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The Plan's Purpose

This Plan is intended to help protect and preserve human health, environmental quality and natural resources by promoting a sustainable materials economy through waste reduction, reuse and recycling. It is expected to do this by guiding the system's solid and moderate risk waste efforts and decisions between 2008 and 2012, and influencing them further into the future. In addition, the Plan serves to communicate with those who are interested and concerned with such efforts and decisions. Finally, this Plan can be used by the county's solid waste private sector in planning its own activities.

In pursuit of the Plan's mission, goals and objectives, solid waste related activities will be undertaken by local government. Rather than describing programs in detail, this Plan discusses the types of activities necessary if solid waste generated within the county is to be managed in a safe and economical manner. However, detailed programs may be provided in certain areas of the Plan to illustrate specific aspects of solid waste activities. Some of these activities will be undertaken by local government, while others will be undertaken by private enterprise.

Throughout this Plan, Whatcom County Solid Waste Management will be termed as "the system". It refers to the Solid Waste Management MRW facility and activities undertaken by the Whatcom County Public Works Department, Solid Waste Division, financed by solid waste excise tax and other sources, such as grant funding. The facility is operated and activities undertaken in order to fulfill the responsibilities delegated to Whatcom County under Washington law, the mutual responsibilities assumed by the County and its seven cities and towns under the terms of their interlocal agreements, and the responsibilities arising from this Plan.

For clarification purposes, within this document, the term "the County" (upper case) refers to the government of Whatcom County, specifically the Public Works Solid Waste Division and "the county" (lower case) is used to denote the geographical entity of Whatcom County.

How This Plan Is Organized

This Plan is divided into four sections:

Section 1

This is Section 1, the Introduction. It includes solid waste planning history and how this Plan relates to other relevant plans, including the system's Moderate Risk Waste Management Plan. Section 1 also presents this Plan's mission and goals, how this Plan will be kept updated, and the jurisdictions involved in the planning process. It also introduces major planning issues within the existing solid waste management system.

Section 2

Section 2 is the core of this Plan. It presents the major planning issues in greater detail, and describes the activities, which will be implemented between 2008 and 2012 to resolve those planning issues. It explains the rationale for those activities, and discusses the range

of activities, which may be chosen to resolve a problem where a definitive solution cannot currently be selected. Finally, it presents considerations likely to be central to choosing the preferred solution, when that solution can be selected. It is important to note that not all of the activities listed will necessarily be undertaken by the system. In some circumstances these activities may be undertaken by the private sector. What is important is that the activities occur. The system's responsibility is to ensure that activities are undertaken, not necessarily to undertake them itself.

Section 3

Section 3 is the Twenty-Year Plan. It presents the mission and goals for solid waste management within the county, as well as the activities necessary to ensure that this mission is fulfilled and these goals met. Again, please note that not all of the activities shown will be implemented by the system.

Section 4

Section 4 is the Background Section. It describes the environment within which the solid waste management system operates.

Planning Methodology

This Plan is presented in the order opposite from which it was developed. Section 4, Background, was developed first. The existing system and other relevant information were examined to discern important planning issues—the existing and future anticipated problems of the solid waste management system. Concurrently a mission and general goals were developed. These goals were then further detailed to present all actions necessary to fulfill the mission and accomplish the goals. That list of actions was analyzed in light of the planning issues to develop Section 2, the Five-Year Plan, which lists the actions the system intends to undertake in pursuit of the goals over the next five years. These activities are more "urgent" because they will help resolve existing problems.

How We Got Where We Are

This is the fifth Comprehensive Solid Waste Management Plan the system has prepared. Each planning period represents a chapter in the history of solid waste management in Whatcom County, and each has contributed to where we are today.

Until the early 1970's, the County was involved in relatively unsophisticated solid waste disposal, the management of four dumps; Birch Bay-Lynden, Cedarville, Point Roberts and Y-Road. In the early 1970's the County acquired minimal solid waste management planning responsibilities as a result of a new state law, and produced its first Comprehensive Solid Waste Management Plan in 1973; however, the plan wasn't implemented until it was revised in 1974. This Plan was developed in conjunction with the cities and towns within the county, and recognized that open dumps were no longer an acceptable solid waste

disposal method, and that public health and environmental concerns warranted a more rigorous approach. This is when “the system” was formed, and the County set up a separate Solid Waste Management Division within its Department of Public Works. At that time, state grants helped finance capital costs, while disposal or tipping fees financed operational costs.

In the early 1980’s, the system began closing its dumps to all MSW, and three of the four accepted only construction and demolition waste until the late 80’s. During the late 80’s, the County relied on private disposal companies and Cedarville landfill to provide for Whatcom County’s waste disposal needs. The system also began environmental compliance at the closed landfill sites and developed the second Comprehensive Solid Waste Management Plan.

The 1980’s saw the system expand its solid waste management activities to include more than disposal, at least partially as a result of increased state and federal requirements. During this period, the system closed most of its existing dumps, examined both the feasibility of waste export or finding a site for a new landfill, a privatized construction and demolition landfill, and began the development of the third Comprehensive Solid Waste Management Plan. Most importantly, from a functional viewpoint, the system designed and implemented its initial recycling and moderate risk waste programs. Trends in federal and state environmental regulation had increased the emphasis on multimedia approaches to environmental problems. Activities such as solid waste management were seen as capable of contributing to resolving problems such as resource depletion and air and water pollution. For the first time the system formally acknowledged that its waste responsibilities extended beyond solid waste and beyond disposal-related activities. One component of this acknowledgement was the adoption of a 41% recycling goal by 1994, in the 1990 Plan.

Since the 1990 Plan was adopted, the system made the decision to abandon efforts to site a county-owned landfill, and expanded the recycling and moderate risk waste programs into the area of waste and pollution prevention, with an increased emphasis on recycling and moderate risk waste related activities. In addition, environmental compliance responsibilities increased as a result of additional mandates and closure of the Cedarville Landfill. The trends, which have led to the current mix of activities, are expected to continue into the foreseeable future.

As a result of the trends, the system is performing the same function it did twenty years ago by providing the county’s citizens and businesses with environmentally safe waste disposal. However, this function is being performed in a very different manner. Rather than the system disposing of solid waste, private companies now handle the waste. While the system owns the Moderate Risk Waste (Disposal of Toxics) Facility, the operation of the facility is contracted out. In regards to significant components of the waste stream, the system encourages that they be recycled rather than disposed of in the more traditional sense, or encourages that they not be generated in the first place. The system is now primarily involved with recycling and waste prevention, moderate risk waste management, environmental regulation compliance at closed landfills and contract monitoring.

Funding

The system must be concerned with the long-term financial stability of its solid waste management operations. This means, at a minimum, that the system be financially able to accomplish its responsibilities as assigned under Washington law and as assumed by contracts it has entered into and permits it has applied for, and continues to monitor its closed landfills. In addition, the system must be able to pay for those discretionary programs it chooses to undertake.

Increased Regional and Interagency Cooperation

Solid waste related problems increasingly extend beyond county and organizational boundaries. Solutions to these problems are often more effective, and sometimes only effective, if implemented on a regional, multi-county basis, or multi-agency basis. For this reason the system needs to think flexibly about increased cooperation. It must recognize that problems are often regional or multimedia (extending across more than one environmental medium, e.g., water and air and soil) in nature, consider the system's problems from regional and overall health and environmental perspectives, and develop solutions to problems, which take diverse impacts into account.

Recognition of the Role of the Private Sector

Those functions, which are uniquely governmental responsibilities need to be defined, and other programs may, in certain circumstances, be advantageously delegated to the private sector.

Regulatory Environment

Preparing and passing a law often appears to be the easiest, simplest, and least costly solution to a problem. However, when all direct and indirect costs are comprehensively analyzed the costs are often far higher than expected. In addition, enforcing such laws is generally costly or, in some cases, impossible. Furthermore, the private sector sometimes reacts contrary to the expectations of regulators. System programs must be designed and managed with consideration of how the economic system will respond, and take into account that voluntary self-compliance on the part of business people will often be in their own self-interest. Wherever possible an attempt should be made to use the normal workings of the economic system to resolve the problem being addressed.

Functions and Organizational Structure of the Division

The Solid Waste Division of Public Works is responsible for several program areas encompassing waste prevention, economically efficient recycling and disposal systems, litter control, hazardous waste education and disposal opportunities, the monitoring of the county's closed landfills, and comprehensive planning, as well as providing support for the Solid Waste Advisory Committee. The Solid Waste Division's two staff achieves these programs through the administration of several Washington Department of Ecology grants and contracts with other agencies.

Since the nature of solid waste management may change, so the functions of the County's Solid Waste Management Division may also change. The County needs to regularly examine

whether the Division's organizational structure remains the most appropriate in light of the functions, which must be performed.

Nature of This Plan

This Plan is mission driven: all activities called for derive from the mission, and the sum of all activities should result in accomplishment of the mission. The mission was developed by examining what the system did in the past, and what it is currently doing, either because it is required by state or federal law, or because the system voluntarily chooses to do it. The system then attempted to determine the future responsibilities, which will be expected of a solid waste management agency. Discussion of these responsibilities led to the development of the mission. Included within the assessment of responsibilities was a consideration of state and federal laws, predominant among them the state Waste Not Washington Act, and the federal Resource Conservation and Recovery Act (RCRA), which often tend to drive County ordinances and system operations.

The mission is discussed below, and is intended to be narrow enough to focus on solid and moderate risk waste related activities, while simultaneously being broad enough to allow decision makers to select, develop, and manage those activities in an optimal manner. Therefore the mission should be interpreted broadly and inclusively.

How This Plan Relates to Other Plans

This is the update to the system's Comprehensive Solid Waste Management Plan. It is not meant to replace all previous plans, but rather to update them. Information presented and actions called for in previous plan updates are still timely and relevant, except when overtaken by events or altered by later updates.

System solid waste management activities are currently organized around two separate plans: the Comprehensive Solid Waste Management Plan, and the Moderate Risk Waste Management Plan (MRW Plan). The MRW Plan covers household hazardous waste as well as hazardous waste generated in small quantities by businesses. This comprehensive plan is intended to begin the consolidation of the two plans.

The mission is written broadly enough to cover hazardous, as well as solid wastes, and where relevant, this Plan will include some revisions and updates to the existing MRW Plan. Therefore, while this Plan is meant to update the 1991 MRW Plan, it is not meant to replace it. When this Comprehensive Plan supplements or conflicts with the MRW Plan, this Plan will take precedence. However, all other elements of the 1991 MRW Plan remain valid. Furthermore, this Comprehensive Plan serves as the update called for in the 1991 MRW Plan.

Hazardous Waste Management Plan

The current Whatcom County Hazardous Waste Management Plan was adopted in May of 1991. In 1998, a county owned facility was built to accommodate the Disposal of Toxics Facility to accept and properly handle moderate risk waste. This county facility is currently operated by contracted services. Whatcom County Public Works coordinates planning, monitoring, public information and education. The Whatcom County Health Department investigates complaints and provides enforcement for the facility in cooperation with the Department of Ecology.

The primary goal of the Hazardous Waste Management Plan is to protect the health and safety of County residents and the environment from the potential adverse effects of moderate-risk waste by establishing a County-wide management program consistent with state-mandated requirements. Planning goals include:

- Educating residents and business about the use and disposal of materials containing hazardous substances,
- Making consumers aware of alternatives to products containing hazardous substances,
- Providing a means of disposing unwanted quantities of moderate-risk waste separately from the solid waste and wastewater streams, and assigning responsibility for management of moderate-risk waste to waste generators.

Mission Statement

The mission of solid waste management activities in Whatcom County is:

To facilitate an economically efficient waste prevention, recycling and disposal system that protects human health and the environment for the citizens of Whatcom County. Develop, monitor and enforce various federal, state and local government plans, laws, regulations and grants.

Based on this mission, the following goals were developed:

The Goals

To reduce, or prevent where possible, the generation of solid and moderate risk wastes and their associated problems in order to protect human health, safety and environmental quality.

To solve problems related to solid and moderate risk waste in order to protect human health and safety, and environmental quality.

To provide service-oriented, cost-effective actions to support these goals.

Plan Modification and Revision

This Plan is meant to be dynamic. It is not intended that the Plan sit for the next five years, and then to be totally revised. While the Plan's mission and goals are expected to remain the same, the Plan is designed upon the assumption that information will be updated gradually, and the action plan will be altered appropriately in a timely manner.

However, the process used to initially approve and update the Plan would tend to work against it being dynamic. The fact that this Plan is not simply a County plan, but it is a plan for the County and for the County's seven cities and towns complicates the issue. That approval process requires that the Plan be approved by the County, as well as by all cities and towns, which have joined with the County in preparing the Plan. This has proven time consuming and labor intensive, and is therefore costly. Moreover, some cities and towns, upon agreement with the mission, goals, and objectives of the Plan, may desire relatively little active participation in the implementing actions.

As a result of these factors, one element of this planning process was to develop a plan modification and revision mechanism. This mechanism has the following goals:

- For minor modifications, that is modifications which don't affect the basic goals or direction of the plan, allow the plan to be modified relatively easily when circumstances require change.
- Allow the Solid Waste Advisory Committee (SWAC) to maintain its role as defined in bylaws, County code, and state legislation.
- Allow cities and towns to maintain their desired level of control over plan modification.
- Keep all players involved to make certain there is political dialogue behind minor plan modifications and consensus behind major modifications.

As a result the following mechanism will be used to revise and modify this Plan:

This Plan update anticipates that we will undertake those activities in the Five- Year Plan, which are presented in Section Two of this Plan.

As circumstances change, in order to better achieve one or more of the Plan's goals, we may think it beneficial to deviate from the Five-Year-Plan by either undertaking activities from the Twenty-Year Plan (presented in Section Three of this Plan) and/or not undertaking activities from the Five-Year Plan.

Deviating from the Plan in one of these ways is defined as a minor plan revision, and if it seems desirable to so deviate, then the County will:

1. explain in writing how the deviation will better contribute to accomplishing one or more of the goals;

2. notify all cities and towns;
3. notify and give the public an opportunity to comment, either prior to, or at a regular SWAC meeting;
4. notify DOE of the proposed modification;
5. discuss the issue with SWAC; and
6. schedule a County Council vote on the modification no less than 60 days after the public, cities and towns, and SWAC have been notified. We expect that the 60 day period will be used by SWAC members and the public to notify their respective cities and towns or interest groups of the proposed modification, and for opinions concerning the modification to be conveyed to the County Council.

Decisions to undertake actions outside either the Five or Twenty-Year Plans, or altering the Mission or any of the Plan's goals, will be defined as major plan revisions. In such instances a full approval process (all cities and towns, DOE, plus Council) will be required. Citizens may bring comments or suggested Comp Plan changes, in writing, to the County Public Works Department.

Participating Jurisdictions

In addition to Whatcom County itself, the following municipalities are participating in Whatcom County's Comprehensive Solid Waste Management Plan:

Bellingham	Everson	Lynden	Sumas
Blaine	Ferndale	Nooksack	

These jurisdictions have worked with the County to plan for solid waste related needs since the 1970's, and entered into formal interlocal agreements on solid waste management in 1989. Those 1989 agreements were amended in 1991, and continued to be the vehicle by which each jurisdiction approved the 1999 Comprehensive Solid Waste Management Plan.

In addition to the plan approval process, the plan modification and revision mechanism presented above anticipates SWAC, and city and town, involvement in any modification to this update.

The interlocal agreements obligate the county and the cities and towns to each other with respect to solid waste management. Upon completion and adoption of the updated Plan, existing interlocal agreements will be reviewed for constancy with the Plan and modified as needed.

In terms of geographic areas covered, this Plan encompasses all of the unincorporated area of Whatcom County, as well as all of the area within each of the municipalities listed above.

Planning Issues and Considerations

Early in the planning process, some of the following issues were identified as needing resolution after the Plan is implemented. Many of these issues are currently static and working well, while others may change and need updates as our community grows or new legislation occurs. Part 2 of this Plan consists of an in-depth discussion of each of these issues.

Financial Integrity of the System

The system has certain solid waste related obligations, which must be fulfilled, even if the existing system disappears or is fundamentally altered. They consist primarily of the obligation to monitor, and if necessary remediate, its old closed landfills, as well as the support of solid waste related activities, which are funded by excise tax.

Solid Waste System Capacity

Whatcom County depends upon privately operated disposal facilities for disposal service of MSW. Because of the absence of any County MSW landfill, privately owned disposal facilities will continue to find it necessary to export MSW. These facilities include two transfer stations and five drop-sites in the county. Whatcom County owns and operates a permanent fixed disposal facility for the collection of household hazardous waste, the Disposal of Toxics Facility.

Ongoing planning/public policy decision-making mechanism

This Plan must be kept current, which requires future decisions to be made in an intelligent and timely manner. An important component of this update was the development of a plan modification and revision mechanism. The mechanism permits deviating from the Five-Year Plan by dropping activities, or by undertaking activities from the Twenty-Year Plan after notification to SWAC, all cities and towns, and DOE, followed by a County Council vote.

Moderate Risk Wastes

The Five-Year Plan calls for the system and the Whatcom County Health Department to continue their cooperative efforts in education regarding pollution prevention and safe disposal. It intends for the Health Department to continue its compliance activities, in cooperation with the Department of Ecology, and for the system to continue its efforts to make it convenient and economical for residents and small quantity generators to dispose of moderate risk wastes.

Waste Prevention

While the wisdom of recycling is generally accepted, it would be even more advantageous to, where practical, avoid producing waste in the first place. This Plan calls for continuing to develop and implement programs designed to prevent waste and pollution, largely in coordination with recycling and other programs.

Recycling

To help the county achieve its current 50% waste diversion goal, recycling programs should be evaluated periodically to determine their effectiveness and to identify changes in

appropriate solid waste management programs. In terms of programs necessary to meet the goal, two years ago the system undertook the Recycling Potential Assessment, which resulted in the design of a number of recycling programs and projects. The main thrusts to these programs are: residential and commercial organics collection, a technical assistance and promotion program, a continuation of system's existing educational efforts, and a series of coordinated programs designed to optimize private sector recycling efforts. The precise mix of programs and projects, which will be undertaken, will depend on the re-evaluation of the recycling goal.

Illegal dumping/other enforcement issues

The Whatcom County Health Department responds to complaints of illegal dumping, burying, and accumulations of waste on private property. They have traditionally used an educational approach over a more punitive enforcement approach to illegal burying and accumulations of waste on private property. However, when necessary, civil or criminal penalties are imposed. The Health Department works with Whatcom County Public Works and local law enforcement agencies to respond to and control illegal dumping activities.

This Plan identifies several issues, which do not have "stand alone" solutions, but rather will be solved by activities associated with other issues identified in this Plan. The following are the issues, which lack "stand alone" solutions:

Special wastes

Opportunities for disposing wastes, which require special handling and/or disposal, because of their hazardous nature, or their physical qualities, must be available.

Content of disposed material

There are still things being disposed of with solid waste, which shouldn't, such as household and small quantity generator moderate risk wastes, and recyclables.

Finally, in addition to the activities designed to resolve a particular issue, some activities called for in the Five-Year Plan support the resolution of all issues, or are basic to accomplishing the mission of the system. These activities include compliance and environmental protection activities undertaken by the Whatcom County Health Department as well as by the system, communicating and coordination with appropriate parties, collecting and analyzing necessary data, and evaluating the system's activities in order to improve them.