

# Chapter 2

## Administration

The Solid Waste Management Plan has many different elements, and each is implemented through its own combination of public and private agencies, contracts and laws. The private sector operates practically all solid waste collection, transport, processing and disposal operations in Clark County, while public agencies have responsibility for ensuring their effectiveness and implementing public policies, as well as protecting the public health and welfare. Thus, the public-private relationships set forth in a variety of contracts and laws are vital to the economic health of solid waste management in the county. This chapter looks at the administrative roles of jurisdictions for solid waste management in the county. Chapter 16, *Enforcement*, reviews solid waste regulations which govern local government, the solid waste industry and solid waste generators. County background, demographic and economic information and data are included in an annual County report (Appendix H).

### Regulations Governing Local Government

State law requires the county to prepare and update a 20-year solid waste management plan, including plans for solid waste handling facilities, programs to reduce the amount of waste generated, incentives for source separation, residential recycling collection, education and promotion on waste reduction and recycling and plans to manage moderate risk wastes. The Washington Department of Ecology enforces the planning requirement, in part, through distribution of grant funds for projects which help implement the plan. State law, RCW 36.58, RCW 35.21, RCW 81.77, regulates how cities and counties contract for solid waste services and how they generate revenues to fund solid waste management activities.

## Assessment of Conditions

### Administrative Roles

Local governments, collection, disposal and processing companies, regulatory agencies and a variety of other businesses, agencies and organizations work together to manage solid waste in Clark County. Administration is a cooperative effort between city and county elected officials, county and municipal staff, and state agencies.

**Clark County**, through its Solid Waste Program, a section of the Public Works Department, has the long term solid waste planning and facility development responsibility within the County. Through this authority, the County provides regional coordination, regional services, services to cities and other agencies and local services in the unincorporated areas of the county. The County:

- Prepares and updates the County's 20-year Comprehensive Solid Waste Management Plan;

- Works with over 30 public and private agencies to coordinate solid waste management activities, including the County Solid Waste Advisory Commission (SWAC);
- Contracts for long-term disposal of waste generated throughout the county and for household hazardous waste collection and disposal;
- Supervises maintenance and monitoring of two closed landfills in the county;
- Provides contract administration services to cities and school districts;
- Promotes waste reduction through a variety of educational efforts throughout the county;
- Provides technical assistance on proper waste management and related environmental topics to businesses throughout the county;
- Contracts for recycling collection programs in the unincorporated areas, including residential curbside and multi-family recycling collection, yard debris collection and recycling collection at schools;
- Plans for potential recovery or disposal of disaster related debris.

The Clark County Public Health is the designated enforcement agency for solid waste regulations in Clark County. Public Health administers the state's permit system for solid waste facilities, such as landfills, transfer stations and recycling facilities, and enforces the State's Solid Waste Handling Standards, including handling of municipal and industrial sludges and petroleum-contaminated soils. Public Health enforces County code for regulations on solid waste, hazardous waste, and biomedical waste and responds to complaints regarding illegal dumping, burying and accumulations of waste on private property.

### **Clark County Solid Waste Advisory Commission**

The Clark County Solid Waste Advisory Commission (SWAC) is a 9-member citizen advisory board to the Board of County Commissioners. Members represent the geographic areas of the county, the City of Vancouver, the small cities and towns, businesses, the solid waste industry and public interest groups. The SWAC provides and receives public input on solid waste plans, policies and ordinances and has a significant role in developing the Plan.

### **Environmental Management System:**

In December 2002, Clark County Public Works (CCPW) made a commitment with the Environmental Protection Agency (EPA) to participate in the Local Government Environmental Management Systems (EMS) program. Over a three year period, Public Works Equipment Services Operations instituted an EMS program and in January 2006 became ISO 14001 certified. CCPW is currently instituting an Environmental Management System for the Solid Waste Section for solid waste and waste reduction programs and operations. EMS is a continual cycle of planning, implementing, reviewing and improving the processes and actions that an organization undertakes to meet its business and environmental goals. Most EMS programs are built on the "Plan, Do, Check, Act" model. This model leads to continual improvement. The EMS allows organizations to systematically manage their environment, health and safety matters. CCPW is committed to protecting, preserving and restoring our natural environment. CCPW will consider long-term as well as short-term environmental consequences and

costs when making planning, operating, purchasing, contracting, and budgeting decisions to identify and carry out cost-effective and achievable strategies to meet the intent of the EMS policy. To achieve these goals, CCPW has adopted an Environmental Policy. Excerpts from that policy relevant to this Plan are as follows:

- *Compliance with Regulations – CCPW will meet or exceed compliance with all applicable statutes, regulations, and standards (federal, state, and local).*
- *Continuous Improvement – CCPW will provide leadership, training, and resources needed to enable all employees to implement this policy, to enhance the capacity of the organization to achieve continual environmental improvement.*
- *Pollution Prevention – CCPW will strive to prevent pollution, use resources efficiently, minimize waste, and reduce reliance on non-renewable resources.*

**Cities:**

With a variety of options for involvement in solid waste activities within their boundaries, Clark County's seven cities adopt and participate in the regional Plan and the regional disposal system.

**Vancouver:**

Prior to 1997, the City of Vancouver's recycling collection contracts were administered jointly with the Clark County and Battle Ground contracts. After doubling its population through a major annexation, the city re-bid its recycling contracts and negotiated garbage collection contracts. Vancouver now accounts for 40% of the county's residents. City of Vancouver staff performs the following:

- Administers a recycling, yard debris and garbage collection contract for the city. This function includes serving as a liaison between the collection contractor and customers on billing and service issues, as well as developing rate structures and rate modeling;
- Operates an annual neighborhood clean-up program and a leaf disposal program;
- Licenses haulers of commercially-generated recyclable materials;
- Participates in and coordinates with the educational programs offered by the County, the collector, and other partners;
- Maintains data on city programs and produces informational materials and reports;
- Reviews and provides input into county solid waste program annual priorities, project work plans, publications and proposed annual budgets;
- Administers and enforces Vancouver solid waste ordinances and responds to complaints.

**Other cities:**

- **Camas** provides garbage collection with city staff and vehicles and contracts for recycling collection and other services.
- **Washougal** contracts for both garbage and recycling collection.

- **Ridgefield** contracts for garbage collection.
- **Battle Ground** participates in Clark County's recycling collection contracts for single-family, multi-family and yard debris.
- **Yacolt** and **La Center** receive recycling collection services through county-administered contracts (initiated in the beginning in 1999).
- Recycling collection in Ridgefield and garbage collection in Battle Ground, Yacolt and La Center are administered through the Washington Utilities and Transportation Commission (WUTC). The cities conduct periodic clean-up events within their borders.
- Review and provide input into county solid waste program annual priorities, project work plans, publications and proposed annual budgets.

### **Southwest Washington Clean Air Agency**

The Southwest Washington Clean Air Agency (SCAA) is responsible for enforcing federal, state and local outdoor air quality standards and regulations in Clark, Skamania, Lewis, Wahkiakum and Cowlitz counties. The primary role of SCAA, with respect to solid waste management, is regulation of emissions from incinerators and landfill gas control systems and implementation of the ban on outside burning in the non-attainment areas of the county. This burn ban is described in chapter 16 on "*Enforcement.*"

### **Washington Department of Ecology**

The Washington Department of Ecology is the state agency responsible for oversight of solid waste management. Since passage of the first Solid Waste Management Act in 1969, the focus of solid waste laws and regulations in the state has evolved from the closing of open burning dumps to the current implementation of a comprehensive statewide management plan that relies on sophisticated management strategies. The state retains authority for setting standards for solid waste handling systems, while operations and management responsibilities are generally delegated to local governments.

The Washington Department of Ecology controls compliance with RCW 70.95, WAC 173-304, and WAC 173-350 through its review and approval of solid waste management plans and facility permits. Regulatory authority over solid waste facilities is delegated by the state to local jurisdictional health departments. Approval of permits by local health departments may be appealed by the Washington Department of Ecology to the Washington Pollution Control Hearings Board.

### **Washington Utilities and Transportation Commission (WUTC)**

The WUTC regulates solid waste collection activities under RCW 81.77, through the issuance of certificates entitling private companies to provide solid waste collection services of a certain type — garbage, refuse and demolition waste — within specified geographic areas of the state. The authority of the WUTC, under RCW 81.77, is limited to collection of solid waste from generators and does not extend directly to the regulation of hauling solid waste from transfer stations.

Under RCW 81.77, the WUTC also regulates the collection of source-separated recyclable materials from residences, if the local government does not contract for that service. The state's solid waste statutes do not give the WUTC the authority to regulate

the collection or transportation of recyclable materials from drop-boxes or buy-back centers; nor, do the statutes provide authority for regulating the collection of recyclables from commercial or industrial generators. Transportation of these materials is regulated under Chapter 81.80. Although the WUTC does have authority to regulate this transportation, this authority is not exclusive.

Administrative roles for solid waste management in Clark County are summarized in Table 3-1. Administrative roles in solid waste collection are summarized in Table 3-2.

<b>Table 3-1 Solid Waste Management Administrative Roles in Clark County</b>		
<b>Solid Waste Roles</b>	<b>Responsible Agencies</b>	
<b>Administration</b>	<b>Primary</b>	<b>Also</b>
Regional CSWM Plan	Clark County	Cities, Ecology, WUTC, SWAC,
Regional coordination	Clark County	SWAC, Cities
Long-term safe disposal (includes transfer & transport)	Clark County	Ecology, SWAC, Cities
MRW collection & disposal	Clark County	
Monitor closed landfills	Clark County	Ecology
Coordinate regional waste reduction education & promotion	Clark County	CSEEC*, Cities
Regional MRW Education	Clark County	CSEEC*, Cities
Local education & promotion	County , Cities	
Environmental assistance to businesses	Clark County, Cities	
Garbage collection administration	WUTC, Cities	County
Recycling collection administration	County, Cities, WUTC	
Recyclables processing	County	
Local clean-ups, seasonal collections	Cities, County	
Solid Waste management data & reports	County, Cities	Ecology
Development of new solid waste programs	County, Cities	Ecology
Siting of solid waste handling facilities	County, Cities	Ecology
Plans for potential recovery or disposal of disaster related debris	Clark County, Cities	
*CSEEC = educational programs at Columbia Springs Environmental Education Center is described in detail in the Education and Promotion Chapter 5.		

**Table 3-2 Waste Collection Administration in Clark County  
(2008)**

Geographic Area	Administering Agency & Operator		
	Garbage	Recyclables	Yard Debris
Unincorporated Clark County	WUTC, WCI	County Contracts WCI	County Contract WCI
Vancouver	City Contract WCI	City Contract WCI	City Contract WCI
Camas	City, WCI	City Contracts , WCI	City Contract, WCI
Washougal	City Contract WCI	City Contract WCI	City Contract WCI
Ridgefield	City Contract, WCI	WUTC, WCI	N.A.
Battle Ground	WUTC, WCI	County Contracts WCI	County Contract WCI
La Center	WUTC, WCI	County Contracts WCI	WUTC
Yacolt	WUTC, WCI	County Contracts WCI	N.A.

WUTC — Washington Utilities & Transportation Commission; WCI — Waste Connections, Inc.  
N.A. — Not Available

## Recommendations

### State agency administrative issues

1. Work with the Washington State Recycling Association and other counties and state agencies to develop a legislative update to RCW 70.95's goal of a statewide recycling rate of 50%.
2. Work with WUTC and WUTC-certificated haulers to develop rate structures that support and encourage waste reduction and recycling.
3. Promote legislation to give counties the same options as cities for managing waste collection, including the ability to set rates.
4. Support efforts of other jurisdictions, toward legislative changes to provide additional funding options for county solid waste, waste prevention and recycling needs.

### Regional/Local Administrative Issues

5. Establishment of a Regional Solid Waste System Steering Committee through Interlocal Agreements which will be comprised of the Public Works Directors. This Committee will formalize roles (through by-laws), make recommendations of such matters as: contracts; budgets; public education; outreach and marketing; resource sharing; system analysis and improvements.
6. When convenient, the County and cities may coordinate to take advantage of contracts, co-locating, etc.
7. Explore funding options, as necessary, to ensure that funding of required solid waste, waste prevention and recycling roles continues, such as collection and

disposal districts, new revenue-generating authorities and contract revisions for disposal and collection services.

8. Integrate the County Solid Waste Program to include other environmental issues, such as water quality, that has impact on and is significantly affected by solid waste.
9. Begin discussions regarding long-term management options for waste transfer and disposal, beyond the existing agreement that run through 2016 (plus any contract extensions). These discussions should include evaluation for public ownership of facilities with continued contracting for operations.
10. Continue and expand coordination with other agencies for educational and technical assistance programs.
11. The County should work with Portland Metro to advance proposals that would mutually benefit both regions; provide for a reciprocal exchange of technical assistance and input for areas of mutual concern; enhance communication; and when appropriate use joint contracts
12. Explore intergovernmental cooperation alternatives for enhancing the regulation of the solid waste system and enforcement of laws and regulations. Alternatives include requiring regulated facilities to comply with the laws and regulations of other governments as a condition of contracts/licenses; developing uniform and consistent provisions and language for use in laws and regulatory devices; and, collecting solid waste fees and taxes originating in each others' jurisdictions.
13. The Clark County region should have discussions with Metro and other governments on any items of common interest and relating to solid waste issues.
14. The County should continue with implementation of the EMS program for Solid Waste with plans to expand into other County departments and the region. EMS programs should be required, when appropriate, in contracts such as the collection and disposal contracts.