



**Management Coordination Committee (MCC) Meeting Minutes
October 18, 2022**

ATTENDANCE

MCC Members:

- Susan Fife-Ferris, SPU, MCC Chair
- Ryan Kellogg, PH SKC, MCC Vice-Chair
- Josh Baldi, KC WLRD
- Lorraine Patterson-Harris, KC SWD
- Corina Pfeil, SCA, Kenmore Councilmember

Other Attendees:

Maythia Airhart, KC WLRD	Michell Mouton, KC SWD	Emmanuel Rivera, KC WLRD
Mohamed Ali, PH SKC	Jeff Neuner, SPU	Stephanie Schwenger, SPU
Alice Chapman, KC WLRD	Debra Oliver, KC WLRD	Dave Ward, KC WLRD
Ashley Evans, SPU	Kristin Pace, PH SKC	Steve Whittaker, PH SKC
Minty LongEarth, PH SKC	Kristin Painter, KC WLRD	Charles Wu, KC WLRD
Kazia Mermel, SCA		

GENERAL BUSINESS

MCC Minutes

MCC reviewed and approved the September 20, 2022, meeting minutes.

Announcements

None

DISCUSSION ITEMS

Seattle Public Utilities (SPU) Facilities Agreement

Ashley Evans shared background of work to date for development of an SPU Facilities Agreement. The Haz Waste Program Director's Office and MCC have informally discussed the need for a long term, written agreement between King County and the City of Seattle (SPU) regarding the moderate risk waste facilities ("facilities agreement"). This need was formally identified as a Program priority at the January 19, 2021, MCC meeting. It was listed in the Director's Report amongst other priorities needed to improve operating certainty for the Program.

The agreement was initiated by the Haz Waste Program to improve long term predictability, memorialize and document long standing operating procedures in an environment of staff and leadership turnover, clarify roles and responsibilities, clarify decision authority, and facilitate long-term capital planning. This agreement was conceptualized to be long-term (5-10 years) with supplemental biennial contracts (currently known as "partner agreements" or "service agreements") that set terms related to biennial staffing and budget. It is planned that the agreement would include many ongoing provisions that have historically been part of the biennial funding agreements. With those provisions now in a long-term agreement, the biennial funding agreements can be streamlined to cover biennial funding, staffing, and any special conditions.

Program staff and SPU staff worked together from October 2021 to April 2022 to develop a draft scope of the agreement. Status updates on this work have been included in the MCC Director's Report each month since January 2022. In April 2022, the facilities agreement was an agenda item at the MCC meeting and the meeting materials included a table entitled *Hazardous Waste Program – Seattle Public Utilities Facilities Agreement Draft Scope*, which was also included with the materials for this meeting.

The facilities agreement is scoped to include agreements regarding:

- Physical facilities (legal ownership of the facilities and land; siting and construction; maintenance, renovation, and facility needs identification)
- Operations (responsibility for ensuring regulatory compliance, emergency response decisions, vendor contracts)
- Planning and policies (consistency between King County and SPU facilities on operations, acceptance policies, convenience standards, etc.)
- Funding (who pays capital facility improvements, facility costs, operation and maintenance, vendors, and contracts, etc.)
- Risk management (liability, insurance, indemnification)

Program staff requested clarity from MCC on whether to proceed with development of a facilities agreement. MCC agreed that staff should continue work developing a draft agreement.

Extended Producer Responsibility (EPR) for all Household Hazardous Waste (HHW)

Debra Oliver presented an overview of work completed by Product Stewardship Institute (PSI) in partnership with Cascadia Consulting and Special Waste Associates to produce a feasibility and recommendations report for development of an EPR for all HHW program.

The report provided:

- The history and legislation of hazardous waste management in Washington
- Overviews of all-HHW EPR programs in Canada and attempts to establish all-HHW EPR programs in the U.S. (Oregon and Vermont)
 - Their lessons learned
 - A comparison of program elements
- Initial stakeholder opinions from moderate risk waste (MRW) coordinators and collection programs in Washington
- Materials proposed for inclusion in an all-HHW EPR program
- Proposed legislative language
- A recommended approach

She also discussed next steps for the Policy, Planning, and Government Relations team (PPGR) after receiving this report. Because the Haz Waste Program leads with equity, PPGR chose first to reach out to smaller, less populated, more rural counties and to the Washington State Association of Counties (WSAC), Solid Waste Managers (WACSWM) affiliate, to ensure their needs and concerns are understood and they can participate in the process of developing a Washington state EPR for all HHW model that works for them as well.

The PPGR team is working with WACSWM to get on their November 2022 conference agenda to share the team's research and build relationships. PPGR will begin a partnership with the Northwest Product Stewardship Council immediately and will consider whether to reach out to Vermont and Oregon, to explore harmonizing our programs to make legislation more appealing to industry.

As PPGR cultivates partnerships with counties in Washington, communities in King County will also be invited to participate in informing customer services, convenience, and their specific needs.

Finally, industry will become a stakeholder – from the producers who are responsible for bringing these products to our markets, the retail establishments that may play a part in collecting them, to the haulers who may gain or lose business because of this potential legislation, and those we hope will be our allies.

At some point in this work, a tour of British Columbia’s all-HHW EPR system, operated by Product Care Inc., should be conducted, and include as many stakeholders and legislators as possible to build support and allay fears that this cannot be accomplished.

MCC Role and Responsibility/Rules of Procedure Update

The MCC rules of procedure were last updated in 2009 and contain outdated language. Most of the needed updates are merely housekeeping changes that should be adopted; however, this poses an opportunity to consider additional changes to MCC operating procedure or other changes to the document. The MCC could reconsider, for example, voting procedures, what constitutes a quorum for certain decisions, appointment of alternates to MCC members, appointment and duties of officers, and the like.

At their August 2022 meeting, MCC members agreed to convene a sub-committee with an appointed representative for each of the MCC members. The sub-committee has met to review the rules of procedure and has begun working on recommended updates. The sub-committee wanted to note the need for a decision regarding current language about the “Program Administrator” (Director) being a City of Seattle employee and the King County proposal to move the position to King County Water and Land Resources Division before a final proposal can be brought back for MCC approval this year. Agreement about that decision has not been reached.

King County Proposed Operational and Structural Changes

Josh Baldi gave an update on the status of work related to the County’s proposed changes to the Haz Waste Program structure and fund management location. Leadership has conducted external engagements about the proposed changes with the Haz Waste Program City & Tribal Staff Work Group as well as the King County Metropolitan Solid Waste Advisory Committee (MSWAC). Leadership has also begun developing structural design options and continues to engage with Human Resources and Labor Relations.

Councilmember Pfeil gave a brief overview of the October 12th presentation of proposed structural changes to the Sound Cities Association PIC Committee. There were no significant questions or concerns from members of the committee.

UPDATES

Director’s Report

Maythia provided the October Director’s Report in writing, including the look-ahead calendar for the end of the year. Historically, December MCC meetings are often cancelled due to holidays; however, because of the potential need for decisions related to the proposed structural change, MCC has asked to keep the December meeting but look for a time to reschedule it during the week of December 12.

Next Meeting: November 15, 2022, 10 a.m.-noon, teleconference