorporated areas of the County.

- e. Capital facilities and infrastructure element.

9.4 The cost of preparation by Yakima County of the Solid Waste Management Plan will be considered a cost of the System and financed out of disposal rates.

## X. UNCONTROLLABLE CIRCUMSTANCES

The parties are not liable for failure to perform pursuant to the terms of this Agreement when failure to perform was due to an Uncontrollable Circumstance. "Uncontrollable Circumstance" means any act, event or condition that has had or may reasonably be expected to have a material adverse effect on the rights or obligations of a party to this Agreement, if that act, event or condition is beyond the reasonable control of the party relying thereon as justification for not performing an obligation or complying with any condition required of that party under this Agreement.

Those acts, events or conditions are the following:

- a. An act of God, hurricanes, tornadoes, epidemic, landslide, lightning, earthquake, volcano eruption, nuclear radiation, fire or explosion, extreme flooding or other extreme and atypical weather condition, an act of public enemy, war, blockade, insurrection, riot, general arrest, or restraint of government and people, civil disturbance or similar occurrence, that directly affects the System;
- b. Failure of any appropriate federal, state or local agency or public or private utility having operational jurisdiction in the County, to provide and maintain and assure the maintenance of any necessary utility;
- c. Appeals by third parties of permits necessary for the construction and/or operation of the System;
- d. A change in law that specifically affects the processing of Solid Waste or Moderate Risk Waste;
- e. Any strike or labor dispute.

## XI. COMPLETE AGREEMENT

This Agreement supersedes all prior negotiations, representation and/or agreements between the parties relating to the subject matter of this Agreement and constitutes the entire contract between the parties. Any changes or revisions to this Agreement shall be in writing and authorized by both parties.

## XII. WAIVER

No waiver by either party of any term or condition of this Agreement shall be deemed or construed to constitute a waiver of any other term or condition or of any subsequent breach whether of the same or a different provision of this Agreement.

**XIII. THIRD PARTY BENEFICIARY**

This Agreement is not entered into with the intent that it shall benefit any other entity or person, except those expressly described herein, and no other such person or entity shall be entitled to be treated as a third party beneficiary of this Agreement.

**XIV. SEVERABILITY AND VENUE**

If any of the provisions contained in this Agreement are held illegal, invalid or unenforceable, the remaining provisions shall remain in full force and effect. Any action, suit or judicial proceeding for the enforcement of this Agreement shall be brought in Superior Court of the State of Washington in Yakima County, Washington.

**XV. NOTICE**

IN WITNESS WHEREOF this Agreement has been executed by each party on the date set forth below:

**CITY:**

**BOARD OF YAKIMA COUNTY  
COMMISSIONERS:**

David J. Leach  
MAYOR

Ronald F. Gamache  
Ronald F. Gamache, Chairman

DATE: 12/10/02

Jesse S. Palacios  
Jesse S. Palacios, County Commissioner CHAIR

James M. Lewis  
James M. Lewis, County Commissioner

**ATTEST:**

**ATTEST:**

Christa Kerner  
Clerk

Carla M. Ward  
Carla M. Ward, Clerk of the Board

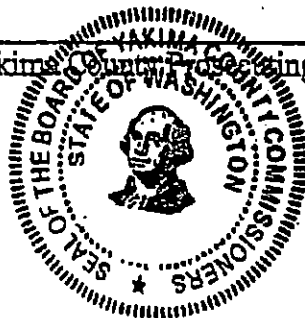
**APPROVED AS TO FORM AND  
LEGALITY:**

**APPROVED AS TO FORM:**

[Signature]  
City Attorney

[Signature]  
Yakima County Prosecuting Attorney

DATE: 1-14-03



## SOLID WASTE INTERLOCAL AGREEMENT

This Agreement is entered into between Yakima County, a political subdivision of the State of Washington and City of Grandview municipal corporation of the State of Washington, hereinafter referred to as "County" and "City" respectively.

### PREAMBLE

This Agreement is entered into pursuant to Chapter 39.34 RCW for the purpose of cooperative management of solid waste in Yakima County. It is the intent of the parties to work cooperatively in establishing a Solid Waste Management Plan pursuant to Chapter 70.95 and with emphasis on the established priorities for solid waste management of waste reduction; waste recycling; energy recovery, incineration, or landfilling of separated waste; and landfilling of mixed wastes. The parties acknowledge their intent to meet or surpass applicable environmental standards with regard to the solid waste system.

### I. DEFINITIONS

For purposes of this Agreement the following definitions shall apply:

"Landfill" means a disposal facility or part of a facility at which waste is placed in or on land and which is not a land treatment facility, as that term is defined in and may be modified by amendment to RCW 70.95.030.

"Moderate Risk Waste" means (a) any waste that exhibits any of the characteristics of hazardous waste but is exempt from regulation under this chapter solely because the waste is generated in quantities below the threshold for regulation and (b) any household wastes which are generated from the disposal of substances identified by the department as hazardous household substances, as that term is defined in and may be modified by amendment to RCW 70.105.010.

"Solid Waste" means all putrescible and nonputrescible solid and semi-solid wastes, including but not limited to garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities, but shall not include dangerous, hazardous or extremely hazardous waste, as that term is defined in and may be modified by amendment to RCW 70.105.010.

"Solid Waste Advisory Committee" or SWAC means a group formed pursuant to RCW 70.95.040 — .070 and comprised of representatives of unincorporated Yakima County, incorporated cities and towns, industry and businesses appointed by the Board of Yakima County Commissioners.

"Solid Waste Management Plan" means the coordinated comprehensive plan for solid waste management and updates as required by RCW 70.95.080.

"System" means all facilities for solid waste handling owned, operated or contracted for by the County, and all administrative activities related thereto.

"Waste Recycling" means reusing waste materials and extracting valuable materials from a waste stream.

"Waste Reduction" means reducing the amount or type of waste generated but shall not include reduction through energy recovery or incineration.

## II. PURPOSE

The purpose of this Agreement is to establish the respective responsibility of the parties in a solid waste management system which includes, but is not limited to: planning, waste reduction, recycling, and disposal of mixed municipal solid waste, industrial waste, demolition debris and all other waste defined as Solid Waste in RCW 70.95.030, and as Moderate Risk Waste in RCW 70.105.010.

## III. TERM

This Agreement shall become effective on date of signing by the City and remain in effect for a period of 20 years.

## IV. APPROVAL AND FILING

Pursuant to RCW 39.34.050, this Agreement shall be submitted to the Washington State Department of Ecology for its approval as to all matters within its jurisdiction. This Agreement shall be filed with the City Clerk, the Clerk of the Board of Yakima County Commissioners, the Yakima County Auditor, and the Secretary of State of the State of Washington.

## V. REVIEW AND RENEGOTIATION

- 5.1 Either party may request review and/or renegotiation of any provision of this Agreement other than those specified in Section 5.2 below during the six-month period immediately preceding the fifth anniversary of the effective date of this Agreement. Such request must be in writing and must specify the provision(s) of the Agreement for which review/renegotiation is requested. Review and/or renegotiation pursuant to such written request shall be initiated within thirty days of said receipt.
- 5.2 Review and/or renegotiation shall not include the issues of System rates and charges, waste stream (flow) control or diversion unless agreed to in writing by both parties.
- 5.3 Notwithstanding any other provision in this paragraph to the contrary, the parties may, pursuant to mutual agreement, modify or amend any provision of this Agreement at any time during the term of said Agreement.

## VI. WITHDRAWAL

In the event, following unsuccessful discussion between or among the parties, that a party that has requested review and/or renegotiation of any provision of this Agreement pursuant to Section V determines it is in that party's best interest to terminate its participation in and withdraw from

the Agreement, for any reason, then that party may withdraw from the remaining term of the Agreement after final satisfaction and completion of the following two conditions: first, that the withdrawing party must have prepared and gained approval from the Department of Ecology of its own Solid Waste Management Plan pursuant to RCW 70.95 and related provisions; and including each of the elements identified in Section 9.3 of this Agreement; and second, that the withdrawing party must enter into a written agreement with the County that the withdrawing party will remain responsible to the County for, and will continue to pay to the County when due, the withdrawing party's share of System costs, capital and operating, during the remaining term of this Agreement.

## VII. GENERAL OBLIGATIONS OF THE PARTIES

### 7.1 YAKIMA COUNTY

a. Management. Yakima County shall (1) provide county-wide solid waste management services for waste generated and collected within jurisdictions which are parties to this Agreement and (2) designate disposal facilities for all Solid Waste and Moderate Risk Waste generated and/or collected within the corporate limits of the City.

b. Planning. Yakima County shall serve as the planning authority within Yakima County for Solid Waste and Moderate Risk Waste, but shall not be responsible for planning for hazardous or dangerous waste or any other planning responsibility that is specifically delegated by State or Federal statute.

c. Operation. Yakima County, directly or by its designee, shall be the operating authority for County transfer, processing and disposal facilities (including public landfills, waste reduction or recycling facilities and energy resource recovery facilities) and shall have closure and post-closure responsibilities for landfills which are operated by Yakima County.

d. Collection Service. Yakima County shall not provide solid waste collection services within the corporate limits of the City, unless permitted by law and agreed to by both parties.

e. Support and Assistance. Yakima County shall provide limited support and technical assistance to the City if the City seeks to establish a waste reduction and recycling program compatible with the County waste reduction and recycling plan. The County may develop educational materials related to waste reduction and recycling, Moderate Risk Waste, and strategies for maximizing the usefulness of the materials and will make any such materials available to the City for its use.

f. Facilities and Services. All personal and real property acquired by Yakima County for solid waste management system purposes shall be the property of Yakima County.

### 7.2 CITY

a. Collection. The City shall be responsible for solid waste collection within the City's corporate limits.

b. Disposal. The City shall (1) designate the System for the disposal of all Solid Waste generated and/or collected within the City and (2) authorize the County to designate disposal facilities for the disposal of all Solid Waste including Moderate Risk Wastes, generated or collected within the corporate limits of the City, except for Solid Waste which is eliminated through Waste Reduction or Waste Recycling activities consistent with the Solid Waste Management Plan. No Solid Waste generated or collected within the City may be diverted from the System without County approval.

c. Compliance. All waste generated or collected from within the corporate limits of the City which is delivered to the System for disposal shall be in compliance with RCW 70.95 and all other federal, state and local environmental health laws, rules or regulations.

### **VIII. COUNTY SHALL SET DISPOSAL RATES AND OPERATING RULES FOR DISPOSAL**

In establishing or amending disposal rates for System users, the County may adopt and amend by resolution rates necessary to recover all costs of operating the System, including without limitation the costs of waste planning, handling, processing, disposal, defense and payment of claims; capital improvements, operational improvements, and the closure and post-closure of landfills which are or were operated by Yakima County or for which the County is responsible. The SWAC will provide comments or recommendations to the County in considering system or rate modifications.

### **IX. SOLID WASTE MANAGEMENT PLAN**

9.1 Yakima County is designated to prepare the Solid Waste Management Plan (SWMP) and updates, including the incorporated areas of the County pursuant to RCW 70.95.080(3).

9.2 The Solid Waste Management Plan will promote waste reduction and recycling goals that meet or exceed the Washington State Solid Waste Management priorities pursuant to Chapter 70.95 RCW.

9.3 The Solid Waste Management Plan will be prepared in accordance with Chapter 70.95 RCW and solid waste planning guidelines developed by the Department of Ecology. The plan shall include, but not be limited to:

- a. Descriptions of and policies regarding management practices and facilities required for handling all waste types;
- b. Schedules and responsibilities for implementing policies;
- c. Policies concerning waste reduction, recycling, energy and resource recovery, collection, transfer, long-haul transport, disposal, enforcement and administration.
- d. The designation of disposal site(s) for all Solid Waste collected within the incorporated and unincorporated areas of the County.



- e. Capital facilities and infrastructure element.

9.4 The cost of preparation by Yakima County of the Solid Waste Management Plan will be considered a cost of the System and financed out of disposal rates.

## X. UNCONTROLLABLE CIRCUMSTANCES

The parties are not liable for failure to perform pursuant to the terms of this Agreement when failure to perform was due to an Uncontrollable Circumstance. "Uncontrollable Circumstance" means any act, event or condition that has had or may reasonably be expected to have a material adverse effect on the rights or obligations of a party to this Agreement, if that act, event or condition is beyond the reasonable control of the party relying thereon as justification for not performing an obligation or complying with any condition required of that party under this Agreement.

Those acts, events or conditions are the following:

- a. An act of God, hurricanes, tornadoes, epidemic, landslide, lighting, earthquake, volcano eruption, nuclear radiation, fire or explosion, extreme flooding or other extreme and atypical weather condition, an act of public enemy, war, blockade, insurrection, riot, general arrest, or restraint of government and people, civil disturbance or similar occurrence, that directly affects the System;
- b. Failure of any appropriate federal, state or local agency or public or private utility having operational jurisdiction in the County, to provide and maintain and assure the maintenance of any necessary utility;
- c. Appeals by third parties of permits necessary for the construction and/or operation of the System;
- d. A change in law that specifically affects the processing of Solid Waste or Moderate Risk Waste;
- e. Any strike or labor dispute.

## XI. COMPLETE AGREEMENT

This Agreement supersedes all prior negotiations, representation and/or agreements between the parties relating to the subject matter of this Agreement and constitutes the entire contract between the parties. Any changes or revisions to this Agreement shall be in writing and authorized by both parties.

## XII. WAIVER

No waiver by either party of any term or condition of this Agreement shall be deemed or construed to constitute a waiver of any other term or condition or of any subsequent breach whether of the same or a different provision of this Agreement.

**XIII. THIRD PARTY BENEFICIARY**

This Agreement is not entered into with the intent that it shall benefit any other entity or person except those expressly described herein, and no other such person or entity shall be entitled to be treated as a third party beneficiary of this Agreement.

**XIV. SEVERABILITY AND VENUE**

If any of the provisions contained in this Agreement are held illegal, invalid or unenforceable, the remaining provisions shall remain in full force and effect. Any action, suit or judicial proceeding for the enforcement of this Agreement shall be brought in Superior Court of the State of Washington in Yakima County, Washington.

**XV. NOTICE**

IN WITNESS WHEREOF this Agreement has been executed by each party on the date set forth below:

CITY:

*Mike B.*  
MAYOR

BOARD OF YAKIMA COUNTY  
COMMISSIONERS:

*Ronald F. Gamache*  
Ronald F. Gamache, Chairman

DATE: 12/16/02

*Jesse S. Palacios*  
Jesse S. Palacios, County Commissioner *chair*

*James M. Lewis*  
James M. Lewis, County Commissioner

ATTEST: *Carla M. Ward*  
Clerk

ATTEST: *Carla M. Ward*  
Carla M. Ward, Clerk of the Board

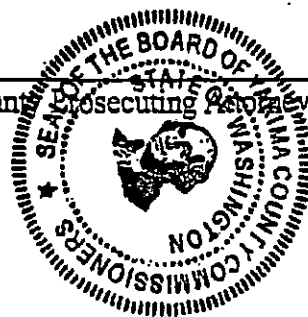
APPROVED AS TO FORM AND  
LEGALITY:

*[Signature]*  
City Attorney

DATE: 12/16/02

APPROVED AS TO FORM:

Yakima County Prosecuting Attorney



## SOLID WASTE INTERLOCAL AGREEMENT

This Agreement is entered into between Yakima County, a political subdivision of the State of Washington and Harrah, a municipal corporation of the State of Washington, hereinafter referred to as "County" and "City" respectively.

### PREAMBLE

This Agreement is entered into pursuant to Chapter 39.34 RCW for the purpose of cooperative management of solid waste in Yakima County. It is the intent of the parties to work cooperatively in establishing a Solid Waste Management Plan pursuant to Chapter 70.95 and with emphasis on the established priorities for solid waste management of waste reduction; waste recycling; energy recovery, incineration, or landfilling of separated waste; and landfilling of mixed wastes. The parties acknowledge their intent to meet or surpass applicable environmental standards with regard to the solid waste system.

### I. DEFINITIONS

For purposes of this Agreement the following definitions shall apply:

"Landfill" means a disposal facility or part of a facility at which waste is placed in or on land and which is not a land treatment facility, as that term is defined in and may be modified by amendment to RCW 70.95.030.

"Moderate Risk Waste" means (a) any waste that exhibits any of the characteristics of hazardous waste but is exempt from regulation under this chapter solely because the waste is generated in quantities below the threshold for regulation and (b) any household wastes which are generated from the disposal of substances identified by the department as hazardous household substances, as that term is defined in and may be modified by amendment to RCW 70.105.010.

"Solid Waste" means all putrescible and nonputrescible solid and semi-solid wastes, including but not limited to garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities, but shall not include dangerous, hazardous or extremely hazardous waste, as that term is defined in and may be modified by amendment to RCW 70.105.010.

"Solid Waste Advisory Committee" or SWAC means a group formed pursuant to RCW 70.95.040 — .070 and comprised of representatives of unincorporated Yakima County, incorporated cities and towns, industry and businesses appointed by the Board of Yakima County Commissioners.

"Solid Waste Management Plan" means the coordinated comprehensive plan for solid waste management and updates as required by RCW 70.95.080.

"System" means all facilities for solid waste handling owned, operated or contracted for by the County, and all administrative activities related thereto.

"Waste Recycling" means reusing waste materials and extracting valuable materials from a waste stream.

"Waste Reduction" means reducing the amount or type of waste generated but shall not include reduction through energy recovery or incineration.

## II. PURPOSE

The purpose of this Agreement is to establish the respective responsibility of the parties in a solid waste management system which includes, but is not limited to: planning, waste reduction, recycling, and disposal of mixed municipal solid waste, industrial waste, demolition debris and all other waste defined as Solid Waste in RCW 70.95.030, and as Moderate Risk Waste in RCW 70.105.010.

## III. TERM

This Agreement shall become effective on date of signing by the City and remain in effect for a period of 20 years.

## IV. APPROVAL AND FILING

Pursuant to RCW 39.34.050, this Agreement shall be submitted to the Washington State Department of Ecology for its approval as to all matters within its jurisdiction. This Agreement shall be filed with the City Clerk, the Clerk of the Board of Yakima County Commissioners, the Yakima County Auditor, and the Secretary of State of the State of Washington.

## V. REVIEW AND RENEGOTIATION

- 5.1 Either party may request review and/or renegotiation of any provision of this Agreement other than those specified in Section 5.2 below during the six-month period immediately preceding the fifth anniversary of the effective date of this Agreement. Such request must be in writing and must specify the provision(s) of the Agreement for which review/renegotiation is requested. Review and/or renegotiation pursuant to such written request shall be initiated within thirty days of said receipt.
- 5.2 Review and/or renegotiation shall not include the issues of System rates and charges, waste stream (flow) control or diversion unless agreed to in writing by both parties.
- 5.3 Notwithstanding any other provision in this paragraph to the contrary, the parties may, pursuant to mutual agreement, modify or amend any provision of this Agreement at any time during the term of said Agreement.

## VI. WITHDRAWAL

In the event, following unsuccessful discussion between or among the parties, that a party that has requested review and/or renegotiation of any provision of this Agreement pursuant to Section V determines it is in that party's best interest to terminate its participation in and withdraw from

the Agreement, for any reason, then that party may withdraw from the remaining term of the Agreement after final satisfaction and completion of the following two conditions: first, that the withdrawing party must have prepared and gained approval from the Department of Ecology of its own Solid Waste Management Plan pursuant to RCW 70.95 and related provisions, and including each of the elements identified in Section 9.3 of this Agreement; and second, that the withdrawing party must enter into a written agreement with the County that the withdrawing party will remain responsible to the County for, and will continue to pay to the County when due, the withdrawing party's share of System costs, capital and operating, during the remaining term of this Agreement.

## VII. GENERAL OBLIGATIONS OF THE PARTIES

### 7.1 YAKIMA COUNTY

a. Management. Yakima County shall (1) provide county-wide solid waste management services for waste generated and collected within jurisdictions which are parties to this Agreement and (2) designate disposal facilities for all Solid Waste and Moderate Risk Waste generated and/or collected within the corporate limits of the City.

b. Planning. Yakima County shall serve as the planning authority within Yakima County for Solid Waste and Moderate Risk Waste, but shall not be responsible for planning for hazardous or dangerous waste or any other planning responsibility that is specifically delegated by State or Federal statute.

c. Operation. Yakima County, directly or by its designee, shall be the operating authority for County transfer, processing and disposal facilities (including public landfills, waste reduction or recycling facilities and energy resource recovery facilities) and shall have closure and post-closure responsibilities for landfills which are operated by Yakima County.

d. Collection Service. Yakima County shall not provide solid waste collection services within the corporate limits of the City, unless permitted by law and agreed to by both parties.

e. Support and Assistance. Yakima County shall provide limited support and technical assistance to the City if the City seeks to establish a waste reduction and recycling program compatible with the County waste reduction and recycling plan. The County may develop educational materials related to waste reduction and recycling, Moderate Risk Waste, and strategies for maximizing the usefulness of the materials and will make any such materials available to the City for its use.

f. Facilities and Services. All personal and real property acquired by Yakima County for solid waste management system purposes shall be the property of Yakima County.

### 7.2 CITY

a. Collection. The City shall be responsible for solid waste collection within the City's corporate limits.

b. Disposal. The City shall (1) designate the System for the disposal of all Solid Waste generated and/or collected within the City and (2) authorize the County to designate disposal facilities for the disposal of all Solid Waste including Moderate Risk Wastes, generated or collected within the corporate limits of the City, except for Solid Waste which is eliminated through Waste Reduction or Waste Recycling activities consistent with the Solid Waste Management Plan. No Solid Waste generated or collected within the City may be diverted from the System without County approval.

c. Compliance. All waste generated or collected from within the corporate limits of the City which is delivered to the System for disposal shall be in compliance with RCW 70.95 and all other federal, state and local environmental health laws, rules or regulations.

### **VIII. COUNTY SHALL SET DISPOSAL RATES AND OPERATING RULES FOR DISPOSAL**

In establishing or amending disposal rates for System users, the County may adopt and amend by resolution rates necessary to recover all costs of operating the System, including without limitation the costs of waste planning, handling, processing, disposal, defense and payment of claims, capital improvements, operational improvements, and the closure and post-closure of landfills which are or were operated by Yakima County or for which the County is responsible. The SWAC will provide comments or recommendations to the County in considering system or rate modifications.

### **IX. SOLID WASTE MANAGEMENT PLAN**

9.1 Yakima County is designated to prepare the Solid Waste Management Plan (SWMP) and updates, including the incorporated areas of the County pursuant to RCW 70.95.080(3).

9.2 The Solid Waste Management Plan will promote waste reduction and recycling goals that meet or exceed the Washington State Solid Waste Management priorities pursuant to Chapter 70.95 RCW.

9.3 The Solid Waste Management Plan will be prepared in accordance with Chapter 70.95 RCW and solid waste planning guidelines developed by the Department of Ecology. The plan shall include, but not be limited to:

- a. Descriptions of and policies regarding management practices and facilities required for handling all waste types;
- b. Schedules and responsibilities for implementing policies;
- c. Policies concerning waste reduction, recycling, energy and resource recovery, collection, transfer, long-haul transport, disposal, enforcement and administration.
- d. The designation of disposal site(s) for all Solid Waste collected within the incorporated and unincorporated areas of the County.

- e. Capital facilities and infrastructure element.

9.4 The cost of preparation by Yakima County of the Solid Waste Management Plan will be considered a cost of the System and financed out of disposal rates.

## X. UNCONTROLLABLE CIRCUMSTANCES

The parties are not liable for failure to perform pursuant to the terms of this Agreement when failure to perform was due to an Uncontrollable Circumstance. "Uncontrollable Circumstance" means any act, event or condition that has had or may reasonably be expected to have a material adverse effect on the rights or obligations of a party to this Agreement, if that act, event or condition is beyond the reasonable control of the party relying thereon as justification for not performing an obligation or complying with any condition required of that party under this Agreement.

Those acts, events or conditions are the following:

- a. An act of God, hurricanes, tornadoes, epidemic, landslide, lighting, earthquake, volcano eruption, nuclear radiation, fire or explosion, extreme flooding or other extreme and atypical weather condition, an act of public enemy, war, blockade, insurrection, riot, general arrest, or restraint of government and people, civil disturbance or similar occurrence, that directly affects the System;
- b. Failure of any appropriate federal, state or local agency or public or private utility having operational jurisdiction in the County, to provide and maintain and assure the maintenance of any necessary utility;
- c. Appeals by third parties of permits necessary for the construction and/or operation of the System;
- d. A change in law that specifically affects the processing of Solid Waste or Moderate Risk Waste;
- e. Any strike or labor dispute.

## XI. COMPLETE AGREEMENT

This Agreement supersedes all prior negotiations, representation and/or agreements between the parties relating to the subject matter of this Agreement and constitutes the entire contract between the parties. Any changes or revisions to this Agreement shall be in writing and authorized by both parties.

## XII. WAIVER

No waiver by either party of any term or condition of this Agreement shall be deemed or construed to constitute a waiver of any other term or condition or of any subsequent breach whether of the same or a different provision of this Agreement.

**XIII. THIRD PARTY BENEFICIARY**

This Agreement is not entered into with the intent that it shall benefit any other entity or person except those expressly described herein, and no other such person or entity shall be entitled to be treated as a third party beneficiary of this Agreement.

**XIV. SEVERABILITY AND VENUE**

If any of the provisions contained in this Agreement are held illegal, invalid or unenforceable, the remaining provisions shall remain in full force and effect. Any action, suit or judicial proceeding for the enforcement of this Agreement shall be brought in Superior Court of the State of Washington in Yakima County, Washington.

**XV. NOTICE**

IN WITNESS WHEREOF this Agreement has been executed by each party on the date set forth below:

**CITY:**

**BOARD OF YAKIMA COUNTY COMMISSIONERS:**

Barbara Horner  
MAYOR

Ronald F. Gamache  
Ronald F. Gamache, Chairman

DATE: Dec 10, 2002

Jesse S. Palacios  
Jesse S. Palacios, County Commissioner CHAIR

James M. Lewis  
James M. Lewis, County Commissioner

**ATTEST:**

**ATTEST:**

Pat Marshall  
Clerk

Carla M. Ward  
Carla M. Ward, Clerk of the Board

**APPROVED AS TO FORM AND LEGALITY:**

**APPROVED AS TO FORM:**

[Signature]  
City Attorney

\_\_\_\_\_  
Yakima County Prosecuting Attorney

DATE: 12/11/02





## SOLID WASTE INTERLOCAL AGREEMENT

This Agreement is entered into between Yakima County, a political subdivision of the State of Washington and Mabton, a municipal corporation of the State of Washington, hereinafter referred to as "County" and "City" respectively.

### PREAMBLE

This Agreement is entered into pursuant to Chapter 39.34 RCW for the purpose of cooperative management of solid waste in Yakima County. It is the intent of the parties to work cooperatively in establishing a Solid Waste Management Plan pursuant to Chapter 70.95 and with emphasis on the established priorities for solid waste management of waste reduction; waste recycling; energy recovery, incineration, or landfilling of separated waste; and landfilling of mixed wastes. The parties acknowledge their intent to meet or surpass applicable environmental standards with regard to the solid waste system.

### I. DEFINITIONS

For purposes of this Agreement the following definitions shall apply:

"Landfill" means a disposal facility or part of a facility at which waste is placed in or on land and which is not a land treatment facility, as that term is defined in and may be modified by amendment to RCW 70.95.030.

"Moderate Risk Waste" means (a) any waste that exhibits any of the characteristics of hazardous waste but is exempt from regulation under this chapter solely because the waste is generated in quantities below the threshold for regulation and (b) any household wastes which are generated from the disposal of substances identified by the department as hazardous household substances, as that term is defined in and may be modified by amendment to RCW 70.105.010.

"Solid Waste" means all putrescible and nonputrescible solid and semi-solid wastes, including but not limited to garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities, but shall not include dangerous, hazardous or extremely hazardous waste, as that term is defined in and may be modified by amendment to RCW 70.105.010.

"Solid Waste Advisory Committee" or SWAC means a group formed pursuant to RCW 70.95.040 — .070 and comprised of representatives of unincorporated Yakima County, incorporated cities and towns, industry and businesses appointed by the Board of Yakima County Commissioners.

"Solid Waste Management Plan" means the coordinated comprehensive plan for solid waste management and updates as required by RCW 70.95.080.

"System" means all facilities for solid waste handling owned, operated or contracted for by the County, and all administrative activities related thereto.

"Waste Recycling" means reusing waste materials and extracting valuable materials from a waste stream.

"Waste Reduction" means reducing the amount or type of waste generated but shall not include reduction through energy recovery or incineration.

## II. PURPOSE

The purpose of this Agreement is to establish the respective responsibility of the parties in a solid waste management system which includes, but is not limited to: planning, waste reduction, recycling, and disposal of mixed municipal solid waste, industrial waste, demolition debris and all other waste defined as Solid Waste in RCW 70.95.030, and as Moderate Risk Waste in RCW 70.105.010.

## III. TERM

This Agreement shall become effective on date of signing by the City and remain in effect for a period of 20 years.

## IV. APPROVAL AND FILING

Pursuant to RCW 39.34.050, this Agreement shall be submitted to the Washington State Department of Ecology for its approval as to all matters within its jurisdiction. This Agreement shall be filed with the City Clerk, the Clerk of the Board of Yakima County Commissioners, the Yakima County Auditor, and the Secretary of State of the State of Washington.

## V. REVIEW AND RENEGOTIATION

- 5.1 Either party may request review and/or renegotiation of any provision of this Agreement other than those specified in Section 5.2 below during the six-month period immediately preceding the fifth anniversary of the effective date of this Agreement. Such request must be in writing and must specify the provision(s) of the Agreement for which review/renegotiation is requested. Review and/or renegotiation pursuant to such written request shall be initiated within thirty days of said receipt.
- 5.2 Review and/or renegotiation shall not include the issues of System rates and charges, waste stream (flow) control or diversion unless agreed to in writing by both parties.
- 5.3 Notwithstanding any other provision in this paragraph to the contrary, the parties may, pursuant to mutual agreement, modify or amend any provision of this Agreement at any time during the term of said Agreement.

## VI. WITHDRAWAL

In the event, following unsuccessful discussion between or among the parties, that a party that has requested review and/or renegotiation of any provision of this Agreement pursuant to Section V determines it is in that party's best interest to terminate its participation in and withdraw from

the Agreement, for any reason, then that party may withdraw from the remaining term of the Agreement after final satisfaction and completion of the following two conditions: first, that the withdrawing party must have prepared and gained approval from the Department of Ecology of its own Solid Waste Management Plan pursuant to RCW 70.95 and related provisions; and including each of the elements identified in Section 9.3 of this Agreement; and second, that the withdrawing party must enter into a written agreement with the County that the withdrawing party will remain responsible to the County for, and will continue to pay to the County when due, the withdrawing party's share of System costs, capital and operating, during the remaining term of this Agreement.

## VII. GENERAL OBLIGATIONS OF THE PARTIES

### 7.1 YAKIMA COUNTY

a. Management. Yakima County shall (1) provide county-wide solid waste management services for waste generated and collected within jurisdictions which are parties to this Agreement and (2) designate disposal facilities for all Solid Waste and Moderate Risk Waste generated and/or collected within the corporate limits of the City.

b. Planning. Yakima County shall serve as the planning authority within Yakima County for Solid Waste and Moderate Risk Waste, but shall not be responsible for planning for hazardous or dangerous waste or any other planning responsibility that is specifically delegated by State or Federal statute.

c. Operation. Yakima County, directly or by its designee, shall be the operating authority for County transfer, processing and disposal facilities (including public landfills, waste reduction or recycling facilities and energy resource recovery facilities) and shall have closure and post-closure responsibilities for landfills which are operated by Yakima County.

d. Collection Service. Yakima County shall not provide solid waste collection services within the corporate limits of the City, unless permitted by law and agreed to by both parties.

e. Support and Assistance. Yakima County shall provide limited support and technical assistance to the City if the City seeks to establish a waste reduction and recycling program compatible with the County waste reduction and recycling plan. The County may develop educational materials related to waste reduction and recycling, Moderate Risk Waste, and strategies for maximizing the usefulness of the materials and will make any such materials available to the City for its use.

f. Facilities and Services. All personal and real property acquired by Yakima County for solid waste management system purposes shall be the property of Yakima County.

### 7.2 CITY

a. Collection. The City shall be responsible for solid waste collection within the City's corporate limits.

b. Disposal. The City shall (1) designate the System for the disposal of all Solid Waste generated and/or collected within the City and (2) authorize the County to designate disposal facilities for the disposal of all Solid Waste including Moderate Risk Wastes, generated or collected within the corporate limits of the City, except for Solid Waste which is eliminated through Waste Reduction or Waste Recycling activities consistent with the Solid Waste Management Plan. No Solid Waste generated or collected within the City may be diverted from the System without County approval.

c. Compliance. All waste generated or collected from within the corporate limits of the City which is delivered to the System for disposal shall be in compliance with RCW 70.95 and all other federal, state and local environmental health laws, rules or regulations.

### **VIII. COUNTY SHALL SET DISPOSAL RATES AND OPERATING RULES FOR DISPOSAL**

In establishing or amending disposal rates for System users, the County may adopt and amend by resolution rates necessary to recover all costs of operating the System, including without limitation the costs of waste planning, handling, processing, disposal, defense and payment of claims, capital improvements, operational improvements, and the closure and post-closure of landfills which are or were operated by Yakima County or for which the County is responsible. The SWAC will provide comments or recommendations to the County in considering system or rate modifications.

### **IX. SOLID WASTE MANAGEMENT PLAN**

9.1 Yakima County is designated to prepare the Solid Waste Management Plan (SWMP) and updates, including the incorporated areas of the County pursuant to RCW 70.95.080(3).

9.2 The Solid Waste Management Plan will promote waste reduction and recycling goals that meet or exceed the Washington State Solid Waste Management priorities pursuant to Chapter 70.95 RCW.

9.3 The Solid Waste Management Plan will be prepared in accordance with Chapter 70.95 RCW and solid waste planning guidelines developed by the Department of Ecology. The plan shall include, but not be limited to:

- a. Descriptions of and policies regarding management practices and facilities required for handling all waste types;
- b. Schedules and responsibilities for implementing policies;
- c. Policies concerning waste reduction, recycling, energy and resource recovery, collection, transfer, long-haul transport, disposal, enforcement and administration.
- d. The designation of disposal site(s) for all Solid Waste collected within the incorporated and unincorporated areas of the County.

- e. Capital facilities and infrastructure element.

9.4 The cost of preparation by Yakima County of the Solid Waste Management Plan will be considered a cost of the System and financed out of disposal rates.

## X. UNCONTROLLABLE CIRCUMSTANCES

The parties are not liable for failure to perform pursuant to the terms of this Agreement when failure to perform was due to an Uncontrollable Circumstance. "Uncontrollable Circumstance" means any act, event or condition that has had or may reasonably be expected to have a material adverse effect on the rights or obligations of a party to this Agreement, if that act, event or condition is beyond the reasonable control of the party relying thereon as justification for not performing an obligation or complying with any condition required of that party under this Agreement.

Those acts, events or conditions are the following:

- a. An act of God, hurricanes, tornadoes, epidemic, landslide, lightning, earthquake, volcano eruption, nuclear radiation, fire or explosion, extreme flooding or other extreme and atypical weather condition, an act of public enemy, war, blockade, insurrection, riot, general arrest, or restraint of government and people, civil disturbance or similar occurrence, that directly affects the System;
- b. Failure of any appropriate federal, state or local agency or public or private utility having operational jurisdiction in the County, to provide and maintain and assure the maintenance of any necessary utility;
- c. Appeals by third parties of permits necessary for the construction and/or operation of the System;
- d. A change in law that specifically affects the processing of Solid Waste or Moderate Risk Waste;
- e. Any strike or labor dispute.

## XI. COMPLETE AGREEMENT

This Agreement supersedes all prior negotiations, representation and/or agreements between the parties relating to the subject matter of this Agreement and constitutes the entire contract between the parties. Any changes or revisions to this Agreement shall be in writing and authorized by both parties.

## XII. WAIVER

No waiver by either party of any term or condition of this Agreement shall be deemed or construed to constitute a waiver of any other term or condition or of any subsequent breach whether of the same or a different provision of this Agreement.

**XIII. THIRD PARTY BENEFICIARY**

This Agreement is not entered into with the intent that it shall benefit any other entity or person except those expressly described herein, and no other such person or entity shall be entitled to be treated as a third party beneficiary of this Agreement.

**XIV. SEVERABILITY AND VENUE**

If any of the provisions contained in this Agreement are held illegal, invalid or unenforceable, the remaining provisions shall remain in full force and effect. Any action, suit or judicial proceeding for the enforcement of this Agreement shall be brought in Superior Court of the State of Washington in Yakima County, Washington.

**XV. NOTICE**

IN WITNESS WHEREOF this Agreement has been executed by each party on the date set forth below:

CITY:

W.C.A. ★  
MAYOR

BOARD OF YAKIMA COUNTY  
COMMISSIONERS:

Ronald F. Gamache  
Ronald F. Gamache, Chairman

DATE: 4/3/03

Jesse S. Palacios  
Jesse S. Palacios, County Commissioner

James M. Lewis  
James M. Lewis, County Commissioner

ATTEST: Seldia Jackson  
Clerk

ATTEST: Carla M. Ward  
Carla M. Ward, Clerk of the Board

APPROVED AS TO FORM AND  
LEGALITY:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Yakima County Prosecuting Attorney

DATE: \_\_\_\_\_



## SOLID WASTE INTERLOCAL AGREEMENT

This Agreement is entered into between Yakima County, a political subdivision of the State of Washington and City of Moxee, a municipal corporation of the State of Washington, hereinafter referred to as "County" and "City" respectively.

### PREAMBLE

This Agreement is entered into pursuant to Chapter 39.34 RCW for the purpose of cooperative management of solid waste in Yakima County. It is the intent of the parties to work cooperatively in establishing a Solid Waste Management Plan pursuant to Chapter 70.95 and with emphasis on the established priorities for solid waste management of waste reduction; waste recycling; energy recovery, incineration, or landfilling of separated waste; and landfilling of mixed wastes. The parties acknowledge their intent to meet or surpass applicable environmental standards with regard to the solid waste system.

### I. DEFINITIONS

For purposes of this Agreement the following definitions shall apply:

"Landfill" means a disposal facility or part of a facility at which waste is placed in or on land and which is not a land treatment facility, as that term is defined in and may be modified by amendment to RCW 70.95.030.

"Moderate Risk Waste" means (a) any waste that exhibits any of the characteristics of hazardous waste but is exempt from regulation under this chapter solely because the waste is generated in quantities below the threshold for regulation and (b) any household wastes which are generated from the disposal of substances identified by the department as hazardous household substances, as that term is defined in and may be modified by amendment to RCW 70.105.010.

"Solid Waste" means all putrescible and nonputrescible solid and semi-solid wastes, including but not limited to garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities, but shall not include dangerous, hazardous or extremely hazardous waste, as that term is defined in and may be modified by amendment to RCW 70.105.010.

"Solid Waste Advisory Committee" or SWAC means a group formed pursuant to RCW 70.95.040 — .070 and comprised of representatives of unincorporated Yakima County, incorporated cities and towns, industry and businesses appointed by the Board of Yakima County Commissioners.

"Solid Waste Management Plan" means the coordinated comprehensive plan for solid waste management and updates as required by RCW 70.95.080.

"System" means all facilities for solid waste handling owned, operated or contracted for by the County, and all administrative activities related thereto.

"Waste Recycling" means reusing waste materials and extracting valuable materials from a waste stream.

"Waste Reduction" means reducing the amount or type of waste generated but shall not include reduction through energy recovery or incineration.

## II. PURPOSE

The purpose of this Agreement is to establish the respective responsibility of the parties in a solid waste management system which includes, but is not limited to: planning, waste reduction, recycling, and disposal of mixed municipal solid waste, industrial waste, demolition debris and all other waste defined as Solid Waste in RCW 70.95.030, and as Moderate Risk Waste in RCW 70.105.010.

## III. TERM

This Agreement shall become effective on date of signing by the City and remain in effect for a period of 20 years.

## IV. APPROVAL AND FILING

Pursuant to RCW 39.34.050, this Agreement shall be submitted to the Washington State Department of Ecology for its approval as to all matters within its jurisdiction. This Agreement shall be filed with the City Clerk, the Clerk of the Board of Yakima County Commissioners, the Yakima County Auditor, and the Secretary of State of the State of Washington.

## V. REVIEW AND RENEGOTIATION

- 5.1 Either party may request review and/or renegotiation of any provision of this Agreement other than those specified in Section 5.2 below during the six-month period immediately preceding the fifth anniversary of the effective date of this Agreement. Such request must be in writing and must specify the provision(s) of the Agreement for which review/renegotiation is requested. Review and/or renegotiation pursuant to such written request shall be initiated within thirty days of said receipt.
- 5.2 Review and/or renegotiation shall not include the issues of System rates and charges, waste stream (flow) control or diversion unless agreed to in writing by both parties.
- 5.3 Notwithstanding any other provision in this paragraph to the contrary, the parties may, pursuant to mutual agreement, modify or amend any provision of this Agreement at any time during the term of said Agreement.

## VI. WITHDRAWAL

In the event, following unsuccessful discussion between or among the parties, that a party that has requested review and/or renegotiation of any provision of this Agreement pursuant to Section V determines it is in that party's best interest to terminate its participation in and withdraw from



the Agreement, for any reason, then that party may withdraw from the remaining term of the Agreement after final satisfaction and completion of the following two conditions: first, that the withdrawing party must have prepared and gained approval from the Department of Ecology of its own Solid Waste Management Plan pursuant to RCW 70.95 and related provisions, and including each of the elements identified in Section 9.3 of this Agreement; and second, that the withdrawing party must enter into a written agreement with the County that the withdrawing party will remain responsible to the County for, and will continue to pay to the County when due, the withdrawing party's share of System costs, capital and operating, during the remaining term of this Agreement.

## VII. GENERAL OBLIGATIONS OF THE PARTIES

### 7.1 YAKIMA COUNTY

a. Management. Yakima County shall (1) provide county-wide solid waste management services for waste generated and collected within jurisdictions which are parties to this Agreement and (2) designate disposal facilities for all Solid Waste and Moderate Risk Waste generated and/or collected within the corporate limits of the City.

b. Planning. Yakima County shall serve as the planning authority within Yakima County for Solid Waste and Moderate Risk Waste, but shall not be responsible for planning for hazardous or dangerous waste or any other planning responsibility that is specifically delegated by State or Federal statute.

c. Operation. Yakima County, directly or by its designee, shall be the operating authority for County transfer, processing and disposal facilities (including public landfills, waste reduction or recycling facilities and energy resource recovery facilities) and shall have closure and post-closure responsibilities for landfills which are operated by Yakima County.

d. Collection Service. Yakima County shall not provide solid waste collection services within the corporate limits of the City, unless permitted by law and agreed to by both parties.

e. Support and Assistance. Yakima County shall provide limited support and technical assistance to the City if the City seeks to establish a waste reduction and recycling program compatible with the County waste reduction and recycling plan. The County may develop educational materials related to waste reduction and recycling, Moderate Risk Waste, and strategies for maximizing the usefulness of the materials and will make any such materials available to the City for its use.

f. Facilities and Services. All personal and real property acquired by Yakima County for solid waste management system purposes shall be the property of Yakima County.

### 7.2 CITY

a. Collection. The City shall be responsible for solid waste collection within the City's corporate limits.

b. Disposal. The City shall (1) designate the System for the disposal of all Solid Waste generated and/or collected within the City and (2) authorize the County to designate disposal facilities for the disposal of all Solid Waste including Moderate Risk Wastes, generated or collected within the corporate limits of the City, except for Solid Waste which is eliminated through Waste Reduction or Waste Recycling activities consistent with the Solid Waste Management Plan. No Solid Waste generated or collected within the City may be diverted from the System without County approval.

c. Compliance. All waste generated or collected from within the corporate limits of the City which is delivered to the System for disposal shall be in compliance with RCW 70.95 and all other federal, state and local environmental health laws, rules or regulations.

## **VIII. COUNTY SHALL SET DISPOSAL RATES AND OPERATING RULES FOR DISPOSAL**

In establishing or amending disposal rates for System users, the County may adopt and amend by resolution rates necessary to recover all costs of operating the System, including without limitation the costs of waste planning, handling, processing, disposal, defense and payment of claims, capital improvements, operational improvements, and the closure and post-closure of landfills which are or were operated by Yakima County or for which the County is responsible. The SWAC will provide comments or recommendations to the County in considering system or rate modifications.

## **IX. SOLID WASTE MANAGEMENT PLAN**

9.1 Yakima County is designated to prepare the Solid Waste Management Plan (SWMP) and updates, including the incorporated areas of the County pursuant to RCW 70.95.080(3).

9.2 The Solid Waste Management Plan will promote waste reduction and recycling goals that meet or exceed the Washington State Solid Waste Management priorities pursuant to Chapter 70.95 RCW.

9.3 The Solid Waste Management Plan will be prepared in accordance with Chapter 70.95 RCW and solid waste planning guidelines developed by the Department of Ecology. The plan shall include, but not be limited to:

- a. Descriptions of and policies regarding management practices and facilities required for handling all waste types;
- b. Schedules and responsibilities for implementing policies;
- c. Policies concerning waste reduction, recycling, energy and resource recovery, collection, transfer, long-haul transport, disposal, enforcement and administration.
- d. The designation of disposal site(s) for all Solid Waste collected within the incorporated and unincorporated areas of the County.

- e. Capital facilities and infrastructure element.

9.4 The cost of preparation by Yakima County of the Solid Waste Management Plan will be considered a cost of the System and financed out of disposal rates.

## X. UNCONTROLLABLE CIRCUMSTANCES

The parties are not liable for failure to perform pursuant to the terms of this Agreement when failure to perform was due to an Uncontrollable Circumstance. "Uncontrollable Circumstance" means any act, event or condition that has had or may reasonably be expected to have a material adverse effect on the rights or obligations of a party to this Agreement, if that act, event or condition is beyond the reasonable control of the party relying thereon as justification for not performing an obligation or complying with any condition required of that party under this Agreement.

Those acts, events or conditions are the following:

- a. An act of God, hurricanes, tornadoes, epidemic, landslide, lightning, earthquake, volcano eruption, nuclear radiation, fire or explosion, extreme flooding or other extreme and atypical weather condition, an act of public enemy, war, blockade, insurrection, riot, general arrest, or restraint of government and people, civil disturbance or similar occurrence, that directly affects the System;
- b. Failure of any appropriate federal, state or local agency or public or private utility having operational jurisdiction in the County, to provide and maintain and assure the maintenance of any necessary utility;
- c. Appeals by third parties of permits necessary for the construction and/or operation of the System;
- d. A change in law that specifically affects the processing of Solid Waste or Moderate Risk Waste;
- e. Any strike or labor dispute.

## XI. COMPLETE AGREEMENT

This Agreement supersedes all prior negotiations, representation and/or agreements between the parties relating to the subject matter of this Agreement and constitutes the entire contract between the parties. Any changes or revisions to this Agreement shall be in writing and authorized by both parties.

## XII. WAIVER

No waiver by either party of any term or condition of this Agreement shall be deemed or construed to constitute a waiver of any other term or condition or of any subsequent breach whether of the same or a different provision of this Agreement.

**XIII. THIRD PARTY BENEFICIARY**

This Agreement is not entered into with the intent that it shall benefit any other entity or person except those expressly described herein, and no other such person or entity shall be entitled to be treated as a third party beneficiary of this Agreement.

**XIV. SEVERABILITY AND VENUE**

If any of the provisions contained in this Agreement are held illegal, invalid or unenforceable, the remaining provisions shall remain in full force and effect. Any action, suit or judicial proceeding for the enforcement of this Agreement shall be brought in Superior Court of the State of Washington in Yakima County, Washington.

**XV. NOTICE**

IN WITNESS WHEREOF this Agreement has been executed by each party on the date set forth below:

**CITY:**

**BOARD OF YAKIMA COUNTY  
COMMISSIONERS:**

*Greg LaBee*  
MAYOR

*Ronald F. Gamache*  
Ronald F. Gamache, Chairman

DATE: 12/03/02

*Jesse S. Palacios*  
Jesse S. Palacios, County Commissioner *Chair*

*James M. Lewis*  
James M. Lewis, County Commissioner

**ATTEST:**

*Krista S. Hillman*  
Clerk

**ATTEST:**

*Carla M. Ward*  
Carla M. Ward, Clerk of the Board

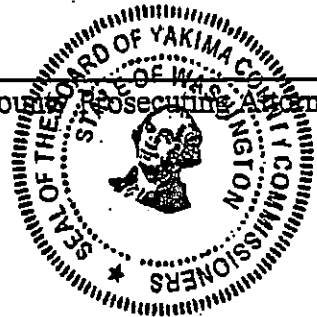
**APPROVED AS TO FORM AND  
LEGALITY:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Yakima County Prosecuting Attorney

DATE: \_\_\_\_\_



## SOLID WASTE INTERLOCAL AGREEMENT

This Agreement is entered into between Yakima County, a political subdivision of the State of Washington and Town of Naches a municipal corporation of the State of Washington, hereinafter referred to as "County" and "City" respectively.

### PREAMBLE

This Agreement is entered into pursuant to Chapter 39.34 RCW for the purpose of cooperative management of solid waste in Yakima County. It is the intent of the parties to work cooperatively in establishing a Solid Waste Management Plan pursuant to Chapter 70.95 and with emphasis on the established priorities for solid waste management of waste reduction; waste recycling; energy recovery, incineration, or landfilling of separated waste; and landfilling of mixed wastes. The parties acknowledge their intent to meet or surpass applicable environmental standards with regard to the solid waste system.

### I. DEFINITIONS

For purposes of this Agreement the following definitions shall apply:

"Landfill" means a disposal facility or part of a facility at which waste is placed in or on land and which is not a land treatment facility, as that term is defined in and may be modified by amendment to RCW 70.95.030.

"Moderate Risk Waste" means (a) any waste that exhibits any of the characteristics of hazardous waste but is exempt from regulation under this chapter solely because the waste is generated in quantities below the threshold for regulation and (b) any household wastes which are generated from the disposal of substances identified by the department as hazardous household substances, as that term is defined in and may be modified by amendment to RCW 70.105.010.

"Solid Waste" means all putrescible and nonputrescible solid and semi-solid wastes, including but not limited to garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities, but shall not include dangerous, hazardous or extremely hazardous waste, as that term is defined in and may be modified by amendment to RCW 70.105.010.

"Solid Waste Advisory Committee" or SWAC means a group formed pursuant to RCW 70.95.040 — .070 and comprised of representatives of unincorporated Yakima County, incorporated cities and towns, industry and businesses appointed by the Board of Yakima County Commissioners.

"Solid Waste Management Plan" means the coordinated comprehensive plan for solid waste management and updates as required by RCW 70.95.080.

"System" means all facilities for solid waste handling owned, operated or contracted for by the County, and all administrative activities related thereto.

"Waste Recycling" means reusing waste materials and extracting valuable materials from a waste stream.

"Waste Reduction" means reducing the amount or type of waste generated but shall not include reduction through energy recovery or incineration.

## II. PURPOSE

The purpose of this Agreement is to establish the respective responsibility of the parties in a solid waste management system which includes, but is not limited to: planning, waste reduction, recycling, and disposal of mixed municipal solid waste, industrial waste, demolition debris and all other waste defined as Solid Waste in RCW 70.95.030, and as Moderate Risk Waste in RCW 70.105.010.

## III. TERM

This Agreement shall become effective on date of signing by the City and remain in effect for a period of 20 years.

## IV. APPROVAL AND FILING

Pursuant to RCW 39.34.050, this Agreement shall be submitted to the Washington State Department of Ecology for its approval as to all matters within its jurisdiction. This Agreement shall be filed with the City Clerk, the Clerk of the Board of Yakima County Commissioners, the Yakima County Auditor, and the Secretary of State of the State of Washington.

## V. REVIEW AND RENEGOTIATION

- 5.1 Either party may request review and/or renegotiation of any provision of this Agreement other than those specified in Section 5.2 below during the six-month period immediately preceding the fifth anniversary of the effective date of this Agreement. Such request must be in writing and must specify the provision(s) of the Agreement for which review/renegotiation is requested. Review and/or renegotiation pursuant to such written request shall be initiated within thirty days of said receipt.
- 5.2 Review and/or renegotiation shall not include the issues of System rates and charges, waste stream (flow) control or diversion unless agreed to in writing by both parties.
- 5.3 Notwithstanding any other provision in this paragraph to the contrary, the parties may, pursuant to mutual agreement, modify or amend any provision of this Agreement at any time during the term of said Agreement.

## VI. WITHDRAWAL

In the event, following unsuccessful discussion between or among the parties, that a party that has requested review and/or renegotiation of any provision of this Agreement pursuant to Section V determines it is in that party's best interest to terminate its participation in and withdraw from

the Agreement, for any reason, then that party may withdraw from the remaining term of the Agreement after final satisfaction and completion of the following two conditions: first, that the withdrawing party must have prepared and gained approval from the Department of Ecology of its own Solid Waste Management Plan pursuant to RCW 70.95 and related provisions, and including each of the elements identified in Section 9.3 of this Agreement; and second, that the withdrawing party must enter into a written agreement with the County that the withdrawing party will remain responsible to the County for, and will continue to pay to the County when due, the withdrawing party's share of System costs, capital and operating, during the remaining term of this Agreement.

## VII. GENERAL OBLIGATIONS OF THE PARTIES

### 7.1 YAKIMA COUNTY

a. Management. Yakima County shall (1) provide county-wide solid waste management services for waste generated and collected within jurisdictions which are parties to this Agreement and (2) designate disposal facilities for all Solid Waste and Moderate Risk Waste generated and/or collected within the corporate limits of the City.

b. Planning. Yakima County shall serve as the planning authority within Yakima County for Solid Waste and Moderate Risk Waste, but shall not be responsible for planning for hazardous or dangerous waste or any other planning responsibility that is specifically delegated by State or Federal statute.

c. Operation. Yakima County, directly or by its designee, shall be the operating authority for County transfer, processing and disposal facilities (including public landfills, waste reduction or recycling facilities and energy resource recovery facilities) and shall have closure and post-closure responsibilities for landfills which are operated by Yakima County.

d. Collection Service. Yakima County shall not provide solid waste collection services within the corporate limits of the City, unless permitted by law and agreed to by both parties.

e. Support and Assistance. Yakima County shall provide limited support and technical assistance to the City if the City seeks to establish a waste reduction and recycling program compatible with the County waste reduction and recycling plan. The County may develop educational materials related to waste reduction and recycling, Moderate Risk Waste, and strategies for maximizing the usefulness of the materials and will make any such materials available to the City for its use.

f. Facilities and Services. All personal and real property acquired by Yakima County for solid waste management system purposes shall be the property of Yakima County.

### 7.2 CITY

a. Collection. The City shall be responsible for solid waste collection within the City's corporate limits.

b. Disposal. The City shall (1) designate the System for the disposal of all Solid Waste generated and/or collected within the City and (2) authorize the County to designate disposal facilities for the disposal of all Solid Waste including Moderate Risk Wastes, generated or collected within the corporate limits of the City, except for Solid Waste which is eliminated through Waste Reduction or Waste Recycling activities consistent with the Solid Waste Management Plan. No Solid Waste generated or collected within the City may be diverted from the System without County approval.

c. Compliance. All waste generated or collected from within the corporate limits of the City which is delivered to the System for disposal shall be in compliance with RCW 70.95 and all other federal, state and local environmental health laws, rules or regulations.

### **VIII. COUNTY SHALL SET DISPOSAL RATES AND OPERATING RULES FOR DISPOSAL**

In establishing or amending disposal rates for System users, the County may adopt and amend by resolution rates necessary to recover all costs of operating the System, including without limitation the costs of waste planning, handling, processing, disposal, defense and payment of claims, capital improvements, operational improvements, and the closure and post-closure of landfills which are or were operated by Yakima County or for which the County is responsible. The SWAC will provide comments or recommendations to the County in considering system or rate modifications.

### **IX. SOLID WASTE MANAGEMENT PLAN**

9.1 Yakima County is designated to prepare the Solid Waste Management Plan (SWMP) and updates, including the incorporated areas of the County pursuant to RCW 70.95.080(3).

9.2 The Solid Waste Management Plan will promote waste reduction and recycling goals that meet or exceed the Washington State Solid Waste Management priorities pursuant to Chapter 70.95 RCW.

9.3 The Solid Waste Management Plan will be prepared in accordance with Chapter 70.95 RCW and solid waste planning guidelines developed by the Department of Ecology. The plan shall include, but not be limited to:

- a. Descriptions of and policies regarding management practices and facilities required for handling all waste types;
- b. Schedules and responsibilities for implementing policies;
- c. Policies concerning waste reduction, recycling, energy and resource recovery, collection, transfer, long-haul transport, disposal, enforcement and administration.
- d. The designation of disposal site(s) for all Solid Waste collected within the incorporated and unincorporated areas of the County.



- e. Capital facilities and infrastructure element.

9.4 The cost of preparation by Yakima County of the Solid Waste Management Plan will be considered a cost of the System and financed out of disposal rates.

## X. UNCONTROLLABLE CIRCUMSTANCES

The parties are not liable for failure to perform pursuant to the terms of this Agreement when failure to perform was due to an Uncontrollable Circumstance. "Uncontrollable Circumstance" means any act, event or condition that has had or may reasonably be expected to have a material adverse effect on the rights or obligations of a party to this Agreement, if that act, event or condition is beyond the reasonable control of the party relying thereon as justification for not performing an obligation or complying with any condition required of that party under this Agreement.

Those acts, events or conditions are the following:

- a. An act of God, hurricanes, tornadoes, epidemic, landslide, lighting, earthquake, volcano eruption, nuclear radiation, fire or explosion, extreme flooding or other extreme and atypical weather condition, an act of public enemy, war, blockade, insurrection, riot, general arrest, or restraint of government and people, civil disturbance or similar occurrence, that directly affects the System;
- b. Failure of any appropriate federal, state or local agency or public or private utility having operational jurisdiction in the County, to provide and maintain and assure the maintenance of any necessary utility;
- c. Appeals by third parties of permits necessary for the construction and/or operation of the System;
- d. A change in law that specifically affects the processing of Solid Waste or Moderate Risk Waste;
- e. Any strike or labor dispute.

## XI. COMPLETE AGREEMENT

This Agreement supersedes all prior negotiations, representation and/or agreements between the parties relating to the subject matter of this Agreement and constitutes the entire contract between the parties. Any changes or revisions to this Agreement shall be in writing and authorized by both parties.

## XII. WAIVER

No waiver by either party of any term or condition of this Agreement shall be deemed or construed to constitute a waiver of any other term or condition or of any subsequent breach whether of the same or a different provision of this Agreement.

**XIII. THIRD PARTY BENEFICIARY**

This Agreement is not entered into with the intent that it shall benefit any other entity or person except those expressly described herein, and no other such person or entity shall be entitled to be treated as a third party beneficiary of this Agreement.

**XIV. SEVERABILITY AND VENUE**

If any of the provisions contained in this Agreement are held illegal, invalid or unenforceable, the remaining provisions shall remain in full force and effect. Any action, suit or judicial proceeding for the enforcement of this Agreement shall be brought in Superior Court of the State of Washington in Yakima County, Washington.

**XV. NOTICE**

IN WITNESS WHEREOF this Agreement has been executed by each party on the date set forth below:

CITY:

*[Handwritten Signature]*  
\_\_\_\_\_

MAYOR

BOARD OF YAKIMA COUNTY  
COMMISSIONERS:

*[Handwritten Signature]*  
\_\_\_\_\_

Ronald F. Gamache, Chairman

DATE: *December 9, 2002*

*[Handwritten Signature]*  
\_\_\_\_\_

Jesse S. Palacios, County Commissioner CHAIR

*[Handwritten Signature]*  
\_\_\_\_\_

James M. Lewis, County Commissioner

ATTEST:

*[Handwritten Signature]*  
\_\_\_\_\_

Clerk

ATTEST:

*[Handwritten Signature]*  
\_\_\_\_\_

Carla M. Ward, Clerk of the Board

APPROVED AS TO FORM AND  
LEGALITY:

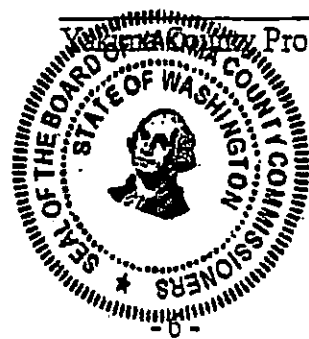
*[Handwritten Signature]*  
\_\_\_\_\_

City Attorney

APPROVED AS TO FORM:

\_\_\_\_\_  
Prosecuting Attorney

DATE: *December 9, 2002*



## SOLID WASTE INTERLOCAL AGREEMENT

This Agreement is entered into between Yakima County, a political subdivision of the State of Washington and SeLah, a municipal corporation of the State of Washington, hereinafter referred to as "County" and "City" respectively.

### PREAMBLE

This Agreement is entered into pursuant to Chapter 39.34 RCW for the purpose of cooperative management of solid waste in Yakima County. It is the intent of the parties to work cooperatively in establishing a Solid Waste Management Plan pursuant to Chapter 70.95 and with emphasis on the established priorities for solid waste management of waste reduction; waste recycling; energy recovery, incineration, or landfilling of separated waste; and landfilling of mixed wastes. The parties acknowledge their intent to meet or surpass applicable environmental standards with regard to the solid waste system.

### I. DEFINITIONS

For purposes of this Agreement the following definitions shall apply:

"Landfill" means a disposal facility or part of a facility at which waste is placed in or on land and which is not a land treatment facility, as that term is defined in and may be modified by amendment to RCW 70.95.030.

"Moderate Risk Waste" means (a) any waste that exhibits any of the characteristics of hazardous waste but is exempt from regulation under this chapter solely because the waste is generated in quantities below the threshold for regulation and (b) any household wastes which are generated from the disposal of substances identified by the department as hazardous household substances, as that term is defined in and may be modified by amendment to RCW 70.105.010.

"Solid Waste" means all putrescible and nonputrescible solid and semi-solid wastes, including but not limited to garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities, but shall not include dangerous, hazardous or extremely hazardous waste, as that term is defined in and may be modified by amendment to RCW 70.105.010.

"Solid Waste Advisory Committee" or SWAC means a group formed pursuant to RCW 70.95.040 — .070 and comprised of representatives of unincorporated Yakima County, incorporated cities and towns, industry and businesses appointed by the Board of Yakima County Commissioners.

"Solid Waste Management Plan" means the coordinated comprehensive plan for solid waste management and updates as required by RCW 70.95.080.

"System" means all facilities for solid waste handling owned, operated or contracted for by the County, and all administrative activities related thereto.

"Waste Recycling" means reusing waste materials and extracting valuable materials from a waste stream.

"Waste Reduction" means reducing the amount or type of waste generated but shall not include reduction through energy recovery or incineration.

## II. PURPOSE

The purpose of this Agreement is to establish the respective responsibility of the parties in a solid waste management system which includes, but is not limited to: planning, waste reduction, recycling, and disposal of mixed municipal solid waste, industrial waste, demolition debris and all other waste defined as Solid Waste in RCW 70.95.030, and as Moderate Risk Waste in RCW 70.105.010.

## III. TERM

This Agreement shall become effective on date of signing by the City and remain in effect for a period of 20 years.

## IV. APPROVAL AND FILING

Pursuant to RCW 39.34.050, this Agreement shall be submitted to the Washington State Department of Ecology for its approval as to all matters within its jurisdiction. This Agreement shall be filed with the City Clerk, the Clerk of the Board of Yakima County Commissioners, the Yakima County Auditor, and the Secretary of State of the State of Washington.

## V. REVIEW AND RENEGOTIATION

- 5.1 Either party may request review and/or renegotiation of any provision of this Agreement other than those specified in Section 5.2 below during the six-month period immediately preceding the fifth anniversary of the effective date of this Agreement. Such request must be in writing and must specify the provision(s) of the Agreement for which review/renegotiation is requested. Review and/or renegotiation pursuant to such written request shall be initiated within thirty days of said receipt.
- 5.2 Review and/or renegotiation shall not include the issues of System rates and charges, waste stream (flow) control or diversion unless agreed to in writing by both parties.
- 5.3 Notwithstanding any other provision in this paragraph to the contrary, the parties may, pursuant to mutual agreement, modify or amend any provision of this Agreement at any time during the term of said Agreement.

## VI. WITHDRAWAL

In the event, following unsuccessful discussion between or among the parties, that a party that has requested review and/or renegotiation of any provision of this Agreement pursuant to Section V determines it is in that party's best interest to terminate its participation in and withdraw from

the Agreement, for any reason, then that party may withdraw from the remaining term of the Agreement after final satisfaction and completion of the following two conditions: first, that the withdrawing party must have prepared and gained approval from the Department of Ecology of its own Solid Waste Management Plan pursuant to RCW 70.95 and related provisions, and including each of the elements identified in Section 9.3 of this Agreement; and second, that the withdrawing party must enter into a written agreement with the County that the withdrawing party will remain responsible to the County for, and will continue to pay to the County when due, the withdrawing party's share of System costs, capital and operating, during the remaining term of this Agreement.

## VII. GENERAL OBLIGATIONS OF THE PARTIES

### 7.1 YAKIMA COUNTY

a. Management. Yakima County shall (1) provide county-wide solid waste management services for waste generated and collected within jurisdictions which are parties to this Agreement and (2) designate disposal facilities for all Solid Waste and Moderate Risk Waste generated and/or collected within the corporate limits of the City.

b. Planning. Yakima County shall serve as the planning authority within Yakima County for Solid Waste and Moderate Risk Waste, but shall not be responsible for planning for hazardous or dangerous waste or any other planning responsibility that is specifically delegated by State or Federal statute.

c. Operation. Yakima County, directly or by its designee, shall be the operating authority for County transfer, processing and disposal facilities (including public landfills, waste reduction or recycling facilities and energy resource recovery facilities) and shall have closure and post-closure responsibilities for landfills which are operated by Yakima County.

d. Collection Service. Yakima County shall not provide solid waste collection services within the corporate limits of the City, unless permitted by law and agreed to by both parties.

e. Support and Assistance. Yakima County shall provide limited support and technical assistance to the City if the City seeks to establish a waste reduction and recycling program compatible with the County waste reduction and recycling plan. The County may develop educational materials related to waste reduction and recycling, Moderate Risk Waste, and strategies for maximizing the usefulness of the materials and will make any such materials available to the City for its use.

f. Facilities and Services. All personal and real property acquired by Yakima County for solid waste management system purposes shall be the property of Yakima County.

### 7.2 CITY

a. Collection. The City shall be responsible for solid waste collection within the City's corporate limits.

b. Disposal. The City shall (1) designate the System for the disposal of all Solid Waste generated and/or collected within the City and (2) authorize the County to designate disposal facilities for the disposal of all Solid Waste including Moderate Risk Wastes, generated or collected within the corporate limits of the City, except for Solid Waste which is eliminated through Waste Reduction or Waste Recycling activities consistent with the Solid Waste Management Plan. No Solid Waste generated or collected within the City may be diverted from the System without County approval.

c. Compliance. All waste generated or collected from within the corporate limits of the City which is delivered to the System for disposal shall be in compliance with RCW 70.95 and all other federal, state and local environmental health laws, rules or regulations.

### **VIII. COUNTY SHALL SET DISPOSAL RATES AND OPERATING RULES FOR DISPOSAL**

In establishing or amending disposal rates for System users, the County may adopt and amend by resolution rates necessary to recover all costs of operating the System, including without limitation the costs of waste planning, handling, processing, disposal, defense and payment of claims, capital improvements, operational improvements, and the closure and post-closure of landfills which are or were operated by Yakima County or for which the County is responsible. The SWAC will provide comments or recommendations to the County in considering system or rate modifications.

### **IX. SOLID WASTE MANAGEMENT PLAN**

9.1 Yakima County is designated to prepare the Solid Waste Management Plan (SWMP) and updates, including the incorporated areas of the County pursuant to RCW 70.95.080(3):

9.2 The Solid Waste Management Plan will promote waste reduction and recycling goals that meet or exceed the Washington State Solid Waste Management priorities pursuant to Chapter 70.95 RCW.

9.3 The Solid Waste Management Plan will be prepared in accordance with Chapter 70.95 RCW and solid waste planning guidelines developed by the Department of Ecology. The plan shall include, but not be limited to:

- a. Descriptions of and policies regarding management practices and facilities required for handling all waste types;
- b. Schedules and responsibilities for implementing policies;
- c. Policies concerning waste reduction, recycling, energy and resource recovery, collection, transfer, long-haul transport, disposal, enforcement and administration.
- d. The designation of disposal site(s) for all Solid Waste collected within the incorporated and unincorporated areas of the County.

- e. Capital facilities and infrastructure element.

9.4 The cost of preparation by Yakima County of the Solid Waste Management Plan will be considered a cost of the System and financed out of disposal rates.

## X. UNCONTROLLABLE CIRCUMSTANCES

The parties are not liable for failure to perform pursuant to the terms of this Agreement when failure to perform was due to an Uncontrollable Circumstance. "Uncontrollable Circumstance" means any act, event or condition that has had or may reasonably be expected to have a material adverse effect on the rights or obligations of a party to this Agreement, if that act, event or condition is beyond the reasonable control of the party relying thereon as justification for not performing an obligation or complying with any condition required of that party under this Agreement.

Those acts, events or conditions are the following:

- a. An act of God, hurricanes, tornadoes, epidemic, landslide, lighting, earthquake, volcano eruption, nuclear radiation, fire or explosion, extreme flooding or other extreme and atypical weather condition, an act of public enemy, war, blockade, insurrection, riot, general arrest, or restraint of government and people, civil disturbance or similar occurrence, that directly affects the System;
- b. Failure of any appropriate federal, state or local agency or public or private utility having operational jurisdiction in the County, to provide and maintain and assure the maintenance of any necessary utility;
- c. Appeals by third parties of permits necessary for the construction and/or operation of the System;
- d. A change in law that specifically affects the processing of Solid Waste or Moderate Risk Waste;
- e. Any strike or labor dispute.

## XI. COMPLETE AGREEMENT

This Agreement supersedes all prior negotiations, representation and/or agreements between the parties relating to the subject matter of this Agreement and constitutes the entire contract between the parties. Any changes or revisions to this Agreement shall be in writing and authorized by both parties.

## XII. WAIVER

No waiver by either party of any term or condition of this Agreement shall be deemed or construed to constitute a waiver of any other term or condition or of any subsequent breach whether of the same or a different provision of this Agreement.

**XIII. THIRD PARTY BENEFICIARY**

This Agreement is not entered into with the intent that it shall benefit any other entity or person except those expressly described herein, and no other such person or entity shall be entitled to be treated as a third party beneficiary of this Agreement.

**XIV. SEVERABILITY AND VENUE**


If any of the provisions contained in this Agreement are held illegal, invalid or unenforceable, the remaining provisions shall remain in full force and effect. Any action, suit or judicial proceeding for the enforcement of this Agreement shall be brought in Superior Court of the State of Washington in Yakima County, Washington.

**XV. NOTICE**

IN WITNESS WHEREOF this Agreement has been executed by each party on the date set forth below:

CITY: SELAH

**BOARD OF YAKIMA COUNTY COMMISSIONERS:**

  
MAYOR Robert L. Jones

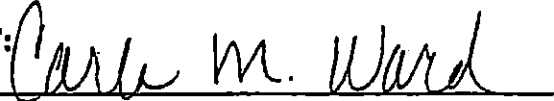
  
Ronald F. Gamache, Chairman

DATE: 4/8/03

  
Jesse S. Palacios, County Commissioner

  
James M. Lewis, County Commissioner

ATTEST:   
Clerk Dale E. Novobielski

ATTEST:   
Carla M. Ward, Clerk of the Board

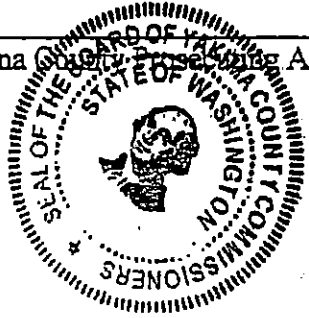
APPROVED AS TO FORM AND LEGALITY:

APPROVED AS TO FORM:

n/a  
City Attorney

Yakima County Attorney

DATE: 4/8/03





## SOLID WASTE INTERLOCAL AGREEMENT

This Agreement is entered into between Yakima County, a political subdivision of the State of Washington and ~~CITY OF SUNNYSIDE~~ municipal corporation of the State of Washington, hereinafter referred to as "County" and "City" respectively.

### PREAMBLE

This Agreement is entered into pursuant to Chapter 39.34 RCW for the purpose of cooperative management of solid waste in Yakima County. It is the intent of the parties to work cooperatively in establishing a Solid Waste Management Plan pursuant to Chapter 70.95 and with emphasis on the established priorities for solid waste management of waste reduction; waste recycling; energy recovery, incineration, or landfilling of separated waste; and landfilling of mixed wastes. The parties acknowledge their intent to meet or surpass applicable environmental standards with regard to the solid waste system.

### I. DEFINITIONS

For purposes of this Agreement the following definitions shall apply:

"Landfill" means a disposal facility or part of a facility at which waste is placed in or on land and which is not a land treatment facility, as that term is defined in and may be modified by amendment to RCW 70.95.030.

"Moderate Risk Waste" means (a) any waste that exhibits any of the characteristics of hazardous waste but is exempt from regulation under this chapter solely because the waste is generated in quantities below the threshold for regulation and (b) any household wastes which are generated from the disposal of substances identified by the department as hazardous household substances, as that term is defined in and may be modified by amendment to RCW 70.105.010.

"Solid Waste" means all putrescible and nonputrescible solid and semi-solid wastes, including but not limited to garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities, but shall not include dangerous, hazardous or extremely hazardous waste, as that term is defined in and may be modified by amendment to RCW 70.105.010.

"Solid Waste Advisory Committee" or SWAC means a group formed pursuant to RCW 70.95.040 — .070 and comprised of representatives of unincorporated Yakima County, incorporated cities and towns, industry and businesses appointed by the Board of Yakima County Commissioners.

"Solid Waste Management Plan" means the coordinated comprehensive plan for solid waste management and updates as required by RCW 70.95.080.

"System" means all facilities for solid waste handling owned, operated or contracted for by the County, and all administrative activities related thereto.

"Waste Recycling" means reusing waste materials and extracting valuable materials from a waste stream.

"Waste Reduction" means reducing the amount or type of waste generated but shall not include reduction through energy recovery or incineration.

## II. PURPOSE

The purpose of this Agreement is to establish the respective responsibility of the parties in a solid waste management system which includes, but is not limited to: planning, waste reduction, recycling, and disposal of mixed municipal solid waste, industrial waste, demolition debris and all other waste defined as Solid Waste in RCW 70.95.030, and as Moderate Risk Waste in RCW 70.105.010.

## III. TERM

This Agreement shall become effective on date of signing by the City and remain in effect for a period of 20 years.

## IV. APPROVAL AND FILING

Pursuant to RCW 39.34.050, this Agreement shall be submitted to the Washington State Department of Ecology for its approval as to all matters within its jurisdiction. This Agreement shall be filed with the City Clerk, the Clerk of the Board of Yakima County Commissioners, the Yakima County Auditor, and the Secretary of State of the State of Washington.

## V. REVIEW AND RENEGOTIATION

- 5.1 Either party may request review and/or renegotiation of any provision of this Agreement other than those specified in Section 5.2 below during the six-month period immediately preceding the fifth anniversary of the effective date of this Agreement. Such request must be in writing and must specify the provision(s) of the Agreement for which review/renegotiation is requested. Review and/or renegotiation pursuant to such written request shall be initiated within thirty days of said receipt.
- 5.2 Review and/or renegotiation shall not include the issues of System rates and charges, waste stream (flow) control or diversion unless agreed to in writing by both parties.
- 5.3 Notwithstanding any other provision in this paragraph to the contrary, the parties may, pursuant to mutual agreement, modify or amend any provision of this Agreement at any time during the term of said Agreement.

## VI. WITHDRAWAL

In the event, following unsuccessful discussion between or among the parties, that a party that has requested review and/or renegotiation of any provision of this Agreement pursuant to Section V determines it is in that party's best interest to terminate its participation in and withdraw from

the Agreement, for any reason, then that party may withdraw from the remaining term of the Agreement after final satisfaction and completion of the following two conditions: first, that the withdrawing party must have prepared and gained approval from the Department of Ecology of its own Solid Waste Management Plan pursuant to RCW 70.95 and related provisions, and including each of the elements identified in Section 9.3 of this Agreement; and second, that the withdrawing party must enter into a written agreement with the County that the withdrawing party will remain responsible to the County for, and will continue to pay to the County when due, the withdrawing party's share of System costs, capital and operating, during the remaining term of this Agreement.

## VII. GENERAL OBLIGATIONS OF THE PARTIES

### 7.1 YAKIMA COUNTY

a. Management. Yakima County shall (1) provide county-wide solid waste management services for waste generated and collected within jurisdictions which are parties to this Agreement and (2) designate disposal facilities for all Solid Waste and Moderate Risk Waste generated and/or collected within the corporate limits of the City.

b. Planning. Yakima County shall serve as the planning authority within Yakima County for Solid Waste and Moderate Risk Waste, but shall not be responsible for planning for hazardous or dangerous waste or any other planning responsibility that is specifically delegated by State or Federal statute.

c. Operation. Yakima County, directly or by its designee, shall be the operating authority for County transfer, processing and disposal facilities (including public landfills, waste reduction or recycling facilities and energy resource recovery facilities) and shall have closure and post-closure responsibilities for landfills which are operated by Yakima County.

d. Collection Service. Yakima County shall not provide solid waste collection services within the corporate limits of the City, unless permitted by law and agreed to by both parties.

e. Support and Assistance. Yakima County shall provide limited support and technical assistance to the City if the City seeks to establish a waste reduction and recycling program compatible with the County waste reduction and recycling plan. The County may develop educational materials related to waste reduction and recycling, Moderate Risk Waste, and strategies for maximizing the usefulness of the materials and will make any such materials available to the City for its use.

f. Facilities and Services. All personal and real property acquired by Yakima County for solid waste management system purposes shall be the property of Yakima County.

### 7.2 CITY

a. Collection. The City shall be responsible for solid waste collection within the City's corporate limits.

b. Disposal. The City shall (1) designate the System for the disposal of all Solid Waste generated and/or collected within the City and (2) authorize the County to designate disposal facilities for the disposal of all Solid Waste including Moderate Risk Wastes, generated or collected within the corporate limits of the City, except for Solid Waste which is eliminated through Waste Reduction or Waste Recycling activities consistent with the Solid Waste Management Plan. No Solid Waste generated or collected within the City may be diverted from the System without County approval.

c. Compliance. All waste generated or collected from within the corporate limits of the City which is delivered to the System for disposal shall be in compliance with RCW 70.95 and all other federal, state and local environmental health laws, rules or regulations.

### **VIII. COUNTY SHALL SET DISPOSAL RATES AND OPERATING RULES FOR DISPOSAL**

In establishing or amending disposal rates for System users, the County may adopt and amend by resolution rates necessary to recover all costs of operating the System, including without limitation the costs of waste planning, handling, processing, disposal, defense and payment of claims, capital improvements, operational improvements, and the closure and post-closure of landfills which are or were operated by Yakima County or for which the County is responsible. The SWAC will provide comments or recommendations to the County in considering system or rate modifications.

### **IX. SOLID WASTE MANAGEMENT PLAN**

9.1 Yakima County is designated to prepare the Solid Waste Management Plan (SWMP) and updates, including the incorporated areas of the County pursuant to RCW 70.95.080(3).

9.2 The Solid Waste Management Plan will promote waste reduction and recycling goals that meet or exceed the Washington State Solid Waste Management priorities pursuant to Chapter 70.95 RCW.

9.3 The Solid Waste Management Plan will be prepared in accordance with Chapter 70.95 RCW and solid waste planning guidelines developed by the Department of Ecology. The plan shall include, but not be limited to:

- a. Descriptions of and policies regarding management practices and facilities required for handling all waste types;
- b. Schedules and responsibilities for implementing policies;
- c. Policies concerning waste reduction, recycling, energy and resource recovery, collection, transfer, long-haul transport, disposal, enforcement and administration.
- d. The designation of disposal site(s) for all Solid Waste collected within the incorporated and unincorporated areas of the County.

- e. Capital facilities and infrastructure element.

9.4 The cost of preparation by Yakima County of the Solid Waste Management Plan will be considered a cost of the System and financed out of disposal rates.

## X. UNCONTROLLABLE CIRCUMSTANCES

The parties are not liable for failure to perform pursuant to the terms of this Agreement when failure to perform was due to an Uncontrollable Circumstance. "Uncontrollable Circumstance" means any act, event or condition that has had or may reasonably be expected to have a material adverse effect on the rights or obligations of a party to this Agreement, if that act, event or condition is beyond the reasonable control of the party relying thereon as justification for not performing an obligation or complying with any condition required of that party under this Agreement.

Those acts, events or conditions are the following:

- a. An act of God, hurricanes, tornadoes, epidemic, landslide, lighting, earthquake, volcano eruption, nuclear radiation, fire or explosion, extreme flooding or other extreme and atypical weather condition, an act of public enemy, war, blockade, insurrection, riot, general arrest, or restraint of government and people, civil disturbance or similar occurrence, that directly affects the System;
- b. Failure of any appropriate federal, state or local agency or public or private utility having operational jurisdiction in the County, to provide and maintain and assure the maintenance of any necessary utility;
- c. Appeals by third parties of permits necessary for the construction and/or operation of the System;
- d. A change in law that specifically affects the processing of Solid Waste or Moderate Risk Waste;
- e. Any strike or labor dispute.

## XI. COMPLETE AGREEMENT

This Agreement supersedes all prior negotiations, representation and/or agreements between the parties relating to the subject matter of this Agreement and constitutes the entire contract between the parties. Any changes or revisions to this Agreement shall be in writing and authorized by both parties.

## XII. WAIVER

No waiver by either party of any term or condition of this Agreement shall be deemed or construed to constitute a waiver of any other term or condition or of any subsequent breach whether of the same or a different provision of this Agreement.

**XIII. THIRD PARTY BENEFICIARY**

This Agreement is not entered into with the intent that it shall benefit any other entity or person except those expressly described herein, and no other such person or entity shall be entitled to be treated as a third party beneficiary of this Agreement.

**XIV. SEVERABILITY AND VENUE**

If any of the provisions contained in this Agreement are held illegal, invalid or unenforceable, the remaining provisions shall remain in full force and effect. Any action, suit or judicial proceeding for the enforcement of this Agreement shall be brought in Superior Court of the State of Washington in Yakima County, Washington.

**XV. NOTICE**

IN WITNESS WHEREOF this Agreement has been executed by each party on the date set forth below:

CITY:

**BOARD OF YAKIMA COUNTY  
COMMISSIONERS:**

*Dave Fonfara*  
Dave Fonfara, City Manager

*Ronald F. Gamache*  
Ronald F. Gamache, Chairman

DATE: 2-25-03

*Jesse S. Palacios*  
Jesse S. Palacios, County Commissioner / chair

*James M. Lewis*  
James M. Lewis, County Commissioner

ATTEST: *Judith F. Feeny*  
Clerk

ATTEST: *Carla M. Ward*  
Carla M. Ward, Clerk of the Board

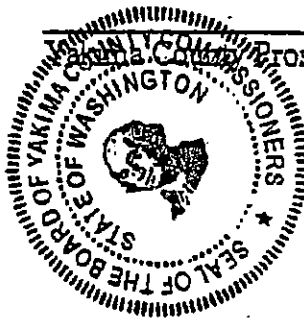
APPROVED AS TO FORM AND  
LEGALITY:

APPROVED AS TO FORM:

*Mark Anderson*  
City Attorney

*Carla M. Ward*  
Prosecuting Attorney

DATE: 2-25-03



## SOLID WASTE INTERLOCAL AGREEMENT

This Agreement is entered into between Yakima County, a political subdivision of the State of Washington and Tieton, a municipal corporation of the State of Washington, hereinafter referred to as "County" and "City" respectively.

### PREAMBLE

This Agreement is entered into pursuant to Chapter 39.34 RCW for the purpose of cooperative management of solid waste in Yakima County. It is the intent of the parties to work cooperatively in establishing a Solid Waste Management Plan pursuant to Chapter 70.95 and with emphasis on the established priorities for solid waste management of waste reduction; waste recycling; energy recovery, incineration, or landfilling of separated waste; and landfilling of mixed wastes. The parties acknowledge their intent to meet or surpass applicable environmental standards with regard to the solid waste system.

### I. DEFINITIONS

For purposes of this Agreement the following definitions shall apply:

"Landfill" means a disposal facility or part of a facility at which waste is placed in or on land and which is not a land treatment facility, as that term is defined in and may be modified by amendment to RCW 70.95.030.

"Moderate Risk Waste" means (a) any waste that exhibits any of the characteristics of hazardous waste but is exempt from regulation under this chapter solely because the waste is generated in quantities below the threshold for regulation and (b) any household wastes which are generated from the disposal of substances identified by the department as hazardous household substances, as that term is defined in and may be modified by amendment to RCW 70.105.010.

"Solid Waste" means all putrescible and nonputrescible solid and semi-solid wastes, including but not limited to garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities, but shall not include dangerous, hazardous or extremely hazardous waste, as that term is defined in and may be modified by amendment to RCW 70.105.010.

"Solid Waste Advisory Committee" or SWAC means a group formed pursuant to RCW 70.95.040 — .070 and comprised of representatives of unincorporated Yakima County, incorporated cities and towns, industry and businesses appointed by the Board of Yakima County Commissioners.

"Solid Waste Management Plan" means the coordinated comprehensive plan for solid waste management and updates as required by RCW 70.95.080.

"System" means all facilities for solid waste handling owned, operated or contracted for by the County, and all administrative activities related thereto.

"Waste Recycling" means reusing waste materials and extracting valuable materials from a waste stream.

"Waste Reduction" means reducing the amount or type of waste generated but shall not include reduction through energy recovery or incineration.

## **II. PURPOSE**

The purpose of this Agreement is to establish the respective responsibility of the parties in a solid waste management system which includes, but is not limited to: planning, waste reduction, recycling, and disposal of mixed municipal solid waste, industrial waste, demolition debris and all other waste defined as Solid Waste in RCW 70.95.030, and as Moderate Risk Waste in RCW 70.105.010.

## **III. TERM**

This Agreement shall become effective on date of signing by the City and remain in effect for a period of 20 years.

## **IV. APPROVAL AND FILING**

Pursuant to RCW 39.34.050, this Agreement shall be submitted to the Washington State Department of Ecology for its approval as to all matters within its jurisdiction. This Agreement shall be filed with the City Clerk, the Clerk of the Board of Yakima County Commissioners, the Yakima County Auditor, and the Secretary of State of the State of Washington.

## **V. REVIEW AND RENEGOTIATION**

- 5.1 Either party may request review and/or renegotiation of any provision of this Agreement other than those specified in Section 5.2 below during the six-month period immediately preceding the fifth anniversary of the effective date of this Agreement. Such request must be in writing and must specify the provision(s) of the Agreement for which review/renegotiation is requested. Review and/or renegotiation pursuant to such written request shall be initiated within thirty days of said receipt.
- 5.2 Review and/or renegotiation shall not include the issues of System rates and charges, waste stream (flow) control or diversion unless agreed to in writing by both parties.
- 5.3 Notwithstanding any other provision in this paragraph to the contrary, the parties may, pursuant to mutual agreement, modify or amend any provision of this Agreement at any time during the term of said Agreement.

## **VI. WITHDRAWAL**

In the event, following unsuccessful discussion between or among the parties, that a party that has requested review and/or renegotiation of any provision of this Agreement pursuant to Section V determines it is in that party's best interest to terminate its participation in and withdraw from



the Agreement, for any reason, then that party may withdraw from the remaining term of the Agreement after final satisfaction and completion of the following two conditions: first, that the withdrawing party must have prepared and gained approval from the Department of Ecology of its own Solid Waste Management Plan pursuant to RCW 70.95 and related provisions, and including each of the elements identified in Section 9.3 of this Agreement; and second, that the withdrawing party must enter into a written agreement with the County that the withdrawing party will remain responsible to the County for, and will continue to pay to the County when due, the withdrawing party's share of System costs, capital and operating, during the remaining term of this Agreement.

## VII. GENERAL OBLIGATIONS OF THE PARTIES

### 7.1 YAKIMA COUNTY

a. Management. Yakima County shall (1) provide county-wide solid waste management services for waste generated and collected within jurisdictions which are parties to this Agreement and (2) designate disposal facilities for all Solid Waste and Moderate Risk Waste generated and/or collected within the corporate limits of the City.

b. Planning. Yakima County shall serve as the planning authority within Yakima County for Solid Waste and Moderate Risk Waste, but shall not be responsible for planning for hazardous or dangerous waste or any other planning responsibility that is specifically delegated by State or Federal statute.

c. Operation. Yakima County, directly or by its designee, shall be the operating authority for County transfer, processing and disposal facilities (including public landfills, waste reduction or recycling facilities and energy resource recovery facilities) and shall have closure and post-closure responsibilities for landfills which are operated by Yakima County.

d. Collection Service. Yakima County shall not provide solid waste collection services within the corporate limits of the City, unless permitted by law and agreed to by both parties.

e. Support and Assistance. Yakima County shall provide limited support and technical assistance to the City if the City seeks to establish a waste reduction and recycling program compatible with the County waste reduction and recycling plan. The County may develop educational materials related to waste reduction and recycling, Moderate Risk Waste, and strategies for maximizing the usefulness of the materials and will make any such materials available to the City for its use.

f. Facilities and Services. All personal and real property acquired by Yakima County for solid waste management system purposes shall be the property of Yakima County.

### 7.2 CITY

a. Collection. The City shall be responsible for solid waste collection within the City's corporate limits.

b. Disposal. The City shall (1) designate the System for the disposal of all Solid Waste generated and/or collected within the City and (2) authorize the County to designate disposal facilities for the disposal of all Solid Waste including Moderate Risk Wastes, generated or collected within the corporate limits of the City, except for Solid Waste which is eliminated through Waste Reduction or Waste Recycling activities consistent with the Solid Waste Management Plan. No Solid Waste generated or collected within the City may be diverted from the System without County approval.

c. Compliance. All waste generated or collected from within the corporate limits of the City which is delivered to the System for disposal shall be in compliance with RCW 70.95 and all other federal, state and local environmental health laws, rules or regulations.

### **VIII. COUNTY SHALL SET DISPOSAL RATES AND OPERATING RULES FOR DISPOSAL**

In establishing or amending disposal rates for System users, the County may adopt and amend by resolution rates necessary to recover all costs of operating the System, including without limitation the costs of waste planning, handling, processing, disposal, defense and payment of claims, capital improvements, operational improvements, and the closure and post-closure of landfills which are or were operated by Yakima County or for which the County is responsible. The SWAC will provide comments or recommendations to the County in considering system or rate modifications.

### **IX. SOLID WASTE MANAGEMENT PLAN**

9.1 Yakima County is designated to prepare the Solid Waste Management Plan (SWMP) and updates, including the incorporated areas of the County pursuant to RCW 70.95.080(3).

9.2 The Solid Waste Management Plan will promote waste reduction and recycling goals that meet or exceed the Washington State Solid Waste Management priorities pursuant to Chapter 70.95 RCW.

9.3 The Solid Waste Management Plan will be prepared in accordance with Chapter 70.95 RCW and solid waste planning guidelines developed by the Department of Ecology. The plan shall include, but not be limited to:

- a. Descriptions of and policies regarding management practices and facilities required for handling all waste types;
- b. Schedules and responsibilities for implementing policies;
- c. Policies concerning waste reduction, recycling, energy and resource recovery, collection, transfer, long-haul transport, disposal, enforcement and administration.
- d. The designation of disposal site(s) for all Solid Waste collected within the incorporated and unincorporated areas of the County.

- e. Capital facilities and infrastructure element.

9.4 The cost of preparation by Yakima County of the Solid Waste Management Plan will be considered a cost of the System and financed out of disposal rates.

## X. UNCONTROLLABLE CIRCUMSTANCES

The parties are not liable for failure to perform pursuant to the terms of this Agreement when failure to perform was due to an Uncontrollable Circumstance. "Uncontrollable Circumstance" means any act, event or condition that has had or may reasonably be expected to have a material adverse effect on the rights or obligations of a party to this Agreement, if that act, event or condition is beyond the reasonable control of the party relying thereon as justification for not performing an obligation or complying with any condition required of that party under this Agreement.

Those acts, events or conditions are the following:

- a. An act of God, hurricanes, tornadoes, epidemic, landslide, lighting, earthquake, volcano eruption, nuclear radiation, fire or explosion, extreme flooding or other extreme and atypical weather condition, an act of public enemy, war, blockade, insurrection, riot, general arrest, or restraint of government and people, civil disturbance or similar occurrence, that directly affects the System;
- b. Failure of any appropriate federal, state or local agency or public or private utility having operational jurisdiction in the County, to provide and maintain and assure the maintenance of any necessary utility;
- c. Appeals by third parties of permits necessary for the construction and/or operation of the System;
- d. A change in law that specifically affects the processing of Solid Waste or Moderate Risk Waste;
- e. Any strike or labor dispute.

## XI. COMPLETE AGREEMENT

This Agreement supersedes all prior negotiations, representation and/or agreements between the parties relating to the subject matter of this Agreement and constitutes the entire contract between the parties. Any changes or revisions to this Agreement shall be in writing and authorized by both parties.

## XII. WAIVER

No waiver by either party of any term or condition of this Agreement shall be deemed or construed to constitute a waiver of any other term or condition or of any subsequent breach whether of the same or a different provision of this Agreement.

**XIII. THIRD PARTY BENEFICIARY**

This Agreement is not entered into with the intent that it shall benefit any other entity or person except those expressly described herein, and no other such person or entity shall be entitled to be treated as a third party beneficiary of this Agreement.

**XIV. SEVERABILITY AND VENUE**

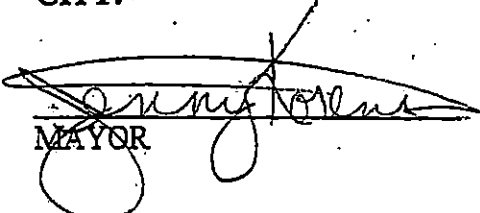
If any of the provisions contained in this Agreement are held illegal, invalid or unenforceable, the remaining provisions shall remain in full force and effect. Any action, suit or judicial proceeding for the enforcement of this Agreement shall be brought in Superior Court of the State of Washington in Yakima County, Washington.

**XV. NOTICE**

IN WITNESS WHEREOF this Agreement has been executed by each party on the date set forth below:

CITY:

BOARD OF YAKIMA COUNTY  
COMMISSIONERS:

  
MAYOR

  
Ronald F. Gamache, Chairman

DATE: 12-2-02

  
Jesse S. Palacios, County Commissioner *chair*

  
James M. Lewis, County Commissioner

ATTEST:   
Clerk

ATTEST:   
Carla M. Ward, Clerk of the Board

APPROVED AS TO FORM AND  
LEGALITY:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Yakima County Prosecuting Attorney

DATE: \_\_\_\_\_



## SOLID WASTE INTERLOCAL AGREEMENT

This Agreement is entered into between Yakima County, a political subdivision of the State of Washington and City of Toppenish municipal corporation of the State of Washington, hereinafter referred to as "County" and "City" respectively.

### PREAMBLE

This Agreement is entered into pursuant to Chapter 39.34 RCW for the purpose of cooperative management of solid waste in Yakima County. It is the intent of the parties to work cooperatively in establishing a Solid Waste Management Plan pursuant to Chapter 70.95 and with emphasis on the established priorities for solid waste management of waste reduction; waste recycling; energy recovery, incineration, or landfilling of separated waste; and landfilling of mixed wastes. The parties acknowledge their intent to meet or surpass applicable environmental standards with regard to the solid waste system.

### I. DEFINITIONS

For purposes of this Agreement the following definitions shall apply:

"Landfill" means a disposal facility or part of a facility at which waste is placed in or on land and which is not a land treatment facility, as that term is defined in and may be modified by amendment to RCW 70.95.030.

"Moderate Risk Waste" means (a) any waste that exhibits any of the characteristics of hazardous waste but is exempt from regulation under this chapter solely because the waste is generated in quantities below the threshold for regulation and (b) any household wastes which are generated from the disposal of substances identified by the department as hazardous household substances, as that term is defined in and may be modified by amendment to RCW 70.105.010.

"Solid Waste" means all putrescible and nonputrescible solid and semi-solid wastes, including but not limited to garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities, but shall not include dangerous, hazardous or extremely hazardous waste, as that term is defined in and may be modified by amendment to RCW 70.105.010.

"Solid Waste Advisory Committee" or SWAC means a group formed pursuant to RCW 70.95.040 — .070 and comprised of representatives of unincorporated Yakima County, incorporated cities and towns, industry and businesses appointed by the Board of Yakima County Commissioners.

"Solid Waste Management Plan" means the coordinated comprehensive plan for solid waste management and updates as required by RCW 70.95.080.

"System" means all facilities for solid waste handling owned, operated or contracted for by the County, and all administrative activities related thereto.

"Waste Recycling" means reusing waste materials and extracting valuable materials from a waste stream.

"Waste Reduction" means reducing the amount or type of waste generated but shall not include reduction through energy recovery or incineration.

## II. PURPOSE

The purpose of this Agreement is to establish the respective responsibility of the parties in a solid waste management system which includes, but is not limited to: planning, waste reduction, recycling, and disposal of mixed municipal solid waste, industrial waste, demolition debris and all other waste defined as Solid Waste in RCW 70.95.030, and as Moderate Risk Waste in RCW 70.105.010.

## III. TERM

This Agreement shall become effective on date of signing by the City and remain in effect for a period of 20 years.

## IV. APPROVAL AND FILING

Pursuant to RCW 39.34.050, this Agreement shall be submitted to the Washington State Department of Ecology for its approval as to all matters within its jurisdiction. This Agreement shall be filed with the City Clerk, the Clerk of the Board of Yakima County Commissioners, the Yakima County Auditor, and the Secretary of State of the State of Washington.

## V. REVIEW AND RENEGOTIATION

- 5.1 Either party may request review and/or renegotiation of any provision of this Agreement other than those specified in Section 5.2 below during the six-month period immediately preceding the fifth anniversary of the effective date of this Agreement. Such request must be in writing and must specify the provision(s) of the Agreement for which review/renegotiation is requested. Review and/or renegotiation pursuant to such written request shall be initiated within thirty days of said receipt.
- 5.2 Review and/or renegotiation shall not include the issues of System rates and charges, waste stream (flow) control or diversion unless agreed to in writing by both parties.
- 5.3 Notwithstanding any other provision in this paragraph to the contrary, the parties may, pursuant to mutual agreement, modify or amend any provision of this Agreement at any time during the term of said Agreement.

## VI. WITHDRAWAL

In the event, following unsuccessful discussion between or among the parties, that a party that has requested review and/or renegotiation of any provision of this Agreement pursuant to Section V determines it is in that party's best interest to terminate its participation in and withdraw from

the Agreement, for any reason, then that party may withdraw from the remaining term of the Agreement after final satisfaction and completion of the following two conditions: first, that the withdrawing party must have prepared and gained approval from the Department of Ecology of its own Solid Waste Management Plan pursuant to RCW 70.95 and related provisions, and including each of the elements identified in Section 9.3 of this Agreement; and second, that the withdrawing party must enter into a written agreement with the County that the withdrawing party will remain responsible to the County for, and will continue to pay to the County when due, the withdrawing party's share of System costs, capital and operating, during the remaining term of this Agreement.

## VII. GENERAL OBLIGATIONS OF THE PARTIES

### 7.1 YAKIMA COUNTY

a. Management. Yakima County shall (1) provide county-wide solid waste management services for waste generated and collected within jurisdictions which are parties to this Agreement and (2) designate disposal facilities for all Solid Waste and Moderate Risk Waste generated and/or collected within the corporate limits of the City.

b. Planning. Yakima County shall serve as the planning authority within Yakima County for Solid Waste and Moderate Risk Waste, but shall not be responsible for planning for hazardous or dangerous waste or any other planning responsibility that is specifically delegated by State or Federal statute.

c. Operation. Yakima County, directly or by its designee, shall be the operating authority for County transfer, processing and disposal facilities (including public landfills, waste reduction or recycling facilities and energy resource recovery facilities) and shall have closure and post-closure responsibilities for landfills which are operated by Yakima County.

d. Collection Service. Yakima County shall not provide solid waste collection services within the corporate limits of the City, unless permitted by law and agreed to by both parties.

e. Support and Assistance. Yakima County shall provide limited support and technical assistance to the City if the City seeks to establish a waste reduction and recycling program compatible with the County waste reduction and recycling plan. The County may develop educational materials related to waste reduction and recycling, Moderate Risk Waste, and strategies for maximizing the usefulness of the materials and will make any such materials available to the City for its use.

f. Facilities and Services. All personal and real property acquired by Yakima County for solid waste management system purposes shall be the property of Yakima County.

### 7.2 CITY

a. Collection. The City shall be responsible for solid waste collection within the City's corporate limits.

b. Disposal. The City shall (1) designate the System for the disposal of all Solid Waste generated and/or collected within the City and (2) authorize the County to designate disposal facilities for the disposal of all Solid Waste including Moderate Risk Wastes, generated or collected within the corporate limits of the City, except for Solid Waste which is eliminated through Waste Reduction or Waste Recycling activities consistent with the Solid Waste Management Plan. No Solid Waste generated or collected within the City may be diverted from the System without County approval.

c. Compliance. All waste generated or collected from within the corporate limits of the City which is delivered to the System for disposal shall be in compliance with RCW 70.95 and all other federal, state and local environmental health laws, rules or regulations.

### **VIII. COUNTY SHALL SET DISPOSAL RATES AND OPERATING RULES FOR DISPOSAL**

In establishing or amending disposal rates for System users, the County may adopt and amend by resolution rates necessary to recover all costs of operating the System, including without limitation the costs of waste planning, handling, processing, disposal, defense and payment of claims, capital improvements, operational improvements, and the closure and post-closure of landfills which are or were operated by Yakima County or for which the County is responsible. The SWAC will provide comments or recommendations to the County in considering system or rate modifications.

### **IX. SOLID WASTE MANAGEMENT PLAN**

9.1 Yakima County is designated to prepare the Solid Waste Management Plan (SWMP) and updates, including the incorporated areas of the County pursuant to RCW 70.95.080(3).

9.2 The Solid Waste Management Plan will promote waste reduction and recycling goals that meet or exceed the Washington State Solid Waste Management priorities pursuant to Chapter 70.95 RCW.

9.3 The Solid Waste Management Plan will be prepared in accordance with Chapter 70.95 RCW and solid waste planning guidelines developed by the Department of Ecology. The plan shall include, but not be limited to:

- a. Descriptions of and policies regarding management practices and facilities required for handling all waste types;
- b. Schedules and responsibilities for implementing policies;
- c. Policies concerning waste reduction, recycling, energy and resource recovery, collection, transfer, long-haul transport, disposal, enforcement and administration.
- d. The designation of disposal site(s) for all Solid Waste collected within the incorporated and unincorporated areas of the County.



- e. Capital facilities and infrastructure element.

9.4 The cost of preparation by Yakima County of the Solid Waste Management Plan will be considered a cost of the System and financed out of disposal rates.

## X. UNCONTROLLABLE CIRCUMSTANCES

The parties are not liable for failure to perform pursuant to the terms of this Agreement when failure to perform was due to an Uncontrollable Circumstance. "Uncontrollable Circumstance" means any act, event or condition that has had or may reasonably be expected to have a material adverse effect on the rights or obligations of a party to this Agreement, if that act, event or condition is beyond the reasonable control of the party relying thereon as justification for not performing an obligation or complying with any condition required of that party under this Agreement.

Those acts, events or conditions are the following:

- a. An act of God, hurricanes, tornadoes, epidemic, landslide, lighting, earthquake, volcano eruption, nuclear radiation, fire or explosion, extreme flooding or other extreme and atypical weather condition, an act of public enemy, war, blockade, insurrection, riot, general arrest, or restraint of government and people, civil disturbance or similar occurrence, that directly affects the System;
- b. Failure of any appropriate federal, state or local agency or public or private utility having operational jurisdiction in the County, to provide and maintain and assure the maintenance of any necessary utility;
- c. Appeals by third parties of permits necessary for the construction and/or operation of the System;
- d. A change in law that specifically affects the processing of Solid Waste or Moderate Risk Waste;
- e. Any strike or labor dispute.

## XI. COMPLETE AGREEMENT

This Agreement supersedes all prior negotiations, representation and/or agreements between the parties relating to the subject matter of this Agreement and constitutes the entire contract between the parties. Any changes or revisions to this Agreement shall be in writing and authorized by both parties.

## XII. WAIVER

No waiver by either party of any term or condition of this Agreement shall be deemed or construed to constitute a waiver of any other term or condition or of any subsequent breach whether of the same or a different provision of this Agreement.

**XIII. THIRD PARTY BENEFICIARY**

This Agreement is not entered into with the intent that it shall benefit any other entity or person except those expressly described herein, and no other such person or entity shall be entitled to be treated as a third party beneficiary of this Agreement.

**XIV. SEVERABILITY AND VENUE**

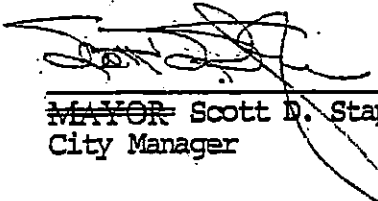
If any of the provisions contained in this Agreement are held illegal, invalid or unenforceable, the remaining provisions shall remain in full force and effect. Any action, suit or judicial proceeding for the enforcement of this Agreement shall be brought in Superior Court of the State of Washington in Yakima County, Washington.

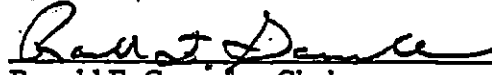
**XV. NOTICE**

IN WITNESS WHEREOF this Agreement has been executed by each party on the date set forth below:

**CITY:**

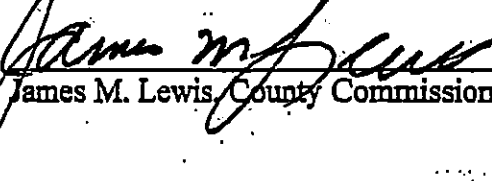
**BOARD OF YAKIMA COUNTY COMMISSIONERS:**


  
MAYOR Scott D. Staples  
City Manager

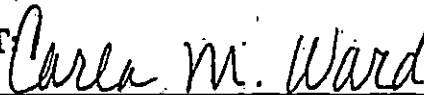
  
Ronald F. Gamache, Chairman

DATE: December 9, 2002

  
Jesse S. Palacios, County Commissioner *et al*


  
James M. Lewis, County Commissioner

ATTEST:   
Clerk-Treasurer, Rosa M. Botello

ATTEST:   
Carla M. Ward, Clerk of the Board

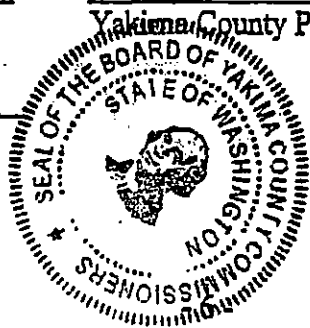
**APPROVED AS TO FORM AND LEGALITY:**

**APPROVED AS TO FORM:**

  
City Attorney

Yakima County Prosecuting Attorney

DATE: 12/9/02



## SOLID WASTE INTERLOCAL AGREEMENT

This Agreement is entered into between Yakima County, a political subdivision of the State of Washington and City of Union Gap a municipal corporation of the State of Washington, hereinafter referred to as "County" and "City" respectively.

### PREAMBLE

This Agreement is entered into pursuant to Chapter 39.34 RCW for the purpose of cooperative management of solid waste in Yakima County. It is the intent of the parties to work cooperatively in establishing a Solid Waste Management Plan pursuant to Chapter 70.95 and with emphasis on the established priorities for solid waste management of waste reduction; waste recycling; energy recovery, incineration, or landfilling of separated waste; and landfilling of mixed wastes. The parties acknowledge their intent to meet or surpass applicable environmental standards with regard to the solid waste system.

### I. DEFINITIONS

For purposes of this Agreement the following definitions shall apply:

"Landfill" means a disposal facility or part of a facility at which waste is placed in or on land and which is not a land treatment facility, as that term is defined in and may be modified by amendment to RCW 70.95.030.

"Moderate Risk Waste" means (a) any waste that exhibits any of the characteristics of hazardous waste but is exempt from regulation under this chapter solely because the waste is generated in quantities below the threshold for regulation and (b) any household wastes which are generated from the disposal of substances identified by the department as hazardous household substances, as that term is defined in and may be modified by amendment to RCW 70.105.010.

"Solid Waste" means all putrescible and nonputrescible solid and semi-solid wastes, including but not limited to garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities, but shall not include dangerous, hazardous or extremely hazardous waste, as that term is defined in and may be modified by amendment to RCW 70.105.010.

"Solid Waste Advisory Committee" or SWAC means a group formed pursuant to RCW 70.95.040 — .070 and comprised of representatives of unincorporated Yakima County, incorporated cities and towns, industry and businesses appointed by the Board of Yakima County Commissioners.

"Solid Waste Management Plan" means the coordinated comprehensive plan for solid waste management and updates as required by RCW 70.95.080.

"System" means all facilities for solid waste handling owned, operated or contracted for by the County, and all administrative activities related thereto.

"Waste Recycling" means reusing waste materials and extracting valuable materials from a waste stream.

"Waste Reduction" means reducing the amount or type of waste generated but shall not include reduction through energy recovery or incineration.

## II. PURPOSE

The purpose of this Agreement is to establish the respective responsibility of the parties in a solid waste management system which includes, but is not limited to: planning, waste reduction, recycling, and disposal of mixed municipal solid waste, industrial waste, demolition debris and all other waste defined as Solid Waste in RCW 70.95.030, and as Moderate Risk Waste in RCW 70.105.010.

## III. TERM

This Agreement shall become effective on date of signing by the City and remain in effect for a period of 20 years.

## IV. APPROVAL AND FILING

Pursuant to RCW 39.34.050, this Agreement shall be submitted to the Washington State Department of Ecology for its approval as to all matters within its jurisdiction. This Agreement shall be filed with the City Clerk, the Clerk of the Board of Yakima County Commissioners, the Yakima County Auditor, and the Secretary of State of the State of Washington.

## V. REVIEW AND RENEGOTIATION

- 5.1 Either party may request review and/or renegotiation of any provision of this Agreement other than those specified in Section 5.2 below during the six-month period immediately preceding the fifth anniversary of the effective date of this Agreement. Such request must be in writing and must specify the provision(s) of the Agreement for which review/renegotiation is requested. Review and/or renegotiation pursuant to such written request shall be initiated within thirty days of said receipt.
- 5.2 Review and/or renegotiation shall not include the issues of System rates and charges, waste stream (flow) control or diversion unless agreed to in writing by both parties.
- 5.3 Notwithstanding any other provision in this paragraph to the contrary, the parties may, pursuant to mutual agreement, modify or amend any provision of this Agreement at any time during the term of said Agreement.

## VI. WITHDRAWAL

In the event, following unsuccessful discussion between or among the parties, that a party that has requested review and/or renegotiation of any provision of this Agreement pursuant to Section V determines it is in that party's best interest to terminate its participation in and withdraw from

the Agreement, for any reason, then that party may withdraw from the remaining term of the Agreement after final satisfaction and completion of the following two conditions: first, that the withdrawing party must have prepared and gained approval from the Department of Ecology of its own Solid Waste Management Plan pursuant to RCW 70.95 and related provisions, and including each of the elements identified in Section 9.3 of this Agreement; and second, that the withdrawing party must enter into a written agreement with the County that the withdrawing party will remain responsible to the County for, and will continue to pay to the County when due, the withdrawing party's share of System costs, capital and operating, during the remaining term of this Agreement.

## VII. GENERAL OBLIGATIONS OF THE PARTIES

### 7.1 YAKIMA COUNTY

a. Management. Yakima County shall (1) provide county-wide solid waste management services for waste generated and collected within jurisdictions which are parties to this Agreement and (2) designate disposal facilities for all Solid Waste and Moderate Risk Waste generated and/or collected within the corporate limits of the City.

b. Planning. Yakima County shall serve as the planning authority within Yakima County for Solid Waste and Moderate Risk Waste, but shall not be responsible for planning for hazardous or dangerous waste or any other planning responsibility that is specifically delegated by State or Federal statute.

c. Operation. Yakima County, directly or by its designee, shall be the operating authority for County transfer, processing and disposal facilities (including public landfills, waste reduction or recycling facilities and energy resource-recovery facilities) and shall have closure and post-closure responsibilities for landfills which are operated by Yakima County.

d. Collection Service. Yakima County shall not provide solid waste collection services within the corporate limits of the City, unless permitted by law and agreed to by both parties.

e. Support and Assistance. Yakima County shall provide limited support and technical assistance to the City if the City seeks to establish a waste reduction and recycling program compatible with the County waste reduction and recycling plan. The County may develop educational materials related to waste reduction and recycling, Moderate Risk Waste, and strategies for maximizing the usefulness of the materials and will make any such materials available to the City for its use.

f. Facilities and Services. All personal and real property acquired by Yakima County for solid waste management system purposes shall be the property of Yakima County.

### 7.2 CITY

a. Collection. The City shall be responsible for solid waste collection within the City's corporate limits.

b. Disposal. The City shall (1) designate the System for the disposal of all Solid Waste generated and/or collected within the City and (2) authorize the County to designate disposal facilities for the disposal of all Solid Waste including Moderate Risk Wastes, generated or collected within the corporate limits of the City, except for Solid Waste which is eliminated through Waste Reduction or Waste Recycling activities consistent with the Solid Waste Management Plan. No Solid Waste generated or collected within the City may be diverted from the System without County approval.

c. Compliance. All waste generated or collected from within the corporate limits of the City which is delivered to the System for disposal shall be in compliance with RCW 70.95 and all other federal, state and local environmental health laws, rules or regulations.

## VIII. COUNTY SHALL SET DISPOSAL RATES AND OPERATING RULES FOR DISPOSAL

In establishing or amending disposal rates for System users, the County may adopt and amend by resolution rates necessary to recover all costs of operating the System, including without limitation the costs of waste planning, handling, processing, disposal, defense and payment of claims, capital improvements, operational improvements, and the closure and post-closure of landfills which are or were operated by Yakima County or for which the County is responsible. The SWAC will provide comments or recommendations to the County in considering system or rate modifications.

## IX. SOLID WASTE MANAGEMENT PLAN

9.1 Yakima County is designated to prepare the Solid Waste Management Plan (SWMP) and updates, including the incorporated areas of the County pursuant to RCW 70.95.080(3).

9.2 The Solid Waste Management Plan will promote waste reduction and recycling goals that meet or exceed the Washington State Solid Waste Management priorities pursuant to Chapter 70.95 RCW.

9.3 The Solid Waste Management Plan will be prepared in accordance with Chapter 70.95 RCW and solid waste planning guidelines developed by the Department of Ecology. The plan shall include, but not be limited to:

- a. Descriptions of and policies regarding management practices and facilities required for handling all waste types;
- b. Schedules and responsibilities for implementing policies;
- c. Policies concerning waste reduction, recycling, energy and resource recovery, collection, transfer, long-haul transport, disposal, enforcement and administration.
- d. The designation of disposal site(s) for all Solid Waste collected within the incorporated and unincorporated areas of the County.

- e. Capital facilities and infrastructure element.

9.4 The cost of preparation by Yakima County of the Solid Waste Management Plan will be considered a cost of the System and financed out of disposal rates.

## X. UNCONTROLLABLE CIRCUMSTANCES

The parties are not liable for failure to perform pursuant to the terms of this Agreement when failure to perform was due to an Uncontrollable Circumstance. "Uncontrollable Circumstance" means any act, event or condition that has had or may reasonably be expected to have a material adverse effect on the rights or obligations of a party to this Agreement, if that act, event or condition is beyond the reasonable control of the party relying thereon as justification for not performing an obligation or complying with any condition required of that party under this Agreement.

Those acts, events or conditions are the following:

- a. An act of God, hurricanes, tornadoes, epidemic, landslide, lightning, earthquake, volcano eruption, nuclear radiation, fire or explosion, extreme flooding or other extreme and atypical weather condition, an act of public enemy, war, blockade, insurrection, riot, general arrest, or restraint of government and people, civil disturbance or similar occurrence, that directly affects the System;
- b. Failure of any appropriate federal, state or local agency or public or private utility having operational jurisdiction in the County, to provide and maintain and assure the maintenance of any necessary utility;
- c. Appeals by third parties of permits necessary for the construction and/or operation of the System;
- d. A change in law that specifically affects the processing of Solid Waste or Moderate Risk Waste;
- e. Any strike or labor dispute.

## XI. COMPLETE AGREEMENT

This Agreement supersedes all prior negotiations, representation and/or agreements between the parties relating to the subject matter of this Agreement and constitutes the entire contract between the parties. Any changes or revisions to this Agreement shall be in writing and authorized by both parties.

## XII. WAIVER

No waiver by either party of any term or condition of this Agreement shall be deemed or construed to constitute a waiver of any other term or condition or of any subsequent breach whether of the same or a different provision of this Agreement.





## SOLID WASTE INTERLOCAL AGREEMENT

This Agreement is entered into between Yakima County, a political subdivision of the State of Washington and Wapato, a municipal corporation of the State of Washington, hereinafter referred to as "County" and "City" respectively.

### PREAMBLE

This Agreement is entered into pursuant to Chapter 39.34 RCW for the purpose of cooperative management of solid waste in Yakima County. It is the intent of the parties to work cooperatively in establishing a Solid Waste Management Plan pursuant to Chapter 70.95 and with emphasis on the established priorities for solid waste management of waste reduction; waste recycling; energy recovery, incineration, or landfilling of separated waste; and landfilling of mixed wastes. The parties acknowledge their intent to meet or surpass applicable environmental standards with regard to the solid waste system.

### I. DEFINITIONS

For purposes of this Agreement the following definitions shall apply:

"Landfill" means a disposal facility or part of a facility at which waste is placed in or on land and which is not a land treatment facility, as that term is defined in and may be modified by amendment to RCW 70.95.030.

"Moderate Risk Waste" means (a) any waste that exhibits any of the characteristics of hazardous waste but is exempt from regulation under this chapter solely because the waste is generated in quantities below the threshold for regulation and (b) any household wastes which are generated from the disposal of substances identified by the department as hazardous household substances, as that term is defined in and may be modified by amendment to RCW 70.105.010.

"Solid Waste" means all putrescible and nonputrescible solid and semi-solid wastes, including but not limited to garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities, but shall not include dangerous, hazardous or extremely hazardous waste, as that term is defined in and may be modified by amendment to RCW 70.105.010.

"Solid Waste Advisory Committee" or SWAC means a group formed pursuant to RCW 70.95.040 — .070 and comprised of representatives of unincorporated Yakima County, incorporated cities and towns, industry and businesses appointed by the Board of Yakima County Commissioners.

"Solid Waste Management Plan" means the coordinated comprehensive plan for solid waste management and updates as required by RCW 70.95.080.

"System" means all facilities for solid waste handling owned, operated or contracted for by the County, and all administrative activities related thereto.

"Waste Recycling" means reusing waste materials and extracting valuable materials from a waste stream.

"Waste Reduction" means reducing the amount or type of waste generated but shall not include reduction through energy recovery or incineration.

## II. PURPOSE

The purpose of this Agreement is to establish the respective responsibility of the parties in a solid waste management system which includes, but is not limited to: planning, waste reduction, recycling, and disposal of mixed municipal solid waste, industrial waste, demolition debris and all other waste defined as Solid Waste in RCW 70.95.030, and as Moderate Risk Waste in RCW 70.105.010.

## III. TERM

This Agreement shall become effective on date of signing by the City and remain in effect for a period of 20 years.

## IV. APPROVAL AND FILING

Pursuant to RCW 39.34.050, this Agreement shall be submitted to the Washington State Department of Ecology for its approval as to all matters within its jurisdiction. This Agreement shall be filed with the City Clerk, the Clerk of the Board of Yakima County Commissioners, the Yakima County Auditor, and the Secretary of State of the State of Washington.

## V. REVIEW AND RENEGOTIATION

- 5.1 Either party may request review and/or renegotiation of any provision of this Agreement other than those specified in Section 5.2 below during the six-month period immediately preceding the fifth anniversary of the effective date of this Agreement. Such request must be in writing and must specify the provision(s) of the Agreement for which review/renegotiation is requested. Review and/or renegotiation pursuant to such written request shall be initiated within thirty days of said receipt.
- 5.2 Review and/or renegotiation shall not include the issues of System rates and charges, waste stream (flow) control or diversion unless agreed to in writing by both parties.
- 5.3 Notwithstanding any other provision in this paragraph to the contrary, the parties may, pursuant to mutual agreement, modify or amend any provision of this Agreement at any time during the term of said Agreement.

## VI. WITHDRAWAL

In the event, following unsuccessful discussion between or among the parties, that a party that has requested review and/or renegotiation of any provision of this Agreement pursuant to Section V determines it is in that party's best interest to terminate its participation in and withdraw from

the Agreement, for any reason, then that party may withdraw from the remaining term of the Agreement after final satisfaction and completion of the following two conditions: first, that the withdrawing party must have prepared and gained approval from the Department of Ecology of its own Solid Waste Management Plan pursuant to RCW 70.95 and related provisions, and including each of the elements identified in Section 9.3 of this Agreement; and second, that the withdrawing party must enter into a written agreement with the County that the withdrawing party will remain responsible to the County for, and will continue to pay to the County when due, the withdrawing party's share of System costs, capital and operating, during the remaining term of this Agreement.

## VII. GENERAL OBLIGATIONS OF THE PARTIES

### 7.1 YAKIMA COUNTY

a. Management. Yakima County shall (1) provide county-wide solid waste management services for waste generated and collected within jurisdictions which are parties to this Agreement and (2) designate disposal facilities for all Solid Waste and Moderate Risk Waste generated and/or collected within the corporate limits of the City.

b. Planning. Yakima County shall serve as the planning authority within Yakima County for Solid Waste and Moderate Risk Waste, but shall not be responsible for planning for hazardous or dangerous waste or any other planning responsibility that is specifically delegated by State or Federal statute.

c. Operation. Yakima County, directly or by its designee, shall be the operating authority for County transfer, processing and disposal facilities (including public landfills, waste reduction or recycling facilities and energy resource recovery facilities) and shall have closure and post-closure responsibilities for landfills which are operated by Yakima County.

d. Collection Service. Yakima County shall not provide solid waste collection services within the corporate limits of the City, unless permitted by law and agreed to by both parties.

e. Support and Assistance. Yakima County shall provide limited support and technical assistance to the City if the City seeks to establish a waste reduction and recycling program compatible with the County waste reduction and recycling plan. The County may develop educational materials related to waste reduction and recycling, Moderate Risk Waste, and strategies for maximizing the usefulness of the materials and will make any such materials available to the City for its use.

f. Facilities and Services. All personal and real property acquired by Yakima County for solid waste management system purposes shall be the property of Yakima County.

### 7.2 CITY

a. Collection. The City shall be responsible for solid waste collection within the City's corporate limits.

b. Disposal. The City shall (1) designate the System for the disposal of all Solid Waste generated and/or collected within the City and (2) authorize the County to designate disposal facilities for the disposal of all Solid Waste including Moderate Risk Wastes, generated or collected within the corporate limits of the City, except for Solid Waste which is eliminated through Waste Reduction or Waste Recycling activities consistent with the Solid Waste Management Plan. No Solid Waste generated or collected within the City may be diverted from the System without County approval.

c. Compliance. All waste generated or collected from within the corporate limits of the City which is delivered to the System for disposal shall be in compliance with RCW 70.95 and all other federal, state and local environmental health laws, rules or regulations.

### **VIII. COUNTY SHALL SET DISPOSAL RATES AND OPERATING RULES FOR DISPOSAL**

In establishing or amending disposal rates for System users, the County may adopt and amend by resolution rates necessary to recover all costs of operating the System, including without limitation the costs of waste planning, handling, processing, disposal, defense and payment of claims, capital improvements, operational improvements, and the closure and post-closure of landfills which are or were operated by Yakima County or for which the County is responsible. The SWAC will provide comments or recommendations to the County in considering system or rate modifications.

### **IX. SOLID WASTE MANAGEMENT PLAN**

9.1 Yakima County is designated to prepare the Solid Waste Management Plan (SWMP) and updates, including the incorporated areas of the County pursuant to RCW 70.95.080(3).

9.2 The Solid Waste Management Plan will promote waste reduction and recycling goals that meet or exceed the Washington State Solid Waste Management priorities pursuant to Chapter 70.95 RCW.

9.3 The Solid Waste Management Plan will be prepared in accordance with Chapter 70.95 RCW and solid waste planning guidelines developed by the Department of Ecology. The plan shall include, but not be limited to:

- a. Descriptions of and policies regarding management practices and facilities required for handling all waste types;
- b. Schedules and responsibilities for implementing policies;
- c. Policies concerning waste reduction, recycling, energy and resource recovery, collection, transfer, long-haul transport, disposal, enforcement and administration.
- d. The designation of disposal site(s) for all Solid Waste collected within the incorporated and unincorporated areas of the County.

- e. Capital facilities and infrastructure element.

9.4 The cost of preparation by Yakima County of the Solid Waste Management Plan will be considered a cost of the System and financed out of disposal rates.

## X. UNCONTROLLABLE CIRCUMSTANCES

The parties are not liable for failure to perform pursuant to the terms of this Agreement when failure to perform was due to an Uncontrollable Circumstance. "Uncontrollable Circumstance" means any act, event or condition that has had or may reasonably be expected to have a material adverse effect on the rights or obligations of a party to this Agreement, if that act, event or condition is beyond the reasonable control of the party relying thereon as justification for not performing an obligation or complying with any condition required of that party under this Agreement.

Those acts, events or conditions are the following:

- a. An act of God, hurricanes, tornadoes, epidemic, landslide, lightning, earthquake, volcano eruption, nuclear radiation, fire or explosion, extreme flooding or other extreme and atypical weather condition, an act of public enemy, war, blockade, insurrection, riot, general arrest, or restraint of government and people, civil disturbance or similar occurrence, that directly affects the System;
- b. Failure of any appropriate federal, state or local agency or public or private utility having operational jurisdiction in the County, to provide and maintain and assure the maintenance of any necessary utility;
- c. Appeals by third parties of permits necessary for the construction and/or operation of the System;
- d. A change in law that specifically affects the processing of Solid Waste or Moderate Risk Waste;
- e. Any strike or labor dispute.

## XI. COMPLETE AGREEMENT

This Agreement supersedes all prior negotiations, representation and/or agreements between the parties relating to the subject matter of this Agreement and constitutes the entire contract between the parties. Any changes or revisions to this Agreement shall be in writing and authorized by both parties.

## XII. WAIVER

No waiver by either party of any term or condition of this Agreement shall be deemed or construed to constitute a waiver of any other term or condition or of any subsequent breach whether of the same or a different provision of this Agreement.

**XIII. THIRD PARTY BENEFICIARY**

This Agreement is not entered into with the intent that it shall benefit any other entity or person except those expressly described herein, and no other such person or entity shall be entitled to be treated as a third party beneficiary of this Agreement.

**XIV. SEVERABILITY AND VENUE**

If any of the provisions contained in this Agreement are held illegal, invalid or unenforceable, the remaining provisions shall remain in full force and effect. Any action, suit or judicial proceeding for the enforcement of this Agreement shall be brought in Superior Court of the State of Washington in Yakima County, Washington.

**XV. NOTICE**

IN WITNESS WHEREOF this Agreement has been executed by each party on the date set forth below:

CITY:

[Signature]  
MAYOR

**BOARD OF YAKIMA COUNTY  
COMMISSIONERS:**

[Signature]  
Ronald F. Gamache, Chairman

DATE: 12/17/02

[Signature]  
Jesse S. Palacios, County Commissioner

*Excused*

[Signature]  
James M. Lewis, County Commissioner

ATTEST:

[Signature]  
Clerk  
12/17/02

ATTEST:

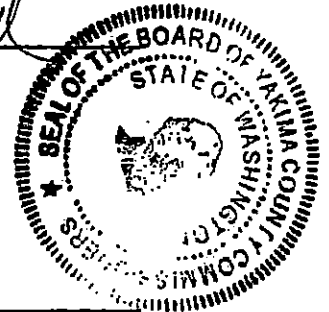
[Signature]  
Carla M. Ward, Clerk of the Board

**APPROVED AS TO FORM AND  
LEGALITY:**

[Signature]  
City Attorney

**APPROVED AS TO FORM:**

[Signature]  
Yakima County Prosecuting Attorney



DATE: 2/18/03

*Approved by Council 12/17/02*

## SOLID WASTE INTERLOCAL AGREEMENT

This Agreement is entered into between Yakima County, a political subdivision of the State of Washington and ~~City of Yakima~~ a municipal corporation of the State of Washington, hereinafter referred to as "County" and "City" respectively.

### PREAMBLE

This Agreement is entered into pursuant to Chapter 39.34 RCW for the purpose of cooperative management of solid waste in Yakima County. It is the intent of the parties to work cooperatively in establishing a Solid Waste Management Plan pursuant to Chapter 70.95 and with emphasis on the established priorities for solid waste management of waste reduction; waste recycling; energy recovery, incineration, or landfilling of separated waste; and landfilling of mixed wastes. The parties acknowledge their intent to meet or surpass applicable environmental standards with regard to the solid waste system.

### I. DEFINITIONS

For purposes of this Agreement the following definitions shall apply:

"Landfill" means a disposal facility or part of a facility at which waste is placed in or on land and which is not a land treatment facility, as that term is defined in and may be modified by amendment to RCW 70.95.030.

"Moderate Risk Waste" means (a) any waste that exhibits any of the characteristics of hazardous waste but is exempt from regulation under this chapter solely because the waste is generated in quantities below the threshold for regulation and (b) any household wastes which are generated from the disposal of substances identified by the department as hazardous household substances, as that term is defined in and may be modified by amendment to RCW 70.105.010.

"Solid Waste" means all putrescible and nonputrescible solid and semi-solid wastes, including but not limited to garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities, but shall not include dangerous, hazardous or extremely hazardous waste, as that term is defined in and may be modified by amendment to RCW 70.105.010.

"Solid Waste Advisory Committee" or SWAC means a group formed pursuant to RCW 70.95.040 — .070 and comprised of representatives of unincorporated Yakima County, incorporated cities and towns, industry and businesses appointed by the Board of Yakima County Commissioners.

"Solid Waste Management Plan" means the coordinated comprehensive plan for solid waste management and updates as required by RCW 70.95.080.

"System" means all facilities for solid waste handling owned, operated or contracted for by the County, and all administrative activities related thereto.

"Waste Recycling" means reusing waste materials and extracting valuable materials from a waste stream.

"Waste Reduction" means reducing the amount or type of waste generated but shall not include reduction through energy recovery or incineration.

## II. PURPOSE

The purpose of this Agreement is to establish the respective responsibility of the parties in a solid waste management system which includes, but is not limited to: planning, waste reduction, recycling, and disposal of mixed municipal solid waste, industrial waste, demolition debris and all other waste defined as Solid Waste in RCW 70.95.030, and as Moderate Risk Waste in RCW 70.105.010.

## III. TERM

This Agreement shall become effective on date of signing by the City and remain in effect for a period of 20 years.

## IV. APPROVAL AND FILING

Pursuant to RCW 39.34.050, this Agreement shall be submitted to the Washington State Department of Ecology for its approval as to all matters within its jurisdiction. This Agreement shall be filed with the City Clerk, the Clerk of the Board of Yakima County Commissioners, the Yakima County Auditor, and the Secretary of State of the State of Washington.

## V. REVIEW AND RENEGOTIATION

- 5.1 Either party may request review and/or renegotiation of any provision of this Agreement other than those specified in Section 5.2 below during the six-month period immediately preceding the fifth anniversary of the effective date of this Agreement. Such request must be in writing and must specify the provision(s) of the Agreement for which review/renegotiation is requested. Review and/or renegotiation pursuant to such written request shall be initiated within thirty days of said receipt.
- 5.2 Review and/or renegotiation shall not include the issues of System rates and charges, ~~waste stream (flow) control or diversion unless agreed to in writing by both parties.~~
- 5.3 Notwithstanding any other provision in this paragraph to the contrary, the parties may, pursuant to mutual agreement, modify or amend any provision of this Agreement at any time during the term of said Agreement.

## VI. WITHDRAWAL

In the event, following unsuccessful discussion between or among the parties, that a party that has requested review and/or renegotiation of any provision of this Agreement pursuant to Section V determines it is in that party's best interest to terminate its participation in and withdraw from



the Agreement, for any reason, then that party may withdraw from the remaining term of the Agreement after final satisfaction and completion of the following two conditions: first, that the withdrawing party must have prepared and gained approval from the Department of Ecology of its own Solid Waste Management Plan pursuant to RCW 70.95 and related provisions, and including each of the elements identified in Section 9.3 of this Agreement; and second, that the withdrawing party must enter into a written agreement with the County that the withdrawing party will remain responsible to the County for, and will continue to pay to the County when due, the withdrawing party's share of System costs, capital and operating, during the remaining term of this Agreement.

## VII. GENERAL OBLIGATIONS OF THE PARTIES

### 7.1 YAKIMA COUNTY

a. Management. Yakima County shall (1) provide county-wide solid waste management services for waste generated and collected within jurisdictions which are parties to this Agreement and (2) designate disposal facilities for all Solid Waste and Moderate Risk Waste generated and/or collected within the corporate limits of the City.

b. Planning. Yakima County shall serve as the planning authority within Yakima County for Solid Waste and Moderate Risk Waste, but shall not be responsible for planning for hazardous or dangerous waste or any other planning responsibility that is specifically delegated by State or Federal statute.

c. Operation. Yakima County, directly or by its designee, shall be the operating authority for County transfer, processing and disposal facilities (including public landfills, waste reduction or recycling facilities and energy resource recovery facilities) and shall have closure and post-closure responsibilities for landfills which are operated by Yakima County.

d. Collection Service. Yakima County shall not provide solid waste collection services within the corporate limits of the City, unless permitted by law and agreed to by both parties.

e. Support and Assistance. Yakima County shall provide limited support and technical assistance to the City if the City seeks to establish a waste reduction and recycling program compatible with the County waste reduction and recycling plan. The County may develop educational materials related to waste reduction and recycling, Moderate Risk Waste, and strategies for maximizing the usefulness of the materials and will make any such materials available to the City for its use.

f. Facilities and Services. All personal and real property acquired by Yakima County for solid waste management system purposes shall be the property of Yakima County.

### 7.2 CITY

a. Collection. The City shall be responsible for solid waste collection within the City's corporate limits.

b. Disposal. The City shall (1) designate the System for the disposal of all Solid Waste generated and/or collected within the City and (2) authorize the County to designate disposal facilities for the disposal of all Solid Waste including Moderate Risk Wastes, generated or collected within the corporate limits of the City, except for Solid Waste which is eliminated through Waste Reduction or Waste Recycling activities consistent with the Solid Waste Management Plan. No Solid Waste generated or collected within the City may be diverted from the System without County approval.

c. Compliance. All waste generated or collected from within the corporate limits of the City which is delivered to the System for disposal shall be in compliance with RCW 70.95 and all other federal, state and local environmental health laws, rules or regulations.

### **VIII. COUNTY SHALL SET DISPOSAL RATES AND OPERATING RULES FOR DISPOSAL**

In establishing or amending disposal rates for System users, the County may adopt and amend by resolution rates necessary to recover all costs of operating the System, including without limitation the costs of waste planning, handling, processing, disposal, defense and payment of claims, capital improvements, operational improvements, and the closure and post-closure of landfills which are or were operated by Yakima County or for which the County is responsible. The SWAC will provide comments or recommendations to the County in considering system or rate modifications.

### **IX. SOLID WASTE MANAGEMENT PLAN**

9.1 Yakima County is designated to prepare the Solid Waste Management Plan (SWMP) and updates, including the incorporated areas of the County pursuant to RCW 70.95.080(3).

9.2 The Solid Waste Management Plan will promote waste reduction and recycling goals that meet or exceed the Washington State Solid Waste Management priorities pursuant to Chapter 70.95 RCW.

9.3 The Solid Waste Management Plan will be prepared in accordance with Chapter 70.95 RCW and solid waste planning guidelines developed by the Department of Ecology. The plan shall include, but not be limited to:

- a. Descriptions of and policies regarding management practices and facilities required for handling all waste types;
- b. Schedules and responsibilities for implementing policies;
- c. Policies concerning waste reduction, recycling, energy and resource recovery, collection, transfer, long-haul transport, disposal, enforcement and administration.
- d. The designation of disposal site(s) for all Solid Waste collected within the incorporated and unincorporated areas of the County.

- e. Capital facilities and infrastructure element.

9.4. The cost of preparation by Yakima County of the Solid Waste Management Plan will be considered a cost of the System and financed out of disposal rates.

## X. UNCONTROLLABLE CIRCUMSTANCES

The parties are not liable for failure to perform pursuant to the terms of this Agreement when failure to perform was due to an Uncontrollable Circumstance. "Uncontrollable Circumstance" means any act, event or condition that has had or may reasonably be expected to have a material adverse effect on the rights or obligations of a party to this Agreement, if that act, event or condition is beyond the reasonable control of the party relying thereon as justification for not performing an obligation or complying with any condition required of that party under this Agreement.

Those acts, events or conditions are the following:

- a. An act of God, hurricanes, tornadoes, epidemic, landslide, lighting, earthquake, volcano eruption, nuclear radiation, fire or explosion, extreme flooding or other extreme and atypical weather condition, an act of public enemy, war, blockade, insurrection, riot, general arrest, or restraint of government and people, civil disturbance or similar occurrence, that directly affects the System;
- b. Failure of any appropriate federal, state or local agency or public or private utility having operational jurisdiction in the County, to provide and maintain and assure the maintenance of any necessary utility;
- c. Appeals by third parties of permits necessary for the construction and/or operation of the System;
- d. A change in law that specifically affects the processing of Solid Waste or Moderate Risk Waste;
- e. Any strike or labor dispute.

## XI. COMPLETE AGREEMENT

This Agreement supersedes all prior negotiations, representation and/or agreements between the parties relating to the subject matter of this Agreement and constitutes the entire contract between the parties. Any changes or revisions to this Agreement shall be in writing and authorized by both parties.

## XII. WAIVER

No waiver by either party of any term or condition of this Agreement shall be deemed or construed to constitute a waiver of any other term or condition or of any subsequent breach whether of the same or a different provision of this Agreement.



## SOLID WASTE INTERLOCAL AGREEMENT

This Agreement is entered into between Yakima County, a political subdivision of the State of Washington and Zillah, a municipal corporation of the State of Washington, hereinafter referred to as "County" and "City" respectively.

### PREAMBLE

This Agreement is entered into pursuant to Chapter 39.34 RCW for the purpose of cooperative management of solid waste in Yakima County. It is the intent of the parties to work cooperatively in establishing a Solid Waste Management Plan pursuant to Chapter 70.95 and with emphasis on the established priorities for solid waste management of waste reduction; waste recycling; energy recovery, incineration, or landfilling of separated waste; and landfilling of mixed wastes. The parties acknowledge their intent to meet or surpass applicable environmental standards with regard to the solid waste system.

### I. DEFINITIONS

For purposes of this Agreement the following definitions shall apply:

"Landfill" means a disposal facility or part of a facility at which waste is placed in or on land and which is not a land treatment facility, as that term is defined in and may be modified by amendment to RCW 70.95.030.

"Moderate Risk Waste" means (a) any waste that exhibits any of the characteristics of hazardous waste but is exempt from regulation under this chapter solely because the waste is generated in quantities below the threshold for regulation and (b) any household wastes which are generated from the disposal of substances identified by the department as hazardous household substances, as that term is defined in and may be modified by amendment to RCW 70.105.010.

"Solid Waste" means all putrescible and nonputrescible solid and semi-solid wastes, including but not limited to garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities, but shall not include dangerous, hazardous or extremely hazardous waste, as that term is defined in and may be modified by amendment to RCW 70.105.010.

"Solid Waste Advisory Committee" or SWAC means a group formed pursuant to RCW 70.95.040 — .070 and comprised of representatives of unincorporated Yakima County, incorporated cities and towns, industry and businesses appointed by the Board of Yakima County Commissioners.

"Solid Waste Management Plan" means the coordinated comprehensive plan for solid waste management and updates as required by RCW 70.95.080.

"System" means all facilities for solid waste handling owned, operated or contracted for by the County, and all administrative activities related thereto.

"Waste Recycling" means reusing waste materials and extracting valuable materials from a waste stream.

"Waste Reduction" means reducing the amount or type of waste generated but shall not include reduction through energy recovery or incineration.

## **II. PURPOSE**

The purpose of this Agreement is to establish the respective responsibility of the parties in a solid waste management system which includes, but is not limited to: planning, waste reduction, recycling, and disposal of mixed municipal solid waste, industrial waste, demolition debris and all other waste defined as Solid Waste in RCW 70.95.030, and as Moderate Risk Waste in RCW 70.105.010.

## **III. TERM**

This Agreement shall become effective on date of signing by the City and remain in effect for a period of 20 years.

## **IV. APPROVAL AND FILING**

Pursuant to RCW 39.34.050, this Agreement shall be submitted to the Washington State Department of Ecology for its approval as to all matters within its jurisdiction. This Agreement shall be filed with the City Clerk, the Clerk of the Board of Yakima County Commissioners, the Yakima County Auditor, and the Secretary of State of the State of Washington.

## **V. REVIEW AND RENEGOTIATION**

- 5.1 Either party may request review and/or renegotiation of any provision of this Agreement other than those specified in Section 5.2 below during the six-month period immediately preceding the fifth anniversary of the effective date of this Agreement. Such request must be in writing and must specify the provision(s) of the Agreement for which review/renegotiation is requested. Review and/or renegotiation pursuant to such written request shall be initiated within thirty days of said receipt.
- 5.2 Review and/or renegotiation shall not include the issues of System rates and charges, waste stream (flow) control or diversion unless agreed to in writing by both parties.
- 5.3 Notwithstanding any other provision in this paragraph to the contrary, the parties may, pursuant to mutual agreement, modify or amend any provision of this Agreement at any time during the term of said Agreement.

## **VI. WITHDRAWAL**

In the event, following unsuccessful discussion between or among the parties, that a party that has requested review and/or renegotiation of any provision of this Agreement pursuant to Section V determines it is in that party's best interest to terminate its participation in and withdraw from

the Agreement, for any reason, then that party may withdraw from the remaining term of the Agreement after final satisfaction and completion of the following two conditions: first, that the withdrawing party must have prepared and gained approval from the Department of Ecology of its own Solid Waste Management Plan pursuant to RCW 70.95 and related provisions, and including each of the elements identified in Section 9.3 of this Agreement; and second, that the withdrawing party must enter into a written agreement with the County that the withdrawing party will remain responsible to the County for, and will continue to pay to the County when due, the withdrawing party's share of System costs, capital and operating, during the remaining term of this Agreement.

## VII. GENERAL OBLIGATIONS OF THE PARTIES

### 7.1 YAKIMA COUNTY

a. Management. Yakima County shall (1) provide county-wide solid waste management services for waste generated and collected within jurisdictions which are parties to this Agreement and (2) designate disposal facilities for all Solid Waste and Moderate Risk Waste generated and/or collected within the corporate limits of the City.

b. Planning. Yakima County shall serve as the planning authority within Yakima County for Solid Waste and Moderate Risk Waste, but shall not be responsible for planning for hazardous or dangerous waste or any other planning responsibility that is specifically delegated by State or Federal statute.

c. Operation. Yakima County, directly or by its designee, shall be the operating authority for County transfer, processing and disposal facilities (including public landfills, waste reduction or recycling facilities and energy resource recovery facilities) and shall have closure and post-closure responsibilities for landfills which are operated by Yakima County.

d. Collection Service. Yakima County shall not provide solid waste collection services within the corporate limits of the City, unless permitted by law and agreed to by both parties.

e. Support and Assistance. Yakima County shall provide limited support and technical assistance to the City if the City seeks to establish a waste reduction and recycling program compatible with the County waste reduction and recycling plan. The County may develop educational materials related to waste reduction and recycling, Moderate Risk Waste, and strategies for maximizing the usefulness of the materials and will make any such materials available to the City for its use.

f. Facilities and Services. All personal and real property acquired by Yakima County for solid waste management system purposes shall be the property of Yakima County.

### 7.2 CITY

a. Collection. The City shall be responsible for solid waste collection within the City's corporate limits.

b. Disposal. The City shall (1) designate the System for the disposal of all Solid Waste generated and/or collected within the City and (2) authorize the County to designate disposal facilities for the disposal of all Solid Waste including Moderate Risk Wastes, generated or collected within the corporate limits of the City, except for Solid Waste which is eliminated through Waste Reduction or Waste Recycling activities consistent with the Solid Waste Management Plan. No Solid Waste generated or collected within the City may be diverted from the System without County approval.

c. Compliance. All waste generated or collected from within the corporate limits of the City which is delivered to the System for disposal shall be in compliance with RCW 70.95 and all other federal, state and local environmental health laws, rules or regulations.

### **VIII. COUNTY SHALL SET DISPOSAL RATES AND OPERATING RULES FOR DISPOSAL**

In establishing or amending disposal rates for System users, the County may adopt and amend by resolution rates necessary to recover all costs of operating the System, including without limitation the costs of waste planning, handling, processing, disposal, defense and payment of claims, capital improvements, operational improvements, and the closure and post-closure of landfills which are or were operated by Yakima County or for which the County is responsible. The SWAC will provide comments or recommendations to the County in considering system or rate modifications.

### **IX. SOLID WASTE MANAGEMENT PLAN**

9.1 Yakima County is designated to prepare the Solid Waste Management Plan (SWMP) and updates, including the incorporated areas of the County pursuant to RCW 70.95.080(3).

9.2 The Solid Waste Management Plan will promote waste reduction and recycling goals that meet or exceed the Washington State Solid Waste Management priorities pursuant to Chapter 70.95 RCW.

9.3 The Solid Waste Management Plan will be prepared in accordance with Chapter 70.95 RCW and solid waste planning guidelines developed by the Department of Ecology. The plan shall include, but not be limited to:

- a. Descriptions of and policies regarding management practices and facilities required for handling all waste types;
- b. Schedules and responsibilities for implementing policies;
- c. Policies concerning waste reduction, recycling, energy and resource recovery, collection, transfer, long-haul transport, disposal, enforcement and administration.
- d. The designation of disposal site(s) for all Solid Waste collected within the incorporated and unincorporated areas of the County.



- e. Capital facilities and infrastructure element.

9.4 The cost of preparation by Yakima County of the Solid Waste Management Plan will be considered a cost of the System and financed out of disposal rates.

## X. UNCONTROLLABLE CIRCUMSTANCES

The parties are not liable for failure to perform pursuant to the terms of this Agreement when failure to perform was due to an Uncontrollable Circumstance. "Uncontrollable Circumstance" means any act, event or condition that has had or may reasonably be expected to have a material adverse effect on the rights or obligations of a party to this Agreement, if that act, event or condition is beyond the reasonable control of the party relying thereon as justification for not performing an obligation or complying with any condition required of that party under this Agreement.

Those acts, events or conditions are the following:

- a. An act of God, hurricanes, tornadoes, epidemic, landslide, lightning, earthquake, volcano eruption, nuclear radiation, fire or explosion, extreme flooding or other extreme and atypical weather condition, an act of public enemy, war, blockade, insurrection, riot, general arrest, or restraint of government and people, civil disturbance or similar occurrence, that directly affects the System;
- b. Failure of any appropriate federal, state or local agency or public or private utility having operational jurisdiction in the County, to provide and maintain and assure the maintenance of any necessary utility;
- c. Appeals by third parties of permits necessary for the construction and/or operation of the System;
- d. A change in law that specifically affects the processing of Solid Waste or Moderate Risk Waste;
- e. Any strike or labor dispute.

## XI. COMPLETE AGREEMENT

This Agreement supersedes all prior negotiations, representation and/or agreements between the parties relating to the subject matter of this Agreement and constitutes the entire contract between the parties. Any changes or revisions to this Agreement shall be in writing and authorized by both parties.

## XII. WAIVER

No waiver by either party of any term or condition of this Agreement shall be deemed or construed to constitute a waiver of any other term or condition or of any subsequent breach whether of the same or a different provision of this Agreement.

**XIII. THIRD PARTY BENEFICIARY**

This Agreement is not entered into with the intent that it shall benefit any other entity or person except those expressly described herein, and no other such person or entity shall be entitled to be treated as a third party beneficiary of this Agreement.

**XIV. SEVERABILITY AND VENUE**

If any of the provisions contained in this Agreement are held illegal, invalid or unenforceable, the remaining provisions shall remain in full force and effect. Any action, suit or judicial proceeding for the enforcement of this Agreement shall be brought in Superior Court of the State of Washington in Yakima County, Washington.

**XV. NOTICE**

IN WITNESS WHEREOF this Agreement has been executed by each party on the date set forth below:

**CITY:**

**BOARD OF YAKIMA COUNTY  
COMMISSIONERS:**

R. H. Stop  
MAYOR

Ronald F. Gamache  
Ronald F. Gamache, Chairman

DATE: 12/18/2002

Jesse S. Palacios  
Jesse S. Palacios, County Commissioner *Chair*

James M. Lewis  
James M. Lewis, County Commissioner

ATTEST: Pat Stewart  
Clerk

ATTEST: Carla M. Ward  
Carla M. Ward, Clerk of the Board

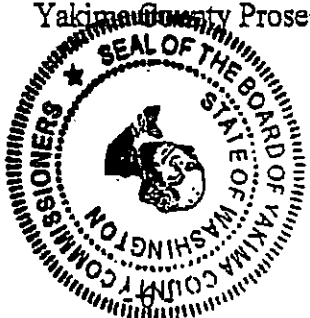
**APPROVED AS TO FORM AND  
LEGALITY:**

**APPROVED AS TO FORM:**

Wagner  
City Attorney

Yakima County Prosecuting Attorney

DATE: 12/16/02



## Appendix C

### Resolutions of Adoption for this Plan

## Appendix D

### Recycling Contamination Reduction and Outreach Plan (CROP)

## Appendix D: Recycling Contamination Reduction and Outreach Plan (CROP)

### D.1 Introduction

This document addresses reducing contamination in recycling programs for single-family and multi-family residences, commercial locations, and recycling collection sites in Yakima County.

### D.2 Background

This section presents information on rules and regulations and programs related to contamination reduction and outreach.

### D.3 Rules and Regulations

HB 1543, Sustainable Recycling, was signed on April 29, 2019 and took effect July 1, 2019. The act required Ecology to create a state recycling CROP by July 1, 2020, with local jurisdictions required to either create their own CROP or adopt the state CROP by July 1, 2021. The County has chosen to create their own CROP.

RCW 70.95.090 provides the requirements to be included in a CROP as follows:

- A list of actions for reduction of contamination in recycling programs for single-family and multi-family residences, commercial locations, and drop boxes.
- A list of key contaminants identified by the jurisdiction or Ecology.
- A discussion of problem contaminants and the contaminants' impact on the collection system.
- An analysis of the costs and other impacts associated with contaminants to the recycling system.
- An implementation schedule and details of how outreach is to be conducted, which may include sharing community-wide messaging through newsletters, articles, mailers, social media, websites, or community events; informing recycling drop box customers about contamination; and improving signage.

Yakima County and our 14 City and Town partners have developed the 2017 Yakima County Solid Waste and Moderate Risk Waste Management Plan with chapter 4 dedicated to waste reduction and recycling. Chapter 4 provides guidelines for achieving State Recycling goals and details the working relationship between the MSW haulers that provide curbside recycling to their residential and commercial customers.

## D.4 Recycling Collection Programs

Curbside residential recycling is available in Moxee, Selah, Union Gap and Yakima. Curbside recycling services are available in the urban growth area on a subscription basis. These services are provided by Yakima Waste Systems and Basin Disposal (both private firms) through a variety of contractual arrangements and State-issued certificates.

Curbside recycling service is not available in rural areas; instead, rural residents rely on drop-off sites and buy-back centers. Yakima County's Cheyne Landfill, Lower Valley Transfer Station, and Terrace Heights Landfill and Yakima Waste System's Granger Transfer Station provide drop-off recycling services to rural customers. Commercial sector recycling is available for a fee through private commercial haulers in the County.

Central Washington Recycling located in downtown Yakima has drop boxes for old corrugated containers and mixed paper (newspaper, magazines, documents, etc). Most grocery stores in Yakima County also take plastic bags for recycling. We also have Goodwill, Yakima Waste Systems, Union Gospel Mission and Salvation Army that receive electronic goods for recycling.

The Moderate Risk Waste Facility located at the Terrace Heights Landfill receives paint, chemicals, batteries, fluorescent tubes, and over the counter pesticides/herbicides. Materials received are made available to the public via a re-use table if they are in good condition. Other materials are shipped out through Clean Earth for recycling or landfilling depending on the material and condition.

### D.5.1 Action Plan

Yakima County will develop a path forward with key stakeholders, including SWAC members, elected officials, and commercial garbage haulers. Yakima County, along with these key stakeholders will assess and monitor current recycling programs and will continue to evaluate the programs moving forward.

Current materials accepted for recycling at Yakima County Solid Waste Facility drop boxes:

- Paper
- Metals
- Aluminum Cans
- Tin Cans
- Cardboard
- Newspaper
- Mixed Paper

As mentioned in section D.3, the Moderate Risk Waste Facility also receives materials for recycling and re-use/re-purpose.

Current materials accepted through curbside recycling offered by Basin Disposal and Yakima Waste Systems (Waste Connections) include:

- Newspaper
- Corrugated cardboard boxes
- Direct mail
- Cereal, cracker, shoe boxes (chipboard)
- Office paper, copier, & printer paper, file folders, note paper, brochures
- Magazines and catalogs
- Steel (tin) cans
- Aluminum cans
- Plastic bottles #1PET & #2HDPE, soda bottles, water bottles, milk jugs, orange juice bottles, detergent and cleaning solution bottles

Moving forward Yakima County needs to identify which recyclables are the highest priority. In depth discussions about the projected longevity of programs, the ability to find markets for materials collected, and the actual gain of recycling the material. For example, is it beneficial to accept a material that will generate a larger carbon footprint through the use of fossil fuels getting it to a market.

In Washington State, The Recycling Partnership (TPR) survey of seven Material Recovery Facilities (MRF's) found inbound levels of contamination from commingled recycling collection programs ranging from 5%-20% by weight. Recent drop off programs and cart lift audits in Washington showed rates as high as 40% by weight.

In Yakima County, the curbside recycling contamination rates have been very low in areas where residents pay for the service through subscription. This may indicate that having a financial investment in the program correlates to a higher motivation to follow the guidelines and produces a lower contamination rate.

Contamination data collection will be part of ongoing discussions with Yakima County and key stakeholders, and will be reviewed as part of the Yakima County Solid Waste and Moderate Risk Waste Management Plan updates. Means for collecting the data may include but is not limited to:

- Recycling stream composition studies
- Survey of transfer station operations
- Tracking of contamination using onboard truck or container mounted cameras
- Drop box composition studies or visual audits

## D.5.2 Identifying Key Contaminates

The goal of the CROP is to reduce contamination in recyclables collected in the County through implementation of data measurement tools, addressing contamination reduction, and establishing County wide outreach and education.

In recent surveys, such as the one conducted by the TRP in 2019, MRF's and cities in Washington identified the following recycling contaminants as the most problematic and costly to manage:

- Plastic bags and film
- Food and liquids
- Shredded paper
- Bagged garbage
- Hypodermic needles
- Tanglers (rope, cords, chains and hoses)
- Non program plastics (clamshells and polystyrene foam)

Problems associated with these contaminants include:

- Slowing sorting and processing of materials
- Reducing the quality and value of secondary material feedstocks
- Causing shutdowns of facilities
- Damaging collection and processing equipment
- Causing injury to collection and processing staff

Rural recycling drop boxes in Yakima County were pulled in 2008 due to contamination levels up to 80%. Most were packed full of MSW garbage, propane tanks, small household appliances, hazardous waste, and occasionally deceased animals. With the high contamination levels, Yakima County did not have the staffing or facilities to sort out the small amounts of clean recyclables.

### D.5.3 Addressing Contamination

Contamination is best addressed through a variety of means and actions including:

- Visual inspections of self-haul loads of recyclables delivered to drop boxes at the Terrace Heights Landfill, Cheyne Landfill and Lower Valley Transfer Station.
- Visual inspections of curbside recyclables collected and customers advised as to proper segregation techniques.
- Recycling characterization sampling to measure benchmarks for contamination and success of programs and outreach/education of community.
- Updated signage to provide visual representation of materials that are and are not recyclable.
- Continued outreach and education to raise the awareness of contaminants and the harm caused by contaminants.

### D.5.4 Outreach and Education Messaging

Continued and coordinated outreach and education messaging around reducing contaminants in recycling is first and foremost in educating the citizens and businesses in Yakima County. The current messaging campaign (implemented through Ecology) will be incorporated into the outreach messaging. In addition, Yakima County will continue to incorporate programs to promote various waste reduction methods, communicate what can and cannot be accepted, and target reducing specific contaminants based on the Recycling Characterization Study.



Yakima County will collaborate with key stakeholders to coordinate on messaging that is appropriate to single-family residences, multi-family residences, commercial locations, and drop box sites using the following:

- Social media releases on events, tips and advice, video clips featuring the Bag Monster and Strawzilla.
- Yakima County will maintain YakimaRecycles.com and the Solid Waste Division page on the County website which residents can be directed to for more information.
- Yakima County will participate in regional and state programs for coordination of recycling market development and educational efforts.
- Yakima County will continue to develop educational resources and provide technical assistance for single-family and multi-family residences regarding waste reduction and contamination reduction methods.
- Yakima County will continue to provide technical assistance for commercial customers for recognition of contamination in recyclables and methods to reduce it.
- Yakima County will continue to update signage to support contamination reduction and messaging from the CROP.

## D.6 Costs

Costs for curbside recycling contaminants are currently covered through curbside costs for collection through subscription fees or assessed collection costs. Costs for contamination in Yakima County drop boxes are currently covered through tipping fees charged at the County owned facilities.

Major changes, such as fully staffed drop boxes or drop boxes contained within a building, fenced area, etc. will be evaluated and discussed with Yakima County and key stakeholders. Costs associated with these major changes would need a funding method that is sustainable.

## D.7 Implementation Schedule

Table D-1 provides the CROP Implementation Schedule.

Table D-1 Recycling CROP Six-Year Implementation Schedule

Implementation Item	Implementation Responsibility	Implementation Year					
		2021	2022	2023	2024	2025	2026
Update recycling signage at Yakima County Facilities	Yakima County	Ongoing					
Implementation of formal recycling characterization sampling	Yakima County & Key Stakeholders		X	X	X	X	X
Continue outreach & Education programs w/ focus on contamination reduction	Yakima County	Ongoing					
Continue social media campaigns using the Bag Monster and Strawzilla	Yakima County	Ongoing					
Evaluate costs & benefits of fully staffing drop off bins	Yakima County		X				
Work together in Yakima County & w/ regional partners to implement CROP	Yakima County	Ongoing					

## Appendix E

### The Service Area Maps for Each Haulers

Utilities Element



YAKIMA COUNTY

Map 9.7-1  
Solid Waste Facilities  
and Service Areas

Yakima County  
Existing  
Landfills/Transfer  
Stations

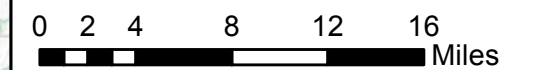


Private Existing  
Landfills/Transfer  
Stations (\* = Limited  
Purpose)



County Service  
Areas

Yakima County  
Boundary



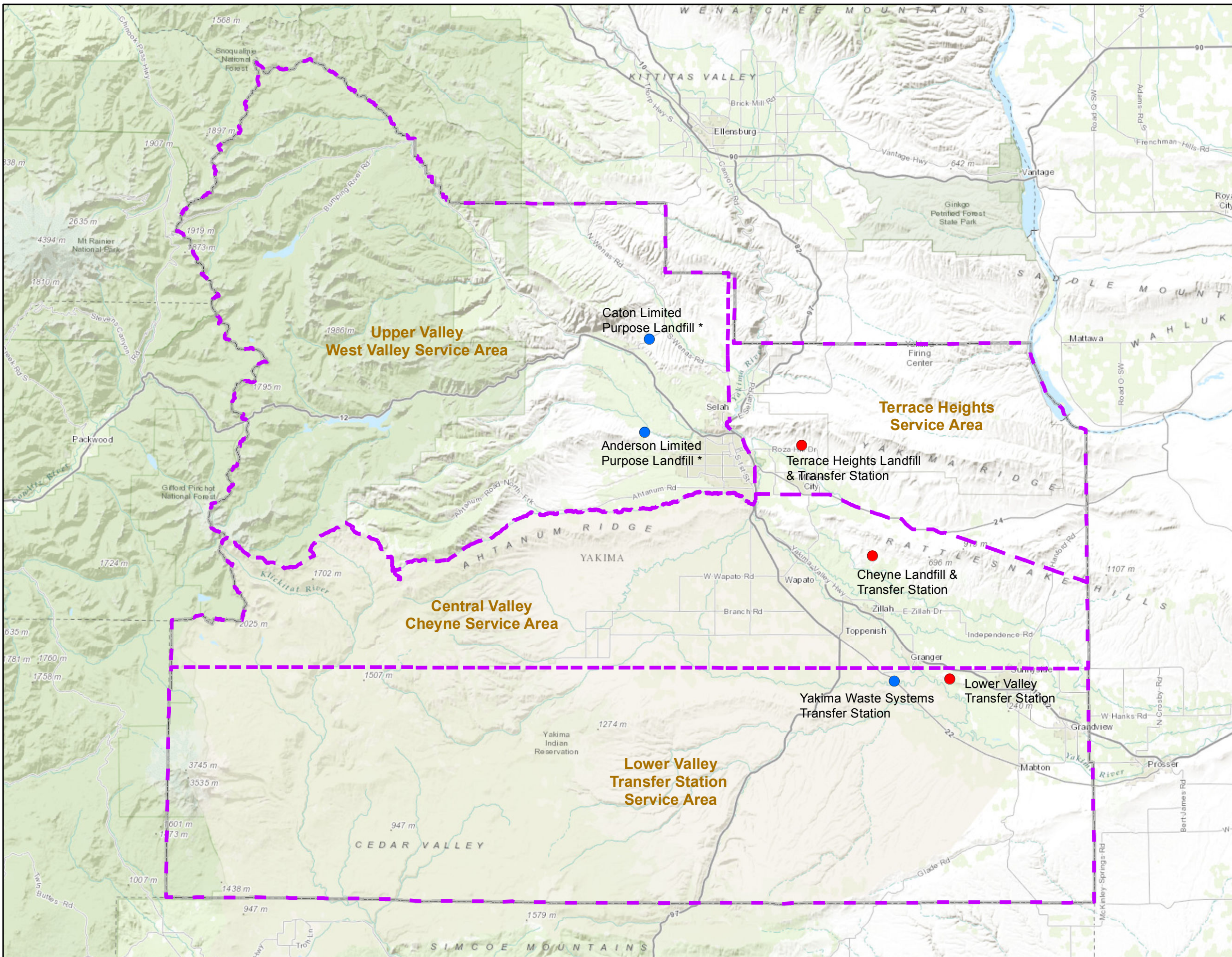
March 2017




[Yakimap.com](http://Yakimap.com)

Parcel Lot lines are for visual display  
only. Do not use for legal purposes.

Copyright (C) 2017 Yakima County  
This map was derived from several databases. The County cannot accept  
responsibility for any errors. Therefore, there are no warranties for this product.





Appendix F  
WUTC Cost Assessment Questionnaire

## APPENDIX F - WUTC COST ASSESSMENT QUESTIONNAIRE

### INTRODUCTION

By state law ([70A.205.045](#)), solid waste management plans are required to include:

“an assessment of the plan’s impact on the costs of solid waste collection. The assessment shall be prepared in conformance with guidelines established by the Utilities and Transportation Commission (WUTC or Commission). The Commission shall cooperate with the Washington state association of counties and the association of Washington cities in establishing such guidelines.”

The following cost assessment has been prepared in accordance with the guidelines prepared by the WUTC (WUTC 1997). The purpose of this cost assessment is not only to allow an assessment of the impact of proposed activities on current garbage collection and disposal rates, but to allow projections of future rate impacts as well. The WUTC needs this information to review the plan’s impacts to the waste haulers that it regulates. For these haulers, WUTC is responsible for setting collection rates and approving proposed rate changes. Hence, WUTC will review the following cost assessment to determine if it provides adequate information for rate-setting purposes, and will advise Yakima County as to the probable collection rate impacts of proposed programs.

Consistent with this purpose, the cost assessment focuses primarily on those programs (implemented or recommended) with potential rate impacts.

### YAKIMA COUNTY COST ASSESSMENT QUESTIONNAIRE

PREPARED BY

TELEPHONE:

DATE: October, 2022

**Definitions:** The Solid Waste and Moderate Risk Waste Management Plan (Plan) is a long-term strategy covering a twenty-year span starting with 2023 as Year 1 of implementation, Year 3 is 2026, and Year 6 is 2029. Yakima County’s fiscal year is the same as the calendar year: January through December. Yakima County worked in conjunction with local governments to develop a county-wide comprehensive plan. No other jurisdictions have developed a plan exclusive of Yakima County.

### 1.0 DEMOGRAPHICS

The data source for population projections used in the development of the plan is the Washington State Office of Financial Management projections utilizing the “medium” case projection. The base year and the associated populations are detailed in the table below as well as the assumed percentage increases. The 2021 population of 262,887 was utilized as the starting point. This figure was then projected for 2023, 2026, and 2029 by extrapolating the projected population growth.

Year	Plan Implementation Year	Yakima County Population
2023	1	268,533
2026	3	277,634
2029	6	285,443

## 2.0 WASTE STREAM GENERATION

The following table details the estimated waste generation and recycling tonnage. Waste generation is estimated at 10.51 pounds per person per day, based on Plan Table 2-4.

Year	Plan Year	Waste Generation (Tons)	MSW Disposed (Tons)	Recycled & Diverted (Tons)	Other Waste (Tons)
2023	1	515,050	300,719	164,126	50,205
2026	3	532,506	310,912	168,037	51,906
2029	6	547,485	319,657	174,462	53,366

### Waste Generation Assumptions:

- Figures, except the year, are shown as tons per year (TPY). Projected waste generation figures for 2023 through 2029 are based on the 10.51 pounds per capita waste generation rate for 2018 (for landfill diversion and special wastes) and 2021 (for MSW disposed in Yakima County-owned landfills), and population forecasts.
- The projected amounts of recycling and diversion, disposed MSW, and other wastes assume the same percentage of the total waste generated as in 2018/2021.
- MSW disposed per person per day is 6.14 pounds.
- Other wastes include construction, demolition and land clearing wastes disposed at limited purpose landfills and special wastes.

### **3.0 SYSTEM PROGRAM COMPONENT COSTS**

System costs reported in this questionnaire are funded by user fees charged at the scale houses located at Lower Valley Transfer Station (LVTS), and at Terrace Heights and Cheyne Landfills (THLF and CLF, respectively).

### **3.1 WASTE REDUCTION PROGRAMS**

Existing education and outreach waste reduction programs implemented by Yakima County are detailed in Plan Section 3.3.1:

- School recycling
- Business recycling
- Organics diversion
- Residential recycling
- Public event recycling education

The costs of providing the waste reduction programs are included within Yakima County’s overall Solid Waste Division budget and are funded primarily through tipping fees. In addition to continuing current existing public education and promotion activities, Yakima County will implement these waste reduction strategies in the next six years:

- Conduct “Continuous Improvement” workshop
- Facilitate focus groups
- Use social media to educate residents on “Recycle Right”
- Link the County’s website to the “I Value Food” website page

Yakima County estimates \$12,000 per year for additional education and outreach.

### **3.2 RECYCLING PROGRAMS**

Yakima County operates recycling drop-off sites at THLF, CLF, and LVTS. In addition, curbside recycling collection services are available in Moxee, Selah, Union Gap, and Yakima, and these programs collect primarily the Tier 1 materials, refer to Plan Chapter 4 for additional information. Curbside recycling services are also available in the urban growth area on a subscription basis. Yakima Waste Systems and Basin Disposal provide recycling collection service to commercial customers. The cost of these recycling collection programs are already reflected in the current collection fees charged by the regulated haulers.

- Adopt updated list of designated materials
- Evaluate City of Yakima pricing structure
- Locate fiber drop-off containers at commercial clusters
- Provide technical assistance to businesses
- Provide waste reduction grants

Below are the costs associated with the County implementing these alternatives:

- Adopt updated list of designated materials
  - Incremental cost                      No additional cost



- Conduct waste composition study
  - Incremental cost        \$100,000 (One-time cost in 2025)
- Evaluate the City of Yakima pricing structure
  - Incremental cost        \$10,000 (One-time cost in 2023)
- Locate fiber drop-off containers at commercial and multi-family clusters
  - Incremental cost        \$10,000 (One-time cost in 2025)
  - Incremental cost        \$5,000 (Annually after 2025)
- Provide technical assistance to businesses
  - Incremental cost        \$10,000 (One-time cost in 2023)
- Provide waste reduction grants
  - Incremental cost        \$10,000 (Annually starting in 2026)

## Organics Programs

The Yakima County drop-off recycling facilities also accept yard debris, including grass clippings, leaves, garden and landscaping wastes, brush and other natural woods up to ten inches in diameter, and Christmas trees. Collection of yard debris is provided Naches, Selah, Toppenish, Union Gap, Yakima, and Zillah, refer to Plan Chapter 5 for additional information. These materials are typically generated separately from other residential and commercial waste streams, and so are more easily diverted to composting and other programs. Hay, straw plastic, sod, manure, treated wood, stumps, rocks, and food waste are not accepted in Yakima County’s yard debris program.

Yakima County will implement the following organic diversion strategies during the next six years.

- Establish diversion goal
  - Incremental recovery        ~4,300 tpy
  - Incremental cost            None
- Support expansion of organics management capacity to meet needs
  - Incremental recovery        Not applicable
  - Incremental cost            None
- Support opportunities for food waste diversion
  - Incremental recovery        Not applicable
  - Incremental cost            None

- Explore partnerships with stakeholders to develop/enhance infrastructure for food recovery
  - Incremental recovery                      Not applicable
  - Incremental cost                              None
- Target pre-consumer food scraps collection/diversion from large quantity generators
  - Incremental recovery                      3,000 tons (Over five years)
  - Incremental cost                              \$10,000 (One-time cost in 2024)

### 3.3 SOLID WASTE COLLECTION PROGRAMS

The following table details information about the customer base of the two WUTC- regulated collection companies in Yakima County as well as the four, non-regulated, municipal collection systems. Reported amounts for both WUTC regulated haulers are for operations within the regulated areas of Yakima County; therefore, information from the incorporated areas serviced by both haulers has been excluded from the following table.

Basin Disposal, Permit #G-45			
Customers and Tons	2023	2026	2029
Single Family Customers	7,958	8,197	8,527
Residential MSW Tons	26,290	27,079	28,170
Commercial Customers	86	88	92
Commercial MSW Tons	22,105	22,769	
Yakima Waste Systems, Permit #G-89			
Customers and Tons	2023	2026	2029
Single Family Customers	17,152	17,667	18,379
Residential MSW Tons	47,339	48,759	50,724
Commercial Customers	10,247	10,554	10,980
Commercial MSW Tons	87,192	89,807	93,427
Municipal Collections within Yakima County			
Municipality	2023	2026	2029
<b>City of Yakima</b>			
Number of Customers	33,110	34,575	35,547
Total MSW Tons	109,383	114,221	117,434
<b>City of Toppenish</b>			
Number of Customers	3,038	3,141	3,229
Total MSW Tons	10,037	10,377	10,669
<b>City of Grandview</b>			
Number of Customers	3,771	3,141	4,009
Total MSW Tons	12,458	10,377	13,243
<b>City of Granger</b>			
Number of Customers	1,439	1,487	1,529
Total MSW Tons	4,753	4,914	5,052

\* Projected 2023, 2026, and 2029 based on percentages from Table 6-1 applied to 2021 data and population projections..

### 3.4 ENERGY RECOVERY & INCINERATION (ER&I) PROGRAMS

Not applicable to Yakima County.

### 3.5 LAND DISPOSAL PROGRAM

Yakima County owns and operates two landfills: Cheyne Landfill located three miles north of Zillah and Terrace Heights Landfill located four miles east of the City of Yakima. The following table show the projected MSW quantities for each landfill.

MSW Quantities			
Landfill	2023	2026	2029
<b>Cheyne Landfill<sup>1</sup></b>	<b>101,725</b>	<b>104,392</b>	<b>108,610</b>
<b>Terrace Heights Landfill</b>	<b>198,547</b>	<b>204,503</b>	<b>212,765</b>

\* Includes LVTS tonnage

#### Landfill Cost

Yakima County does not segregate costs for each active landfill and set a disposal fee independently; rather it pools the cost for both landfills. The table below summarizes the cost of operations and capital equipment for both landfills on an annual basis as well as a per ton basis. Projected costs based on escalated actual 2020 costs.

Landfill Cost <sup>2</sup>	2023	2026	2029
Total Cost	\$4,981,847	\$6,225,942	\$6,804,669
MSW Tons	300,272	308,896	315,074
<b>Cost Per Waste Ton</b>	<b>\$16.59</b>	<b>\$20.16</b>	<b>\$21.60</b>

### 3.6 ADMINISTRATION AND REDUCTION, RECYCLING AND ORGANICS PROGRAMS

The administrative and reduction, recycling, and composting (landfill diversion) costs shown below are based on cost figures escalated from the 2020 actual costs.

Administrative and Landfill Diversion Cost	2023	2026	2029
Administrative	\$1,582,736	\$1,838,390	\$2,020,321
Landfill Diversion	\$394,942	\$450,549	\$490,446
<b>Total Administrative and Landfill Diversion</b>	<b>\$1,977,677</b>	<b>\$2,288,940</b>	<b>\$2,510,766</b>

<sup>1</sup> Includes the projected quantities of MSW delivered to the LVTS in 2021. These projections may changes after LVTS closes at the end of 2022.

<sup>2</sup> These costs include landfill and gravel pit operations

### 3.7 OTHER PROGRAMS

Yakima County operates a Moderate Risk Waste (MRW) / Household Hazardous Waste facility at Terrace Heights Landfill called the Household & Small Business Waste Collection Facility (HSBWCF). The table below shows the projected operational costs.

Item	2023	2026	2029
MRW Operational Cost	\$667,653	\$780,586	\$863,187

In addition to the two landfills, Yakima County operates the LVTS just south of the town of Granger. The transfer station serves private and municipal haulers as well as self-haul customers. Waste collected at the LVTS is transported and disposed at the Cheyne Landfill. Terrace Heights and Cheyne Landfills have a transfer station for self-haul customers. The table below summarizes the operational and capital cost for the three facilities based on 2020 actual costs escalated for future years.

Item	2023	2026	2029
Transfer Station Operational Costs	\$2,750,001	\$2,705,577	\$2,998,330

Yakima County operates a septage lagoon at Cheyne Landfill for the disposal of sewage sludge from local municipalities and private contractors servicing rural septic systems. The cost of the program is funded through the disposal fee charged for waste delivered to the facility. The fee for septage is \$14.25 per ton.

### 4.0 FUNDING MECHANISMS

System costs reported in this questionnaire are funded by user fees charged at the landfills and transfer station with the exception of interest earned on fund balances, miscellaneous revenues. Provided in the table below is a summary of the revenues received by Yakima County.

System Funding Source	2023 Amount	Funding Percentage
Disposal Fees	\$14,135,247	97.84%
Investment Interest	\$298,199	2.06%
Other Misc. Revenue	\$14,500	0.10%
WA DOE Grant <sup>3</sup>	\$0	0%
<b>Total Funding Sources</b>	<b>\$14,023,028</b>	<b>100%</b>

<sup>3</sup> Due to fluctuations in grant amounts, Yakima County does plan to receive this revenue.

## Facility Inventory

The following facilities are owned and operated by Yakima County Solid Waste Division:

Facility Name	Facility Type	Location	Final Disposal	Tip Fee per Ton*	MSW Tons*	Annual Revenues**
Terrace Heights Landfill	Landfill	Yakima, Washington	N/A	\$44.00	198,547	\$8,736,072
Cheyne Landfill	Landfill	Zillah, Washington	N/A	\$44.00	101,725	\$4,475,882

\* Projected 2023 based on percentages from Table 8-1. MSW and B&O taxes paid by Yakima County to the State are Include included in the tip fee. Tip fees are rounded to the nearest tenth.  
\*\* Annual revenues for MSW disposal only.




<b>Funding Mechanism by Percentage</b>						
<b>2023</b>						
Component	Tip Fee %	Grant %	Bond %	Collection Tax Rates %	Other %	Total
Waste Reduction	97.84%	0%	0%	0%	2.16%	100%
Recycling	97.84%	0%	0%	0%	2.16%	100%
Collection	N/A	N/A	N/A	N/A	N/A	100%
ER&I	N/A	N/A	N/A	N/A	N/A	100%
Transfer	97.84%	0%	0%	0%	2.16%	100%
Land Disposal	97.84%	0%	0%	0%	2.16%	100%
Administration	97.84%	0%	0%	0%	2.16%	100%
Other	97.84%	0%	0%	0%	2.16%	100%

<b>Funding Mechanism by Percentage</b>						
<b>2026</b>						
Component	Tip Fee %	Grant %	Bond %	Collection Tax Rates %	Other %	Total
Waste Reduction	97.84%	0%	0%	0%	2.16%	100%
Recycling	97.84%	0%	0%	0%	2.16%	100%
Collection	N/A	N/A	N/A	N/A	N/A	100%
ER&I	N/A	N/A	N/A	N/A	N/A	100%
Transfer	97.84%	0%	0%	0%	2.16%	100%
Land Disposal	97.84%	0%	0%	0%	2.16%	100%
Administration	97.84%	0%	0%	0%	2.16%	100%
Other	97.84%	0%	0%	0%	2.16%	100%

<b>Funding Mechanism by Percentage</b>						
<b>2029</b>						
Component	Tip Fee %	Grant %	Bond %	Collection Tax Rates %	Other %	Total
Waste Reduction	97.84%	0%	0%	0%	2.16%	100%
Recycling	97.84%	0%	0%	0%	2.16%	100%
Collection	N/A	N/A	N/A	N/A	N/A	100%
ER&I	N/A	N/A	N/A	N/A	N/A	100%
Transfer	97.84%	0%	0%	0%	2.16%	100%
Land Disposal	97.84%	0%	0%	0%	2.16%	100%
Administration	97.84%	0%	0%	0%	2.16%	100%
Other	97.84%	0%	0%	0%	2.16%	100%





Appendix G  
SEPA Environmental Checklist

# SEPA ENVIRONMENTAL CHECKLIST

## ***Purpose of checklist:***

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

## ***Instructions for applicants:***

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

## ***Instructions for Lead Agencies:***

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

## ***Use of checklist for nonproject proposals:***

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

## ***A. Background*** [\[HELP\]](#)

1. Name of proposed project, if applicable:

2022 Yakima County Solid Waste and Moderate Risk Waste Management Plan Update

2. Name of applicant:

Yakima County Department of Public Services, Solid Waste Division

3. Address and phone number of applicant and contact person:

Karma Suchan, Manager  
Yakima County Department of Public Services, Solid Waste Division  
7151 Roza Hill Drive  
Yakima, WA 98901-2614  
(509) 574-2450

4. Date checklist prepared:

September 13, 2022

5. Agency requesting checklist:

Yakima County and Washington State Department of Ecology (Ecology)

6. Proposed timing or schedule (including phasing, if applicable):

Yakima County will complete the Solid Waste and Moderate Risk Waste Management Plan (Plan) in 2022. Local adoption of the Plan by the entities listed in Item A.10 is expected by the end of 2022, at which time the Plan will become effective. Implementation will occur over a 5-year period from 2023 through 2028.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

State law requires that solid waste plans be reviewed regularly and updated as necessary. The next Plan update is anticipated for 2028.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

Environmental review will occur subsequently on a project-by-project basis, as applicable. Previous SEPA checklist was prepared for the 2017 Plan. This Plan supersedes the Plan prepared in 2017.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

There are no specific projects or properties covered in the Plan.

10. List any government approvals or permits that will be needed for your proposal, if known.

Approvals are required from the following:

- Yakima County Board of Commissioners

- Cities of: Grandview, Granger, Harrah, Mabton, Moxee, Naches, Selah, Sunnyside, Tieton, Toppenish, Union Gap, Wapato, Yakima, and Zillah
- Yakima County Solid Waste Advisory Committee
- Ecology

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The Solid Waste and Moderate Risk Waste Management Plan (Plan) recommends strategies to manage solid waste and moderate risk waste (MRW) generated in Yakima County, Washington. Solid waste handling includes management, storage, collection, diversion, transportation, treatment, use, processing, and final disposal. This Plan addresses the following solid waste streams: municipal solid waste (MSW), construction and demolition (C&D) debris, organic materials, special wastes; and MRW.

The overall goal of Yakima County and the participating jurisdictions is to provide Yakima County citizens with efficient, reliable and affordable solid waste collection, handling, landfill diversion, and final management services in order to improve our quality of life while protecting and preserving human health, environmental quality and natural resources.

Specific objectives include the following solid waste and MRW materials:

- Ensure convenient and reliable services for management;
- Promote the use of innovative and economical handling methods;
- Emphasize waste reduction as a fundamental management strategy;
- Support public-private partnerships for landfill diversion programs;
- Encourage the recovery of marketable resources from solid waste and MRW;
- Reduce environmental impacts to air, water and land that are associated with solid waste and MRW generation, transportation, handling, landfill diversion and disposal;
- Reduce the occurrence and environmental impacts associated with illegal dumping;
- Ensure compliance with State and local solid waste and MRW regulations; and
- Manage waste in a manner that promotes Washington State's waste management priorities presented in Ecology's *Moving Washington beyond Waste and Toxics* plan.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The Plan includes incorporated and unincorporated areas of Yakima County, excusing the Yakama Indian Nation and the United State Army Training Center, which handle their own waste and are excluded from the Plan. Figure 7.1 in the Plan provides a map of Yakima County and the location of Yakima County solid waste facilities.

## **B. Environmental Elements** [\[HELP\]](#)

1. **Earth** [\[help\]](#)

a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other \_\_\_\_\_

b. What is the steepest slope on the site (approximate percent slope)?

Not applicable (N/A) – non-project proposal.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

N/A

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

N/A

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

N/A

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

N/A

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

N/A

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

N/A

2. **Air** [\[help\]](#)

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

N/A

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

N/A

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

N/A

**3. Water** [\[help\]](#)

a. Surface Water: [\[help\]](#)

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

N/A

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

N/A

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

N/A

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

N/A

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

N/A

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

N/A

b. Ground Water: [\[help\]](#)

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

N/A

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

N/A

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

N/A

2) Could waste materials enter ground or surface waters? If so, generally describe.

N/A

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

N/A

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

N/A

#### 4. **Plants** [\[help\]](#)

a. Check the types of vegetation found on the site:

\_\_\_deciduous tree: alder, maple, aspen, other

\_\_\_evergreen tree: fir, cedar, pine, other

\_\_\_shrubs

\_\_\_grass

\_\_\_pasture

\_\_\_crop or grain

\_\_\_ Orchards, vineyards or other permanent crops.

\_\_\_ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

\_\_\_water plants: water lily, eelgrass, milfoil, other

\_\_\_ other types of vegetation

N/A

b. What kind and amount of vegetation will be removed or altered?

N/A

- c. List threatened and endangered species known to be on or near the site.

N/A

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

N/A

- e. List all noxious weeds and invasive species known to be on or near the site.

N/A

## 5. **Animals** [\[help\]](#)

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: hawk, heron, eagle, songbirds, other:  
mammals: deer, bear, elk, beaver, other:  
fish: bass, salmon, trout, herring, shellfish, other \_\_\_\_\_

N/A

- b. List any threatened and endangered species known to be on or near the site.

N/A

- c. Is the site part of a migration route? If so, explain.

N/A

- d. Proposed measures to preserve or enhance wildlife, if any:

N/A

- e. List any invasive animal species known to be on or near the site.

N/A

## 6. **Energy and Natural Resources** [\[help\]](#)

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.



N/A

- b. Would your project affect the potential use of solar energy by adjacent properties?  
If so, generally describe.

N/A

- c. What kinds of energy conservation features are included in the plans of this proposal?  
List other proposed measures to reduce or control energy impacts, if any:

N/A

## **7. Environmental Health** [\[help\]](#)

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal?  
If so, describe.

N/A

- 1) Describe any known or possible contamination at the site from present or past uses.

N/A

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

N/A

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

N/A

- 4) Describe special emergency services that might be required.

N/A

- 5) Proposed measures to reduce or control environmental health hazards, if any:

N/A

### **b. Noise**

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

N/A

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

N/A

3) Proposed measures to reduce or control noise impacts, if any:

N/A

**8. Land and Shoreline Use** [\[help\]](#)

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

N/A

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

N/A

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

N/A

c. Describe any structures on the site.

N/A

d. Will any structures be demolished? If so, what?

N/A

e. What is the current zoning classification of the site?

N/A

f. What is the current comprehensive plan designation of the site?

N/A

g. If applicable, what is the current shoreline master program designation of the site?

N/A

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

N/A

i. Approximately how many people would reside or work in the completed project?

N/A

j. Approximately how many people would the completed project displace?

N/A

k. Proposed measures to avoid or reduce displacement impacts, if any:

N/A

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

N/A

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

N/A

## 9. **Housing** [\[help\]](#)

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

N/A

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

N/A

c. Proposed measures to reduce or control housing impacts, if any:

N/A

## 10. **Aesthetics** [\[help\]](#)

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

N/A

b. What views in the immediate vicinity would be altered or obstructed?

N/A

b. Proposed measures to reduce or control aesthetic impacts, if any:

N/A

**11. Light and Glare** [\[help\]](#)

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

N/A

b. Could light or glare from the finished project be a safety hazard or interfere with views?

N/A

c. What existing off-site sources of light or glare may affect your proposal?

N/A

d. Proposed measures to reduce or control light and glare impacts, if any:

N/A

**12. Recreation** [\[help\]](#)

a. What designated and informal recreational opportunities are in the immediate vicinity?

N/A

b. Would the proposed project displace any existing recreational uses? If so, describe.

N/A

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

N/A

**13. Historic and cultural preservation** [\[help\]](#)

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers ? If so, specifically describe.

N/A

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

N/A

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

N/A

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

N/A

#### **14. Transportation** [\[help\]](#)

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

N/A

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

N/A

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

N/A

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

N/A

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

N/A

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

N/A

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

N/A

- h. Proposed measures to reduce or control transportation impacts, if any:

N/A

**15. Public Services** [\[help\]](#)

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

N/A

- b. Proposed measures to reduce or control direct impacts on public services, if any.

N/A

**16. Utilities** [\[help\]](#)

- a. Circle utilities currently available at the site:  
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,  
other \_\_\_\_\_

N/A

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

N/A

**C. Signature** [\[HELP\]](#)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: \_\_\_\_\_

Name of signee Karma Suchan

Position and Agency/Organization Manager, Yakima County Department of Public Services,  
Solid Waste Division

Date Submitted: \_\_\_\_\_

## **D. Supplemental sheet for nonproject actions** [\[HELP\]](#)

**(IT IS NOT NECESSARY** to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Proposed actions described in the Plan are meant to encourage the proper management of solid and moderate risk wastes, and to promote waste reduction, reuse, recycling, and composting. Successful implementation of the Plan is intended to decrease the potential for releases of toxic or hazardous substances to the environment.

Proposed measures to avoid or reduce such increases are:

Specific goals and objectives related to moderate risk waste (MRW) include:

- Ensure convenient and reliable services for managing solid waste and MRW materials;
- Promote the use of innovative and economical waste handling methods;
- Reduce environmental impacts to air, water, and land that are associated with waste generation, transportation, handling, recycling, and disposal;
- Reduce the occurrence and environmental impacts associated with illegal dumping;
- Ensure compliance with State and local solid waste and MRW regulations; and
- Manage waste in a manner that promotes Washington State's waste management priorities presented in Ecology's *Moving Washington Beyond Waste and Toxics* document.

The following recommendations are made in the Plan for MRW:

- MRW1) Continue with Yakima County staff promotion and education efforts regarding MRW, and enhance coordination with other departments and programs to find avenues for cross-sector education.
- MRW2) Utilize additional technical assistance for SQGs provided by Ecology and distribute promotional and educational materials directed at specific business, institutional, or agricultural processes.
- MRW3) Continue to coordinate the schedule and process for updating the MRW Plan with the solid waste management plan (as is the current practice).
- MRW4) Evaluate establishing curbside collection of HHW.
- MRW5) Establish an HHW technical support service for school districts

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Refer to response number 1. The Plan encourages the proper management of solid and moderate risk waste, which will protect plant life and wildlife habitat by reducing illegal dumping and encouraging the proper disposal of all wastes. Enhanced education and outreach efforts regarding the proper use of moderate risk wastes and increased access to recycling will also reduce the potential threats to wildlife associated with the improper disposal of wastes.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

Refer to response to number 1.

3. How would the proposal be likely to deplete energy or natural resources?

The Plan's recommendations are not anticipated to deplete energy or natural resources. The Plan promotes an efficient system for managing solid and moderate risk wastes. The Plan also promotes practices to reduce, reuse, repurpose and recycle waste, which will conserve natural resources.

Proposed measures to protect or conserve energy and natural resources are:

N/A

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The recommendations included in the Plan will not affect environmentally sensitive areas or areas designated for governmental protection. Implementation of project-specific proposals will undergo environmental review and the SEPA process.

Proposed measures to protect such resources or to avoid or reduce impacts are:

N/A

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?



Future development would occur in accordance with *Plan 2015*, the County's comprehensive land use planning document. No direct impacts to land or shoreline uses are anticipated to result from the proposed recommendations.

Proposed measures to avoid or reduce shoreline and land use impacts are:

N/A

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The addition of any solid waste facilities or practices recommended in the Plan will be implemented in accordance with local, state, and federal regulations. Any increased demands on transportation, public services and utilities will be minimized through compliance with applicable laws and regulations in place at the time of the proposed action.

Proposed measures to reduce or respond to such demand(s) are:

N/A

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The addition of any solid waste facilities or practices recommended in the Plan will be implemented in conformance with local, state, and federal regulations. The Plan does not recommend any actions that do not comply with applicable laws and regulations.

# Appendix H

## Comments

Letter Author	Letter Number	Comments	Response
Shelley Byington	1	<p><b>Page 86, 5.5.2-Yard Debris Composting</b>  <b>From Plan:</b> "The Caton Landfill located in Naches accepts organics, including yard debris, and anticipates partnering with another private operator to process the collected material to produce compost and mulch products. The Landfill anticipates becoming the primary supplier of nutrient rich compost when Morton and Sons closes. Landfill staff anticipate operation of their composting/mulching operation to begin in late 2021."</p> <p><b>Comments/Questions</b></p> <ol style="list-style-type: none"> <li>How is it possible that LPL's can accept out of county items and possibly infect our highly agricultural area within the Apple Maggot quarantine area? Caton LPL has accepted material from King County. Seattle's Big Bertha material was brought in, over 600 truckloads recorded.</li> <li>Are they checking for yard debris that comes from out-of-county/area to avoid an economic catastrophe due to Apple Maggots?</li> <li>When did Caton LPL become permitted to sell compost and mulch?</li> <li>Why do they continue to have a very large, 3 acre plus size pile of wooden debris that is visible and not dealt with on their property? I have been told by Alan Baird, Naches Fire Chief, this is a huge concern for him when wildfires come through our area. Evan's Canyon fire in September 2020 was the most recent that threatened the Caton LPL site. Alan Baird shared he stayed all night on Caton site in case this pile became involved in the wildfire. It was a very real possibility. Our neighborhood had to evacuate for two days.</li> <li>Was there a permit amendment process followed to add soil, mulch and compost to Caton's permit?</li> <li>Was the public notified?</li> <li>I highly question the list of items that Caton LPL is allowed to accept. Acceptance of green and brown material feed into the potential fire propensity and should be reviewed and updated.</li> </ol> <p><b>Page 117, 8.3.S Waste Import</b>  <b>From Plan:</b> "Caton Landfill and DTG Recycling, accept waste generated from out-of-county sources, but records from Ecology indicate neither site accepted waste from out of county for the period of 2016 to 2021."</p> <p><b>Comments/Questions</b></p> <ol style="list-style-type: none"> <li>Caton LPL began accepting Canadian "composted wooden material" semi loads in November 2021, if not earlier. DTG was accepting Canadian semi loads prior to Caton receiving them. The above information is not accurate. Semi-trucks arrived up to 20 per day, Monday through Friday, and Saturday by appointment at Caton. The debris from the semi loads are the primary contributor to Caton's current landfill fires. If the fires are not caused by the composted debris from Canada, then that tells me the fires have even more toxic material involvement from past loads from Yakima Boise Cascade and Seattle's Big Bertha material.</li> <li>Ecology may have not known of "out-of-county debris being accepted", but Yakima Health District was VERY aware of out of County, and country, material being accepted in droves at both DTG and Caton LPL's.</li> </ol>	<p><i>Yakima County Department of Public Services, Solid Waste Division (YCSWD) acknowledges the comments related to the two Limited Purpose Landfills (LPLs) in question. In accordance with Washington Administrative Code (WAC) 173-350-400, LPLs in the Yakima County are regulated by the Washington State Department of Ecology (ECY) and the Yakima Health District (YHD). The questions and comments receive from Shelley Byington can be best addressed by the regulatory authorities (i.e., ECY and YHD) since the YCSWD does not have regulatory authority over the private LPLs operating in the Yakima County.</i></p> <p><b><i>We note that Steven Newchurch (with YHD) looked at the comments/questions from Shelley Byington, and already responded to most of those comments/questions. These responses from the YHD are detailed below:</i></b></p> <ol style="list-style-type: none"> <li>How is it possible that LPL's can accept out-of-county items and possibly infect our highly agricultural area within the Apple Maggot quarantine area? Caton LPL has accepted material from King County. Seattle's Big Bertha material was brought in, over 600 truckloads recorded.  <b>Response from YHD:</b>  "Washington Department of Agriculture (WSDA) is the main regulatory authority regarding the apple maggot quarantine areas. They would be the agency to enforce the transport of waste from quarantine areas to non- quarantine areas. As I understand it, Caton LPL is in a quarantined area, I believe that bringing waste to the landfill from quarantined or non-quarantined areas is not an issue because apple maggot is already in that area."</li> <li>Are they checking for yard debris that comes from out-of- county/area to avoid an economic catastrophe due to Apple Maggots?  <b>Response from YHD:</b>  "See response above."</li> <li>When did Caton LPL become permitted to sell compost and mulch?  <b>Response from YHD:</b>  "Caton LPL is not permitted to compost and they do not on site. The section you cited says, "The Landfill anticipates becoming the primary supplier of nutrient rich compost when Morton and Sons closes." It was an assumption on that the composting is a future plan. There has not been a permit application received by YHD for a composting facility as of yet."</li> <li>Why do they continue to have a very large, 3 acre plus size pile of wooden debris that is visible and not dealt with on their property? I have been told by Alan Baird, Naches Fire Chief, this is a huge concern for him when wildfires come through our</li> </ol>

Letter Author	Letter Number	Comments	Response
			<p>area. Evan's Canyon fire in September 2020 was the most recent that threatened the Caton LPL site. Alan Baird shared he stayed all night on Caton site in case this pile became involved in the wildfire. It was a very real possibility. Our neighborhood had to evacuate for two days.</p> <p><b>Response from YHD:</b>          "YHD is aware that this brush pile is a fire hazard. Given the work being done to address the fire and update the facility's permitting documents, this issue is included. Caton LPL has told YHD that it is currently trying to sort through material and get some of it buried to begin remediating the issue."</p> <p>5. Was there a permit amendment process followed to add soil, mulch and compost to Caton's permit?  <b>Response from YHD:</b>          "See response to #3. Caton LPL has not applied for composting as of now and they do not compost."</p> <p>6. Was the public notified?  <b>Response from YHD:</b>          "See response to #3 and #5"</p> <p>7. I highly question the list of items that Caton LPL is allowed to accept. Acceptance of green and brown material feed into the potential fire propensity and should be reviewed and updated.  <b>Response from YHD:</b>          "This is not a question but we are reviewing all of our facilities' permits come renewal time. This is under consideration. I have cc'd Wendy Wickersham who has inquired about the same topic at Caton LPL. Wendy- I would like to provide a correction to the email I sent to you on January 12th as I sated that grass clippings are unacceptable. There seems to be discrepancy in the permit on what "grass clippings" are acceptable. The permit states "green grass clippings" are not acceptable but "grass clippings" are then under the approved section. I assume this would mean that it must be dried out before being accepted. However, as stated before, this is all being reviewed."</p> <p><b>Response from YCSWD:</b>          "The Plan will be updated to reflect what Caton LPL currently accepts. This data when YCSWD submitted the draft Plan to Ecology"</p> <p><b>Regarding, Page 117, 8.3.S Waste Import</b>          1. Caton LPL began accepting Canadian "composted wooden material" semi loads in November 2021, if not earlier. DTG was accepting Canadian semi loads prior to Caton</p>

Letter Author	Letter Number	Comments	Response
			<p>receiving them. The above information is not accurate. Semi-trucks arrived up to 20 per day, Monday through Friday, and Saturday by appointment at Caton. The debris from the semi loads are the primary contributor to Caton's current landfill fires. If the fires are not caused by the composted debris from Canada, then that tells me the fires have even more toxic material involvement from past loads from Yakima Boise Cascade and Seattle's Big Bertha material.</p> <p><b>Response from YHD:</b>          "This is not a question but ECY followed up on this statement not too long ago. I provided information to ECY to show that the statement is incorrect. Yes, YHD is aware of out-of-county waste acceptance as it is legal to do so. I assume there was just miscommunication."</p> <p><b>Response from YCSWD:</b>          The Plan will be updated to included 2021 numbers. That information was not completely available when the draft Plan was submitted to ECY.</p> <p>2. ECY may have not known of "out-of-county debris being accepted", but YHD was very aware of out-of-County, and country, material being accepted in droves at both DTG and Caton LPL's.</p> <p><b>Response from YHD:</b>          No response.</p> <p><b>Response from YCSWD:</b>          The Plan will be updated to reflect 2021 waste receipts. This data was not available when YCSWD submitted the Plan to ECY.</p>
Scott Cave, Friends of Rocky Top/Cascadia Now	2	<p>The submittal was 49 pages, including exhibits. Below are the key points</p> <p><b>Key Points</b></p> <ol style="list-style-type: none"> <li>1. The Plan is not using 2021 data for LPLs</li> <li>2. The Plan defines Sham Recycling, but the County has not cited DTG for Sham Recycling. They request policy changes, specifically at DTG, to address Sham Recycling.</li> <li>3. In Section 9.2.1, the Plan discusses ensuring compliance with State and local regulations. However, the County is not enforcing regulations at C&amp;D facilities.</li> <li>4. In Section 9.3.3, the Plan discusses the disposal of material at DTG. They state that the list in the Plan does not coincide with the DTG website.</li> <li>5. They believe that Section 10.10.2 &amp; 3, Petroleum Contaminated Soil, is outdated and that there is not sufficient capacity to handle PCS due to DTG losing its air permit.</li> </ol>	<p><b>Response from YCSWD:</b></p> <ol style="list-style-type: none"> <li>1. The Plan will be updated to reflect 2021 waste receipts. This data was not available when YCSWD submitted the Plan to Ecology.</li> <li>2. YCSWD does not have the legal authority to cite DTG for Sham Recycling. YHD and ECY have that authority.</li> <li>3. In accordance with WAC 173-350-400, LPLs in the Yakima County are regulated by ECY and YHD. The questions and comments received from Scott Cave can be best addressed by the regulatory authorities (i.e., ECY and YHD) since the YCSWD does not have regulatory authority over the private LPLs operating in the Yakima County. We understand that the ECY and YHD have received a copy of these comments/questions, and we encourage the author to coordinate with the ECY and YHD directly for expedited resolution of the questions/comments detailed in the letter.</li> </ol>

Letter Author	Letter Number	Comments	Response
			<p>4. Please refer to #3</p> <p>5. No landfills in Yakima accepted petroleum contaminated soil in 2021</p>
Ed Shoenbach	3	<p><b>Key Points</b></p> <p>Concerns about the Caton Landfill: heavy truck traffic, “unsupervised” loads, Canadian waste</p>	<p><b>Response from YCSWD:</b></p> <p>YCSWD acknowledges the comments related to the Caton LPL. In accordance with WAC 173-350-400, LPLs in the Yakima County are regulated by ECY and the YHD. The questions and comments receive from Ed Shoenbach can be best addressed by the regulatory authorities (i.e., ECY and YHD) since the YCSWD does not have regulatory authority over the private LPLs operating in the Yakima County. We understand that the ECY and YHD have received a copy of these comments/questions, and we encourage the author to coordinate with the ECY and YHD directly for expedited resolution of the questions/comments detailed in the letter.</p>
Wendy Wickersham	4	<p><b>Key Points</b></p> <p>LPLs specifically: lack of air and landfill gas permitting, Sham Recycling, the Plan not using 2021 data for LPLs, receiving out-of-county and country waste, record keeping</p>	<p><b>Response from YCSWD:</b></p> <p>YCSWD acknowledges the comments related to the LPLs operating in Yakima County. In accordance with WAC 173-350-400, LPLs in the Yakima County are regulated by the ECY and YHD. The questions and comments received from Wendy Wickersham can be best addressed by the regulatory authorities (i.e., ECY and YHD) since the YCSWD does not have regulatory authority over the private LPLs operating in the Yakima County. We understand that the ECY and YHD have received a copy of these comments/questions, and Steven Newchurch (with YHD) have partially responded to the questions/concerns as detailed in the Response #7 to letter by Shelley Byington.</p>
Mick Nelson Yanke	5	<p><b>Key Points</b></p> <p>Desire to increase the amount of glass recycling and for the County to speak with her organization, Yakima Recycles Glass (YRG), to explore how to increase glass recovery. This expansion includes incorporating glass into the Yakima City curbside recycling program. YRG is volunteer and donation-based. They receive about 0.5 tons of glass and \$200 monthly.</p>	<p><b>Response from YCSWD:</b></p> <p>YCSWD acknowledges the comments regarding glass recycling by Mick Nelson Yanke. YCSWD amended the Plan to encourage Yakima County residents and relevant stakeholders, such as Mick Nelson Yanke, to contact and collaborate with the YCSWD to find sustainable solutions for recyclables and waste management. ECY is working on Extended Producer legislation which may increase opportunities for glass recycling a Yakima County and will be hosting a glass summit. YCSWD will share this type of information with relevant stakeholder.</p> <p>YCSWD updated the Plan to include language about working with relevant stakeholders to explore opportunities to increase reduction and recovery of glass.</p>
Washington Dept. of Agriculture	6	<p>1. Section 5.2.3 Washington State Department of Agriculture Apple Maggot Quarantine:</p> <p>The Plan refers to the rule related to the regulation of solid waste and green waste under the apple maggot quarantine as an "emergency rule". This rule is no longer considered an emergency rule, as the regular rulemaking process was concluded some time ago (see WAC 16-470-111). WSDA recommends updating this for accuracy.</p>	<p><b>YCSWD response:</b></p> <p>1: YCSWD updated Chapters 5 and 8 the Plan to reference WAC 16-470-111 and the County will not accept solid waste from the quarantine area at Cheyne Landfill &amp; Transfer or Lower Valley Transfer Station unless WSDA issue a special permit allowing it.</p>

Letter Author	Letter Number	Comments	Response
		<p>The Plan discusses the restrictions on the transport of green waste from a quarantine area to a pest-free area, but does not mention the restrictions on the transport of solid waste. Under the apple maggot quarantine, solid waste from a quarantine area cannot be transported or disposed of in a pest-free area unless a special permit has been issued by WSDA. Therefore, solid waste from areas under quarantine cannot be transported or disposed of at the Cheyne Landfill &amp; Transfer Station or the Lower Valley Transfer Station unless WSDA issues a special permit allowing it. This is because these facilities are located in the pest-free area. Solid waste from the pest-free area may be transported and disposed of in the quarantine area. WSDA recommends including this clarification in the Plan and also including mention of it under Chapter 7 Transfer System and/or Chapter 8 Disposal</p> <p>2. Section 5.3.1 Yard Debris Composting: The Plan states that facility staff ask where a resident lives prior to giving away yard waste and provide them with information on the apple maggot quarantine. In order to comply with the apple maggot quarantine, any resident that's found to live in the pest-free area should be prohibited from taking green waste from a facility located in the quarantine area. WSDA recommends this be clarified in the Plan.</p> <p>3. Section 14.2.3 Chapter 5: Organics: Under the second bullet, the Plan states one of the recommendations is to "Comply with the WSDA apple maggot quarantine requirements, specifically the Notice of Correction ... " It is unclear based on this language if the Notice of Correction is currently being complied with, however, other statements made in the Plan indicate that the County is currently in compliance. WSDA recommends revising this language.</p> <p>4. In September 2022, a quarantine for Japanese beetle was put in place in the Grandview area of Yakima County (see WAC 16-470-700 to 720). WSDA has worked with the City of Grandview and Alba's Excavating to open a free yard debris drop-off site for residents and businesses inside the Japanese beetle quarantine area. WSDA recommends this quarantine, along with its restrictions on the movement of yard debris, are discussed in the Plan.</p>	<p>2: YCSWD updated Chapter 5 to say "any resident that's found to live in the pest-free area will be prohibited from taking green waste from a facility located in the quarantine area."</p> <p>3: YCSWD updated Chapter 5 to indicate that YCSWD is currently in compliance.</p> <p>4: Even though this occurred in 2022 and the baseline years is 2021, YCSWD discussed this quarantine in the Plan.</p>
Washington Utilities and Transportation Commission	7	Provided observations but not comments/questions that require a response from YCSWD or modifications to the Plan	
Washington State Dept. of Ecology	8	<p>1. New signed ILA's should be submitted with the final draft of the Plan, currently slotted for Appendix B. Section 1.6 states the ILA's were updated in 2017 but the examples provided in the Plan are signed in 2002 with a 20-year term. Once the ILA's are updated, section 1.6, 6.6.2, and any other references in the plan should also reflect the new date of signed ILA's.</p> <p>2. To bring some statewide consistency to Plan titles and to ensure its clear this is the County's combined Solid and Hazardous Waste Plan, we recommend the title be changed to: Yakima County Comprehensive Solid and Hazardous Waste Management Plan – 2023 to 2028.</p>	<p><b>YCSWD responses are below:</b></p> <p>1. Updated the Plan to state the County is in the process of signing new LCAs</p> <p>2. Changed the Plan title</p> <p>3. Created table of content with links to the Appendices</p>

Letter Author	Letter Number	Comments	Response
		<p>3. All sections in the Table of Contents, except for the Appendices, have links to the page of the plan it is found in. This makes it a very easy to navigate table of contents. We recommend adding the links to the Appendices for consistency as well as the ease of navigation.</p> <p>4. Ch. 1, 1.12.3, Pg. 1-13: The last line in the paragraph for the Mercury Containing Lights references Chapter 12, we suggest also referencing section 3.5.4 which discusses the sun setting of that law.</p> <p>5. Ch. 3, 3.3.1, Pg. 3-2: Add the RCW that makes recycling required at events 70A.200.100.</p> <p>6. Ch. 3, 3.3.5, Pg. 3-3: Add in the reference to the laws discussed: RCW 70A.200.060 which sets the fines for littering, RCW 46.61.655 which requires a secured load, and RCW 70A.200.120 requiring counties adopt an ordinance for unsecured load fees at solid waste facilities. We also recommend changing the last sentence from “depending on the size of the item” to “depending on the amount or type of item.”</p> <p>7. Ch. 4, 4.2.2, Pg. 4-1: Under this section you have bullet points followed by two paragraphs that outline the same information. We recommend removing the bullet points and keeping the paragraphs but if you choose to keep the bullet points they should be updated: Bullet point 1 references 70A.205.045 but the first paragraph below references 70A.205.050. Although both RCW’s reference the information we suggest rewording so that the first bullet point reflects the recycling services provided as set forth in 70A.205.045 and then leave the paragraph as is. Bullet point 2 is referencing an old RCW “70.95.97, which was not a valid RCW. Suggest change homes and apartment to “single and multiple-family residences” as stated in 70A.205.045 (7)(B)(i).</p> <p>8. Ch. 4, 4.3.11.1: Change the word in sentence two (2) from “introduced” to “enacted”, to reflect the date it became effective versus when it was introduced. China introduced the idea in 2017 and it went into effect in 2018. Paragraph 3 states “Markets for recyclable materials have been slowly improving since 2018.” We recommend “The markets for recyclable materials have been inconsistent since 2018”. Regionally prices have fluctuated a great deal especially in recent months. You could also put a link directly to the Box folder that contains Ecology data on the markets.</p> <p>9. Ch. 4, 4.6.10, Pg. 4-19: The description states the following recommendations scored a 4 or higher but Alternative B did not score a 4 or higher and it is still being recommended. We recommend adding a note as to why it is being recommended despite the lower rating or correcting the rating to be 4+.</p> <p>10. Ch. 5, 5.2.2, Pg. 5-2: Add the Organics Management Law into the regulations section as the changes are going to impact the county within this plan timeline. Bill info can be found here.</p> <p>11. Ch.5, 5.6.7.2, Pg. 5-12: Alternative A has a goal of increasing organics diversion by 10%, however it is not clear what year the initial 10% will be based off or if that value will increase each year to total 10% at the end of this Plan.</p>	<p>4. Referenced section 3.5.4. when discussing the sun setting of Mercury Lights Law</p> <p>5. Added the RCW that makes recycling required at events</p> <p>6. Referenced the laws discussed: RCW 70A.200.060 which sets the fines for littering, RCW 46.61.655 which requires a secured load, and RCW 70A.200.120 requiring counties adopt an ordinance for unsecured load fees at solid waste facilities. Will also change the last sentence from “depending on the size of the item” to “depending on the amount or type of item.”</p> <p>7. Removed the bullets</p> <p>8. Changed the word in sentence two (2) from “introduced” to “enacted”, to reflect the date it became effective versus when it was introduced. Revised the Plan to say “The markets for recyclable materials have been inconsistent since 2018.”</p> <p>9. Alternative B already includes a note</p> <p>10. Added the Organics Management Law into the regulations section of Chapter 5</p> <p>11. Clarified how organics diversion increases by 10%</p> <p>12. Added language about the landfill gas legislation as well as if it will affect any of Yakima County landfills and if applicable, how the County plans to address it</p> <p>13. Used available 2021 data throughout the plan. 2021 data shows out-of-county waste receipts at the Caton and DTG landfills</p> <p>14. Updated language for activities at County facilities from 2022 to 2023</p> <p>15. Changed the title of Chapter 10 and the references to it within the Plan from “Special Wastes” to “Miscellaneous Wastes”</p> <p>16. Matched the first sentences in 11.5.3.1 and 11.5.3.2 and remove the word “likely” in 11.5.3.2</p> <p>17. Added information on the hazardous waste Zone Designations and add a sentence that states all jurisdictions in Yakima County have submitted a certificate of compliance</p> <p>18. Included a link in the Plan to the Ecology dangerous waste generators excel sheet</p>



Letter Author	Letter Number	Comments	Response
		<p>12. Ch. 8, 8.3.2, Pg.8-3: With the new legislation on LFG collection, we suggest adding some language about the legislation as well as if it will affect any of your landfills and if so how you plan to address it. RCW 70A.540.</p> <p>13. Ch. 8, 8.3.5, Pg.8-6: The last sentence referring to Caton and DTG not receiving out-of-county waste appears to be incorrect. The county data on ECY’s website (here: Solid waste &amp; recycling data - ECY) shows out-of-county waste received at both. We suggest updating the sentence to either reflect the quantity of waste received or simply change it to state they are exempt from the resolution and therefore can accept out-of-county waste.</p> <p>14. Ch. 8, 8.4.3, Pg.8-8: You state “the County anticipates construction of the system in 2022”. Since 2022 is over and the final plan will become final in 2023, we suggest updating with current language in the final draft. Suggest the same update for 8.4.4 Cheyenne. Is the THLF flare affected by the same legislation mentioned in 8.4.4? If so, we suggest adding that language.</p> <p>15. Ch. 8, 8.4.3, Pg.8-8: We recommend changing the title of this chapter and the references to it within the plan from “Special Wastes” to “Miscellaneous Wastes”. Ecology is now recommending this change be made when local Solid Waste Management Plans are updated to eliminate any confusion with the way special wastes are defined in the state’s Dangerous Waste Regulations (Chapter 173-303 WAC). Although a few of the items are by definition Special Waste, many of the items listed are not within that specific definition of : “any state-only dangerous waste that is solid only (non-liquid, non-aqueous, nongaseous), that is: Corrosive waste (WAC 173-303-090 (6)(b)(ii)), toxic waste that has Category D toxicity (WAC 173-303-100(5)), PCB waste (WAC 173-303-9904 under State Sources), or persistent waste that is not EHW (WAC 173-303-100(6)). Any solid waste that is regulated by the United States EPA as hazardous waste cannot be a special waste.</p> <p>16. Ch.11, 11.5.3.2, Pg. 11-6: Suggest having 11.5.3.1 and 11.5.3.2 match on their first sentence. Change 11.5.3.2 to remove the word “likely”.</p> <p>17. Ch.12, 12.3.1: We suggest adding additional information on the Zone Designations. We also suggest adding in a sentence that states all jurisdictions in Yakima County have submitted a certificate of compliance. A good example is Clark County Plan (page 13). We also have a folder with the Yakima County certificates if you would like to verify their compliance.</p> <p>18. Ch. 12, 12.3.1.1, Pg. 12-5: The numbers listed do not appear to match the data provided by Ecology. The consolidated data can be found here. We also recommend either listing out the generators in this section, adding them in as an appendix, and/or you could link directly to the excel sheet.</p>	<p>19. Added a link in the Plan to the remedial action database “What’s In My Neighborhood”</p> <p>20. Corrected the RCW referenced in 13.3.2, 13.3.4, 13.3.5, and any other places where the outdated 70.95 RCW is referenced</p> <p>21. Modified Table 13.4 to list grant funding is as a current source or a potential/possible funding source</p> <p>22. Changed the title of the Plan</p> <p>23. Stated there will be periodic reviews of the Plan in Chapter 14</p> <p>24. Included minutes from SWAC meetings</p> <p>25. Previously addressed WSDA comments/questions</p> <p>26. Included a link in the Plan to the Ecology website educational/outreach materials on diversity, equity, and inclusion in solid waste programs</p> <p>27. Rewrote sentence</p> <p>28. Combined sections</p> <p>29. Made correction</p> <p>30. Made correction</p> <p>31. Made correction</p> <p>32. Reorganized sentence</p> <p>33. Added brackets</p> <p>34. Referenced study</p> <p>35. Removed number</p>

Letter Author	Letter Number	Comments	Response
		<p>19. Ch.12, 12.3.1.2, Pg. 12-5: The number does not appear to match that found on the database. We also suggest adding this link directly to this database <i>What's In My Neighborhood</i> with Yakima listed in the filter so that residents can look up their areas and be informed.</p> <p>20. Ch.13: Correct the RCW referenced in 13.3.2, 13.3.4, 13.3.5, and any other places where the outdated 70.95 RCW is referenced.</p> <p>21. Ch. 13, 13.6.2, Pg. 13-12: Nowhere in this section or in table 13.4 is grant funding listed as a current source or a potential/possible funding source. We suggest adding in grant funding as the county does currently and will continue to seek and obtain grant funds from all sources. Gray's Harbor (chapter 12) could be used as an example for how to show the grant funding, although their update was previous to the increase in LSWFA funding.</p> <p>22. Ch. 14, 14.6 Pg.14-22: Currently it refers to the "draft 2021 Plan", recommend changing to "draft of this 2023- 2028 Solid &amp; Hazardous Waste Management Plan to all stakeholders. All comments received from Ecology, WSDA, and UTC are included as Appendix H."</p> <p>23. Ch. 14, 14.8, Pg. 14-22: To ensure the Plan is kept in current condition, we recommend you include a periodic plan check-up. We suggest this be an annual review with your SWAC. More details on the value of a more frequent review as well as suggested items to cover during the check-up can be found here.</p> <p>24. Although SWAC participation is mentioned in section 1 we suggest providing some type of documentation that shows evidence of the SWAC participation. Evidence of participation could be shown with the meeting minutes, or a copy of the memo to the SWAC for final review of the recycling element as required by (70A.205.115 (3)) before submission of the final draft. The documentation could be added to Appendix A which currently holds SWAC related materials.</p> <p>25. The WSDA has made multiple recommendations in their response to the preliminary draft that should be added to the suggested sections. Their response can be found here.</p> <p>26. We recommend providing some information about socioeconomic indicators that can be used to support Yakima County's solid waste goals, specifically related to education and outreach gaps. According to the EJSCREEN tool, when it comes to the Socioeconomic Indicators, Yakima County's percentile is higher than the State and US averages in almost all categories. The three highest indicators are people of color, low income, and/or having less than a high school education. These are all barriers to accessing services and achieving solid waste goals in Yakima County. Ecology has some Equity and Environmental Justice Resources that can assist with decision-making around access to services and targeted education and outreach.</p> <p>27. Ch. 3, 3.5.4, Pg. 3-6: Last sentence has a typo and should be reworded to "Quantity of paint accepted may be limited at other sites" or something similar.</p>	

Letter Author	Letter Number	Comments	Response
		<p>28. Ch. 3.3.5 and 3.5.5: Could be combined into one</p> <p>29. Ch. 4.2.1: An extra “and” is found at the end of the sentence</p> <p>30. CH. 4.2.2: Typo: a number 3 is found at the end of bullet point 1</p> <p>31. Ch. 4, 4.6.8.4: Second to last sentence (Alternative B) has a typo, correct to “one-time expense”</p> <p>32. Ch. 4, 4.6.8.4, Pg. 4-18: Suggest switching sentences 3 and 4 in the order they come as the total as written appears to be \$30,000 which in fact it is \$30,000 for year 1 plus the additional \$5,000 annually</p> <p>33. Ch.4, 4.6.9 table 4.7: Has a footer note 1 that is difficult to find in the table. We recommend adding brackets ( ) around the number to be (1) to make it stand out</p> <p>34. Ch. 5, 5.6.7.4: States that a “vendor may need to complete “this” study (\$30,000).” Add which study you are referring to</p> <p>35. Ch.12, 12.2.2: Remove the 70.300 between WAC 173-35-360 and Chapter 70A.300 RCW</p>	