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Adams County
Solid Waste and
Hazardous Waste
Management Plan
For Years 2025–2030

Adams County, Washington

August 2024



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Adams County DRAFT Solid Waste and Hazardous Waste Management Plan For Years 2025–2030

August 2024

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ACKNOWLEDGMENTS

The Adams County Solid Waste Department acknowledges the valuable contribution of the following organizations for their assistance in the development of this Plan:

Adams County Solid Waste Advisory Committee Members

Washington State Department of Ecology Staff

Adams County Health Department Staff

Adams County Solid Waste Department Staff

Adams County residents and businesses also contributed to this Plan through comments provided during public meetings and through various other channels. The Board of County Commissioners and Adams County Solid Waste Department gratefully acknowledge this input.



Executive Summary

This Solid Waste and Hazardous Waste Management Plan (Plan) recommends strategies to manage solid waste generated in Adams County over the next 6 to 20 years as required by the Revised Code of Washington 70A.205. This Plan will guide the actions of Adams County and the participating cities and towns of Othello, Ritzville, Hatton, Lind, and Washtucna; Waste Management, which owns and operates the Adams County Regional Landfill; and those certificated companies that provide curbside collection and processing of municipal solid waste. It is the collaborative effort of participating city and industry representatives, thought leaders, and subject matter experts in the solid waste field, and incorporates a balanced approach to solid waste management in Adams County.

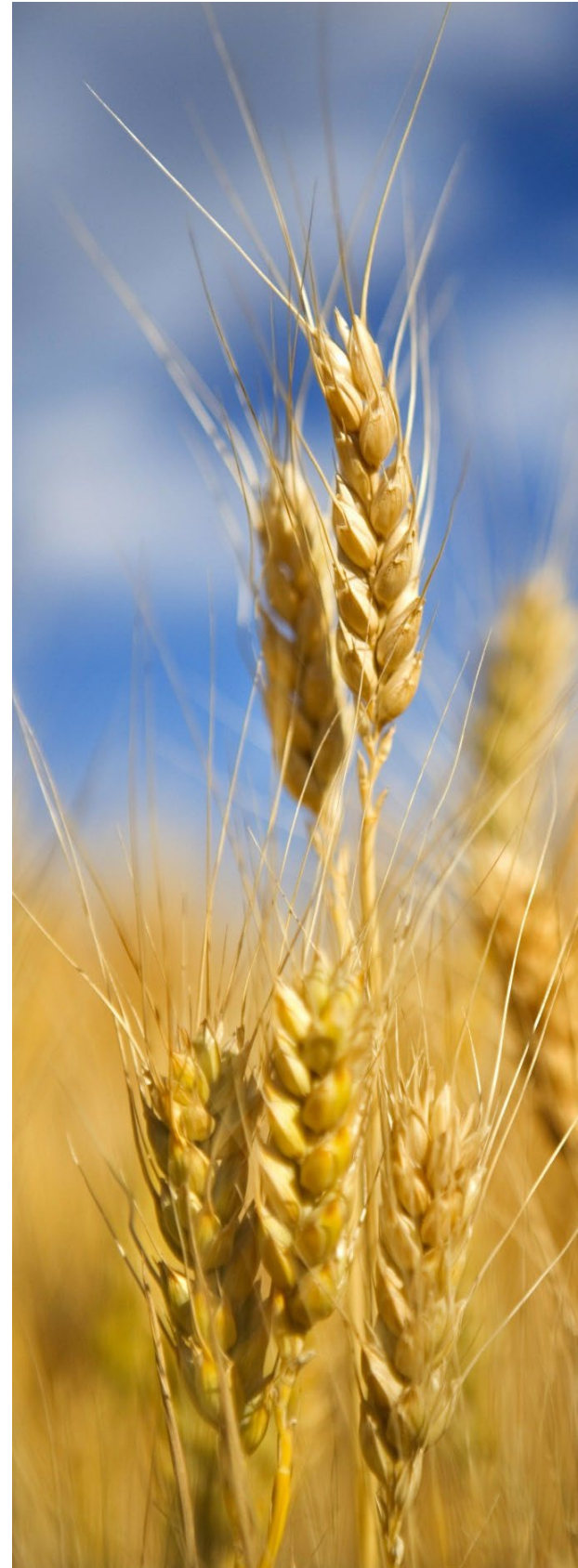
The overriding mission statement for the Plan is:

“Adams County and the participating jurisdictions provide citizens with efficient, reliable, and affordable solid waste collection, handling, recycling, and disposal services in order to improve the quality of life while protecting and preserving human health, environmental quality, and natural resources.”

To further this mission, the Plan proposes a comprehensive set of recommended strategies for implementation over the 6-year planning period. Highlights are described below.

Waste Reduction and Recycling – Waste prevention, reduction, and recycling are continuing priorities for this Plan. Promoting a variety of education and outreach initiatives, while dealing with changing recycling markets, will continue to be a priority through harmonization of programs and working cooperatively with jurisdictional and private partners.

System Enhancements – Evaluation and facility upgrades to the Bruce Transfer Station and Ritzville Transfer Station will be key elements to the successful continuation of waste and recycling operations for county residents that will enhance environmental safety while providing long-term benefits to the communities served by this Plan. The County may also consider initiation of a study to determine program and infrastructure needs required to implement additional curbside organics collection and recycling programs.



Long-range planning is essential to achieving a cost-effective and environmentally sound integrated solid waste system. To this end, this Plan facilitates a cooperative effort between partners and provides a framework for infrastructure planning, short-term and long-term management of solid waste and recyclables, policymaking, and funding for the system. The summary of recommendations and implementation costs can be found in Chapter 12.0 – Implementation Plan.

This Plan is intended to be a “living document” to be revisited on a regular basis to evaluate progress, reassess initiatives and implementation plans, and consider potential updates to the Plan in response to emerging data and information and future conditions.





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- Appendix G – SEPA Documents**
- Appendix H – Comments Received and Responses**

Acronyms and Abbreviations

2018 Plan	<i>2018 Adams County Solid Waste and Moderate Risk Waste Management Plan</i>
ACRL	Adams County Regional Landfill
BSE	Bovine Spongiform Encephalopathy
C&D	construction and demolition
CFCs, Freon	chlorofluorocarbons
Commerce	Washington Department of Commerce
Comprehensive Plan	<i>2005 Adams County Comprehensive Plan</i>
County	Adams County
CPG	Coordinated Prevention Grant
CROP	Contamination Reduction and Outreach Plan
DDMP	disaster debris management plan
Ecology	Washington State Department of Ecology
EMP	emergency management plan
EPA	United States Environmental Protection Agency
EPR	extended producer responsibility
ESSB	Engrossed Substitute Senate Bill
FEMA	Federal Emergency Management Agency
GMA	Washington State Growth Management Act
H5N1	Highly Pathogenic Asian Avian Influenza A
HB	House Bill
HDR	HDR Engineering, Inc.
Health Department	Adams County Health Department
HMP	Hazard Mitigation Plan
LSWFA	Local Solid Waste Financial Assistance
MRW	moderate risk waste
MSW	municipal solid waste
OFM	Washington State Office of Financial Management
ORS	Oregon Revised Statute
PCS	petroleum-contaminated soils
Plan	Adams County Solid Waste and Hazardous Waste Management Plan
RDC	Regional Disposal Company
RFP	Request for Proposals
SB	Senate Bill
SHB	Substitute House Bill



SWAC	Solid Waste Advisory Committee
TPY	tons per year
WAC	Washington Administrative Code
WM	Waste Management
WMW	Waste Management of Washington
WSDA	Washington State Department of Agriculture
WUTC	Washington Utilities and Transportation Commission

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CHAPTER 1.0 BACKGROUND

1.0 Background

This section provides general information regarding the *Adams County Solid Waste and Hazardous Waste Management Plan* (Plan), its development, and its relationship to other state and local documents.

1.1 Introduction

This Plan recommends strategies to manage solid waste and moderate risk waste (MRW) generated in Adams County, Washington (County). Solid waste handling includes management, storage, collection, diversion, transportation, treatment, use, processing, and final disposal. This Plan includes recommendations for municipal solid waste (MSW), MRW, waste reduction, recycling and education, diversion, construction and demolition (C&D) debris, and special wastes.

1.2 Purpose

Washington State law assigns primary responsibility for managing MSW and MRW to local governments. Revised Code of Washington (RCW) 70A.205 requires local governments to maintain current solid waste management plans. RCW 70A.300 requires local governments to develop plans for managing hazardous waste, which in this Plan is covered in Chapter 9.0 – Moderate Risk Waste.

The purpose of this Plan is to develop recommended waste management strategies for the 5-year period 2025 through 2030. The Plan also looks forward to confirm that sufficient processing and disposal options are anticipated to be available to the County for at least the next 20 years, or through year 2045.

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), which is a funding source for non-disposal-related programs and activities.

1.3 Goals and Objectives

The mission statement for this Plan is as follows:

Adams County and the participating jurisdictions provide citizens with efficient, reliable, and affordable solid waste collection, handling, recycling, and disposal services in order to improve the quality of life while protecting and preserving human health, environmental quality, and natural resources.

For each element of the Plan, goals have been developed. An assessment of existing conditions relative to each element was made, and then an identification of needs and opportunities followed. An evaluation of the alternatives has been performed, and recommendations for specific programs, policies, or actions were selected and adopted.

In summary, the goals for the Plan are as follows:

Infrastructure and System

- Manage wastes in a cost-effective manner that promotes, in order of priority, waste reduction, reuse, and recycling.
- Encourage and expand coordination and communication regarding waste collection and disposal among all jurisdictions, agencies, and private firms in Adams County.
- Ensure that wastes are properly managed and facilities are operated in full compliance with appropriate rules and regulations.
- Establish guidelines and strategies for management of specific waste streams.

Economic Sustainability

- Manage waste as a resource to increase local job opportunities and support economic development.
- Consider environmental impacts to climate, air, water, and land that are associated with waste generation, transportation, handling, recycling, and disposal.
- Provide a sustainable funding mechanism to manage waste and recyclables.

Education

- Reinvigorate the public education and outreach programs throughout the County.
- Encourage people and businesses to make responsible choices about what they produce and consume, and what they generate as waste.
- Encourage public/private partnerships for waste reduction and recycling programs.

Outside Influences

- Support changes to federal and state regulations and policies that support increased recycling opportunities and waste diversion.
- Manage waste in a manner that promotes Washington State's waste management priorities presented in Ecology's *Moving Washington Beyond Waste and Toxics* document.
- Comply with federal, state, and local solid waste and MRW regulations.
- Promote and support product stewardship and regulatory changes that increase recycling and diversion opportunities to meet the needs of the citizens of Adams County.



1.4 Participants in the Planning Process

This document was developed with the guidance of the Adams County Solid Waste Advisory Committee (SWAC), whose participation is gratefully acknowledged. Committee members and their affiliations are shown in Table 1-1.

Member	Affiliation
Jay Weise	Adams County Board of County Commissioners
Cameron Williamson	City of Othello
Scott Yaeger	City of Ritzville
Paula Bell	Town of Lind
Cathy Blankenship	Town of Washtucna
Mark Wash	Waste Industry
Layne Iltz	Public Interest
Dennis Chamberlain	Public Citizen
Vacant	Business and Industry/Agriculture

1.5 Planning Area

The planning area (see Figure 1-1) includes the incorporated and unincorporated areas of the County. This includes the cities and towns of Othello, Ritzville, Hatton, Lind, and Washtucna.

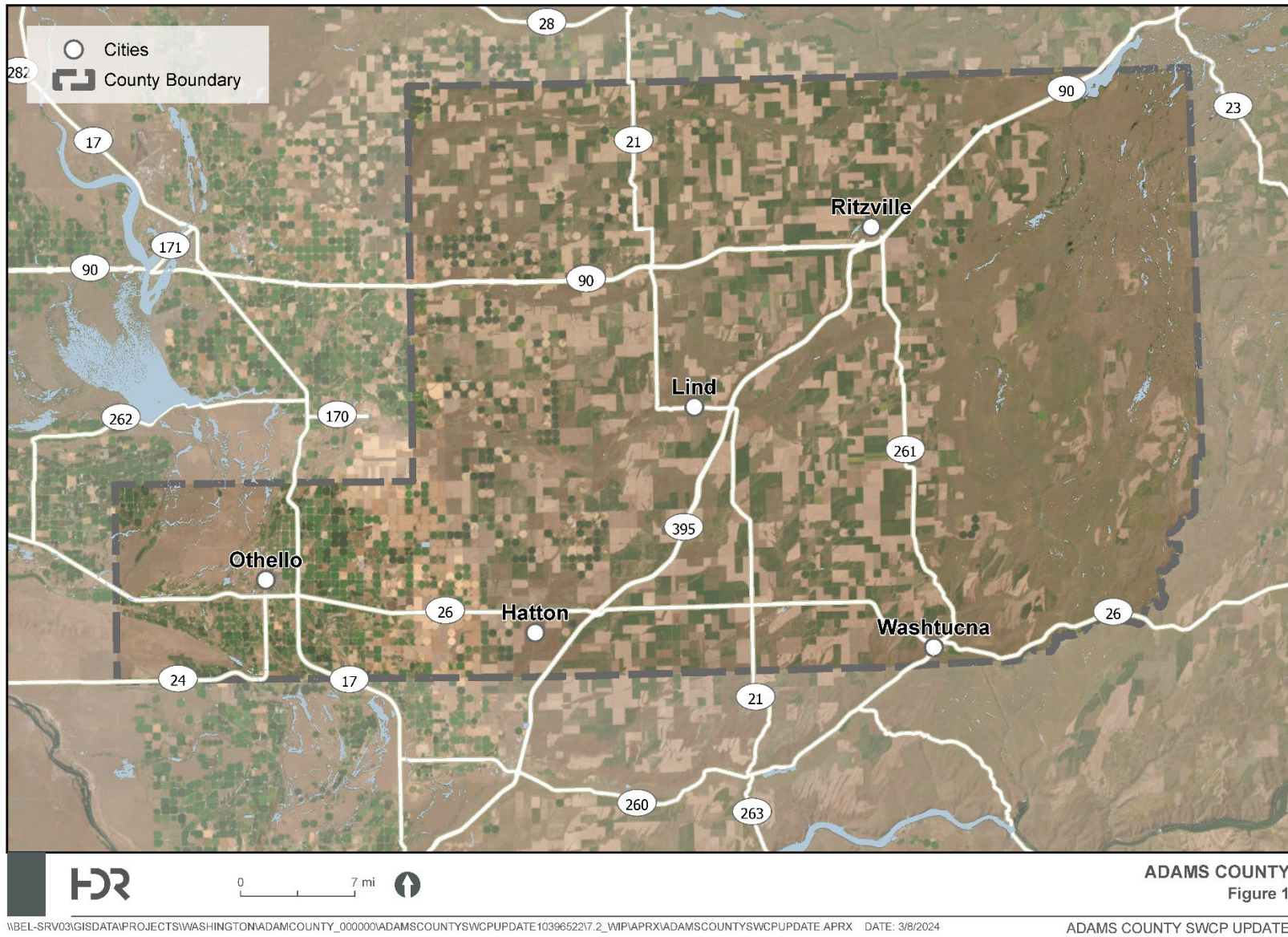


Figure 1-1. Solid Waste and Hazardous Waste Management Planning Area

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 RCW 70A.205 and to provide a local hazardous waste management plan in accordance with RCW 70A.300.

Cities and counties share the responsibility for developing and maintaining a local solid waste management plan. RCW 70A.205 provides cities with three alternatives for satisfying their 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 Othello, Ritzville, Hatton, Lind, and Washtucna executed interlocal agreements with Adams County regarding solid waste management. The agreement authorizes Adams County to prepare a countywide solid waste management plan that includes each of these cities and towns.

Executed Solid Waste Interlocal Agreements can be found in Appendix A. Resolutions of Adoption for this Plan can be found in Appendix B.

1.7 Plan Development Process

This Plan was developed over a period of approximately 5 months. The process began in March 2024 with the contract execution for HDR Engineering, Inc. (HDR), as the team that would assist with starting the update process. During the 5 months, technical research, analysis, and recommendations were prepared by HDR and the County staff and discussed with the Adams County Health Department (Health Department), the SWAC, stakeholders, interested members of the public, and interest groups. 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 appointed SWAC members. Members are selected to represent a balance of interests including citizens, public interest groups, businesses, the waste management industry, local elected public officials, and the agricultural industry. The SWAC provides guidance to Adams County Public Works Solid Waste Programs in the development of programs and policies concerning solid waste handling and disposal. The SWAC reviews and comments on rules, policies, resolutions, and ordinances before they are proposed for adoption. SWAC meetings are open to the public, and meeting notices are published beforehand. For additional information on the SWAC, please refer to Appendix C.

The Plan is anticipated to be adopted by each participating city or town and by the Board of County Commissioners in meetings open to the public.

1.8 Status of Previous Plans

This Plan supersedes previous solid waste management plans including the *2018 Adams County Solid Waste and Moderate Risk Waste Management Plan (2018 Plan)*. The status of the 2018 Plan recommendations can be found in Appendix D.

1.9 Relationship to Other Plans

This section provides information on how this Plan is related to other state and local documents.

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 2015. *Moving Washington Beyond Waste and Toxics* focuses on reducing waste and toxics by adopting a sustainable materials management approach, which is also used by the United States Environmental Protection Agency (EPA). This approach looks at the full life cycle of materials from design and manufacturing, through use, to disposal or recycling. The EPA believes that 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." The following four priorities are included in *Moving Washington Beyond Waste and Toxics*:

- Increase our 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 2005 Adams County Comprehensive Plan

The purpose of the 2005 Adams County Comprehensive Plan (Comprehensive Plan) is to provide a guide for the physical growth and development of the community for the foreseeable future. It provides goals, policies, recommendations, and land use map(s) that will be used as official policy guidelines, enabling county officials to make informed decisions that are in the best interest of the community as a whole. The Comprehensive Plan provides a general sense of direction and a broad overview of where the County is now and where it is going in the future. The Comprehensive Plan is also intended to maintain reasonable continuity in future decision-making as turnover occurs within the county's legislative body. It furnishes direction for development of the County that will make it a more convenient, attractive, and orderly place in which to live, shop, work, and play. However, the Comprehensive Plan must be periodically reviewed and updated to

reflect technological, social, economic, and political changes that may invalidate certain plans and policies.

The Comprehensive Plan was prepared pursuant to RCW 36.70. This legislation authorizes and describes how counties in Washington State are to engage in planning activities. There are procedural as well as substantive requirements for counties to meet when developing a comprehensive plan, as well as developmental regulations. Specifically, RCW 36.70 requires adoption of a comprehensive plan prior to implementing zoning actions. Adams County does not currently “fully” plan according to the provisions of the Washington State Growth Management Act (GMA). However, the GMA contains certain mandates that are required of all local governments in the state: all are required to identify and protect resource lands and critical areas; and all are required to have development regulations, such as zoning and subdivision codes, that are consistent with the adopted comprehensive plan. Therefore, there is authority and direction to prepare the Adams County Comprehensive Plan.

The Comprehensive Plan does not designate urban/rural areas but instead notes which areas are for residential use and provides protections for development within the rural or agriculturally designated areas within Adams County.

Chapter 5: Facilities and Utilities Element of the Comprehensive Plan indicates that this element serves as a framework for making decisions about a County-owned facility and service and utility improvement projects, as well as providing a guide for orderly growth as identified in the other elements of the Comprehensive Plan. The Comprehensive Plan encourages the service purveyors to consider the information and vision presented in the document when planning for capital improvements in the future.

1.10 Required Plan Elements

This Plan is intended to meet or exceed applicable requirements set by Washington State. RCW 70A.205 establishes requirements for local solid waste management plans. Local plans are required to include the following elements:

- An 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, and contains a 6-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;

- A comprehensive waste reduction and recycling element;
- An assessment of the Plan’s impact on the costs of solid waste collection; and
- A review of potential areas that meet state criteria for land disposal facilities.

RCW 70A.300 establishes the following required elements for local hazardous waste management plans:

- A plan or program to manage MRW, including an assessment of the quantities, types, generators, and fate of MRW in the jurisdiction;
- A 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;
- An inventory of existing generators of hazardous waste and facilities managing hazardous waste within the jurisdiction;
- A description of the public involvement process used in developing the plan; and
- A description of the eligible zone designations in accordance with RCW 70A.300.225.

1.11 Regulatory Overview

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

1.11.1 Solid Waste Handling Standards

A rule governing solid waste facilities and handling practices, Washington Administrative Code (WAC) 173-350, also known as *Solid Waste Handling Standards*, went into effect in 2003. This rule replaced WAC 173-304. WAC 173-350 sets out standards of operation and permitting requirements for solid waste handling facilities for recycling, intermediate handling (i.e., transfer), composting, MRW, and tires (unless exempted by definition or due to beneficial use). The rule regulates landfill disposal of a new category of wastes called “inert” wastes.

WAC 173-350 also 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. WAC 173-350 also states that 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.

Landfill disposal of solid waste is regulated under a separate rule, WAC 173-351, *Criteria for Municipal Solid Waste Landfills*. This rule was last revised in October 2015.

1.11.2 Hazardous Waste Management Act

In 1982, Ecology adopted rules that combined state and federal regulation of hazardous wastes. These rules, as amended several times in the ensuing years, are contained in WAC 173-303 and are the main body of regulations for hazardous wastes in this state. In 1983, the State Legislature adopted a hierarchy of hazardous waste management

methods in RCW 70A.300. In descending order of priority for management, the hierarchy is waste reduction; waste recycling; physical, chemical, and biological treatment; incineration; solidification/stabilization treatment; and landfill.

Amendments to RCW 70A.300 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, 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, RCW 70A.205, 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 in their MRW management plans by July 1, 1993.

New Solid Waste Handling Standards (WAC 173-350) 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* (WAC 173-303) have been amended several times, with the last update completed in 2020, to address new issues and to incorporate new provisions of state and federal regulations.

1.11.3 Relevant Oregon Solid Waste Regulations

Oregon statute (Oregon Revised Statute [ORS] 459.305) requires out-of-state local governments, which export more than 75,000 tons annually into Oregon for landfill disposal, to provide the opportunity to recycle and implement recycling education programs. Specifically, the local government must either achieve a recovery rate equivalent to that achieved in a comparable Oregon county or implement an equivalent recycling program. The disposal site operator is responsible for demonstrating to the Oregon Department of Environmental Quality that the city from which the waste originates has implemented an equivalent recycling program.

An equivalent recycling program requires that each person be notified of the opportunity to recycle and be encouraged to source-separate recyclables through education programs. Additionally, for cities with a population of:

- Less than 4,000, a convenient drop-off recycling location must be provided for source-separated recyclables.
- More than 4,000, monthly curbside collection of source-separated recyclables must be provided.

1.12 Summary of Changes in Solid Waste Regulation and Policy Since 2018

Several new rules have been adopted since the previous 2018 Plan was developed. Important current and new rules and regulations for consideration in Plan development

are described below (not in order of priority). Also included are other pertinent rule changes as they relate to Plan chapters.

1.12.1 Revenue-Sharing Agreements

An update to RCW 81.77.185 allows waste collection companies to retain up to 50 percent of the revenue paid to the companies for the material if they submit a plan to the Washington Utilities and Transportation Commission (WUTC) that is 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.

1.12.2 County Comprehensive Solid Waste Management Plan

RCW 70A.205 was revised to indicate that when updating a solid waste management plan after June 10, 2010, each local comprehensive plan must, at a minimum, consider methods that will be used to address the following:

- C&D waste for recycling or reuse;
- Organic material including yard debris, food waste, and food-contaminated paper products for composting or anaerobic digestion;
- Metals, glass, and plastics for recycling; and
- Waste reduction strategies.

1.12.3 Develop and Establish Objectives and Strategies for the Reuse and Recycling of Construction Aggregate and Recycled Concrete Materials

Effective January 1, 2016, RCW 70A.205.700 requires that local governmental entities with a population of 100,000 or more residents 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. They 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, the bid from a bidder not proposing to use construction aggregate and recycled concrete materials or proposing to use a lower percentage of construction aggregate and recycled concrete materials.

1.12.4 Quarantine – Agricultural Pests

Effective January 1, 2017, the Washington State Department of Agriculture (WSDA) amended WAC 16-470 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 10.0 – Organics for additional information regarding how these rules affect solid waste in the County.

1.12.5 Local Solid Waste Financial Assistance

In September 2017, WAC 173-312 was updated to replace the Coordinated Prevention Grant program. The purpose of WAC 173-312 is to provide financial assistance for local programs related to hazardous waste planning and implementation, local solid waste planning and implementation, and enforcement of rules and regulations governing solid waste handling. Planning, implementation, and enforcement are designed to prevent, or minimize, environmental contamination resulting from improper management or disposal of waste. WAC 173-312 established a structure for the administration of local solid waste financial assistance (LSWFA).

1.12.6 Secure Drug Take-Back

Washington's Safe Medication Return program, also known as the Drug Take-Back program, was established in 2018 under RCW 69.48. This program creates a unified, statewide, medication return program to provide Washington residents free, convenient, and environmentally responsible options for disposing of unwanted medication. Drug manufacturers fund the program at no cost to taxpayers. It is operated by an approved program operator(s).

1.12.7 Sustainable Recycling

House Bill (HB) 1543, Sustainable Recycling, was signed by Governor Inslee on April 29, 2019. This act took effect on July 1, 2019. This act creates a Recycling Development Center within Ecology. It requires that Ecology work with the Washington Department of Commerce (Commerce) on recycling market research and development and that Ecology and Commerce will appoint an advisory board and enter into an interagency agreement. The act directs Ecology to create a state recycling Contamination Reduction and Outreach Plan (CROP) by July 1, 2020. Local jurisdictions must create their own CROPs or adopt the state CROP by July 1, 2021. Counties with populations of fewer than 25,000 are exempt from this requirement. Local governments may use LSWFA Grants and Waste Reduction and Recycling Education Grants to support development and implementation of CROPs.

1.12.8 Food Waste

HB 1114 establishes a goal for the state to reduce by 50 percent the amount of food waste generated annually by 2030. It states that Ecology will work with the Washington State Departments of Agriculture and Health to develop a state wasted-food reduction

and diversion plan by October 1, 2020. The bill directs Ecology to gather feedback from the public and stakeholders and stipulates that the three agencies will consider recommending changes to state law that will achieve the reduction goal and report to the State Legislature by December 1, 2020.

1.12.9 Paint Stewardship

Substitute HB (SHB) 1652 requires producers of architectural paint sold in Washington to participate in an approved paint stewardship plan. This bill prohibits a producer or retailer of paint from selling or offering for sale architectural paint unless the producer or brand of paint is participating in a stewardship plan. A paint stewardship organization has implemented this bill, with Ecology providing oversight.

1.12.10 Product Design Labeling

Engrossed SHB (ESHB) 1569 authorizes the state’s attorney general and local governments to pursue false or misleading environmental claims and “greenwashing” for plastic products claiming to be “compostable” or “biodegradable” when they are not. The bill also requires clear and easy-to-understand labeling on compostable products sold for use in Washington.

1.12.11 Plastic Package Stewardship

In 2019, Senate Bill (SB) 5397 was authorized, requiring the creation of data reports that could lead to legislation (in 2021) to improve the recycling system in Washington by creating a stewardship program paid for by the plastic packaging manufacturers.

1.12.12 Reducing Pollution from Plastic Bags

In 2020, ESSB 5323 was authorized, prohibiting a retail establishment from the following:

- Providing to a customer or a person at an event a single-use plastic carryout bag or a paper carryout bag or reusable carryout bag made of film plastic that does not meet recycled content requirements.
- Using or providing certain polyethylene or other non-compostable plastic bags.

In addition, the bill prohibits a city, town, county, or municipal corporation from implementing a local carryout bag ordinance.

The bill also:

- Authorizes a retail establishment to provide a reusable carryout bag or a recycled content paper carryout bag of any size to a customer at the point of sale.
- Requires a retail establishment to collect a pass-through charge of not less than 8 cents through 2025 and 12 cents beginning in 2026 for every recycled content paper carryout bag or reusable carryout bag made of film plastic it provides.

1.12.13 Organics Management Law

In 2022, Washington’s Legislature passed HB 1799, requiring diversion of organic materials away from landfill disposal and toward food rescue programs and organics management facilities. Each city or county with a population greater than 25,000 must

develop a compost procurement ordinance, and new or updated comprehensive plans and comprehensive solid waste management plans must include identification of possible locations for organic materials management facilities.

This new organics management law requires state and local governments, businesses, and other organizations to reduce the amount of organic materials disposed of in landfills and increase the demand for processed organic materials such as compost. The legislation also calls for an increase in edible food recovery and amends many laws affecting organics management.

The law states that by January 1, 2023, cities and counties must adopt compost procurement ordinances. This section applies to each city or county with a population greater than 25,000 (Adams County and cities and towns within the County do not currently have a population greater than 25,000), as measured by Washington’s Office of Financial Management, and to each city or county in which organic material collection services are provided under RCW 70A.205.

Beginning December 31, 2024, required jurisdictions must report to Ecology the total tons of organic matter they diverted from the landfill, including the amount of compost purchased from specific sources.

After July 1, 2024, new and updated local comprehensive solid waste management plans must address the new requirement to provide organic materials collection and management to residential and nonresidential customers. This includes identifying priority areas to locate new organic management facilities.

Refer to Chapter 10.0 – Organics for additional information regarding how these rules affect solid waste in the County.

1.12.14 Reducing Plastic Pollution

In 2023, the Washington Legislature passed HB 1085, which requires Ecology to oversee new restrictions on single-use health and beauty products provided to guests by lodging establishments. The bill also restricts the installation of overwater plastic foam structures such as floating boat docks, blocks, and floats. To support these restrictions, the bill requires the Washington Department of Fish and Wildlife to conduct a study of sustainable alternatives to these types of floating structures. Finally, the bill requires certain public buildings to install bottle filling stations to reduce waste from single-use plastic bottles. Ecology will provide assistance to involved state agencies and lodging establishments by coordinating education, outreach, and compliance for the new requirements.

1.12.15 Environmental Management of Batteries

In 2023, the Washington Legislature passed SB 5144, which requires battery producers to create a statewide collection system for portable used batteries by January 1, 2027. It phases in medium-sized batteries in 2029 and requires a study that will address the management of large-format batteries and products with embedded batteries. The bill requires a battery stewardship organization to submit a plan to Ecology by July 1, 2026, describing how the program will operate, including producers participating; transporters,

processors, and disposal facilities to be used; how the program will be funded; performance goals; consumer outreach; and safety procedures.

The bill also requires Ecology to research the management of electric vehicle batteries and provide recommendations to the Legislature via a preliminary legislative report in November 2023 and a final report in April 2024.



CHAPTER 2.0 WASTE STREAM

2.0 Waste Stream

This chapter provides information on population, waste generation, and future waste quantities.

2.1 Introduction

The data in this chapter is used in various ways in this Plan, such as assessing the need for or determining the impact of a proposed new program.

2.2 Waste Stream and Population Projections

This section presents information regarding past, present, and future projections as they relate to waste generated in the County.

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 past, current, and future estimates of the County population. The table uses population figures produced by the Washington State Office of Financial Management (OFM), which are based on U.S. Census 2020 results and adjustments made through 2022. For future population projections, the OFM produces three different sets of forecasts for population growth: a low, a medium, and a high series. The medium series figures are used in this Plan.

Table 2-1. Adams County Population Estimates						
Area	2020 ¹	2023 ¹	2025 ²	2030 ²	2040 ²	2045 ²
Adams County, Total	20,613	21,200	21,570	22,565	24,387	25,253
Unincorporated Areas	9,472	9,585	9,706	10,154	10,974	11,364
Incorporated Areas	11,141	11,615	11,864	12,411	13,413	13,889
Cities and Towns						
Hatton	79	80	80	80	80	80
Lind	535	535	535	535	535	535
Othello	8,549	9,005	9,252	9,724	10,576	10,981
Ritzville	1,767	1,785	1,787	1,862	2,012	2,083
Washtucna	211	210	210	210	210	210

¹Data for these years are from the Office of Financial Management's "April 1, 2023 Population of Cities, Towns, and Counties, 2020-2023," <http://www.ofm.wa.gov/pop/april1/default.asp>. (OFM 2023).

²Total population data for the years 2025 through 2045 is from the OFM's "Projections of the Total Resident Population for the Growth Management Act (GMA), Medium Series: 2020 to 2045 by five year intervals," <https://www.ofm.wa.gov/washington-data-research/population-demographics/population-forecasts-and-projections/growth-management-act-county-projections>. Population figures by area and city for the years 2025 through 2045 assume the same breakdown as for 2023.

According to the OFM April 2023 *Population Changes and Rank Report*, the County is the thirty-first most populated county in Washington State and incurred a 2.8 percent growth in population from April 2020 to April 2023.

2.2.1.2 WASTE GENERATION RATES

Washington State (WAC 173-350-100) defines solid waste as:

All putrescible and non-putrescible 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.

This Plan focuses primarily on Municipal Solid Waste (MSW), consisting of those wastes generated by residential and commercial sources that are meant to be handled by the County’s solid waste disposal system. Wastes generated by industrial and agricultural sources are generally included to the extent that they are similar to what is disposed of through the County’s system, and they do not require special handling. Special wastes handled separately by these sources are addressed only briefly in this Plan.

Table 2-2 shows the 2021 solid waste disposed of in the County or taken to other facilities. The table also presents the amount of materials recycled or diverted through various drop-off and collection programs in the County as well as the amounts of C&D debris and other special wastes disposed of in the County or taken to other facilities in 2021. These materials are accounted for in developing a waste generation rate because tonnages may shift from one facility to another in the future due to new programs, changes in rates, or other factors. The most current year that Ecology has tonnages available for both disposal and recycling is 2021.

Table 2-2. Current Waste Generation Rate (2021)	
Facility and Waste Stream	Annual Amount
MSW Disposed Tonnage at Columbia Ridge Landfill (Oregon)	22,076 tons
Other Waste Types Disposed/Non-Recoverable	155 tons
Total MSW Tonnage Disposed	22,231 tons
Recycling/Diverted Tonnages	11,056 tons
Total Materials Tonnage Recycled/Diverted	11,056 tons
Grand Total Tonnage, All Solid Waste	33,287 tons
Population (2021 Estimate) ¹	20,900 persons
Waste Generation Rate (per person per year)	3,185 pounds
Waste Generation Rate (per person per day)	8.72 pounds

Notes: MSW and recycling tonnages are 2021 figures from Ecology records.
¹2021 Population estimate from OFM GMA Projections – Medium Series.

In Table 2-3, waste quantities have been projected using the most current (2021) available per-capita generation rate multiplied by population forecasts for the County. The current generation rate was calculated by combining the tons disposed of in 2021



with the tons recycled, diverted, or sent to special landfills in 2021 and then dividing by the 2021 population. By applying the current per-capita rate to future years, the projected figures for 2025 through 2045 assume no change in waste generation or disposal practices or in percentage of material recycled and reduced. 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 2-3. Projected Waste Quantities					
Year	Total Population ¹	Waste Generated TPY ²	Waste Generation Rate	Amount Recycled/Diverted TPY ³	MSW Disposed TPY ³
Actual Amounts					
2021	20,900	33,287	8.72	11,056 (33%)	22,231 (67%)
Projected Amounts					
2025	21,570	34,326	8.72	11,328	22,998
2030	22,565	35,910	8.72	11,850	24,060
2040	24,387	38,809	8.72	12,807	26,002
2045	25,253	40,188	8.72	13,262	26,926

¹ Figures, except for the year, population, and generation rate, are shown as tons per year (TPY). The waste generation rate is shown as pounds per person per day. Population figures are from Table 1-1.

² Projected waste generation figures for 2025 through 2045 are based on the estimated waste generation rate for 2021 (8.72 pounds per person per day) and population forecasts.

³ The projected amounts of recycling, other diversion, disposed MSW, and other wastes assume the same percentage of the total waste generated as in **Error! Reference source not found.**

Additional information on quantities of MSW handled through County facilities can be found in Chapter 5.0 – Waste Transfer.

2.2.2 Recycling Data

The most recent recycling survey conducted by Ecology suggests that 33 percent of the County’s MSW was recycled, diverted, or composted (see Table 2-4). This figure is generally called a *recycling* rate, although it sometimes includes composting and some reuse as well.

Ecology also defines a diversion rate, which includes several additional materials shown in Table 2-4 that are not included in the stricter recycling rate. These diverted materials include specific materials such as agricultural organics and tires, which are still being put to beneficial use but do not count as recycling as defined by Washington State. Diverted materials also include special wastes sent to other facilities. For comparison purposes, Ecology reports that the state recycling/diversion rate for the same time period was 49.1 percent.

Table 2-4. Recycled and Diverted Materials (2021)			
Materials	Annual Tons	% of Total Tons of MSW Disposed	% of Total Tons Generated
Recycled Materials			
Other Ferrous Metals	389.21	4	1
Other Nonferrous Metals	4.46	<1	<1
Antifreeze	6.09	<1	<1
Auto Lead Acid Batteries	27.44	<1	<1
Electronics	16.50	<1	<1
Household Batteries	0.97	<1	<1
Light Bulbs	0.88	<1	<1
Oil Filters	1.95	<1	<1
Other Batteries	0.18	<1	<1
Paint	3.18	<1	<1
Used Motor Oil	62.04	<1	<1
Food Processing Waste	8,989.00	81	27
Meats, Fats & Oils	34.73	<1	<1
Industrial Organics	1.50	<1	<1
Miscellaneous	0.41	<1	<1
Tires	65.60	<1	<1
Cardboard	1,449.12	13	4
High-Grade Paper	0.02	<1	<1
Mixed Paper	0.93	<1	<1
HDPE Plastics	0.01	<1	<1
LDPE Plastics	0.66	<1	<1
PET Plastics	0.01	<1	<1
Other Recyclable Plastics	1.51	<1	<1
Tons Recycled/Composted/Diverted	11,056.40	-	-
Tons Diverted or Recycled/Composted	11,056	-	-
Tons Disposed	22,231	-	-
Total Tons Generated	33,287	-	-
Overall Diversion Rate	33%	-	-

Notes: Data for recycled and diverted materials and for the amount of “other” wastes is from the 2021 annual survey conducted by Ecology. HDPE = high-density polyethylene; LDPE = low-density polyethylene; PET = polyethylene terephthalate.

2.2.3 Composition of Disposed Municipal Solid Waste

In 2020–2021, Washington conducted a waste composition study for the entire state. Figure 2-1 presents an overview of the 2020–2021 Central Washington Region State Waste Composition Study by material type disposed of and percentage of the waste stream. This Plan utilizes the Central Washington Region Waste Stream Composition Study results, as a baseline for planning, as it more closely represents the waste stream generated and disposed in Adams County for such materials as paper, organics, and



construction materials. The County is within the Ecology designated Eastern Washington Region.

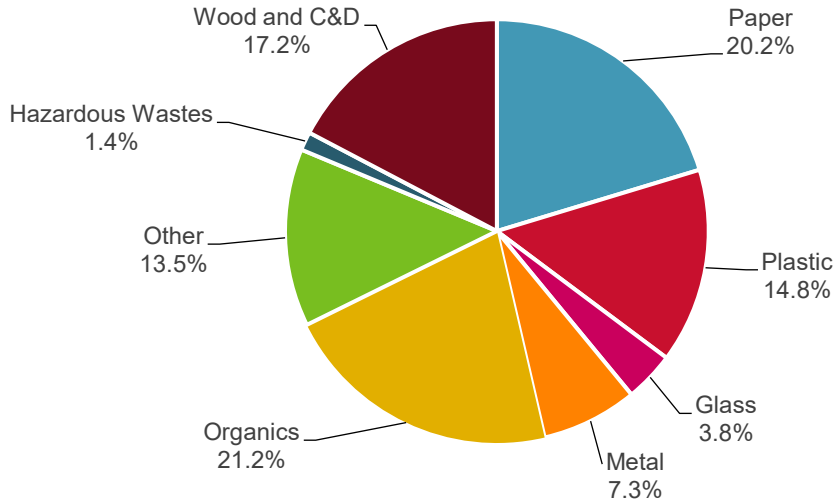


Figure 2-1. 2020–2021 Central Washington Region Waste Composition Study

Waste composition can be expected to change in the future due to changes in consumption patterns, packaging, disposal habits, tourism, and other factors. These changes are difficult to predict in the long term. Furthermore, implementation of this Plan may affect waste composition in the County by changing purchasing and disposal habits. Utilizing the compositional analysis derived from the 2020–2021 Central Washington Region Waste Composition Study, Table 2-5 illustrates the composition of the total measured County 2021 waste stream.

Table 2-5. Adams County Waste Stream Composition (2021)		
Materials	Waste Stream	
	Percent by Weight ¹	Tons of Material
Paper	20.2	4,491
Cardboard	6.6	1,467
Newspaper	0.3	67
Mixed Paper	4.8	1,067
Compostable Paper	5.3	1,178
Other Paper/Packaging	2.2	489
Magazines	0.6	133
Other Groundwood Paper	0.1	23
High-Grade Paper	0.3	67

Table 2-5. Adams County Waste Stream Composition (2021)		
Materials	Waste Stream	
	Percent by Weight¹	Tons of Material
Plastic	14.8	3,290
PET	1.6	356
HDPE Bottles/Jars/Tubs	1.2	267
Other Plastic/Packaging	3.4	756
Recyclable Film	3.7	823
Plastic Bags	1.5	333
Bulky Rigid Plastic Products	2.0	445
Expanded Polystyrene	0.6	133
Polypropylene Plastic	0.8	177
Glass	3.8	845
Clear Containers	1.6	355
Brown Containers	0.8	178
Green Containers	0.7	156
Other Glass	0.7	156
Metals	7.3	1,623
Aluminum Cans	0.6	133
Aluminum Foil/Containers	0.2	44
Other Aluminum	0.1	23
Tin Cans	0.9	200
Other Ferrous Metal	2.6	578
Other Non-Ferrous Metal	0.4	89
Non-Recyclable Metal	2.5	556
Organics	21.2	4,713
Food Waste	16.8	3,735
Yard Debris	1.9	422
Animal Manure	2.1	467
Other Organics	0.4	89
Other Materials	13.5	3,023
Electronics	1.5	333
Textiles	4.3	956
Furniture	4.3	956
Tires & Rubber	0.4	89
Disposable Diapers	2.0	445
Residues (Ash, Dust, Fines, Sludge)	1.0	244



Table 2-5. Adams County Waste Stream Composition (2021)		
Materials	Waste Stream	
	Percent by Weight¹	Tons of Material
<i>Hazardous Waste</i>	1.4	312
Medical Waste	0.7	156
Other Hazardous/Special Wastes	0.7	156
<i>Construction Materials</i>	17.7	3,934
Painted Wood	3.9	867
Dimensional Lumber	2.7	667
Other Wood	3.2	711
Insulation/Concrete/Drywall/Carpet	3.1	689
Ceramics/Brick/Soil/Rocks/Sand	1.9	422
Other Construction Materials	2.6	578
Total 2021 Tons Disposed (in tons)		22,231

¹ Table utilizes the Central Washington Region State Waste Composition Study as the baseline for waste stream percent by weight.

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CHAPTER 3.0 WASTE REDUCTION, RECYCLING, AND EDUCATION AND OUTREACH

3.0 Waste Reduction, Recycling, and Education and Outreach

This chapter discusses existing waste reduction, reuse, and recycling programs; identifies relevant planning issues to meet local and state goals; and develops and evaluates alternative strategies.

3.1 Background

This section provides information on the regulations and authorities that govern waste reduction, recycling, and climate change programs and issues.

3.1.1 Waste Reduction and Recycling

Chapter 3.0 provides an update of Adam County's methods to divert waste away from landfill disposal and to comply with Washington State requirements and the EPA Waste Hierarchy in Figure 3-1 regarding waste reduction and recycling opportunities and programs. EPA is currently in the process of reviewing its Waste Hierarchy to determine if potential changes should be made based on the latest available data and information.

The state's requirements are based on 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. RCW 70A.205 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. Ecology conducts waste composition studies and recycling surveys on an annual basis to track achievement of waste reduction and recycling goals. Ecology currently emphasizes waste generation as its primary measurement, as this is a more accurate way to assess if Washington residents and businesses are truly reducing waste.
- 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 recycling at least as affordable and convenient to the ratepayer as disposal of MSW.



Figure 3-1. EPA Waste Hierarchy

Other applicable state requirements are as follows:

- Establish programs for the collection of source-separated materials from residences in urban and rural areas. In rural areas, these programs shall include, but not be limited to, drop-off boxes, buy-back centers, or a combination of both at each solid waste transfer, processing, or disposal site or at locations convenient to the residents. The drop-off boxes and buy-back centers may be owned or operated by the public, a nonprofit organization, or a private company or person.
- Establish programs to educate and promote concepts of waste reduction and recycling.
- Develop clear criteria for designating areas as either urban or rural for the purpose of providing solid waste and recycling services (RCW 70A.205.050).
- Monitor the collection of source-separated waste from non-residential sources when there is sufficient density to economically sustain a commercial collection program. Planning guidelines can include criteria such as anticipated recovery rates and levels of public participation, availability of environmentally sound disposal capacity, access to markets for recyclable materials, unreasonable cost impacts on the ratepayer, utilization of environmentally sound waste reduction and recycling technologies, and other factors as appropriate (RCW 70A.205.045).

RCW 70A.205.050 requires that counties develop clear criteria for designating areas as urban or rural for the purpose of providing solid waste and recycling services. RCW 70A.205.045 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.

RCW 70A.205 requires a monitoring program for collection of source-separated waste from non-residential sources when there is sufficient density to economically sustain a commercial collection program. Adams County complies with this requirement by working cooperatively with Ecology and using the data Ecology collects through the annual Washington State Recycling Survey.

In addition, public education and outreach is an important element for solid waste management systems. Adams County residents and businesses need to be informed as to the proper and available methods for waste reduction, disposal, and recycling. The programs described in this chapter encourage residents and businesses to take the extra steps to recycle or reduce waste or to avoid generating waste in the first place.

This section provides information on the regulations and authorities that govern waste reduction, recycling, and climate change programs and issues.

3.1.2 Contamination Reduction And Outreach Plan

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 Contamination Reduction and Outreach Plan (CROP) by July 1, 2020. RCW 70A.205.045(10) requires counties with a population of more than 25,000 to include a CROP in their Solid Waste Management

Plan by July 1, 2021. This requirement also applies to cities with independent Solid Waste Management Plans in counties with more than 25,000 people.

Adams County population falls below the 25,000 threshold during this planning period, and therefore a CROP is not included in this Plan.

When it becomes applicable to Adams County, RCW 70A.205.045 stipulates the following requirements to be included in a CROP:

- 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' impacts 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.

3.1.3 Climate Action

In response to federal mandates in the Disaster Mitigation Act of 2000, the process to write the Multi-Jurisdictional Hazard Mitigation Plan (HMP) began in 2022 with the formation of a planning partnership. This county-wide partnership helped to pool resources and create a County-wide hazard mitigation strategy. The process was led by Adams County Emergency Management and funded by Federal Emergency Management Agency (FEMA) planning grants. The initial draft HMP was released in March 2023 for public comment. The revised draft has been modified to incorporate more wildfire-specific risk assessment and actions in order to qualify as a Community Wildfire Protection Plan.

The HMP provides information as to how Adams County can be more resilient to natural hazards such as wildfires, flooding, earthquakes, drought, and severe storms. The HMP provides an overall strategy of programs, projects, and measures aimed at reducing the adverse impacts of natural hazards on the communities within Adams County. The agencies participating in the planning process used hazard data to identify specific projects that can mitigate against the risk of natural hazards, such as retrofitting water and sewer systems, adding generators to critical facilities, or modifying structures with fire resistant materials.

The current draft HMP is under review and not yet publicly available as of June 2024.

3.2 Existing Program Elements

The following sections provide background information regarding waste reduction, recycling, and education and outreach and discuss Adams County's existing programs.

3.2.1 Recycling Services

The County provides drop-off recycling services at its transfer stations and collects office paper, on an on-call basis from local schools. Information on these recycling services is provided in Table 3-1.

Recycling Facility and Location	Type	Hours of Operation	Carboard/Paper	Non-ferrous Metals	Ferrous Metals	Other Recyclables
Bruce Transfer Station Othello, WA	Drop-off	Tuesday – Saturday 9AM–4PM (Tues, Thurs, Sat only during winter months)	X	X	X	Organic Waste, appliances, tires, used oil, batteries, electronics
Ritzville Transfer Station Ritzville, WA	Drop-off	Wednesday and Saturday 9AM–4PM	X	X	X	Organic Waste, appliances, tires, used oil, batteries, electronics

¹Additional information on Adams County Recycling Sites can be found on their website at https://www.co.adams.wa.us/departments/public_works/solid_waste/recycling.php

Tonnage and revenue data for the materials collected via drop-off recycling services during 2021, 2022, and 2023 is detailed in Table 3-2.

Recycling Facility	Year	Tonnage							Revenue
		Used Oil	Tires	Batteries	Appliances	Carboard/Paper	E-Waste	Ferrous Metals	
Bruce Transfer Station	2021	-	3.95	-	-	407.85	10.80	242.69	\$108,116
	2022	1.53	-	0.29	26.10	682.33	5.1	174.88	\$114,699
	2023	0.90	19.05	0.01	36.90	646.77	6.30	336.14	\$102,857
Ritzville Transfer Station	2021	-	2.45	-	-	78.91	5.70	146.32	\$42,149
	2022	0.76	6.92	0.30	17.55	11.50	2.70	128.85	\$26,627
	2023	1.55	4.71	0.48	17.40	31.73	1.80	-	\$10,062

Source: Adams County.

The Bruce Transfer Station and the Ritzville Transfer Station each have a building and baler dedicated to handling cardboard and office paper delivered to the sites. The Bruce Transfer Station baler is illustrated in Figure 3-2.

Baled cardboard and office paper are stored at the Bruce Transfer Station until such time as enough volume is available or prices are stable enough for a load to be shipped.



Figure 3-2. Bruce Transfer Station Baler

3.2.2 Waste Reduction and Reuse

Waste reduction is the highest priority for solid waste management according to RCW 70A.205 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 can be used to encourage waste reduction (and recycling) through “pay as you throw” rates in which single-family households are charged according to the amount of garbage they discard. Businesses and multifamily properties are generally already charged according to the amount of garbage disposed of.

On-site composting can reduce the amount of yard debris disposed of as garbage or composted commercially.

Other opportunities for reuse and waste reduction that are available in the County include yard sales, material donations and reuse, local government public surplus sales, and websites such as Craigslist, which may be used to buy and sell second-hand goods locally.

3.2.3 Public Education

Currently, the County is providing limited public education and outreach for waste reduction, recycling, composting, and proper management and disposal of MRW due to administrative constraints. The County does advertise in local publications regarding the availability of MRW and recycling opportunities at its transfer stations. The County has additional resource pamphlets for solid waste and recycling, household hazardous waste, battery storage and disposal, and safe lithium-ion battery disposal. These pamphlets are available online via the following link:

<https://cms5.revize.com/revize/adamscounty/DeptPages/PublicWorks/sw/2022RecyclingBrochure-withLSWFA.pdf>

3.2.4 Designation of Recyclable Materials

Table 3-3 shows the list of “designated recyclable materials” required by WAC 173-350, which should be used for guidance regarding the materials to be recycled. This list is based on existing conditions (collection programs and markets), so future markets and technologies may warrant changes in this list. Because market conditions for recyclables

can change, the list of designated materials is accompanied by a description of the process for its revision, if needed, before the next major Plan update. The process for making minor changes to this Plan, such as an update to Table 3-3, is described in Chapter 12.0 – Implementation Plan.

Table 3-3. List of Designated Recyclable Materials	
Priority Level	Material
<p>Routine Collection: Materials feasible to be collected by curbside collection and drop-off programs throughout Adams County.</p>	<ul style="list-style-type: none"> • Aluminum • Cardboard • High-Grade Paper • Mixed Paper • Newspaper • Antifreeze • Used Oil • Vehicle Batteries • Ferrous Metals • Non-Ferrous Metals • Tires
<p>Limited Collection: Materials that can be recycled but have collection or marketing limitations in Adams County.</p>	<ul style="list-style-type: none"> • Electronics covered by E-Cycle Washington • Mercury-Containing Lights covered by LightRecycle Washington • Textiles • Plastics #1 and #2 • Cell Phones • Ink Cartridges • Wood Waste • Yard Waste • Latex Paint
<p>Potentially Recyclable: Hard-to-recycle materials that could be recycled if markets are available.</p>	<ul style="list-style-type: none"> • Brown Glass • Clear Glass • Green Glass • Food Waste • Plastics, #3 through #7 • Plastic Containers (Non-Bottle) • Plastic Film • Poly-Coated Paper

This list is not intended to create a requirement that recycling programs collect every designated material. Instead, the intent is that if materials become feasible for recycling, the County will review the feasibility of collection in respect to markets, ease of collection, size of waste stream, special events, or removal of collection limitations and will consider programs for collection so that residents and businesses have an opportunity to recycle the designated materials listed through at least one program. The County and the municipalities have ultimate authority over materials and decide which are collected for diversion from landfill disposal.

The following conditions are grounds for additions to or deletions from the priority-level list of designated materials:

- The market price for an existing material becomes so low that it is no longer economically feasible to collect, process, or transport it to markets.

- Local markets or brokers expand their lists 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 amounts of diversion.
- Legislative mandate.
- Other conditions not anticipated at this time.

Proposed changes to the list of designated materials should be submitted to the SWAC for review. Unless there are objections from the SWAC, the Adams County Department of Public Works Director can make minor changes to the list. These changes will be adopted depending on the schedule of SWAC meetings without a formal amendment to the Plan. Should the SWAC conclude that 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 opposition by the SWAC or difficulty in achieving consensus for adoption could be used as indicators), an amendment to the Plan (a process that could take 120 days or longer to complete) would be necessary. In either case, Ecology should be notified of changes made to the List of Designated Recyclable Materials or of the initiation of an amendment process.

3.2.5 Urban and Rural Area Residential Recycling

RCW 70A.205 requires counties to develop clear criteria for designating areas as urban or rural for the purpose of providing solid waste and recycling services. RCW 70A.205 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. According to the OFM, a “rural county” is defined as “...a county with a population density less than 100 persons per square mile.”

Currently, no curbside residential recycling service is provided in the municipalities of Ritzville, Lind, Othello, Hatton, and Washtucna.

Residents rely on drop-off sites located at the Bruce Transfer Station and the Ritzville Transfer Station as shown in Table 3-1. In addition, the City of Othello and Consolidated Disposal Services, Inc., provide containers at 250 N. Broadway Avenue for recycling newspaper, cardboard, and aluminum cans at no cost to citizens. This service is provided for residential use only and is not to be used by commercial businesses.

3.2.6 Commercial Recycling

Commercial-sector recycling collection is not currently available. Businesses may use the Bruce Transfer Station and the Ritzville Transfer Station for recycling. Information regarding availability of commercial recycling services at these facilities is available via the following link:

<https://cms5.revize.com/revize/adamscounty/DeptPages/PublicWorks/sw/2022RecyclingBrochure-withLSWFA.pdf>

3.2.7 Public Event Recycling

RCW 70A.200.100 requires public event recycling in communities where there is an established curbside service and where recycling service is available to businesses. A recycling program must be provided at every official gathering and at every sports facility by vendors who sell beverages in single-use aluminum, glass, or plastic bottles or cans. A recycling program includes provision of receptacles or reverse vending machines and provisions to transport and recycle the collected materials. Facility managers or event coordinators may choose to work with vendors to coordinate the recycling program. The recycling receptacles or reverse vending machines must be clearly marked and must be provided for the aluminum cans that contain the beverages sold by the vendor.

3.2.8 Incentives for Recycling

As previously discussed in Section 3.2.1, recycling drop-offs are located at the County transfer stations as an incentive and opportunity to recycle. Source-separated clean scrap metal, cardboard, and aluminum cans are accepted at no cost. In addition, used oil, vehicle batteries, and the first 250 pounds of yard waste are accepted at the transfer stations at no charge. HHW waste is also accepted from residential self-haul customers at no cost at these two County-owned sites.

Recycling can enable residents and businesses to reduce their garbage service volumes and lower their garbage collection fees in cities with “pay-as-you-throw” price models, and they may even get paid for some recyclable materials such as aluminum or copper if taken to a private recycling facility.

3.2.9 Monitoring and Evaluation

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

3.2.10 Processing Facilities

Source-separated aluminum, cardboard, and paper are accepted and stockpiled in designated buildings at the Bruce Transfer Station and the Ritzville Transfer Station. A baler system is located at the Bruce Transfer Station, and recyclable materials are baled and stored until shipment quantities are achieved (see Figure 3-3). Shipments are made to markets outside of the County for processing and sale.



Figure 3-3. Bruce Transfer Station Cardboard Storage

3.2.11 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.

3.2.12 Market Overview

In July 2017, China's government announced that it would ban 24 recyclables, including “unsorted mixed paper” and “mixed plastics,” starting in 2018. This ban originates from China's “National Sword” campaign to crack down on smuggling and contaminated scrap imports. China applied a stricter contamination standard for other recyclables. Since March 2018, scrap materials imported into China may not exceed 0.5 percent contamination. This was below typical processing standards of 3–5 percent at Washington recycling facilities at the time.

With a few exceptions, China has frozen the approval of scrap paper import permits. As a result, most scrap paper companies cannot import any scrap paper into China, causing a suspension of imports since September 2017. This created market uncertainty, even for materials not covered by the restrictions.

In 2018, China's government implemented new restrictions on what recyclables may be imported, significantly impacting Washington’s recycling programs. China had been a major buyer of Washington's recyclables. China no longer allows the importation of low-grade plastics and unsorted paper. The regulations aim to increase the quality of recyclables entering China by requiring a low amount of contamination in the recyclables it imports.

The import ban temporarily created a disruption in Washington and throughout the region. Material recovery facilities in Washington, which receive mixed recyclables and sort them for resale to commodities brokers, have been slowing down their processing of recyclable materials and adding sorting equipment to reduce contamination.

An important consideration for marketing of recyclable materials collected is the cost of transporting them to end-markets, some of which are outside of Washington State. Recyclers in Eastern Washington are farther from most markets than recyclers along the I-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 3-4.

Table 3-4. Markets for Recyclable Materials		
Material	Primary Market(s)	Comments
<i>Paper</i>		
Cardboard	Regional paper markets, paper mills, and export	The markets for cardboard (used in packaging) have recently been improving and have been generally stable.
Mixed Paper and Newspaper	Regional paper markets, paper mills, and export	The markets are fluctuating due to supply and demand from overseas markets and processors and are primarily low at this time.

Table 3-4. Markets for Recyclable Materials		
Material	Primary Market(s)	Comments
Plastics		
Bottles #1 through #7	Regional markets in Western Washington and Oregon, and export	The markets for PET and HDPE bottles are currently weak to non-existent (#1 and #2) and even weaker for bottles #3 through #7.
Other Plastics	Primarily export	Markets are volatile and sometimes unreliable.
Metals		
Aluminum	Regional markets in Western Washington and Oregon; can manufacturing in St. Louis	Aluminum prices were weak in 2023.
Tin Cans, Appliances, and Ferrous and Non-ferrous Scrap	Regional markets in Western Washington and Oregon	Steel has fluctuated, and the market is currently weak.
Glass		
Clear Glass	Regional markets in Western Washington and Oregon	Prices are poor for clear 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).
Organics		
Wood	Hog fuel, mulch (clean wood only)	Hog fuel prices are fluctuating.
Yard Debris	Daily cover, compost	Yard debris is currently composted for a fee.

Note: HDPE = high-density polyethylene; PET = polyethylene terephthalate.

As the markets continue to change, new facilities are being proposed locally to handle commodities. In 2019, Norpac, which is located in Longview, Washington, pledged to bring in an additional 400,000 tons per year of recycled paper as it shifts one-third of its production capacity into packaging production. This expansion was completed in 2022 at a cost of \$50 million in new equipment, and this project is predicted to have the ability to consume available mixed paper grades in Washington, Oregon, and Idaho. In addition, the Packaging Corporation of America Wallula paper mill resumed operations in December 2023, which allows Eastern Washington production of packaging materials to resume.

Markets for recyclables are volatile and affect commodities that are able to be collected and processed for recycling. Primary markets for specific materials and comments on factors that affect them as of November 2023 are presented in Table 3-4. Ecology also provides recycling market data that is updated every 2 months and available at the following link:

[Recycling & Solid Waste Data | Powered by Box](#)

3.3 Status of Previous Recommendations

The status of the recommendations made in the 2018 Plan can be found in Appendix D.

3.4 Alternatives and Evaluations

Existing service gaps and other issues connected to waste reduction, recycling, and education and outreach are evaluated below.

3.4.1 Incorporate an Education and Outreach Program

The County should take the lead in establishing and incorporating public education and outreach of waste management programs to ensure that citizens are aware of opportunities and programs available when managing waste. Adams County could add a position for a recycling educator/coordinator to its solid waste staff as funding is available. Efforts to inform residents and businesses about recycling and waste reduction options could be conducted on an ongoing basis and coordinated with the participating municipalities, schools, businesses, and waste collection companies once this position is filled.

3.4.2 Provide Support for Recycling at Public Events

Washington State law requires public events to provide recycling containers in communities where there is an established curbside service and where recycling service is available to businesses (RCW 70A.200.100). To support this requirement, the County could operate a program that provides a trailer or bins and other support for these events when curbside recycling becomes available. This program would be a low-cost public service with high visibility that provides a positive benefit for those involved. Signatory cities can be partners to support and increase promotion of this program. This type of program could be implemented even if curbside recycling services are not available in Adams County.

3.4.3 Adopt City Service Standards that Promote Residential Waste Reduction and Curbside Recycling

Signatory cities that contract for collection services could adopt service standards that promote waste reduction and curbside recycling. Options include offering or amending contracts to require garbage haulers to offer:

- Recycling service on a subscription basis for a rate equal to or less than garbage service (establishing a “right to recycle”).
- Recycling collection bundled with garbage service (potentially on a minimal once-per-month collection schedule).
- Subscription options for lower levels of garbage capacity (such as 20-gallon containers or once-per-month collection frequency).

3.4.4 Expand and Refresh Educational Materials

Education and outreach initiatives have greater impact if messaging is consistent throughout the County. To achieve this, County staff can coordinate between

departments and with cities and towns and waste collection companies to expand and refresh their messaging on waste prevention, recycling, contamination reduction, private recycling options, and extended producer responsibility options. Options could include:

- Setting similar priorities for education objectives in terms of material and content.
- Maintaining consistency in labeling, use of picture-based icons, color coding, and—when applicable—translations for bin decals and signage.
- Communicating across agencies (e.g., with the Health District) to work jointly on overlapping objectives (e.g., moderate risk waste).

County staff can also review and selectively refresh their library of existing materials or create new materials to reflect priority recycling and composting topics; objectives around waste reduction; recycling contamination reduction; and key littering, illegal dumping, and moderate risk waste issues. Building on materials and resources—such as open-source photos for recyclables—from other jurisdictions and organizations can be cost-effective. For example, Ecology offers a Recycle Right toolkit, and The Recycling Partnership offers free images for signage.

Messaging materials can be tailored to specific generator types with relevant resources according to the specific challenges presented to the group (such as food waste prevention, proper MRW management, organics recycling options, illegal dumping prevention, and reducing contamination in recyclables).

3.4.5 Update and Expand on Digital Education Through Websites, Social Media, and Newsletters

Adams County staff's efforts to reach younger or more digitally inclined groups can include updating existing digital materials and expanding on digital education campaigns through social media, the County website, and email newsletter subscriptions. At a minimum, the County should refresh its website to keep it current, add updated information, make it more visual, and make it easier for different types of users (e.g., single-family residents, multifamily tenants, multifamily property managers, businesses, and self-haulers) to find all the information related to them.

Social media campaigns are a low-cost supplement to other education and outreach efforts and can build on free resources provided by organizations such as the social media toolkit from The Recycling Partnership. This toolkit provides a schedule for various content including text and images to align with seasons and holidays throughout the year. Social media campaigns also offer flexibility in topics that can be covered, including promoting upcoming events and addressing seasonal or emerging issues (such as backyard composting in spring or collection schedule changes during weather events).

A consideration when using social media, newsletters, or blogs is that individual posts and articles about a small subset of products can lead to an overload of unorganized information. If adopted, these digital methods should direct users to resources on the County website, so they should be organized and easy to find by residents and businesses. Note that smaller counties typically do not have a social media presence due to the retention requirements for content.

3.4.6 Offer School Technical Assistance

Schools present important opportunities to reduce and prevent waste—especially food waste—and increase recycling. Technical assistance to schools could include the following:

- On-site technical assistance including waste audits, collection infrastructure assessments, and customized recommendations for preventing waste and increasing recycling and composting.
- Assistance and grants to support implementation of waste reduction strategies such as switching to milk dispensers with reusable cups, switching to reusable dishes and trays, setting up a sharing table or bin for students to trade unopened food and drinks and uneaten whole fruit with peels, setting up a school swap day at the end of the school year when students are cleaning out lockers, installing water-bottle filling stations, donating edible food, and more.
- Assistance with implementing recommendations regarding green purchasing, waste collection practices, and waste collection infrastructure.
- Working with a school’s existing student green team to implement a food waste audit and prevention campaign, an on-site composting demonstration project, or a waste audit and recycling and composting education campaign.

County staff can draw on programs developed by Clark County, Clackamas County (Oregon), King County, and the Washington Green Schools program. The Washington Green Schools program also offers recognition for a school’s performance in multiple environmental categories.

3.4.7 Sham Recycling

Some facilities may claim that they are recycling a material without actually doing so. Others haul mixed garbage that 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 (WAC 173-345) 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 Adams County.

3.4.8 Cardboard Recycling

The cardboard baling equipment and storage areas at the County-owned transfer stations may require improvements to allow for more efficient operations and future expansion. The current recycling building at the Bruce Transfer Station could be modified to allow for more efficient access to the baler and processing of cardboard. The baling equipment at the Bruce Transfer Station could also be upgraded so that bales are mechanically tied rather than requiring staff to hand tie the bales.

3.5 Recommended Actions

The following recommendations are made for waste reduction, recycling, and education programs:

- WRR1) Maintain the list of designated materials (Table 3-3) through periodic review and updates.
- WRR2) Incorporate an education and outreach program by adding a position for a recycling educator/coordinator to the Adams County solid waste staff, as funding is available.
- WRR3) Update and expand on digital education through websites, social media, and newsletters.
- WRR4) Provide support for recycling at public events when curbside recycling becomes available and recycling services are available to businesses.
- WRR5) Encourage signatory cities to consider adopting service standards that promote residential waste reduction and curbside recycling.
- WRR6) Focus recycling and diversion efforts on waste streams that represent significant tonnage disposed of and coordinate messaging and efforts to reduce contaminants on materials recycled.
- WRR7) Provide funding for recycling building and equipment upgrades at the transfer stations, as needed, to continue efficient recycling operations.



CHAPTER 4.0 SOLID WASTE COLLECTION

4.0 Solid Waste Collection

4.1 Introduction

This chapter discusses existing MSW collection services in the County and the participating cities and towns, identifies relevant planning issues, and develops and evaluates alternative collection strategies.

4.2 Background

This section provides information regarding legal authority as well as information on incorporated and unincorporated areas within the County.

4.2.1 Legal Authority

Ecology, WUTC, the County, cities, and towns share the legal authority for solid waste collection within Adams County.

RCW 70A.205 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" (RCW 70A.205).

For information regarding establishment of collection and disposal districts as allowed by RCW 36.58A, refer to Chapter 10.0 – Administration and Enforcement.

4.2.2 Incorporated Areas

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

1. Municipal collection: Municipal employees collect waste.
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 city does not wish to be involved in managing garbage collection within its boundaries, a WUTC-certified hauler for the area can provide those services. The city may pass an ordinance requiring that certain services be provided. A city may also require a permitted hauler to secure a license from the city. Hatton, Lind, Othello, and Ritzville contract for collection within their municipality limits. Section 4.3 provides additional information regarding solid waste collection.

4.2.3 Unincorporated Areas

4.2.3.1 WUTC STANDARDS

Waste collection companies are a regulated transportation industry. As such, the WUTC grants exclusive rights to specific haulers, referred to as "Solid Waste Carriers," in

unincorporated areas. RCW 81.77.030 allows the WUTC to supervise and regulate waste collection companies by:

- Fixing and altering its rates, charges, classifications, rules, and regulations;
- Regulating the accounts, service, and safety of operations;
- Requiring the filing of annual and other reports and data;
- Supervising and regulating such persons or companies in all other matters affecting the relationship between them and the publics they serve;
- Requiring compliance with local solid waste management plans and related implementation ordinances; and
- Requiring that certificate holders under RCW 81.77 use rate structures and billing systems consistent with the solid waste management priorities set forth under RCW 70A.205 and the minimum levels of solid waste collection and recycling services pursuant to local comprehensive solid waste management plans.

WAC 480-70 implements RCW 81.77 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.

At the time of this writing, the following two companies hold solid waste authority, granted by the WUTC, to operate in Adams County:

1. Ada-Lin Waste System, Inc., dba Sunshine Disposal (G-104) – 11320 W. McFarlane Road, Airway Heights, WA 99001
2. Consolidated Disposal Services, Inc. (G190) – P.O. Box 1154, Ephrata, WA 98823

Figure 4-1 shows the WUTC solid waste collection areas.

One additional company operates under contract with the City of Ritzville as follows:

- Wheatland Waste Systems, Inc. – 404 North Low Street, Ritzville, WA 99169

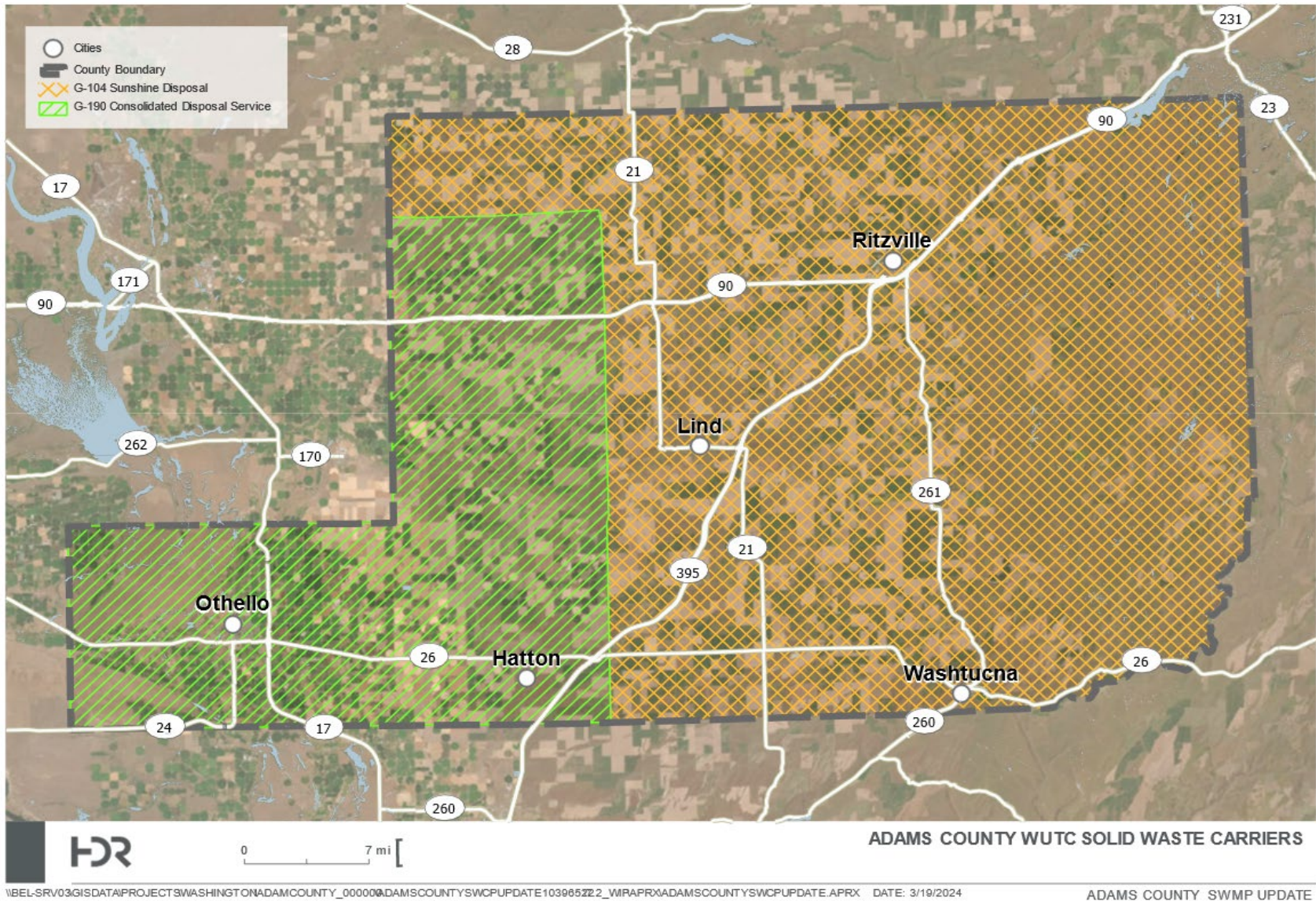


Figure 4-1. WUTC Collection Areas

4.3 Existing Conditions

Residential curbside waste collection is not mandatory in the unincorporated areas of Adams County. Residents may choose whether to subscribe to waste collection services or self-haul to one of the two transfer stations located within the County.

Additional information regarding waste transfer and disposal can be found in Chapter 5.0 – Waste Transfer and Chapter 6.0 – Waste Disposal; information on recycling collection can be found in Chapter 3.0 – Waste Reduction, Recycling, and Education and Outreach. More detailed information about the haulers’ service areas can be found on the WUTC’s website:

<https://www.utc.wa.gov/regulated-industries/transportation/regulated-transportation-industries/solid-waste-carriers/solid-waste-service-maps-county>

4.3.1 Waste Collection Programs

Table 4-1 lists the styles of residential garbage collection, the approximate numbers of customers served, and the rates per household per month in Adams County.

Municipality	Population 2023 ¹	Residential Garbage Cart Size (gallons)	Collection Entity	Mandatory Service	Rate per Household per Month ²
Hatton	80	90	Consolidated	Yes	\$24.19
Lind	535	95	Consolidated	Yes	\$20.00
Othello	9,005	68 95	Consolidated	Yes	\$18.09 \$20.09
Ritzville	1,785	90	Wheatland	Yes	\$21.65
Washtucna	210	64 95	Sunshine	No	\$33.53 \$46.27
Unincorporated Area	9,585	65	Consolidated	No	\$25.30
		95			\$29.18
		32	Sunshine		\$30.04

¹ Population information from Chapter 2.0 – Waste Stream, Table 2-1 Adams County Population Estimates.

² Rate per household data (as of April 2024) provided by Consolidated Disposal, Sunshine Disposal, and Wheatland Waste.

4.3.1.1 BULKY WASTE COLLECTION SERVICE

Bulky waste collection is available on-call and County-wide through each waste collection program for a fee.

4.3.1.2 COMMERCIAL COLLECTION SERVICE

Similar to residential garbage collection, commercial garbage collection is non-mandatory in jurisdictions and the unincorporated areas of Adams County. Style and frequency of service, as well as rates charged, vary by commercial customer.

4.3.2 Disposition of Collection Waste

Waste collected within the County is required to be delivered to one of the County-owned and -operated transfer station facilities. This requirement is part of the interlocal agreement between the County and cities and towns. Interlocal agreements can be found in Appendix A.

4.4 Status of Previous Recommendations

The status of the recommendations made by the 2018 Plan can be found in Appendix D.

4.5 Alternatives and Evaluations

Existing service gaps and other issues connected to the solid waste collection component of solid waste management are discussed below.

4.5.1 Solid Waste Collection

Curbside MSW collection programs appear to be operating satisfactorily in both the incorporated and unincorporated areas of the County.

4.5.2 Curbside Recycling

Currently, residential curbside recyclable collection services are not available in Adams County and the participating municipalities. The collection and recycling relationship is addressed in greater detail in Chapter 3.0 – Waste Reduction, Recycling, and Education and Outreach, which includes collection system alternatives to be considered to promote recycling.

4.5.3 Disposition of Collected Waste

As noted in Section 4.3.2, waste collected within the County is required to be delivered to one of the County transfer stations through the interlocal agreements with the cities and towns.

4.5.4 Collection Contract Compliance With The Plan

To ensure that the cities' collection contracts in the County comply with the Plan, cities could implement a contract review process. The County would provide a checklist of items to be reviewed by each city's contract administrators to verify that the collection contracts comply with the Plan. The review process could occur at the times of collection contract renewals and/or procurement.

4.6 Recommended Actions

The following recommendations are made for solid waste collection programs:

- SWC1) Continue to require waste to be routed through County-owned facilities in future interlocal agreements.
- SWC2) Cities and towns should regularly review collection contracts to confirm compliance with the Plan. The County should develop a checklist for the cities and towns to use.

- SWC3) Coordinate residential and commercial curbside collection programs with recycling program recommendations as implemented.

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CHAPTER 5.0 WASTE TRANSFER

5.0 Waste Transfer

5.1 Introduction

This chapter discusses existing waste transfer facilities, identifies relevant planning issues, and develops alternative strategies for transfer of solid waste.

5.2 Background

This section provides an overview of Adams County's waste transfer system, which is regulated by RCW 70A.205, Solid Waste Management; and WAC 173-350, Solid Waste Handling Standards.

5.2.1 State Legislation and Regulations

Ecology regulates the design and operation of transfer stations and drop boxes under WAC 173-350, Solid Waste Handling Standards. Counties may site and operate transfer facilities or may contract this service to a provider. Transfer stations are required to obtain a solid waste permit from the jurisdictional health department. There are currently two publicly owned and operated transfer stations located in the County. Information on these transfer stations can be found in Section 5.3.2, Transfer Stations.

5.2.2 Adams County Waste Transfer System Overview

The waste transfer system in Adams County includes two County-owned and -operated facilities, the Bruce Transfer Station and the Ritzville Transfer Station. Both transfer stations serve commercial and self-haul waste for transfer of waste to final disposal.

In 1994, anticipating further expansion of the County-owned Bruce Landfill, the County conducted site investigations at the landfill site. During these investigations, the County discovered a geologic anomaly. In light of new and changing information on meeting landfill design regulations, coupled with costly further site characterization, the County elected to conduct a cost and service-level analysis of contracting for solid waste services. In December 1994, the County released a Request for Proposals (RFP) to qualified companies to construct and operate a transfer station(s) and long haul the MSW to an out-of-county disposal site.

As a result of the RFP process, a contract with Rabanco Companies (Regional Disposal Company or RDC) was negotiated and executed. RDC agreed to construct two transfer stations. The closed Bruce Landfill site, approximately 8 miles northeast of Othello, now hosts the Bruce Transfer Station. An unused drop box site approximately 1 mile east of Ritzville on Danekas Road is the location of the Ritzville Transfer Station. RDC chose to subcontract the operations of the Bruce Transfer Station to Consolidated Disposal Services, Inc., and the Ritzville Transfer Station operations to Sunshine Disposal. MSW was then exported to the RDC Regional Landfill in Klickitat County. The initial term of the contract with RDC was for 1 year with an automatic renewal clause, which allowed either party to terminate with proper notice.

In 1997, Waste Management of Washington (WMW) received a permit to operate a regional landfill in the County near the Town of Washtucna. Refer to Chapter 6.0 –

Waste Disposal for additional information regarding the permit and contract between Waste Management, Inc., and Adams County.

In 2011, as a result of successful contract negotiations with WMW and Waste Management of Oregon, Inc., for solid waste disposal services, the County declined to renew the contract with RDC, and ownership and operations of the Bruce Transfer Station and Ritzville Transfer Station reverted to Adams County.

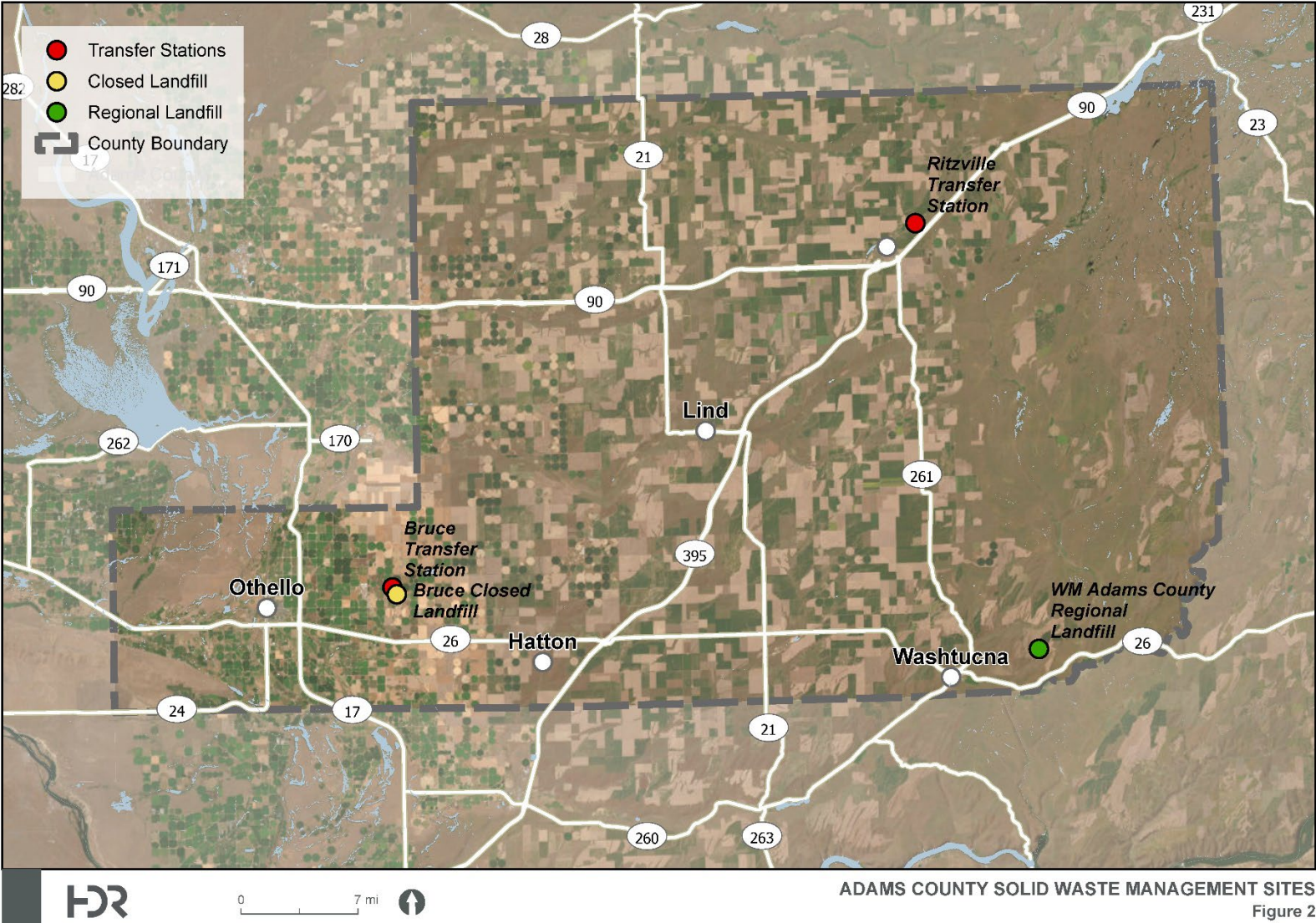
5.3 Existing Conditions

5.3.1 Background

The County entered into interlocal agreements with Lincoln County and the cities of Sprague, Harrington, and Odessa to allow disposal at the County-owned and -operated transfer stations. This interlocal agreement was terminated in 2016 for the cities of Sprague and Harrington due to the WSDA Apple Maggot Quarantine rule. The City of Odessa via its hauler, Consolidated Disposal Services, Inc., continues to utilize the Bruce Transfer Station, as they are located outside the apple maggot quarantine area.

The County, through its interlocal agreements with the cities and towns in the County, requires that all MSW be routed through the County-owned and -operated transfer stations. Interlocal agreements can be found in Appendix A.

Figure 5-1 shows the locations of the transfer stations and landfills in the County.



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ADAMS COUNTY SWMP UPDATE

Figure 5-1. Adams County Solid Waste Facilities

5.3.2 Transfer Stations

There are currently two operating transfer stations located in the County:

- Bruce Transfer Station located at 524 South Lucy Road, Othello, Washington
- Ritzville Transfer Station located at 1803 East Danekas Road, Ritzville, Washington

5.3.2.1 BRUCE TRANSFER STATION

The County-owned and -operated Bruce Transfer Station (Figure 5-2) began operations in spring 1996 and services the western portion of the County, including the City of Othello, rural residents, and commercial haulers.

The facility operates April – November on Tuesday through Saturday from 9:00 a.m. through 4:00 p.m. for self-haulers. Winter hours are December – March on Tuesday, Thursday, and Saturday from 9:00 a.m. to 4:00 p.m. for self-haulers. Commercial haulers access the site year-round Monday through Friday from 6:00 a.m. through 4:00 p.m.

Information on recycling programs implemented at the Bruce Transfer Station can be found in Chapter 3.0 – Waste Reduction, Recycling, and Education and Outreach, and the moderate-risk waste program activities at the Bruce Transfer Station can be found in Chapter 9.0 – Moderate-Risk Waste.



Figure 5-2. Bruce Transfer Station

5.3.2.2 RITZVILLE TRANSFER STATION

The County-owned and -operated Ritzville Transfer Station (Figure 5-3) began operations in fall 1996 and provides service to residents and certified waste haulers in the unincorporated areas.

The facility operates Wednesday and Saturday from 9:00 a.m. to 4:00 p.m. for self-haulers and Monday through Friday from 9:00 a.m. to 4:00 p.m. for commercial haulers.



Figure 5-3. Ritzville Transfer Station

Information on recycling programs implemented at the Ritzville Transfer Station can be found in Chapter 3.0 – Waste Reduction, Recycling, and Education and Outreach, and the moderate-risk waste program activities at the Ritzville Transfer Station can be found in Chapter 9.0 – Moderate-Risk Waste.

Tonnage disposed of through each transfer station facility is provided in Table 5-1.



Facility	2021	2022	2023
Bruce Transfer Station	19,537	19,499	20,125
Ritzville Transfer Station	2,992	2,935	3,027
Total	22,529	22,434	23,152

¹Tonnage includes both MSW and yard debris. MSW tonnage disposed in 2021, 2022, and 2023 was transported to the Columbia Ridge Landfill. Additional information can be found in Chapter 6.0 – Waste Disposal.

Table 5-2 provides information on the 2024 tipping fees charged at both transfer stations.

Material Charge Type	Fee
MSW Per Ton/Minimum Charge	\$80.00/\$10.00
Passenger Tires	\$5.00 each
Semi-Truck Tires	\$15.00 each
Implement/Small Tractor Tires (rimless only)	\$20.00 each
Heavy Equipment Tires (rimless only)	\$90.00 each
Yard Waste Per Ton / Minimum Charge	\$45.00 / \$5.00
Appliances/White Goods (No Freon)	\$10.00 each
Appliances/White Goods (With Freon)	\$20.00 each
Special Handling Fee/Minimum Charge (Oversized Waste)	\$125.00 per ton / \$25.00

5.4 Status of Previous Recommendations

The status of the recommendations made by the 2018 Plan can be found in Appendix D.

5.5 Alternatives and Evaluations

Existing service gaps and other issues connected to the waste transfer component of solid waste management in the County are discussed below.

5.5.1 Bruce Transfer Station

The Bruce Transfer Station recorded a 3 percent increase in MSW tons disposed of between 2021 and 2023. In addition, the population serviced by this transfer station facility is expected to increase by 8 percent between 2023 and 2030 as illustrated in Chapter 2.0 – Waste Stream Table 2-1, Adams County Population Estimates.

In addition, the transfer building is approximately 30 years old and may require repairs and upgrades over this planning period.

The County will need to monitor and evaluate capacity and building condition at the site and implement potential options that are cost-effective and meet the system objectives. Implementation of additional waste reduction and recycling strategies could assist in

maintaining transfer capacity to handle waste at the facility. More information on waste reduction and recycling strategies and operations conducted at the transfer station can be found in Chapter 3.0 – Waste Reduction, Recycling, and Education and Outreach.

5.5.2 Ritzville Transfer Station

The Ritzville Transfer Station has sufficient capacity to accommodate the tonnages received through this planning period. The County could evaluate the need for extended hours of operations, if necessary, to handle the volume of self-haul facility users if traffic volumes exceed capacity. The transfer building is also approximately 30 years old and may require repairs and upgrades over the planning period.

Implementation of additional waste reduction and recycling strategies could assist in maintaining transfer capacity to handle waste at the facility within current operational hours. More information on waste reduction and recycling strategies and operations conducted at the transfer station can be found in Chapter 3.0 – Waste Reduction, Recycling, and Education and Outreach.

5.5.3 Waste Routing

The County currently requires that all MSW be routed through the County-owned and -operated transfer stations through the Interlocal Agreements with the cities and towns.

5.6 Recommended Actions

The following recommendations are being made for waste transfer and disposal:

- WT1) Continue to maintain County operations of the transfer stations.
- WT2) Continue to require that all MSW be routed through the County-owned and -operated transfer stations.
- WT3) Evaluate and monitor the Bruce Transfer Station and Ritzville Transfer Station conditions and capacity and implement expanded operating hours, facility upgrades, repairs and modifications necessary to continue operations.



CHAPTER 6.0 WASTE DISPOSAL

6.0 Waste Disposal

6.1 Introduction

This chapter discusses existing waste disposal programs, identifies relevant planning issues, and develops alternative strategies for disposal of solid waste.

6.2 Background

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

6.2.1 State Legislation and Regulations

In Washington State, MSW landfill design and operations are regulated under WAC 173-351; there is currently one operating MSW landfill in the County, the Waste Management (WM) Adams County Regional Landfill (ACRL) and one closed landfill. Information on the landfills is in Section 6.3.1, Landfills.

The WSDA, through WAC 16-470-124, requires that any person proposing to transport or dispose of MSW from a quarantine area to a non-quarantine area must obtain a special permit as part of the apple maggot quarantine requirements. Treatment requirements and general guidelines for obtaining a special permit for transporting MSW can be found at the following link:

<https://cms.agr.wa.gov/WSDAKentico/Imported/Guidance-for-MSW-Special-Permit-Application.pdf>

6.2.2 Adams County Rules and Regulations

In February 1994, the Adams County Board of County Commissioners approved an unclassified use permit for WMW to construct and operate a proposed Adams County Landfill and also executed with WMW the Adams County Unclassified Use Permit Mitigation Agreement (1994 Mitigation Agreement) governing the rights and responsibilities of Adams County and WMW with respect to the landfill.

In 1997, WMW received the permit to operate a regional landfill in Adams County and to accept solid waste and recyclables brought in by collection trucks from Adams County and adjacent counties. Solid waste would be packed in containers and transported by rail from more distant jurisdictions, such as areas west of the Cascades, once an intermodal facility was developed and operational. Likewise, solid waste would also be delivered to the regional landfill by truck from other population centers in the region.

In 2007, Adams County and WMW agreed to amend the 1994 Mitigation Agreement in order to maintain the option for future construction and operation of the proposed Adams County Landfill without continuing the requirement for periodic review and renewal, and to allow Adams County to reduce its solid waste disposal costs potentially prior to, and even if, the Adams County Landfill is not constructed, by providing for disposal of Adams County's solid waste at an alternative WM facility. The amended and restated mitigation

agreement provided a provision where WMW agreed to provide free solid waste disposal at the Waste Management Disposal Services of Oregon, Inc.'s Columbia Ridge Recycling and Landfill Facility or another mutually agreeable landfill facility owned and/or operated by WM after Adams County's disposal contract with Rabanco Disposal Company expired.

In 2010, WMW submitted a letter to Adams County offering to honor the commitment in the 2007 amended mitigation agreement for free solid waste disposal of authorized solid waste at the Columbia Ridge Landfill in Arlington, Oregon.

In 2011, the disposal contract with Rabanco Disposal Company for waste disposal at the Roosevelt Regional Landfill expired. Adams County compared disposal costs, including the right to renew the Rabanco Disposal Company contract, and determined that the WMW offer for free disposal at the Columbia Ridge Landfill provided the best and most cost-effective alternative for disposal of Adams County's MSW. The contract and mitigation agreement between Adams County and WMW is included in Appendix E.

Adams County commenced with hauling of MSW from Bruce Transfer Station and Ritzville Transfer Station to the Columbia Ridge Landfill in 2011.

In 2023, WMW began construction of the ACRL. The 550-acre landfill site, near Washtucna in the County, began operations in April 2024.

6.3 Existing Conditions

Figure 6-1 shows the locations of the landfills in the County.

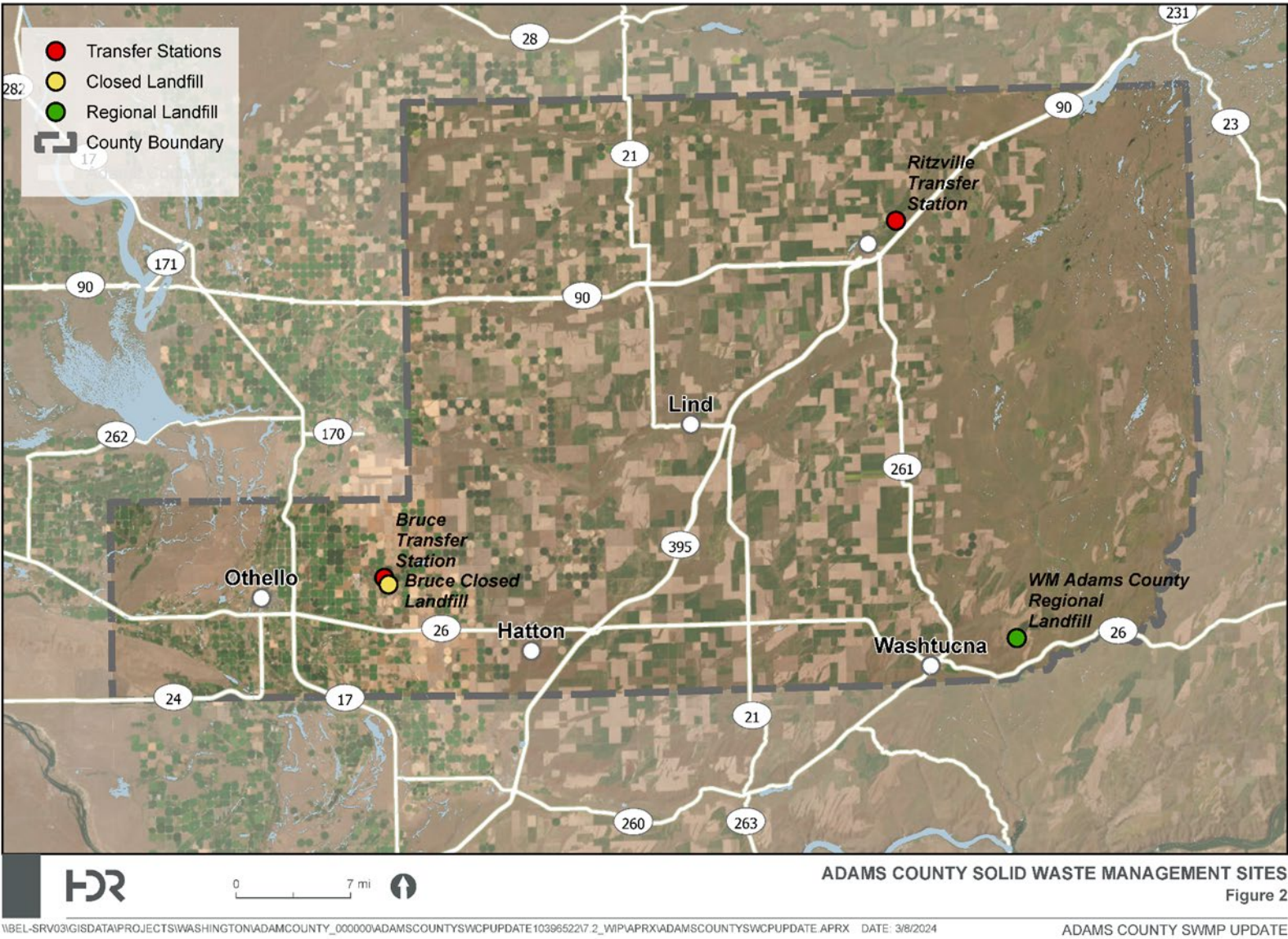


Figure 6-1. Adams County Solid Waste Facilities

6.3.1 Landfills

6.3.1.1 ADAMS COUNTY REGIONAL LANDFILL

In 1994, the Adams County Board of County Commissioners approved the unclassified use permit for WMW to construct and operate the ACRL facility near Washtucna (see Figure 6-2). WMW owns approximately 500 acres east of Washtucna, the location for the regional landfill. Adams County and WMW negotiated an Amended and Restated Unclassified Use Permit Mitigation Agreement in 2011. Highlights of the Amended Mitigation Agreement are as follows:

- A Technical Advisory Committee is established as a review and advisory body to the Adams County Board of County Commissioners and the Adams County Health Department regarding compliance with the terms and conditions of the Amended Mitigation Agreement. The committee membership consists of the Adams County Building & Planning Director, the Adams County Department of Public Works Director, and the Director of the Adams County Health Department.
- WMW agrees to provide free MSW disposal at Columbia Ridge Landfill in Arlington, Oregon, in an amount that is not to exceed 20,000 tons per calendar year. The free disposal offer continues until WMW provides 2 years' advance notice of termination and abandons its right to construct the Adams County Landfill. When Adams County exceeds the 20,000 tons per calendar year amount, the parties agree that the tonnage limit will be amended to a higher amount.
- If WMW terminates the free MSW disposal offer and abandons its right to construct the regional landfill, Adams County and WMW agree that WMW will proceed with construction of an Adams County Landfill with a 13.29-acre lined cell located at the site of the permitted regional landfill.
- The approved regional landfill approach is described as “phased.” Phase One outlines construction of an Adams County Landfill and provides for certain heavy equipment for Adams County’s use for operations. Phase Two outlines the approach for the regional landfill construction that authorizes acceptance of an average of 4,000 tons per day, accepted 6 days per week at the facility. Construction requirements, acceptable wastes, quality control, groundwater monitoring, neighboring well water supply, utilities, landfill gas management, traffic, closure and post-closure, Adams County road improvements, and mitigation measures are outlined.



Figure 6-2. Adams County Regional Landfill First Cell



- Host fees, with a guaranteed minimum, are established for each ton of authorized MSW. The minimum fee is 0.75 cents per ton and increases to \$1.75 per ton based on total tons per month accepted.

The ACRL proceeded to construction in 2023, with operations beginning in spring 2024. For additional information, the complete Amended and Restated Adams County Unclassified Use Permit Mitigation Agreement is provided in Appendix E.

Table 5-1 provides information on Adams County MSW tonnage annually disposed of at the Columbia Ridge Regional Landfill.

Table 6-1. Adams County MSW Disposed Of (in Tons)	
Year	Columbia Ridge Landfill (Oregon)
2021	22,529
2022	22,434
2023	23,152

6.3.1.2 BRUCE CLOSED LANDFILL

The Bruce Landfill (officially closed in 1997) is located approximately 7 miles east of the City of Othello. The County operated the landfill from 1980 until 1996, and it was officially closed in 2013. Completion of the closure process for this landfill was finalized in 2013. Adams County is required only to complete annual inspections for settlement.

6.4 Waste Import and Export

6.4.1 Waste Import

“Waste import” refers to transfer of waste into the County from other areas. In May 2005, the County entered into an Interlocal Agreement with Lincoln County for the acceptance of MSW from residents in Lincoln County, specifically the municipalities of Sprague, Harrington, and Odessa. In 2016, due to updates to WSDA rulemaking for the Apple Maggot Quarantine, the County terminated the acceptance of MSW from the area of Lincoln County within the quarantined area. Adams County currently imports MSW from the municipality of Odessa, which is in a non-quarantine area, to the County-owned and -operated Bruce Transfer Station.

With the opening of the ACRL in 2024, waste is expected to be imported for disposal to the landfill. The Amended Mitigation Agreement between the County and WMW provides that WMW will:

...notify the County of new contract customers and will provide certification to the County that these new customers are fully in compliance with all state goals, statutes, and requirements for handling and disposal of solid waste, including, but not limited to, state recycling goals and compliance with the Adams County Solid Waste Plan as it may relate to Authorized Solid Waste being imported into the County. All

municipal generators must execute an interlocal agreement with Adams County prior to disposing of Authorized Solid Waste at the Regional Landfill, if required by the Adams County Solid Waste Plan. WMW will use its best efforts to assist non municipal customers to also implement source-separated recycling programs and waste reduction programs prior to disposing of their Authorized Solid Wastes at the Regional Landfill in Adams County.

6.4.2 Waste Export

“Waste export” refers to the transfer of waste from Adams County to a landfill or transfer station located outside the area.

Some MSW generated in the County will continue to be exported to the Columbia Ridge Regional Landfill until the liner in the ACRL has been fully covered and is not subject to puncture from bulky items. Some C&D waste generated in the County is exported to the Graham Road Landfill, Medical Lake, Washington.

6.5 Status of Previous Recommendations

The status of the recommendations made by the 2018 Plan can be found in Appendix D.

6.6 Alternatives and Evaluations

No existing service gaps or other issues connected to the waste disposal component of solid waste management in Adams County were identified. Additional details on disposal facilities and agreements are provided below.

6.6.1 Landfill Facilities

The MSW landfill facilities currently utilized for disposal of County waste have sufficient capacity to handle the current and projected waste streams. County MSW should continue to be disposed of at ACRL or the Columbia Ridge Regional Landfill as the recommended disposal options during this planning period.

6.6.2 Mitigation Agreement

Rules and regulatory requirements for the handling and disposal of MSW change over time. The Adams County Technical Advisory Committee should review the Amended Mitigation Agreement, on a yearly basis, and make recommendations to the Adams County Board of Commissioners and the Adams County Health Department, as needed.

As set out in the Amended Mitigation Agreement between the County and WMW, the County should implement a process for the County Public Works Director, or designee, to approve and track waste importation to the ACRL to ensure that customer contracts and wastes meet the requirements between the County and WMW.

6.7 Recommended Actions

The following recommendations are being made for waste disposal:

- WD1) The County should develop and implement a process for approval and tracking of waste to the ACRL to ensure compliance with the Amended and Restated Adams County Unclassified Use Permit Mitigation Agreement between the County and WMW.
- WD2) The County Technical Advisory Committee should review the Amended Mitigation Agreement on a yearly basis and make recommendations for modifications to the Adams County Board of Commissioners and the Adams County Health Department.
- WD3) MSW generated in Adams County should continue to be disposed of in accordance with the Amended and Restated Adams County Unclassified Use Permit Mitigation Agreement between the County and WMW.

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CHAPTER 7.0 ENERGY RECOVERY

7.0 Energy Recovery

7.1 Introduction

This chapter addresses emerging technologies in energy recovery that increase solid waste diversion and decrease disposal.

7.2 Background

Waste processing and conversion technology options can be grouped into the following main technology classes:

- Thermal Technologies:
 - Direct combustion (various forms of traditional waste-to-energy)
 - Gasification
 - Plasma arc gasification
 - Pyrolysis
- Biological Technologies:
 - Aerobic composting
 - Anaerobic digestion with biogas production for electricity or fuel generation
- Chemical Technologies:
 - Hydrolysis
 - Catalytic and thermal depolymerization
- Mechanical Technologies:
 - Autoclave/steam classification
 - Advanced materials recovery
 - Refuse-derived fuel production (see Figure 7-1)



There are also waste conversion technologies that are a combination of two or more technology classes. For example, mechanical and biological treatment technologies combine mechanical separation and treatment with biological processing, while waste-to-fuel technologies combine mechanical pre-processing with thermal and chemical conversion processes.

7.3 Existing Conditions

As discussed in Chapter 6.0 – Waste Disposal, MSW from the County is disposed of at the Waste Management Columbia Ridge Landfill. The Columbia Ridge Landfill manages landfill gas to generate renewable energy, reduce emissions, and prevent odor. The landfill gas collection system collects 9,400 cubic feet per minute of landfill gas through more than 100 wells. A portion of the gas is sent to an on-site energy plant, with the remaining gas managed by flares per federal requirements. The energy plant at Columbia Ridge uses landfill gas to generate renewable energy. Gas collected from the landfill powers 12 engines, which produce 12.8 megawatts (MW) of electricity—enough to power 12,500 homes in Seattle through an agreement with the City of Seattle. Columbia Ridge is also home to 90 wind turbines with the capacity to generate 150 MW of power. The Waste Management WM ACRL located within the County is a new landfill facility with operations beginning in April 2024. Landfill gas management at the ACRL will be implemented when feasible.

Energy recovery from MSW does not currently occur in the County.

7.4 Status Of Previous Recommendations

The status of the recommendations made by the 2018 Plan can be found in Appendix D.

7.5 Alternatives and Evaluations

Existing service gaps and other issues connected to the energy recovery component of solid waste management are discussed below.

7.5.1 Energy Recovery Needs

The County's waste stream is relatively small for energy recovery and would not economically support the high capital expenditures required for facility construction of waste processing and conversion technology alternatives when compared to the existing disposal program.

Ample landfill capacity is currently available at the ACRL for County waste. Detailed information regarding landfill disposal is included in Chapter 6.0 – Waste Disposal.

7.6 Recommended Actions

The following recommendation is made for energy recovery:

- ER1) The County will monitor developments and progress in waste processing and conversion technologies for energy recovery in the event that current conditions change.



CHAPTER 8.0 MISCELLANEOUS WASTES

8.0 Miscellaneous Wastes

8.1 Introduction

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

8.2 Background

Miscellaneous wastes have some similarities to “normal” 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. This chapter is subdivided into the sections shown in Table 8-1 to describe regulations, current programs, and planning issues for each type of miscellaneous waste.

Section	Miscellaneous Waste Type
8.3	Agricultural Waste
8.4	Animal Carcasses
8.5	Appliances/White Goods
8.6	Asbestos
8.7	Biomedical/Infectious Waste
8.8	Carpet and Padding
8.9	Construction and Demolition Debris
8.10	Disaster Debris
8.11	Electronic Waste
8.12	Junk Vehicles
8.13	Litter and Illegal Dumping
8.14	Mattresses
8.15	Petroleum-Contaminated Soils
8.16	Pharmaceuticals
8.17	Street Sweepings/Vactor Waste
8.18	Tires

8.3 Agricultural Waste

This section addresses disposal of agricultural waste within the County.

8.3.1 Regulations and Guidelines

WAC 173-350-100 defines agricultural wastes as “wastes on farms resulting from the raising or growing of plants and animals including, but not limited to, crop residue, manure from herbivores and non-herbivores, animal bedding, and carcasses of dead animals.” WAC 173-350-230 addresses land application, the beneficial use of solid waste applied to land for its agronomic value or soil-amending capability.

8.3.2 Current Practice

As defined above, little of the agricultural waste generated is disposed of within the 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 they were generated. An exception to this is the disposal of animal carcasses, which is addressed below in Section 8.4.

Unusable produce from a food processor, such as a load of rotten apples, is handled as MSW and may be disposed of at the County transfer stations.

Note that empty pesticide and herbicide containers may be disposed of as refuse following triple rinsing. Full pesticide and herbicide containers may be disposed through the WSDA pesticide collection program. Additional information can be found at the following website:

<https://agr.wa.gov/wastepesticide>

8.3.3 Planning Issues

Current agricultural waste management and disposal practices are generally adequate and should be maintained.

8.4 Animal Carcasses

This section addresses disposal of animal carcasses within the County.

8.4.1 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 County transfer stations for disposal.
2. Animals killed by collision with motor vehicles (“road kill”) are also taken to the transfer stations for disposal.
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 Health Department.

8.4.2 Current Practice

The County's policy and procedures for disposal of animals can be summarized as follows:

- Animal carcasses (without disease) are accepted at the transfer stations.
- Customers are charged a fee at each transfer station for disposal.
- Customers wishing to dispose of infectious and/or diseased animals are directed to the Health Department for further instructions.

8.4.3 Planning Issues

Because they can potentially infect humans, two of the most important animal diseases are Bovine Spongiform Encephalopathy (BSE) and avian flu.

BSE-infected cattle must be buried in a lined landfill. In addition, BSE-infected cattle cannot be disposed of in a landfill where the leachate goes to a sewage treatment plant, because chlorination does not deactivate prions. Incineration is also an accepted method of BSE-cow disposal.

Highly Pathogenic Asian Avian Influenza A (H5N1) or "avian flu" is caused by bird influenza viruses. Since 1997, H5N1 has infected and killed humans who had close contact with infected poultry. There is concern that the H5N1 virus could mutate and eventually acquire the ability to spread easily from one person to another, without birds as the carriers. On-site composting has proven to be an effective mass-disposal method for dead poultry, as the avian influenza virus is deactivated after 10 days of composting at 60° Celsius (140° Fahrenheit). Single birds may also be accepted as MSW if they are double bagged. In larger quantities, the birds are required to be disposed of at a lined landfill or incinerated.

Current animal carcass disposal practices are generally adequate and should be maintained.

8.5 Appliances/White Goods

This section addresses disposal of appliances generated within the County.

8.5.1 Regulations and Guidelines

Major appliances, also known as white goods, are considered a special waste because their sizes make 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 70.94, the Washington Clean Air Act) also requires that CFCs be handled in a manner that prevents release into the atmosphere.

Furthermore, CFCs and hydrochlorofluorocarbons are designated as dangerous wastes under WAC 173-303, although they are exempt from these rules if recycled properly.

8.5.2 Current Practice

Appliances 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 old appliances when new ones are delivered. Appliances are accepted for a fee at the County transfer stations (see Figure 8-1).

All facilities confirm that the Freon refrigerants from refrigerators, freezer, air conditioners, and similar devices are removed. Industrial-sized appliances must have the Freon and oil removed prior to delivery to the transfer stations. The County contracts with various companies to haul and recycle appliances based on price and availability.



Figure 8-1. Appliance Recycling Ritzville Transfer Station

8.5.3 Planning Issues

Current appliance management and disposal practices are generally adequate and should be maintained.

8.6 Asbestos

This section addresses asbestos disposal within the County.

8.6.1 Regulations and Guidelines

Asbestos is a naturally occurring crystalline material that breaks down into small particles that float 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 (WAC 173-303).

8.6.2 Current Practice

Customers with asbestos-containing materials are currently referred to the WM Graham Road Landfill, Medical Lake, WA, for disposal options. With the opening of the ACRL in 2024, asbestos may be referred to this landfill for disposal in the future.

8.6.3 Planning Issues

Current asbestos waste management and disposal practices are generally adequate and should be maintained.

8.7 Biomedical/Infectious Waste

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

8.7.1 Regulations and Guidelines

Washington State's definition of biomedical waste 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, pathogenic microorganisms infectious to humans. See Section 8.4 Animal Carcasses for additional information.

Biosafety level 4 disease waste: materials contaminated with blood, excretions, exudates, or secretions from humans or animals that are isolated to protect others from highly communicable infectious diseases that are identified as pathogenic organisms assigned to biosafety level 4 by the Centers for Disease Control and Prevention.

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 and inoculate 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 interment or cremation.

Sharps waste: all hypodermic needles, syringes, and intravenous tubing with needles attached; scalpel blades; and lancets that have been removed from the original sterile packaging.

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.

8.7.2 Current Practice

There are a number of state-licensed firms that collect and properly dispose of biomedical/infectious wastes in the County. Due to privacy considerations, these firms do not provide information about where these wastes are generated.

Sharps, when properly prepared, are currently accepted for disposal by the local waste collection companies operating in the County and at the community recycling centers. A list of sharps disposal options can be found at:

www.safeneedledisposal.org

8.7.3 Planning Issues

The list of potential generators of biomedical waste includes medical and dental practices, hospitals and clinics, veterinary clinics, and 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 of 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 delivered via syringe that have become available for home use (for human immunodeficiency virus, arthritis, osteoporosis, and psoriasis).

8.8 Carpet and Padding

This section addresses carpet and padding disposal within the County.

8.8.1 Regulations and Guidelines

In 2019, the Washington State Legislature passed HB 1543 concerning sustainable recycling and directing Ecology to create a recycling development center to research, incentivize, and develop new markets and expand existing markets for recycled commodities and recycling facilities. One of the materials that can be investigated for potential recycling opportunities is carpet and padding.

8.8.2 Current Practice

Customers with carpet and padding are referred to the landfill and transfer stations for disposal. There are currently no carpet recycling facilities operating in the County.

8.8.3 Planning Issues

Current carpet and padding waste management and disposal practices are generally adequate and should be maintained. The County could consider supporting extended producer responsibility (EPR) legislation for recycling of carpet and padding to eliminate this bulky waste stream from disposal in the landfills and to preserve valuable landfill space.

8.9 Construction and Demolition Debris

This section addresses disposal of C&D debris within the County.

8.9.1 Regulations and Guidelines

Construction, demolition, and land-clearing wastes are solid wastes resulting from the construction, renovation, and demolition of buildings, roads, and other man-made structures (see Figure 8-2). Construction wastes generally include wood scraps, drywall scraps, and excess concrete, as well as cardboard boxes and other packaging used to hold materials or products prior to installation. Demolition wastes typically contain concrete, brick, wood, drywall, and other materials. Land-clearing debris (tree stumps, brush, and soil) is often included with C&D debris, but little of this material is actually sent to disposal facilities. Another component of C&D wastes is reusable building materials, which are salvaged materials from construction or demolition that would otherwise be landfilled.



Figure 8-2. C&D Debris

C&D wastes are generated by construction companies, homeowners, and others. Large amounts of C&D wastes generated by construction companies and contractors are more likely to be collected separately from normal garbage and brought to special disposal sites. Homeowners are more likely to bring small, mixed loads containing both C&D wastes and garbage to County disposal facilities.

WAC 173-350-400 allows many types of C&D wastes to be disposed of 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 in June 2015. *Moving Washington Beyond Waste and Toxics* focuses on reducing C&D waste through design and recycling and provides the following goals pertaining to C&D waste:

- Waste generation will be reduced throughout the system by both businesses and residents (Goal SWM 4).
- Building salvage and building material reuse will be advanced to reduce construction and demolition waste by promoting design for deconstruction principles, sharing model contract language that requires salvage, and other related efforts.

The state legislature passed the “Sham Recycling Bill” in 2005, requiring transporters of recyclable materials to register with Washington State and certain recycling facilities to notify the state before commencing operation. A new state rule, the Recyclable Materials Transporter and Facility Requirements (WAC 173-345), was developed in response to this legislation. Although originally directed at C&D recycling issues, the new rule covers all types of recyclable materials (all materials designated as recyclable in this Plan). The new rule prohibits delivery of recyclable materials to transfer stations and landfills. The

rule does not apply to several entities including self-haulers, cities and city contractors, and charities.

8.9.2 Current Practice

There are no operational C&D processing facilities in the County at this time. C&D debris is currently accepted at the County transfer stations for disposal. C&D material must be less than 6 feet in length to be accepted.

8.9.3 Planning Issues

Current C&D debris disposal practices are generally adequate and should be maintained. There are few opportunities for C&D recycling in the County, and management practices may need to be modified to include consideration of potential recycling opportunities for handling of specific recyclable C&D streams in the future.

8.10 Disaster Debris

This section addresses management and disposal of wastes generated during disasters within the County.

8.10.1 Regulations and Guidelines

Natural and man-made disasters can result in a surge of unanticipated debris that can inhibit or obstruct emergency services and overwhelm normal County department 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 quantities and potential types of disaster debris can help protect the health and safety of the community. Successful implementation of that plan can positively affect the speed and cost of recovery and the ability to obtain financial assistance for the recovery efforts.

Numerous resources that provide guidance for the development of disaster debris management plans (DDMPs) are available. The EPA in March 2008 developed *Planning for Natural Disaster Debris* (EPA 2008) as a tool for local communities to create such a plan. Another guidance tool is the FEMA *Public Assistance Program and Policy Guide, Appendix D: Debris Management Plan Job Aid* (FEMA 2016). Both of these documents are available online and provide guidance that could assist the County in developing a DDMP.

8.10.2 Current Practice

The County has an Emergency Management Department that has prepared an Emergency Management Plan (EMP).

From 2017 to 2023, the following federally declared disasters affected the County, according to FEMA's website:

- Severe winter storm – 2017



- Drought declaration – 2019
- Covid-19 Pandemic – 2020
- Wildfire and straight-line winds – 2021

The County is historically at risk, primarily for storm, drought, and fire disasters. However, wind-borne ash from the 1980 volcanic eruption of Mount St. Helens also affected the County. Table 8-2 summarizes the types of disasters most likely to occur in or near the 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 8-2. Potential Disasters and Resultant Debris

Debris Type	Biodisasters/ Epidemics	High Winds	Floods	Wildfires	Winter Storms	Volcanoes
C&D material: concrete, asphalt, metal, wallboard, brick, glass, wood	X	XX	X	X	X	X
Personal property: appliances, e-waste, MRW, furniture, other personal belongings	X	XX	X	X		
Vehicles and vessels		X	X	X		
Vegetative debris: trees, yard debris, woody debris	X	XX	XX	X	XX	X
Animal carcasses, bedding, manure, contaminated items	XX		X	X	X	
Displaced sediments: sand, soil, rock, sediment			XX	X		X
Mixed other debris		X	X	X		X

Note: X = smaller quantity; XX = significant quantity.

Planning for debris management enables the County to consider and evaluate alternative debris management options before a natural disaster occurs. Adequate preparation helps make disaster debris management more cost-effective and helps 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.
- Minimal impact on or disruption of normal solid waste services.
- Cost.
- 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.

8.10.3 Planning Issues

In an emergency, timely response, saving lives, and minimizing property damage are the primary goals. After the initial response, disaster debris handling becomes important. A DDMP can be used to coordinate between emergency responders and 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 supplements the EMP 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 necessary permits or variances.
- Potential resources such as contractors or County staff, their contact information, and their responsibilities.
- Plan for monitoring debris removal and disposal operations.

8.11 Electronic Waste

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

8.11.1 Regulations and Guidelines

Electronic products contain heavy metals and other chemicals at hazardous levels that make them difficult to dispose of safely. The Electronic Product Recycling law (RCW 70A.500) 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 Ecology.

8.11.2 Current Practice

The E-Cycle Washington program (see Figure 8-3) 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. More than 330 collection sites (statewide) have been established since January 2009. Since inception, E-Cycle Washington has collected more than 460 million pounds of discarded electronics. The County currently accepts electronic waste free of charge at the transfer stations. Names and locations of collection sites can be obtained by calling 1-800-RECYCLE or going to www.ecyclewashington.org.



Figure 8-3. E-Cycle Washington

8.11.3 Planning Issues

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

8.12 Junk Vehicles

This section addresses disposal of junk vehicles within the County.

8.12.1 Regulations and Guidelines

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

8.12.2 Current Practice

The County does not accept any licensed vehicles for disposal at the County transfer stations due to Washington State rules and regulations. Junk vehicles may be taken to an auto recycling center for disposal. There is currently one auto recycler located within the County.

8.12.3 Planning Issues

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

8.13 Litter and Illegal Dumping

This section addresses litter and illegal dumping within the County.

8.13.1 Regulations and Guidelines

The Waste Reduction, Recycling, and Model Litter Control Act (RCW 70.93) is the primary law that guides and directs litter programs in Washington State. Originally passed by the Washington State Legislature in 1971 as the Model Litter Control Act, the law was the first of its kind anywhere. Voters ratified the law in the 1972 general election as an alternative to beverage container deposits. Amendments in 1979 added a youth employment program and public awareness activities concerning recycling.

Concern over the litter problem increased in 1997, after which Ecology convened a [Litter Task Force](#) to examine the effectiveness of litter control in Washington State. The Litter Task Force made several recommendations for improving the existing system and moving toward a standard of zero litter. These recommendations formed the basis of the 1998 Litter Act (Second SHB 3058), amending RCW 70.93 (now RCW 70.A.200). The 1998 Litter Act included several changes. Most significantly, it put Ecology in a leadership role, overseeing funds from the Waste Reduction, Recycling, and Litter Control Account (see Section 8.13.2.1).

8.13.2 Current Practice

Current practices for litter and illegal dumping vary in the County and are described below.

8.13.2.1 LITTER

The County relies on the State of Washington Department of Ecology Litter Program for litter pickup. The program is funded with grant money from a dedicated account, the Waste Reduction, Recycling, and Model Litter Control Account (RCW 70A.200.140). Money is raised from a tax on industries whose products tend to contribute to the litter problem. In the budget that began July 1, 2013, funds were transferred from this dedicated account to State Parks to meet other state priorities. Beginning in 2018, half of the funds were redirected away from the litter grants; however, funding was fully restored in 2019.

Additional information on this program can be found at:

<https://ecology.wa.gov/getattachment/4e50ea6f-c734-4bd7-8226-54518dfe6561/2023-Eastern-Region-Litter-Pickup-Report.pdf>

8.13.2.2 ILLEGAL DUMPING

The Health Department receives and investigates illegal dumping and nuisances throughout the County. Additional information regarding the Health Department investigation and enforcement program can be found in Chapter 11.0 – Administration, Financing, and Enforcement.

8.13.3 Planning Issues

Currently, funding for litter cleanup in the County comes from funding and programming through Ecology. If funding continues to be reduced, the Litter Control Program will have to look to other funding sources or discontinue the program. In addition, funding for the Health Department enforcement program comes from grant funding from Ecology.

8.14 Mattresses

This section addresses mattress disposal within the County.

8.14.1 Regulations and Guidelines

Mattresses represent a small part of the waste stream but can be problematic due to their bulk and size. There are currently no regulatory requirements directed at recycling or disposal of mattresses in the state.

8.14.2 Current Practice

Customers with mattresses are referred to the transfer stations for disposal.

8.14.3 Planning Issues

Current mattress waste management and disposal practices are generally adequate and should be maintained. Additional opportunities for recycling of mattresses should be considered if they become available, including EPR legislation to eliminate this bulky material from disposal in the landfills and to preserve valuable landfill space.

8.15 Petroleum-Contaminated Soils

This section addresses disposal of petroleum-contaminated soils (PCS) within the County.

8.15.1 Regulations and Guidelines

PCS can contain fuel, oil, gasoline, diesel, or other volatile hydrocarbons in concentrations below dangerous waste levels but at greater than cleanup levels established by Ecology. Small amounts of PCS may be disposed of as 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.

8.15.2 Current Practice

The County refers PCS to the WM Graham Road Landfill, Medical Lake, Washington, for disposal. With the opening of the ACRL, PCS may be referred there for disposal in the future.

8.15.3 Planning Issues

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

8.16 Pharmaceuticals

This section addresses disposal of pharmaceuticals within the County.

8.16.1 Regulations and Guidelines

Generally, two types of pharmaceuticals are of interest to County waste management: (1) controlled substances (prescription drugs and illegal drugs) and (2) over-the-counter, nonprescription substances (e.g., aspirin, vitamins, other health supplements, cold medicines). 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.

8.16.2 Current Practice

RCW 69.48, The Drug Take-Back Program, created a unified, statewide medications return program for the collection of covered drugs in 2020 (see Figure 8-4). Administered by the Washington State



Figure 8-4. Washington Drug Take-Back Program

Department of Health and funded by pharmaceutical producers, Washington State’s Drug Take-Back Program became the first statewide EPR program for residential medications in the nation. A list of drop-off locations is available online at: <https://medtakebackwashington.org/>

The County encourages people to give pharmaceutical waste to community drug take-back programs to provide proper disposal rather than mixing it with trash.

8.16.3 Planning Issues

Currently, the EPA lists pharmaceuticals and personal care products as “contaminants of emerging concern.” For household pharmaceuticals, the EPA’s interim recommendation is to not flush medications to the sewer or septic tank. Rather, the EPA recommends that residents either double-bag medications and place them directly into exterior garbage cans to avoid children or pets accessing them or participate in a drug take-back program.

Current pharmaceutical waste management and disposal practices are generally adequate.

8.17 Street Sweepings/Vactor Waste

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

8.17.1 Regulations and Guidelines

Street sweepings and vactor wastes 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.

8.17.2 Current Practice

Currently, street sweepings and vector waste are disposed of at the County transfer stations.

8.17.3 Planning Issues

Current waste management and disposal practices for street sweepings and vector waste are generally adequate.

8.18 Tires

This section addresses tire disposal within the County.

8.18.1 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 outdoor piles of more than 800 tires.

8.18.2 Current Practice

Many tire shops and auto repair shops recycle the tires they replace (typically for a fee). Waste tires are also accepted at the County transfer stations for a fee.

8.18.3 Planning Issues

Recycling and disposal practices for tires 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.

8.19 Needs and Opportunities

The status of the recommendations made by the 2018 Plan can be found in Appendix D.

8.20 Alternatives and Evaluations

Existing service gaps and other issues connected to the miscellaneous waste component of solid waste management are discussed below.

8.20.1 General Alternatives

Collection programs may be required or desired in the future for any of the materials described above and materials that cannot be fully anticipated at this time. As these needs arise or are identified, options should be evaluated and feasible cost-effective solutions implemented as necessary. Possible steps that could be taken include the following:

- **Increased education:** Additional education for generators who are the sources of the waste stream could be conducted to promote safe handling, recycling and disposal practices.

- **Collection programs:** Additional or new collection programs could be developed or existing programs expanded to include additional materials or sources.
- **Product stewardship:** New product stewardship programs could be considered or supported to address specific waste materials.
- **Program funding:** The County could ensure that adequate funding is available to continue to implement successful miscellaneous waste handling programs.

8.20.2 Construction and Demolition Debris Alternatives

There are currently few opportunities for C&D recycling, although specific types of C&D materials (e.g., clean wood, cardboard, metals, and reusable building materials) can be diverted to various recovery operations. In general, reuse and recycling options for C&D wastes could include:

- **Salvage for on-site and off-site reuse:** This option generally applies to demolition projects, although a small amount of reusable materials and products is also generated at construction sites. To be effective, salvaging requires pre-demolition removal of reusable materials and thus requires some additional time and steps in a project's schedule. Off-site reuse could be accomplished through a variety of means including reuse stores, non-profit programs, and private efforts.
- **On-site crushing and grinding for reuse and recycling:** This generally applies to concrete and asphalt, which could be crushed to serve as road base or replace other basic materials, although in some cases wood and other materials could also be handled on site.
- **Source separation for off-site processing:** Source separation at C&D sites could allow recycling of wood, cardboard, and other materials.
- **Mixed C&D processing off site:** This option would require a significant investment in one or more facilities that are properly equipped and operated to process and market C&D waste.
- **Central site for recycling and reuse:** An ideal option could be a facility or a series of local facilities that combine reuse and recycling as appropriate for the material. These facilities could sell salvaged products (e.g., doors, windows, and cabinets) as well as crush or grind other materials (e.g., concrete and wood) for use as aggregate or hog fuel.
- **Collection depots at transfer and disposal facilities:** Collection containers for reusable and/or recyclable C&D materials at solid waste facilities could allow these materials to be transferred to a central processing or salvage facility. Transportation costs could be a significant barrier, however, since the recovered materials typically have low monetary value.

Contractors and homeowners could benefit from more information about the potentially hazardous materials, such as asbestos-containing materials, that can be uncovered during demolition activities. Information could include proper handling and disposal as well as potential health impacts. Disposers of C&D waste can most easily identify

potential hazards if they separate their demolished waste. Others can learn about the hazards they are being exposed to with County-provided brochures. Contractors and homeowners could be given a brochure when they apply for a permit.

Once diversion programs are established for C&D debris, the County could pass an ordinance requiring contractors to recycle specific types of C&D materials such as clean wood, cardboard, metals, and reusable building materials.

8.20.3 Disaster Debris Management Alternatives

The County Solid Waste Department could coordinate with the Adams County Emergency Management Department, WM, and the Health Department to determine details regarding debris removal and disposal activities that could provide better guidance for disaster debris management activities and preparedness. A portion of the details should describe critical lines of communication related to debris removal and disposal. This would facilitate a quicker response and reduce the number of decisions that need to be made during a disaster while the extent of damage and possible options for addressing that damage were being assessed. Any revisions to the EMP would best be done on the normal schedule for updating this document.

The County could develop a separate DDMP. In this case, the EMP and a DDMP would be used together for guidance in the event of a disaster. The DDMP could either be a separate plan or be added as an appendix to the EMP. 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 and the type of debris that would be generated from each disaster, 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, list approved contractors for managing debris, and identify reuse/recycle activities that would minimize disposal at landfills. The level of detail for this type of DDMP 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.

8.20.4 Evaluation of Alternative Strategies

For the most part, management practices for miscellaneous wastes in the County are adequate. Materials with planning issues outlined in the sections above are addressed in Section 8.21 Recommended Actions.

8.21 Recommended Actions

The following options were selected by the SWAC for recommended implementation:

- MW1) Continue to manage and recycle or dispose of miscellaneous wastes through a cooperative effort with the Health Department, waste haulers, transfer stations, landfills, the County, and Ecology.
- MW2) Monitor recycling opportunities for miscellaneous wastes such as mattresses, carpet and others, and implement programs as they become available and fiscally responsible.

- MW3) Ensure that adequate funding is available to continue current miscellaneous waste handling programs, identify other funding sources, and evaluate the need for additional funding as other miscellaneous waste programs are implemented.
- MW4) Promote proper reuse, recycling, and disposal of C&D wastes.
- MW5) Develop an internal plan for handling disaster debris in coordination with the Solid Waste Division, WM, Health Department, and Adams County Emergency Management Department.



CHAPTER 9.0 MODERATE-RISK WASTE

9.0 Moderate-Risk Waste

9.1 Introduction

This chapter discusses programs for MRW, identifies relevant planning issues, and develops and evaluates alternative strategies.

9.2 Background

This section provides a summary of MRW definitions, regulations and guidance, and Adams County MRW facilities.

9.2.1 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 under the authority of RCW 70A.300 and RCW 70A.205. MRW is defined as solid waste that is limited to conditionally exempt Small-Quantity Generators (CESQG) waste and household hazardous waste (HHW).

9.2.1.1 HOUSEHOLD HAZARDOUS WASTE

The Hazardous Household Substances List developed by Ecology is shown in Table 9-1. If generated in a residence, these products become HHW when discarded.

9.2.1.2 SMALL QUANTITY GENERATOR WASTE

Many businesses and institutions produce small quantities of hazardous wastes; the list is the same as for HHW (see Table 9-1). CESQGs produce hazardous waste at rates of less than 220 pounds per month or per batch (or 2.2 pounds per month or per batch of extremely hazardous waste) and accumulate less than 2,200 pounds of hazardous waste (or 22 pounds of extremely hazardous waste) on site. Extremely hazardous wastes include certain pesticides and other poisons that are more toxic and pose greater risks than other HHW. CESQGs are conditionally exempt from state and federal regulation, meaning that they are exempt only as long as they properly manage and dispose of their wastes.

Table 9-1. Household Hazardous Substances List				
Substance or Class of Substance	Flammable	Toxic	Corrosive	Reactive
Group 1: Repair and Remodeling				
Adhesives, Glues, and Cements	X	X		
Roof Coatings and Sealants		X		
Caulking and Sealants		X		
Epoxy Resins	X	X		X

Table 9-1. Household Hazardous Substances List				
Substance or Class of Substance	Flammable	Toxic	Corrosive	Reactive
Solvent-Based Paints	X	X		
Solvents and Thinners	X	X	X	X
Paint Removers and Strippers		X	X	
Group 2: Cleaning Agents				
Oven Cleaners		X	X	
Degreasers and Spot Removers	X	X	X	
Toilet, Drain, and Septic Cleaners		X	X	
Polishes, Waxes, and Strippers	X	X	X	
Deck, Patio, and Chimney Cleaners	X	X	X	
Solvent Cleaning Fluid	X	X	X	X
Household Bleach (>8% solution)			X	
Group 3: Pesticides				
Insecticides	X	X		
Fungicides		X		
Rodenticides		X		
Molluscides		X		
Wood Preservatives		X		
Moss Retardants		X	X	
Herbicides		X		
Fertilizers		X	X	X
Group 4: Auto, Boat, and Equipment Maintenance				
Batteries		X	X	X
Waxes and Cleaners	X	X	X	
Paints, Solvents, and Cleaners	X	X	X	X
Additives	X	X	X	X
Gasoline	X	X	X	X
Flushes	X	X	X	X
Auto Repair Materials	X	X		
Motor Oil		X		
Diesel Oil	X	X		
Antifreeze		X		
Group 5: Hobby and Recreation				
Paints, Thinners, and Solvents	X	X	X	X
Chemicals (including Photo and Pool)	X	X	X	X
Glues and Cements	X	X	X	
Inks and Dyes	X	X		



Table 9-1. Household Hazardous Substances List				
Substance or Class of Substance	Flammable	Toxic	Corrosive	Reactive
Glazes		X		
Chemistry Sets	X	X	X	X
Pressurized Bottled Gas	X	X		X
White Gas	X	X		X
Charcoal Lighter Fluid	X	X		
Batteries		X	X	X
Group 6: Persistent Bioaccumulative Toxins				
Mercury-Containing Products		X	X	
Lead-Containing Products		X		
E-Waste		X		
Polycyclic Aromatic Hydrocarbons		X		
Polychlorinated Biphenyl		X		
Group 7: Miscellaneous				
Ammunition	X	X	X	X
Asbestos		X		
Fireworks	X	X	X	X
Marine Aerial Flares	X	X		
Pharmaceuticals		X		
Non-Controlled Substances		X		
Sharps		X		
Personal Care Products	X	X	X	

Source: Guidelines for Developing and Updating Local Hazardous Waste Plans - Appendix F, Ecology (2010).
<https://fortress.wa.gov/ecy/publications/documents/1007006.pdf>

9.2.2 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 1.0 – Background, and the relevant details for MRW are repeated below.

9.2.2.1 MOVING WASHINGTON BEYOND WASTE AND TOXICS PLAN

Ecology released an updated waste and toxics reduction plan in 2021. Moving Washington Beyond Waste and Toxics focuses on reducing waste and toxics by adopting a sustainable materials management approach, which is also used by the EPA. This approach looks at the full life cycle of materials from design and manufacturing, through use, to disposal or recycling. The EPA believes that a sustainable materials management approach can help identify more sustainable ways to produce products that are less impactful to the environment. The vision of Moving Washington Beyond Waste and Toxics 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 the Moving Washington Beyond Waste and Toxics plan is titled “Managing Hazardous Waste and Materials.” The background information for this initiative explains that perhaps as little as 1 percent of CESQG waste is properly managed on a statewide basis. For HHW, only about 16 percent (statewide) is estimated to be collected through local programs. The Moving Washington Beyond Waste and Toxics plan provides the following goals pertaining to MRW:

- Until toxic substances are phased out of products and use of hazardous materials declines, MRW collection will be maximized (Goal HWM 11).
- MRW locations and programs will provide increased services for residents, businesses, and underserved communities (Goal HWM 12).
- Facilities that collect MRW will be properly permitted (if required) and in compliance with applicable laws and rules (Goal HWM 13).

9.2.2.2 HAZARDOUS WASTE MANAGEMENT ACT (RCW 70A.300)

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:

1. Waste reduction;
2. Waste recycling;
3. Physical, chemical, and biological treatment;
4. Incineration;
5. Solidification/stabilization/treatment; and
6. 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 (WAC 173-303). These regulations define dangerous waste materials and establishes minimum handling requirements. State rules specifically exclude HHW and CESQG wastes from Dangerous Waste Regulations, which have been amended several times over the years—most recently in 2014. The 2014 amendments allow mercury-containing equipment to be managed as a universal waste, require recyclers and used oil processors to develop closure plans and meet financial responsibility requirements, and provide several other changes and updates.

9.2.2.3 USED OIL

Washington State law (RCW 70A.205) requires local governments to manage used oil in conjunction with their MRW programs and to submit annual reports to Ecology.

9.2.2.4 MERCURY-CONTAINING LIGHTS PRODUCT STEWARDSHIP PROGRAM

Washington State rules (WAC 173-910) established a product stewardship program for mercury-containing lights. Producers of mercury-containing lights sold for residential use must finance and participate in the stewardship program. Counties can choose to have a collection site at their facilities, and retailers can also be designated collection sites for spent mercury-containing lights. Product stewardship program participants that accept mercury-containing light can be found at:

<https://www.lightrecycle.org/collection-site-locator/>

Additional information on Mercury-Containing Lights Product Stewardship can be found in Chapter 3.0 – Waste Reduction, Recycling, Education, and Outreach and in the CROP.

9.2.2.5 PAINT STEWARDSHIP

In 2019, SHB 1652 was approved by the state legislature to require producers of architectural paints sold in Washington State to participate in an approved paint stewardship program. PaintCare is the manufacturer’s stewardship organization that operates the statewide recycling program. The County participates in the PaintCare program and accepts paint at the Ritzville Transfer Station and Bruce Transfer Station.

9.3 Moderate-Risk Waste Generation

RCW 70A.300(1)(a) requires local governments to prepare hazardous waste management plans that contain an assessment of the quantities, types, generators, and fates of hazardous waste in each jurisdiction. This Plan serves to compile that data for Adams County, and this chapter focuses on the MRW associated with HHW and CESQG aspects/quantities of hazardous waste. The quantities, types, and fates of MRW in Adams County are described in Section 9.4. The following subsections focus on the generators of this waste in Adams County.

9.3.1 Hazardous Waste Inventory

The following information helps provide an inventory of hazardous waste management in Adams 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”).

9.3.1.1 DANGEROUS WASTE GENERATORS

Ecology records (latest data as of June 2024) show that 12 businesses and institutions in Adams County are registered as hazardous waste generators and have reported the generation of waste. **XX** businesses in Adams County that are registered with the EPA or have a state identification number did not report generating hazardous waste in 2023.

9.3.1.2 REMEDIAL ACTION SITES

Ecology’s list of confirmed and suspected contaminated sites in Adams County can be found at:

<https://apps.ecology.wa.gov/cleanupsearch/reports/cleanup/contaminated>

As of April 2024, there were 20 of these sites identified in Adams County.

9.3.1.3 HAZARDOUS WASTE SERVICES (TRANSPORTERS AND FACILITIES)

Multiple private companies provide transportation and disposal services for a wide range of materials. The current list of these companies can be found at:

<https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Dangerous-waste-guidance/Dispose-recycle-or-treat/Hiring-a-contractor>

9.3.2 Inventory of Moderate-Risk Waste Generators

As stated above, MRW generators include HHW from local residents as well as CESQG from local businesses and institutions. For residential sources in particular, products may be stored for several years before the resident determines that the material is no longer useful and takes it to an MRW facility. In addition, although quantities and types of MRW collected and shipped are tracked, it is unknown how many residents are recycling or disposing of wastes through drop-off programs and private collection services. Also unknown is the number of CESQGs and large-quantity generators utilizing the services of private collection companies for their hazardous wastes.

9.4 Existing Conditions

This section describes existing programs that manage MRW in Adams County.

9.4.1 Current Moderate-Risk Waste and Oil Programs

9.4.1.1 MRW COLLECTION

MRW in Adams County has been collected primarily through drop-off programs. The following are available drop-off programs active in the County:

- Bruce Transfer Station and Ritzville Transfer Station (see Figure 9-1) accepts hazardous wastes from households. Wastes are accepted at no charge. Residents can bring HHW any time the transfer stations are open. (See Chapter 5.0 – Waste Transfer for transfer station hours of operation.)
- Electronic waste is accepted through the E-Cycle Washington program. The Bruce Transfer Station and Ritzville Transfer Station participate in this program and accept electronics at no charge.



Figure 9-1. Ritzville MRW Collection Area



- Mercury-containing lights are accepted through the LightRecycle program. The Bruce Transfer Station and Ritzville Transfer Station participate in this program and accept fluorescent tubes at no charge.
- Used oil is accepted at the Bruce Transfer Station and the Ritzville Transfer Station at no charge.
- Paint is accepted through the PaintCare recycling program. The Bruce Transfer Station and Ritzville Transfer Station participate in this program and accept paints at no charge. In addition, Othello Ace Hardware accepts paint at no charge.
- The WSDA conducts agricultural chemical waste collection events in Eastern Washington on an as-needed basis. Participants must sign up in advance to bring in wastes, but there is no cost to participate.
- CESQGs and large-quantity generators use the services of private companies that collect specific types of wastes, but little information is available on the amounts collected in this manner.

The County provides the following website to assist in finding HHW disposal and recycling options:

https://www.co.adams.wa.us/departments/public_works/solid_waste/recycling.php

9.4.1.2 PROCESSING, TRANSPORT, AND DISPOSAL

MRW has traditionally been processed, transported, and disposed of through the drop-off facilities located at the Bruce Transfer Station and the Ritzville Transfer Station for recycling or disposal according to its WSDOT hazard classification (flammable, toxic, acid, corrosive, or reactive). MRW collected at these facilities is shipped to licensed hazardous waste treatment, storage, and/or disposal facilities. Table 9-2 provides the quantities of MRW processed, transported, and disposed of through the facilities in 2021, 2022, and 2023.

Table 9-2. MRW Quantities Shipped (in pounds)			
Waste Type	2021	2022	2023
Acids	-	42	39
Antifreeze	1,271	168	312
Aerosols	187	18	89
Bases	2	19	72
Flammable Gases	75	-	-
Flammable Liquids	144	155	293
Flammable Solids	21	1	-
Fluorescent Tubes	-	78	123
Oil – Contaminated	962	598	1,169

Table 9-2. MRW Quantities Shipped (in pounds)			
Waste Type	2021	2022	2023
Oil – Non-Contaminated	7,317	3,969	3,724
Paint and Related Materials	-	205	681
Pesticides/Poisons	60	354	134
PCB Containing Materials	-	96	144
Batteries (All types)	1,895	1,168	979
Other Materials/Non-Regulated	1	59	395
TOTAL (in pounds)	11,935	6,930	8,154

9.4.1.3 HHW EDUCATION

Due to funding constraints, the County conducts only limited activities to educate residents about proper handling and disposal of HHW (see Figure 9-2). The County has prepared a brochure that is distributed at its transfer stations and through the cities and towns to provide an overview of methods to recycle and dispose of HHW.



9.4.1.4 COMPLIANCE AND ENFORCEMENT

Compliance issues are handled by the Health Department, which responds to complaints and other problems as they are identified. The Health Department receives LSWFA grant funding for this purpose.

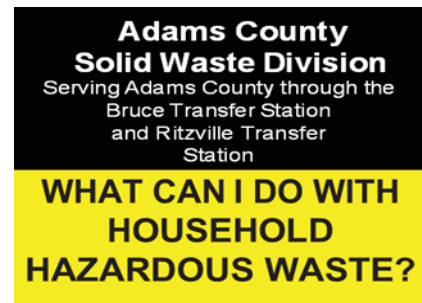


Figure 9-2. HHW Brochure

9.5 Status of Previous Recommendations

The status of the recommendations made by the 2018 Plan can be found in Appendix D.

9.6 Alternatives and Evaluations

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 70.105.220(1)(a)). 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; and

- Plan or program to ensure compliance by CESQG and others.

The existing service gaps and other issues associated with these components are discussed below.

9.6.1 Household MRW and Oil Collection

Household MRW and Used Oil Collection is currently being provided by the County at the Bruce Transfer Station and Ritzville Transfer Station and other locations. The collection areas at both transfer station sites are limited in size. Expanded facilities may need to be developed, with trained personnel, to handle the MRW waste stream as programs are initiated and expanded.

9.6.2 Public Education

HHW outreach efforts will be enhanced, including distribution of flyers to households and businesses, at County facilities and on the County websites. The County will utilize flyers/handouts available from Ecology and the Washington Toxic Coalition, as well as those prepared by the County, to distribute information to residents and businesses about MRW generation and proper disposal techniques. These efforts will be continued on an ongoing basis to reach new residents.

In addition, incorporation of the message into other programs that also benefit from HHW management could be considered. Other programs that have common objectives include programs that deal with storm water, ground water, municipal wastewater treatment, and on-site sewage systems. Other facilities should also be participating in HHW messaging education, including the ACRL. By coordinating messaging with other resource protection and waste management programs, the message is repeated, and attention will be focused on multiple benefits of the higher-priority management practices. This coordination effort could be handled by existing and future County staff in conjunction with current and future promotion and educational activities (as described in Chapter 3.0 – Waste Reduction, Recycling, and Education and Outreach and the CROP).

9.6.3 Business Technical Assistance

Adams County is not currently providing technical assistance and education to businesses about CESQG waste handling and disposal. The level of expertise required to effectively assist many businesses would require significant training for specific types of businesses and is better handled at the state level.

9.6.4 Business Collection

The County is currently directing businesses and institutions to contact private contractors for handling, recycling, and disposal of CESQG wastes.

9.6.5 Compliance and Enforcement

Compliance and enforcement are currently being conducted on an as-needed basis, and there are no known issues with this approach.

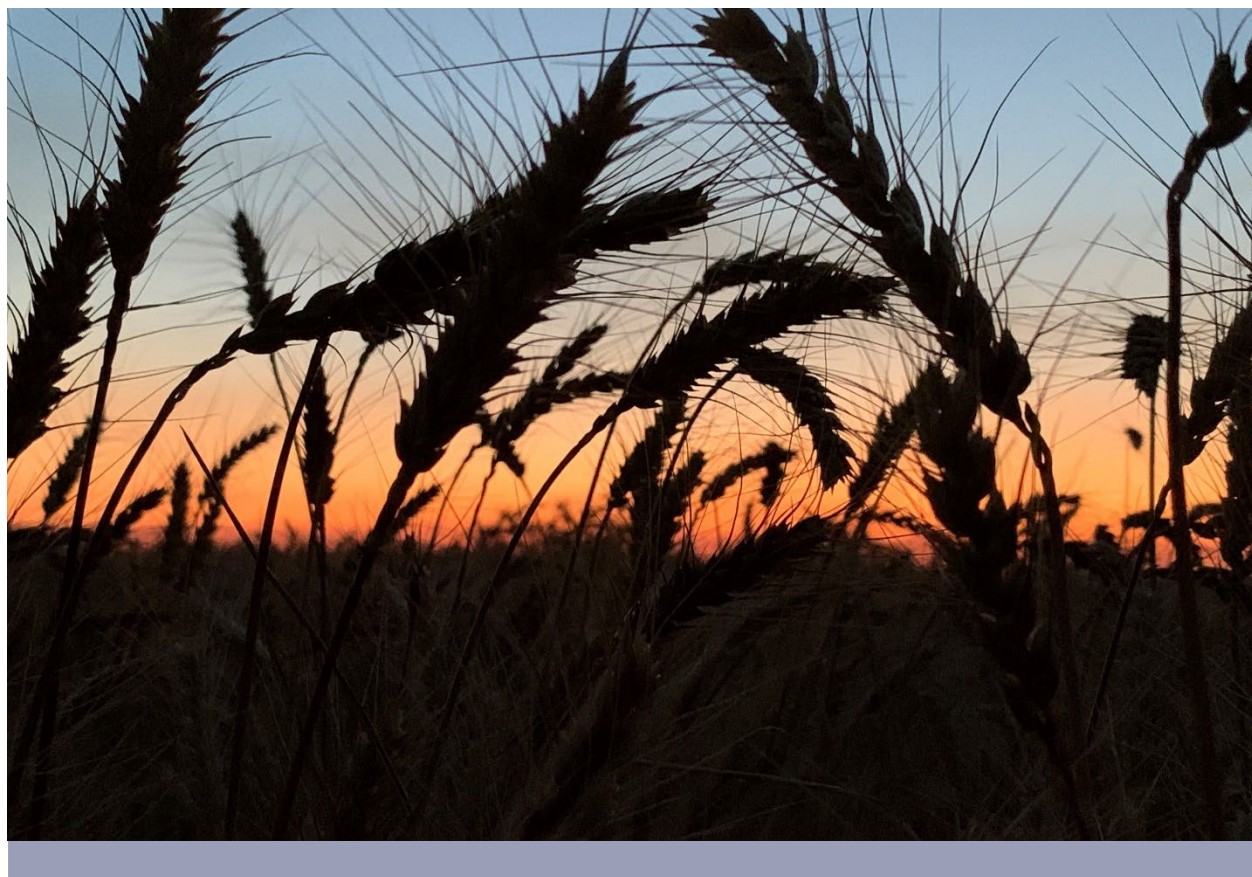
9.6.6 Moderate-Risk Waste Plan Preparation

RCW 70A.300 requires local governments to prepare hazardous waste plans. The County has incorporated the hazardous waste plan update process into the Adams County Solid Waste Management Plan update to maintain compliance with the rule.

9.7 Recommended Actions

The following recommendations are made for MRW:

- MRW1) Enhance the public education and outreach program for handling of MRW waste for households. Consider cross-sector avenues to enhance coordination with other County departments and waste handling and disposal facilities.
- MRW2) Periodically review and update the list of HHW disposal and recycling options on the County website.
- MRW3) Consider upgrades and expansions to the MRW-handling facilities at the Bruce Transfer Station and Ritzville Transfer Station as needed.
- MRW4) Continue to coordinate the schedule and process for updating the MRW Plan with the solid waste management plan (as is the current practice).



CHAPTER 10.0 ORGANICS

10.0 Organics

10.1 Introduction

This chapter discusses existing organics management collection and handling methods in the County and participating cities and towns, identifies relevant planning issues, and develops and evaluates organics management strategies.

10.2 Background

This section provides information regarding regulations and guidance related to organics management.

10.2.1 Regulations and Guidance

Beginning in 1989, the Waste Not Washington Act (ESHB 1671) declared that waste reduction and recycling must become a fundamental strategy of solid waste management. To that end, RCW 70A.205 included a statement that encouraged the elimination of yard debris from landfills by 2012 in those areas where alternatives exist.

RCW 70A.205 also required that collection programs for yard debris be addressed in areas where there are adequate markets or capacity for composted yard debris within or near the service area.

In 2019, the Washington Legislature passed HB 1114, now codified as RCW 70A.205.715 to address food waste and wasted food in Washington. The law established a statewide food waste reduction goal, relative to 2015 levels, and required a subset of goals to focus on reducing the amount of edible food that is wasted. Ecology is required to establish baseline data and annually track progress toward the statewide food waste reduction goals and to develop and implement a food waste reduction plan, now titled the Use Food Well Washington Plan, which focuses on three key strategies:

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

The Use Food Well Washington Plan was completed in December 2021 and provides local governments with recommendations for best management practices to incorporate in local plans.

In addition, HB 1799 was enacted, now codified as RCW 70A.205, which requires diversion of organic materials away from landfill disposal and directs them toward food rescue programs and organics management facilities. Highlights of HB 1799 include:

- Establishes a 75 percent goal of reducing landfilling of organic materials by 2030 (relative to 2015 numbers).

- Requires Ecology to collaborate with a third-party consultant to evaluate the adequacy of local government solid waste management funding.
- Focuses on implementing required collection and management of organic waste from all residents and some businesses.
- Requires updated Comprehensive Solid Waste Management Plans that are developed, updated, or amended after July 1, 2024, to include an identification of priority areas for siting organic materials management facilities without overburdening communities.
- Requires cities and counties with a population greater than 25,000 and/or where curbside organics collection is offered in the jurisdiction to develop a compost procurement ordinance and report compost procurement accomplished by January 1, 2023.
- Identifies how much organic material is generated in the County and if capacity exists to manage that material.

Adams County is not expected to have a population exceeding 25,000 during this planning period and is exempt from HB 1799 requirements pertaining to counties.

10.2.2 Washington State Department of Agriculture Regulations

In 2016, the WSDA amended WAC 16-470 Quarantine – Agricultural Pests as follows:

- Adding MSW, yard debris, organic feedstocks, organic materials, and agricultural wastes to the list of commodities regulated under the apple maggot quarantine;
- Establishing a special permit to allow transportation and disposition of MSW from the areas under quarantine for disposal at a solid waste landfill or disposal facility in the apple maggot and plum curculio pest-free area; and
- Establishing a special permit to allow 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.

Adams County is designated as a non-quarantined area by the WSDA, which allows the transportation of organics to permitted facilities outside of the County.

10.3 Existing Conditions

The sections below describe existing collection and processing activities for organic materials.

10.3.1 Organics Collection Programs

There are currently no organics collection programs operating within the County. With the closure of Royal Organics in Grant County, transporting organics for composting is not currently economically feasible.

10.3.2 WSDA Non-Quarantine Area

Adams County is currently designated as a WSDA non-quarantine area. If the County, or portions of the County, become quarantined in the future, special permits may be required for hauling and acceptance of MSW and/or organic wastes. Additional information on the Adams County Regional Landfill and the non-quarantine area for acceptance of MSW and Organics is located in Chapter 6.0 – Waste Disposal.

10.3.3 Compost Facilities

There are currently no compost facilities operating within the County. Barr-Tech Composting, located outside of Sprague in Lincoln County, is the closest facility available for acceptance of green waste.

10.3.4 Compost Procurement Ordinances

Compost procurement ordinances are not required for adoption within Adams County.

10.3.5 Organic Material Generation

Information on County organic waste stream composition and tonnage can be found in Chapter 2.0 – Waste Stream.

10.3.6 Christmas Tree Collection Program

Christmas tree collection programs have been offered in the County and participating municipalities as funding allows.

10.4 Status Of Previous Recommendations

The status of the recommendations made by the 2018 Plan can be found in Appendix D.

10.5 Alternatives and Evaluations

Existing service gaps and other issues connected to the organics component of solid waste management are discussed below.

10.5.1 Organics Education

The County could encourage home composting education on its website. As organics programs are established, such as yard debris collection and food waste diversion programs, educational materials outlining the benefits of these programs could be developed and distributed.

10.5.2 Evaluate Implementation of Organics Recycling

Curbside recycling programs, yard waste acceptance at the transfer stations for composting, and the availability of a composting facility for processing materials are essential elements to increase waste diversion efforts. There is currently no composting facility infrastructure located within the County that could accept organics that could potentially be collected through implementation of additional curbside collection programs or through acceptance at the transfer stations.

Implementation of organics recycling programs would require evaluation of and a substantial investment in a new composting facility, transfer station facility expansion, collection trucks, recycling carts, and staffing.

The County and City partners could undertake a study to determine the infrastructure necessary to implement additional organics collection and recycling programs. The County could also consider the potential for public-private partnerships to assist with the offset of costs for facility construction, maintenance, operations, and product marketing.

10.6 Recommended Actions

The following recommendations are made for organics:

- O1) Develop and distribute educational materials related to organics management as programs are established and implemented.
- O2) Consider initiating a study to determine program and infrastructure needs necessary for implementation of organics segregation for composting, if economically feasible.
- O3) Consider developing a Christmas tree recycling pilot program to assess public interest and participation as funding becomes available.
- O4) Develop and promote educational materials for at-home composting including adding information on the County website.



CHAPTER 11.0 ADMINISTRATION, FINANCING, AND ENFORCEMENT

11.0 Administration, Financing, and Enforcement

11.1 Introduction

This chapter addresses the administrative, financing, and enforcement activities related to solid waste.

11.2 Background

The County, cities, towns, 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 that the County system meets applicable standards for the protection of human health and environmental quality in the region.

11.3 Existing Conditions

Administrative responsibility for solid waste handling systems in the County is currently divided among several agencies and jurisdictions in local, county, and state governments. Each organization involved in the County solid waste management system is described below.

11.3.1 Adams County Department of Public Works - Solid Waste Division

The Washington State Solid Waste Management Act, RCW 70A.205, assigns local government the primary responsibility for managing solid waste. Solid waste handling, as defined in RCW 70A.205, 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."

RCW 36.58 authorizes the County to develop, own, and operate solid waste handling facilities in unincorporated areas or to accomplish these activities by contracting with private firms. The 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 the County in the planning process.

The County has entered into interlocal agreements with incorporated cities and towns prior to starting the Plan review, update, and adoption process. These agreements address the Plan participation.

The County exercises its solid waste responsibilities through the Public Works - Solid Waste Division. The specific administrative functions performed include the following:

- Administering, staffing, and operating the two transfer stations; recycling operations; MRW operations; and management of the closed Bruce Landfill.
- Administering and staffing public education programs for waste reduction and recycling.

- Administering contracts.
- Maintaining the Plan as adopted in relation 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 the County.
- Providing staff support for the SWAC.

Figure 11-1 illustrates the County Department of Public Works - Solid Waste Division organizational structure. The Solid Waste Department is staffed by the following:

- One solid waste supervisor
- Six solid waste attendants
- Two scalehouse attendants

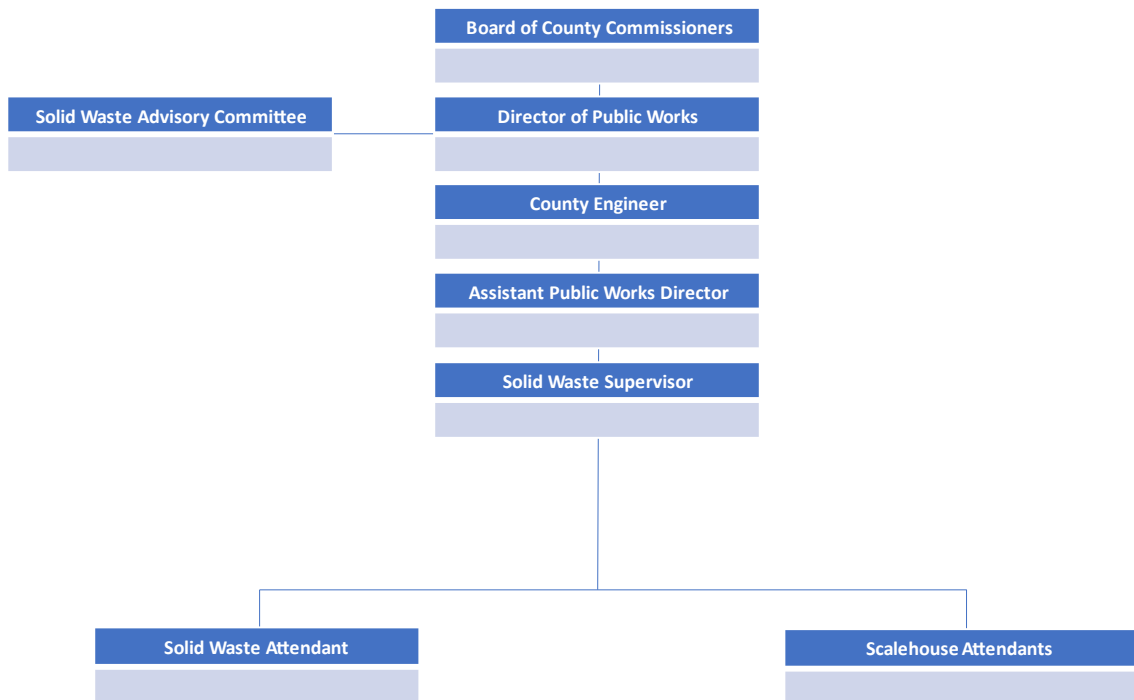


Figure 11-1. Adams County Public Works - Solid Waste Division Organizational Structure

The Solid Waste Division is funded by the fees collected from the two transfer stations. The County also receives grant monies from Ecology for solid waste management planning activities and pilot projects. Table 11-1 shows the 2024 budget for the Solid Waste Division.



Table 11-1. Adams County Solid Waste Financial Information	
Revenue and Expense	2024 Budget
Beginning Fund Balance	\$2,800,000
Revenues	
Grant Revenues	\$100,000
Transfer Station Recyclables	\$150,000
Disposal Fees	\$1,760,000
Investment Interest	\$15,000
Operating Transfer In	\$2,000
Total Revenues	\$2,027,000
Expenses	
Administration	\$496,381
Landfill Closure/Post-Closure Care	\$4,734
Transfer Station Maintenance	\$32,113
Transfer Station Operations	\$1,442,933
Capital Outlay	\$35,000
Operating Transfer Out	\$9,000
Total Expenses	\$2,020,161
Total Ending Fund Balance/(Deficiency)	\$2,806,839

11.3.2 Adams County Solid Waste Advisory Committee

Per RCW 70A.200, the Board of County Commissioners 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, subject to the approval by the Board of County Commissioners. The SWAC consists of a minimum of 9 members and a maximum of 12 members, each with one vote, and membership is outlined in the bylaws to include citizens, public interest groups, businesses, the waste management industry, agriculture, and local elected officials. Additional information regarding the SWAC by-laws can be found in Appendix C.

11.3.3 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 five incorporated cities and towns in the County.

These five municipalities contract for collection programs, and two private haulers currently operate in the unincorporated areas of the County. Detailed information about solid waste collection in individual cities and towns and the unincorporated areas of the County is included in Chapter 4.0 – Solid Waste Collection.

11.3.4 Adams County Health Department

The Health Department works with the public, cities, counties, and state agencies to develop and implement plans for the safe storage, collection, transportation, and final disposal of solid waste. The Health Department works to ensure compliance with RCW 70A.205 and WAC 173-304 – Minimum Functional Standards for Solid Waste Facilities. The Health Department is responsible for the following:

- Permitting solid waste facilities operating in Adams County.
- Ensuring that permits are consistent with the Plan, local ordinances, and appropriate Washington state and federal regulations.
- Oversight of existing permitted facilities.
- Responding to complaints regarding improper storage and disposal of solid waste.
- Investigating illegal dumping and non-permitted dump sites.

Solid waste facility permits are required in accordance with WAC 173-303, 173-350, and 173-351. Facilities are required to obtain solid waste handling permits from the Health Department.

The Washington State Environmental Policy Act (SEPA), RCW 43.21C, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An Environmental Impact Statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. In order to determine if an EIS is necessary, an environmental checklist must be completed. For this planning document, a SEPA checklist has been completed and is included as Appendix G.

Applicants for new solid waste permits within the County will notify the Health Department. Each applicant will submit a permit application and a SEPA checklist to the Health Department, which forwards such applications to the County Public Works Department.

The County Public Works Department will then request a meeting of the SWAC for the purpose of reviewing the permit application for conformance with the Plan. The SWAC will review the documents and return its findings to the Health Department, which will consider and include those findings in its final decision.

The Health Department will forward such findings and comments, along with the SEPA checklist and permit application, to the Adams County Board of Health. Final approval or denial of the application shall rest with the Health Department, which shall issue its approval/disapproval of the application within 90 days after its receipt, pursuant to RCW 70A.205.

The County Solid Waste Division pays an annual fixed amount to the Health Department for permit fees for solid waste facilities. The Health Department also receives grant funds from Ecology for enforcement and permit fees for non-County facilities.

11.3.5 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 solid waste management plan that places an emphasis on waste reduction and recycling programs. Enforcement and regulatory responsibilities are assigned to cities, counties, or jurisdictional health departments (like the County Health Department), depending on the specific activity and local preferences, but Ecology issues permits for land application of biosolids.

Ecology has promulgated WAC 173-350, Solid Waste Handling Standards, which addresses the operational and other requirements for recycling and composting facilities as well as inert and special-purpose landfills. WAC 173-351, Criteria for Municipal Solid Waste Landfills, contains the current standards for MSW landfills.

The Model Litter Control and Recycling Act (RCW 70A.205) 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 being used for education, increased litter cleanup efforts, and contracts to eligible county entities for illegal dump cleanup activities.

Under the Model Toxics Control Act (MTCA) (RCW 70A.300), 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 program administered by Ecology’s Solid Waste and Financial Assurance Program. The state rule that governs this program is WAC 173-312 – Local Solid Waste Financial Assistance.

11.3.6 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 RCW 81.77. 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 RCW 81.77.030, 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.

- 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 solid waste management plan and enacted through an ordinance. Solid waste companies operating in the unincorporated areas of a county must comply with the local solid waste management plan (RCW 81.77.040).

At its option, the County may notify the WUTC of its intention to have the G-certificate (Garbage 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 (RCW 81.80), although their oversight is limited to requiring a permit (at \$100 per year) and also to requiring companies to carry insurance, conduct drug testing of employees, report recyclables collected, and conduct a few other activities.

This Plan contains a cost assessment (see Appendix F) prepared according to the *WUTC Cost Assessment Guidelines for Local Solid Waste Management Planning* (WUTC October 2019). RCW 70.95.096 grants the WUTC 45 days to review the Plan's impact on solid waste collection rates charged by solid waste collection companies regulated under RCW 81.77 and to advise the County and Ecology of the probable effects of the Plan's recommendations on those rates.

11.3.7 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 United States Code 6901-6987), is the primary body of legislation addressing solid waste. Subtitle D of RCRA deals with 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 prohibit "open dumps" and provide assurance that solid waste is handled in an environmentally sound manner.

11.4 Status of Previous Recommendations

The status of the recommendations made by the 2018 Plan can be found in Appendix D.

11.5 Alternatives and Evaluations

Existing service gaps and other issues connected to administration, financing, and enforcement components of solid waste management are discussed below.

11.5.1 Long-Term Funding Needs

Financial resources are necessary to provide for the continuation of recycling and hazardous waste diversion and education programs; for repairs, maintenance, and construction of solid waste facilities; and for compliance with new and more stringent rules and regulations governing solid waste management. These resources may be



provided by taxes, solid waste tipping fees, grants, EPR, or any combination of these sources.

Solid waste operations in the County are financially self-supporting. The majority of revenue needed to achieve this goal is currently generated through tipping fees charged at the transfer stations and grant funding, which can be subject to funding reductions. Additional funding options (grouped by category) and the associated implementation entities are provided in Table 11-2.

Table 11-2. Potential Funding Methods for Solid Waste Management				
Possible Funding Methods	Potential Implementation Entity			
	City	County	State	Private Sector
<i>User Fees, Rates, Surcharges</i>				
1. Cost-of-Service-Based Rates	X	X		X
2. Other Volume-Based Rates	X			X
3. Fixed Per-Customer Service Rates	X			X
4. Collection Rate Surcharges	X			
5. Planning Fees		X		
6. Weight or Volume-Based Disposal Fees	X	X		X
7. Fixed Per-Customer Disposal Fees	X	X		X
8. Disposal Surcharges	X	X		
<i>Taxes</i>				
9. MTCA Funds, Hazardous Substance Tax		(x)	X	
10. State Litter Tax		(x)	X	
11. Disposal District Excise Tax		X		
12. Mandatory Collection		X		
13. Franchise Fees	X		X	
<i>Other</i>				
16. Enforcement Fines/Penalties	X	X		
17. Sales of Recyclable Materials	X	X		X
18. Recycling Fees/Charges	X	X		X
19. Sales of Recovered Energy	X	X		X
20. Utility Tax	X			
21. General Fund Revenues	X	X		
22. Bond Financing		X		(x)

Table 11-2. Potential Funding Methods for Solid Waste Management				
Possible Funding Methods	Potential Implementation Entity			
	City	County	State	Private Sector
23. Public Works Assistance Account ¹	X	X		

Note: X = Implementing authority; (x) = potentially benefits from funding method but cannot implement it.

¹ The Public Works Assistance Account, commonly known as the Publics Works Trust Fund, was established by WAC 43.155 to be used by the Public Works Board to finance local government infrastructure loans.

11.5.2 Collection and Disposal Districts

RCW 36.58 – 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 RCW 36.58A. Either district type 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 RCW 36.58A. A collection district can be created following the adoption of a solid waste management plan; however, a collection district does not appear to possess taxing authority. According to RCW 36.58A.040, 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.

RCW 36.58.130 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 the 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 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.

RCW 36.58.140 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 disposal 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” (RCW 36.58.130). 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 MRW facility and collection events
- Closure and post-closure costs for landfills and other solid waste facilities
- Solid waste planning

11.5.3 Flow Control

Flow control for wastes collected within the cities and towns is currently achieved through the Interlocal Agreements. The County has a policy requiring waste collected in the unincorporated areas to be delivered to the County transfer stations. Although the current system is working well, the County’s ability to make long-range plans and invest in future disposal facilities could be improved with the adoption of a flow control ordinance.

11.5.4 Staffing

Adequate funding should be provided to maintain and/or increase staff at county and city/town levels, as needed, for the primary responsibility of solid waste management and for the Health Department to monitor, permit, and enforce solid waste facilities and programs.

11.5.5 Permit Review

The Technical Advisory Committee (refer to Chapter 6.0 – Waste Disposal) and the SWAC should be included in the review of all new solid waste facility permit requests within the County, although final approval shall continue to reside with the jurisdictional Health Department. The SWAC should continue to be advised regarding new permit requests by the Technical Advisory Committee. Such permit requests, after review by the Technical Advisory Committee, will be forwarded to the Health Department with comments. This review will ensure adherence to the Plan, RCW 70A.205.

11.6 Recommended Actions

The following options were selected by the SWAC for recommended implementation:

- AE1) Consider pursuing some of the additional funding strategies listed in Table 11-2 that can be implemented by the County directly and independently from other alternatives.
- AE2) Provide adequate funding to maintain or increase staff at county and city/town levels, as needed.
- AE3) Continue to adopt interlocal agreements between the County and the cities and towns to promote consistent service and funding levels for management of the solid waste programs.
- AE4) Consider adopting a flow control ordinance.
- AE5) Continue to include the Technical Advisory Committee and the SWAC in the review of all new solid waste facility permit requests.



CHAPTER 12.0 IMPLEMENTATION PLAN

12.0 Implementation Plan

This chapter of the Plan 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.

12.1 Recommended Strategies, Implementation Schedule, and Budget

The recommendations made in previous chapters of this Plan are repeated below for convenient reference. Table 12-1 provides the approximate budget for Plan recommendations that incur additional costs above and beyond current status quo costs and programs, proposed implementation schedule, and primary responsibility. More details about specific recommendations can be found in the respective chapters.

Issues may arise during implementation of this plan that could directly impact local solid and hazardous waste management programs. These may include the introduction of new state, federal, and international government regulations and policies, advancements in technology, and changes in product use and design. Consequently, the recommendations in this Plan may need to be adjusted or new action items be added to the implementation strategy to effectively address them before the Plan is updated again in 2030. When these issues arise, the Plan may need to be amended or revised using the process defined in 12.5 and will be referenced in the next Plan update in 2030.

Table 12-1. Summary of Recommendations, Implementation Schedule, Responsibility, and Budget

Recommendation	Implementation Responsibility	Projected Implementation Costs	Implementation Schedule
3.0 Waste Reduction, Recycling, and Education and Outreach			
WRR1) Maintain the list of designated materials (Table 3-3) through periodic review and updates.	County, Cities/Towns, and Waste Haulers	\$0	2025–2030
WRR2) Incorporate an education and outreach program by adding a position for a recycling educator/coordinator to the Adams County solid waste staff.	County	\$75,000 ¹	2025
WRR3) Update and expand on digital education through websites, social media, and newsletters.	County, Cities/Towns, and Waste Haulers	\$15,000	Ongoing
WRR4) Provide support for recycling at public events when curbside recycling becomes available and recycling services are available to businesses.	County and Cities/Towns	\$0	As Available

Table 12-1. Summary of Recommendations, Implementation Schedule, Responsibility, and Budget			
Recommendation	Implementation Responsibility	Projected Implementation Costs	Implementation Schedule
WRR5) Encourage signatory cities to consider adopting service standards that promote residential waste reduction and curbside recycling.	Cities/Towns	\$0	Ongoing
WRR6) Focus recycling and diversion efforts on waste streams that represent significant tonnage disposed of and coordinate messaging and efforts to reduce contaminants on materials recycled.	County, Cities/Towns, Private Industry, Commercial and Businesses, and Stakeholders	\$0	Ongoing
WRR7) Provide funding for recycling building and equipment upgrades at the transfer stations, as needed, to continue efficient recycling operations.	County	\$50,000	2025–2030
4.0 Solid Waste Collection			
SWC1) Continue to require waste to be routed through County-owned facilities in future interlocal agreements.	County and Cities/Towns	\$0	Ongoing
SWC2) Cities and towns should regularly review collection contracts to confirm compliance with the Plan. The County should develop a checklist for the cities and towns to use.	County and Cities/Towns	\$0	Ongoing
SWC3) Coordinate residential and commercial curbside collection programs with recycling program recommendations as implemented.	County, Cities/Towns, and Waste Haulers	\$0	As Implemented
5.0 Waste Transfer			
WT1) Continue to maintain County operations of the transfer stations.	County and Cities/Towns	\$0	Ongoing
WT2) Continue to require that all MSW be routed through the County-owned and -operated transfer stations.	County, Cities/Towns, and Waste Haulers	\$0	Ongoing
WT3) Evaluate and monitor the Bruce Transfer Station and Ritzville Transfer Station conditions and capacity and implement expanded operating hours, facility upgrades, repairs, and modifications necessary to continue operations.	County	TBD if Implemented	Ongoing
6.0 Waste Disposal			
WD1) The County should develop and implement a process for approval and tracking of waste to the ACRL to ensure compliance with the Amended and Restated Adams County Unclassified Use Permit Mitigation Agreement, between the County and WMW.	County	\$0	Ongoing



Table 12-1. Summary of Recommendations, Implementation Schedule, Responsibility, and Budget

Recommendation	Implementation Responsibility	Projected Implementation Costs	Implementation Schedule
WD2) The County Technical Advisory Committee should review the Amended Mitigation Agreement on a yearly basis and make recommendations for modifications to the Adams County Board of Commissioners and the Adams County Health Department.	County	\$0	Ongoing
WD3) MSW generated in Adams County should continue to be disposed of in accordance with the Amended and Restated Adams County Unclassified Use Permit Mitigation Agreement between the County and WMW.	County and WM	\$0	Ongoing
7.0 Energy Recovery			
ER1) The County will monitor developments and progress in waste processing and conversion technologies for energy recovery in the event that current conditions change.	County	\$0	Ongoing
8.0 Miscellaneous Wastes			
MW1) Continue to manage and recycle or dispose of miscellaneous wastes through a cooperative effort with the Health Department, waste haulers, transfer stations, landfills, the County, and Ecology.	County, Cities/Towns, Health Department, Waste Haulers, Facility Owners, and Ecology	\$0	Ongoing
MW2) Monitor recycling opportunities for miscellaneous wastes such as mattresses, carpet, and others, and implement programs as they become available and fiscally responsible.	County, Cities/Towns, and Waste Haulers	TBD if implemented	Ongoing
MW3) Ensure that adequate funding is available to continue current miscellaneous waste handling programs, identify other funding sources, and evaluate the need for additional funding as other miscellaneous waste programs are implemented.	County, Cities/Towns, and Waste Haulers	\$0	Ongoing
MW4) Promote proper reuse, recycling, and disposal of C&D wastes.	County, Cities/Towns, Private Industry and Waste Haulers	\$0	Ongoing
MW5) Develop an internal plan for handling disaster debris in coordination with the Solid Waste Division, WM, Health Department, and Adams County Emergency Management Department.	County	\$50,000	2026

Table 12-1. Summary of Recommendations, Implementation Schedule, Responsibility, and Budget			
Recommendation	Implementation Responsibility	Projected Implementation Costs	Implementation Schedule
9.0 Moderate-Risk Waste			
MRW1) Enhance the public education and outreach program for handling of MRW waste for households. Consider cross-sector avenues to enhance coordination with other County departments and waste handling and disposal facilities.	County, Cities/Towns, Private Industry and Waste Haulers	\$10,000	2025–2030
MRW2) Periodically review and update the list of HHW disposal and recycling options on the County website.	County	\$0	Ongoing
MRW3) Consider upgrades and expansions to the MRW-handling facilities at the Bruce Transfer Station and Ritzville Transfer Station as needed.	County	\$100,000	2025–2030
MRW4) Continue to coordinate the schedule and process for updating the MRW Plan with the solid waste management plan (as is the current practice).	County	\$0	Ongoing
10.0 Organics			
O1) Develop and distribute educational materials related to organics management as programs are established and implemented.	County, Cities/Towns, and Waste Haulers	\$10,000	2025–2030
O2) Consider initiating a study to determine program and infrastructure needs necessary for implementation of organics segregation for composting, if economically feasible.	County and Cities/Towns	TBD if Implemented	2029
O3) Consider developing a Christmas tree recycling pilot program to assess public interest and participation as funding becomes available.	County, Cities/Towns, and Waste Haulers	\$5,000	2025–2030
O4) Develop and promote educational materials for at-home composting including adding information on the County website.	County	\$2,500	2025
11.0 Administration, Financing, and Enforcement			
AE1) Consider pursuing some of the additional funding strategies listed in Table 11-2 that can be implemented by the County directly and independently from other alternatives.	County and Cities/Towns	\$0	Ongoing
AE2) Provide adequate funding to maintain or increase staff at County and city/town levels, as needed.	County and Cities/Towns	\$0	Ongoing
AE3) Continue to adopt interlocal agreements between the County and the cities and towns to promote consistent service and funding levels for management of the solid waste programs.	County and Cities/Towns	\$0	Ongoing



Table 12-1. Summary of Recommendations, Implementation Schedule, Responsibility, and Budget

Recommendation	Implementation Responsibility	Projected Implementation Costs	Implementation Schedule
AE4) Consider adopting a flow control ordinance.	County and Cities/Towns	\$0	2025–2029
AE5) Continue to include the Technical Advisory Committee and the SWAC in the review of all new solid waste facility permit requests.	County	\$0	Ongoing
Total		\$312,500	

¹Ongoing yearly cost for employment of an educator position.

12.2 State Environmental Policy Act

Ecology requires that the potential impacts of this Plan be evaluated according to the SEPA process. The SEPA 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.

Adams County issued a determination of non-significance that the recommendations in the Plan will not have a probable significant adverse impact on the environment. A copy of this determination is included as Appendix G.

12.3 Twenty-Year Implementation Program

Solid waste management in Adams County will continue to evolve based on changes in population; demographics; the local, state, and national economies; regulations; and advancements in waste handling and recycling. Fortunately, the County’s current solid waste management system is functioning effectively.

The current process of funding solid waste programs through tipping fees, grants, and other facility permit fees provides adequate funding. If, in the future, it becomes advisable to seek additional sources of funding, Chapter 11.0 – Administration, Financing, and Enforcement provides a list of potential funding sources.

12.4 Draft Plan Review

Adams County provided the draft 2025 Plan for review to stakeholders. Comments were received from Ecology, WSDA, WUTC, and stakeholders. Comments received and County responses to those comments are included as Appendix H.

12.5 Procedures for Amending the Plan

The Solid Waste Management-Reduction and Recycling Act (RCW 70A.205) requires local governments to maintain their solid waste plans in current condition. Plans must be

reviewed and revised, if necessary, at least every 5 years. This Plan should be reviewed in 2030. Before that time, the Plan can be kept in current condition through amendments. An “amendment” is defined as a process that is simpler than a revision. If there is a significant change in the solid waste system, however, a revision may be necessary before the 5-year period is done.

Changes in the Plan may be initiated by the 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 the County’s Public Works Director in writing. The petition should describe the proposed amendment and its specific objectives, and should explain why immediate action is needed prior to the next scheduled review. The Public Works Director will investigate the basis for the petition and prepare a recommendation.

If the Public Works Director determines that the petition warrants further consideration, the petition will be referred to the SWAC for review and recommendation. The Public Works Director will draft the proposed amendment together with the SWAC. Whether the proposed amendment has been initiated by the County or an outside party, the proposed amendment must be submitted to the legislative bodies of all participating jurisdictions and Ecology for review and comment. Adoption of the proposed amendment will require the concurrence of all affected jurisdictions.

The Public Works 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 Public Works 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 should be 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, the Public Works Director 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 solid waste system, an amendment to this Plan will be prepared in a timely fashion. If, however, the emergency actions are undertaken only on a temporary or short-term basis, an amendment may not be necessary. Questions about what actions may be considered “temporary” or “significant” should be brought to the SWAC for its advice.

Similar to the allowance for emergency action discussed above, the 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 – Solid Waste Interlocal Agreements

**Interlocal Agreement for Adams County
Solid Waste Management and Planning**

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City of Othello SignaturesPage 9
City of Ritzville SignaturesPage 10
Town of Washtucna SignaturesPage 11



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Adams County Auditor, Heidi K. Hunt



**INTERLOCAL AGREEMENT FOR
ADAMS COUNTY
SOLID WASTE MANAGEMENT AND PLANNING**

THIS AGREEMENT, made and entered into this 20th day of August, 2018 by and between **ADAMS COUNTY**, Washington, (hereinafter "County") and the incorporated municipalities of the Town of **HATTON**, Town of **LIND**, City of **OTHELLO**, City of **RITZVILLE**, and Town of **WASHTUCNA**, within the county; all of which are organized under the laws of the state of Washington and are herein collectively referred to as "Participating Municipalities";

WITNESSETH:

WHEREAS, pursuant to Chapter RCW 70.95, Chapter 173-350 WAC and Chapter 173-351 WAC, the County and each of the Participating Municipalities are required to periodically revise and/or amend the Comprehensive Solid Waste Management Plan; and,

WHEREAS, pursuant to Chapter RCW 70.95.080, the Participating Municipalities can either prepare their own solid waste management plan for incorporation into the County's or prepare a joint city-county plan or authorize the County to prepare a plan for the Participating Municipalities' waste for incorporation into the county plan; and,

WHEREAS, the Participating Municipalities agree to the third alternative of RCW 70.95.080: to participate in and adopt, the "Adams County Comprehensive Solid Waste Management Plan 2018 Update", once it is prepared by the County, hereinafter referred to as the "Plan"; and,

WHEREAS, it is to the mutual advantage of the Participating Municipalities and their citizens, to contract pursuant to Chapter 39.34 RCW for the purpose of providing for integrated solid waste management and planning; and,

WHEREAS, the Participating Municipalities had previously operated under Intergovernmental Agreements for Solid Waste Management with the County;

NOW THEREFORE, for and in consideration of the mutual promises and covenants contained herein, it is agreed by the Participating Municipalities and the County hereto as follows:

1. Purpose of Agreement

The purpose of this Agreement is for cooperative management of solid waste in Adams County including the adoption of the 2018 Update to the Plan as agreed to in 1994, pursuant to Chapter 70.95 RCW.

2. Plan Administration

The County is hereby designated as the exclusive agent for the Participating Municipalities for the preparation of the Plan and shall have full authority to enter into contracts with and supervise consultants and make decisions regarding plan contents during its preparation. The County shall coordinate its efforts with the Solid Waste Advisory Committee which has been appointed and consists of a minimum of nine members appointed by the legislative bodies of the County and the Participating Municipalities representing a balance of interests including citizens, public interest groups, business, waste management industry and local elected officials.

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The Solid Waste Advisory Committee shall meet periodically to review progress on Plan preparation, to take public input on the Plan, to make recommendations to the County on such matters as plan contents, timing or other issues. The Solid Waste Advisory Committee shall recommend the final document to the Board of Commissioners for final review and approval. All activities of the Solid Waste Advisory Committee and the County in administering the Plan preparation shall be conducted in conformance with all state laws and regulations. Adams County shall indemnify and hold harmless the other Participating Municipalities and shall defend against any claims arising out of the preparation of the Plan. Adams County shall not indemnify, hold harmless, or defend any claims arising out of the negligence of a Participating Municipality or any activities under a Participating Municipality's control.

3. Financing, Funds and Budget

- a. The costs of preparation of the Plan shall be administered through the County's Solid Waste fund. The fund shall contain monies budgeted by the County, monies from available Washington State Department of Ecology (Ecology) grants, and other lawful funding sources as determined by the County.
- b. The County shall continue to maintain a Solid Waste Fund as a Special fund within the County budget. All revenues and expenses in connection with the Solid Waste Management Plan subject to this agreement shall be budgeted and accounted for through this fund.

4. Accounting

The County shall maintain accounts for the solid waste management program in accordance with the requirements of the Washington State Auditor. Authorized representatives of any party hereto shall have the right to inspect the accounting concerning the solid waste management programs of the Plan at any reasonable time.

5. Obligations of the Parties

a. Adams County

Management. Adams County shall (1) provide county-wide solid waste management services for waste generated and collected within jurisdictions that 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 Participating Municipality.

Planning. Adams County shall serve as the planning authority within Adams 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.

Operation. Adams County, directly or by its designee, shall be the operating authority for Adams County transfer, processing and disposal facilities (including waste reduction or recycling facilities and energy resource recovery facilities) and shall have post-closure responsibilities for landfills that were operated by Adams County.

Disposal Rate Setting. Adams County shall adopt and amend by resolution necessary to recover all costs of operating the solid waste system, including without limitation the costs of waste planning, handling, processing, disposal, defense and payment of claims, capital improvements, operational improvements and post-closure of the landfill.



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Collection Service. Adams County shall not provide solid waste collection services within the corporate limits of the Participating Municipality, unless permitted by law and agreed to by both parties.

Support and Assistance. Adams County shall provide limited support and technical assistance to the Participating Municipality if the Participating Municipality seeks to establish a waste reduction and recycling program compatible with the County waste reduction and recycling plan. Adams 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 Participating Municipality for its use.

Facilities and Services. All personal and real property acquired by Adams County for solid waste management system purposes shall be the property of Adams County.

Solid Waste Management Planning. Adams County is designated to prepare the Solid Waste Management plan and updates including the incorporated areas of the County pursuant to RCW 70.95.080 (3).

b. Participating Municipality

Collection. The Participating Municipality shall be responsible for solid waste collection within the Participating Municipality's corporate limits.

Disposal. The Participating Municipality shall (1) designate the Adams County System for the disposal of all Solid Waste generated and/or collected within the Participating Municipality and (2) authorize Adams 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 Participating Municipality, except for Solid Waste which is eliminated through Waste Reduction or Waste Recycling activities. No Solid Waste generated or collected within the Participating Municipality may be diverted from the System without County written approval.

Compliance. All waste generated or collected from within the corporate limits of the Participating Municipality that 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.

6. Effect of Preceding Contract

This Agreement, upon its execution by all parties, supersedes any previous interlocal agreements between the County and the Participating Municipalities relating to solid waste management and planning.

7. Duration and Termination

This Agreement shall remain in effect for ten (10) years from the initial effective date hereof. Thereafter, this agreement shall automatically renew for successive five (5) year periods under identical terms and conditions unless any party to this agreement provides Adams County no less than one (1) year prior written notice of intent not to renew. Any municipality which elects to terminate this agreement, as provided herein, shall then be obligated to prepare their own solid waste management plan pursuant to RCW 70.95.080, and provided further that any Participating Municipality electing to so terminate shall not be entitled to reimbursement for any funds paid pursuant to Section 3 of this Agreement. All reports or plans prepared pursuant to this Agreement shall remain property of Adams County.

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8. Plan Adoption, Amendments and Revisions

- a. The Plan shall be adopted when it is adopted by the legislative bodies of the County and the Participating Municipalities that represent a majority of the population of Adams County. In determining the population majority, the determination shall consider only those Participating Municipalities, including the County, taking formal action to approve or disapprove the Plan within 90 days of receipt of the Plan, with recommendation for adoption, from the Solid Waste Advisory Committee. These parties shall then be considered the "Plan Participants."
- b. The Plan shall be reviewed and revised by the Plan Participants at least once every five (5) years following approval of the Plan by Ecology. Any necessary revisions or amendments to the Plan will require approval of the Plan Participants in the same manner as approval of the original plan as described above. Should Plan Participants be unable to agree on revisions or amendments to the Plan, then the Plan Participants shall refer the dispute to a third party mediator, mutually agreed upon by the Plan Participants, to resolve any disputes regarding such revisions or amendments.

9. Effective Date

This Agreement shall be effective upon its execution by the Board of County Commissioners after execution by all other Participating Municipalities.

This Agreement has been executed by each party on the date set forth below:

Dated this 20th th day of August, 2018.

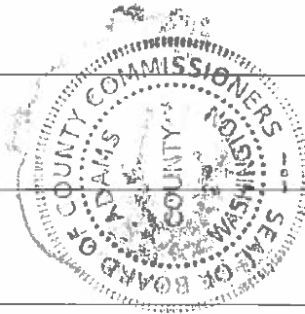
BOARD OF COUNTY COMMISSIONERS ADAMS COUNTY, WASHINGTON

By: -absent-
John N. Marshall, Chairman

Roger L. Hartwig
Roger L. Hartwig, Vice Chairman

Terrance J. Thompson
Terrance J. Thompson, Commissioner


Attest: Patricia J. Phillips
Patricia Phillips, Clerk of the Board





Dated this 11th day of June, 2018

THE TOWN OF HATTON

By: 
Daniel Fitts, Mayor

Attest: 
Barbara Pence, Town Clerk

319448 08/22/2018 01:28:31 PM Pg. 5 of 9

Agreement:
ADAMS COUNTY PUBLIC WORKS
Adams County Auditor, Heidi K. Hunt



Dated this 8th day of May, 2018

THE TOWN OF LIND

By: Paula Bell, Mayor
Paula Bell, Mayor

Attest: Kim Michaels, Town Clerk
Kim Michaels, Town Clerk

319448 08/22/2018 01:28:31 PM Pg. 6 of 9

Agreement
ADAMS COUNTY PUBLIC WORKS
Adams County Auditor, Heidi K. Hunt





Dated this 7th day of August, 2018

THE CITY OF OTHELLO

By: Shawn R Logan
Shawn Logan, Mayor

Attest: Rebecca P Ozuna
City Clerk

319448 08/22/2018 01:28:31 PM Pg. 7 of 9
Agreement
ADAMS COUNTY PUBLIC WORKS
Adams County Auditor, Heidi K Hunt



Dated this 23rd day of May, 2018.

THE CITY OF RITZVILLE

By: 
Gary Cook, Mayor

Attest: 
Julie Flyckt, City Clerk

319448 08/22/2018 01:28:31 PM Pg. 8 of 9
Agreement
ADAMS COUNTY PUBLIC WORKS
Adams County Auditor, Heidi K. Hunt





Dated this 13th day of June, 2018

THE TOWN OF WASHUCNA

By: Brian Lillie
Brian Lillie, Mayor

Attest: Teresa Correll
Teresa Correll, Town Clerk

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Agreement
ADAMS COUNTY PUBLIC WORKS
Adams County Auditor, Heidi K. Hunt



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Appendix B – Resolutions of Adoption

PLACEHOLDER



PLACEHOLDER

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Appendix C – SWAC Bylaws

**ADAMS COUNTY
SOLID WASTE ADVISORY COMMITTEE**

BY-LAWS

I. CREATION, LEGAL BASIS, PURPOSE

The Adams County Solid Waste Advisory Committee, hereinafter referred to as SWAC, having been established by the Adams County Board of Commissioners by and through Resolution No. R-6-92, pursuant to RCW 70.95.165(3) declares:

The scope and charge of the Adams County SWAC shall be to:

- A. Advise Adams County on all aspects of solid waste management planning.
- B. Assist Adams County in the development of programs and policies concerning solid waste management.
- C. Review and comment on proposed solid waste management rules, policies, ordinances and resolutions prior to their consideration by the Board of County Commissioners.

II. COMPOSITION

A. Members

The SWAC shall consist of a minimum of nine (9) members and shall represent a balance of interests including, but not limited to: citizens, public interest groups, business, the waste management industry, agriculture and local elected officials. Members shall provide on-going public input, coordinations, and information exchange between the groups. Members of the SWAC shall serve without compensation.

B. Ex-officio members

The Adams County Board of Commissioners may appoint non-voting ex-officio members to the SWAC who will serve at the Commissioners discretion.

C. Appointment

A letter requesting membership to SWAC must be presented to the Adams County Board of Commissioners. The Board of Commissioners shall make all appointments to SWAC.

D. Term

Members shall serve a term of three years, except as may be required to ensure staggered appointments or until their successor is appointed and confirmed as provided in the SWAC by-laws. The term of a member of SWAC begins on the date the member is appointed and shall run for three years from that date. Members may be reappointed to serve consecutive terms. Reappointment shall be subject to confirmation by County Commission motion.



E. Vacancies

Vacancies shall be filled in the same manner new appointments are made for the remainder of the term of the vacant position in the manner described in the initial appointment.

F. Attendance

- a. A member of the SWAC who has three unexcused absences in one year may be removed from office by recommendation of the SWAC, approved by the Adams County Commissioners or at the discretion of the Adams County Commissioners.
- b. Members shall notify Public Works staff of their ability or inability to attend a meeting as soon as practical so staff may ensure a quorum.

G. Chair

A majority of the SWAC shall elect one of its members as Chair. The term of the Chair shall be for one year. The Chair shall be elected at the first meeting of the year. The election year and term of the Chair will begin immediately after election.

H. 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 one year. The election of the Vice Chair shall be at the first meeting of the year. The election year and term of the Vice Chair will begin immediately after election.

III. STAFF

Public Works staff shall attend SWAC meetings to provide technical and procedural advice and recommendations.

IV. MEETINGS

- A. Regular Meetings – Regular meetings of the SWAC will ordinarily be held at least twice a year. At least 10 days prior notice shall be given for all special meetings, if possible.
- B. Agendas – Agendas shall be prepared by staff and distributed to members at least seven (7) days in advance of any regularly scheduled meeting.
- C. Minutes – Minutes of all meetings shall be prepared and stored by a designated staff member. Minutes shall be distributed to the SWAC membership within three (3) weeks following a meeting. Meeting minutes shall be approved by a majority vote of the membership.
- D. Public Access – All meetings shall be open to the public. Provision shall be made for public comments at each meeting. Approved meeting minutes shall be available to the public upon request.

- D. Quorum –A quorum for the official meetings shall be a minimum of 50% plus one of the appointed membership. A simple majority of the quorum present may take action or make recommendations.
- E. Voting – A simple majority vote of eligible members in attendance shall rule. The Chair will vote only in the case of a tie to cast the deciding vote.
- F. The Chair will conduct the meeting in an orderly way, allowing members of the SWAC to have the first opportunities to speak. Members of the visiting public will have the opportunity to speak when recognized by the Chair.
- G. At the option of the Chair, or by majority vote of the membership, the Chair may conduct all or a portion of any meeting according to the procedures delineated in “Robert’s Rules of Order.”

V. RECOMMENDATIONS

The SWAC shall advise and make recommendations to the County Board of Commissioners on matters within its scope and charge as provided in these SWAC by-laws.

VI. AMENDMENTS

To the extent that such an amendment would not conflict with any Resolution, Ordinance or these by-laws, the by-laws may be amended or repealed, and new by-laws may be adopted, by the majority vote of the entire SWAC.

VII. SAVINGS CLAUSE

Should any portion of these by-laws be declared unconstitutional or otherwise contrary to law, such decision shall not affect the validity of the remaining portions of these by-laws.



Appendix D – Status of 2018 Plan Recommendations

Appendix D – Status of Recommendations – 2018 Adams County Solid Waste and Moderate Risk Waste Management Plan	
Recommendation	Implementation Status
Chapter 3 - Waste Reduction, Recycling and Education	
WRR1) Adopt the updated list of designated materials and maintain it through periodic review and updates.	Ongoing
WRR2) Incorporate an education and promotion program.	Ongoing
WRR3) Provide support for recycling at public events when curbside recycling becomes available in Adams County and recycling services are available to businesses.	Reviewed
WRR4) Work cooperatively with the cities and towns to establish standards that promote residential waste reduction and curbside recycling programs.	Ongoing
WRR5) Encourage signatory cities to consider implementation of Pay-As-You-Throw pricing for garbage.	Ongoing
Chapter 4 - Solid Waste Collection	
SWC1) Continue to require waste to be routed through Adams County-owned facilities in future interlocal agreements.	Ongoing
SWC2) Review collection contracts to confirm compliance with the Plan.	Reviewed
Chapter 5 - Energy Recovery	
ER1) Adams County will monitor developments and progress in waste processing and conversion technologies.	Reviewed Annually
Chapter 6 - Transfer Facilities	
TS1) Evaluate the Bruce Transfer Station building and determine modifications to increase capacity to process and store more waste.	Accomplished
TS2) Review Operational Plan and evaluate operations at the Bruce Transfer Station to increase capacity.	Accomplished
TS3) Continue to maintain the operations of the transfer stations.	Ongoing
TS4) Continue to require that all MSW be routed through Adams County owned and operated transfer stations.	Ongoing
TS5) Evaluate need for extended or seasonal hours of operations.	Reviewed Annually
Chapter 7 - Disposal	
D1) Explore potential haul cost reduction measures.	Accomplished
D2) Review and update the Mitigation Agreement between Adams County and WMW, as necessary.	Ongoing
D3) Continue to leave the option open for Adams County to own and potentially operate its own landfill.	Reviewed
Chapter 8 - Special Wastes	
SW1) Continue to dispose special wastes through a cooperative effort with the Adams County Health Department and Ecology.	Ongoing



Appendix D – Status of Recommendations – 2018 Adams County Solid Waste and Moderate Risk Waste Management Plan	
Recommendation	Implementation Status
SW2) Consider an update to the Transfer Station Operational Plan that addresses handling and disposal of special wastes and update it as necessary to address new issues or special wastes.	Accomplished
SW3) Monitor EPA and Washington State guidance regarding pharmaceutical waste and implement changes as needed to comply with statewide medicine take-back program.	Ongoing
SW4) Promote proper reuse, recycling and disposal of C&D.	Ongoing
SW5) Consider partnering with private organizations to promote recycling and reuse of C&D wastes and building materials.	Ongoing
SW6) Develop an internal plan for handling disaster debris, in coordination with the Adams County Emergency Management.	Not Accomplished
SW7) Consider cost effective methods to comply with removal, recycling and disposal of oil and CFCs from appliances.	Accomplished
Chapter 9 - Moderate Risk Waste	
MRW1) Implement a public education and outreach program for handling of MRW waste for households.	Implemented and Ongoing
MRW2) Consider upgrades and expansions of the MRW handling facilities at the Bruce Transfer Station and Ritzville Transfer Station.	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
MRW4) Consider implementing a fee-based program to accept SQG waste at the Bruce Transfer Station and the Ritzville Transfer Station.	Not Implemented
MRW5) Continue the used oil collection program.	Ongoing
Chapter 10 - Administration and Enforcement	
AE1) Consider pursuing some of the additional funding strategies listed in Table 10-3 that can be implemented by Adams County directly and independently from other alternatives.	Reviewed Annually
AE2) Consider adopting a flow control ordinance.	Not Implemented
AE3) Provide adequate funding to increase staff at county and city levels, as needed.	Reviewed Annually
AE4) Include the Technical Advisory Committee in the review of all new solid waste facility permit requests.	Ongoing

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Appendix E – Adams County Permit Mitigation Agreement

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Resolution
ADAMS COUNTY COMMISSIONERS
Adams County Auditor, Nancy McBroome



RESOLUTION NO. R-04-2011

**ORDER OF BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, WASHINGTON**

**IN THE MATTER OF THE CONTRACT BETWEEN ADAMS COUNTY, WASTE MANAGEMENT OF
WASHINGTON, INC AND WASTE MANAGEMENT DISPOSAL SERVICES OF OREGON, INC FOR
SOLID WASTE DISPOSAL SERVICES**

WHEREAS, on or about June 26, 2006, Adams County entered into a contract with Regional Disposal Company (RDC) for transport and disposal of the County's municipal solid waste. That contract terminates 5 years from the date County solid waste is first accepted at the RDC landfill, i.e., on or about June 30, 2011, unless renewed or sooner terminated by the County pursuant to the terms of that agreement;

WHEREAS, on or about November 30, 2007, Adams County (County) and Waste Management of Washington, Inc (WMW) executed the *Amended and Restated Adams County Unclassified Use Permit Mitigation Agreement* (the "Mitigation Agreement"), which, among other provisions, includes a "Solid Waste Disposal Offer" whereby WMW agreed to offer to provide free solid waste disposal at Waste Management Disposal Services of Oregon, Inc's (WMDSO) Columbia Ridge Landfill and Recycling Facility or another mutually agreeable landfill facility owned and/or operated by a subsidiary of Waste Management, Inc. after the expiration of the County's current solid waste disposal contract on June 30, 2011;

WHEREAS, on or about October 25, 2010, WMW submitted a letter to the County offering to honor the commitment contained in the Mitigation Agreement to provide solid waste disposal services at the WMDSO Columbia Ridge Landfill and Recycling Facility, consistent with the provisions of the Mitigation Agreement, including, among other provisions, free disposal of authorized municipal solid waste (the WMW Disposal Offer);

WHEREAS, the County has evaluated the WMW Disposal Offer, as compared to the disposal costs that would be associated with other disposal options, including the County's right to renew the disposal contract with RDC, pursuant to the provisions of the existing contract with RDC and determined that the WMW Disposal Offer provides the best and most cost-effective alternative for disposal of the County's municipal solid waste; and

WHEREAS, the County has determined that acceptance of the solid waste disposal services provided for in the WMW Disposal Offer is consistent with the terms and provisions of the Mitigation Agreement, implements that Mitigation Agreement and, as such, falls within the scope of the environmental review that was completed in 2007 for review and adoption of the Mitigation Agreement.



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Resolution
ADAMS COUNTY COMMISSIONERS
Adams County Auditor, Nancy McBroom

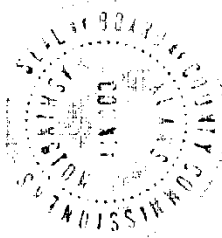


Page 2
Resolution No. R-D4-2011
Adams County
Waste Management of Washington
Waste Management Disposal Services of Oregon

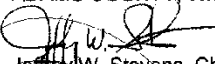
NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

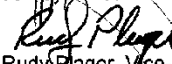
The Adams County Commissioners do hereby approve the Solid Waste Disposal Agreement attached to this Resolution as Attachment 1 and authorize the same to be executed.

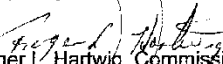
DATED this 18th day of January, 2011.



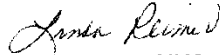
BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, WASHINGTON


Jeffrey W. Stevens, Chairman


Rudy Blager, Vice-Chairman


Roger L. Hartwig, Commissioner

ATTEST:


Linda Reimer, MMC
Clerk of the Board

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Resolution
ADAMS COUNTY COMMISSIONERS
Adams County Auditor, Nancy McBroom



SOLID WASTE DISPOSAL AGREEMENT

This SOLID WASTE DISPOSAL AGREEMENT (“Agreement”) is made and entered into between and among WASTE MANAGEMENT OF WASHINGTON, INC. (“WMW”), WASTE MANAGEMENT DISPOSAL SERVICES OF OREGON, INC. (“WMDSO”), and ADAMS COUNTY (“County”). The parties shall be collectively referred to herein as the “Parties” and individually as a “Party”, unless specifically identified otherwise. This Agreement shall be effective upon the date that all Parties have executed this Agreement (the “Effective Date”), as evidenced by the signatures below.

RECITALS

WHEREAS WMW owns real property located in Adams County, Washington that has been permitted for the development of a solid waste landfill (the “Adams County Landfill”);

WHEREAS, on February 22, 1994, the Board of County Commissioners for Adams County approved an unclassified use permit for WMW to construct and operate the Adams County Landfill and also executed with WMW the *Adams County Unclassified Use Permit Mitigation Agreement* (the “1994 Mitigation Agreement”) governing the rights and responsibilities of the County and WMW with respect to the Adams County Landfill;

WHEREAS, the 1994 Mitigation Agreement provided for, among other provisions, periodic renewals of the Unclassified Use Permit and for disposal of Adams County waste when the Adams County Landfill was constructed;

WHEREAS on or about November 30, 2007, the Parties agreed to amend the 1994 Mitigation Agreement in order to maintain the option for future construction and operation of the Adams County Landfill without continuing the requirement for periodic review and renewal, and to allow the County to reduce its solid waste disposal costs potentially prior to and even if the Adams County Landfill is not constructed by providing for disposal of the County’s solid waste at an alternative WMW facility even if the Adams County Landfill is not constructed;

WHEREAS, on or about November 30, 2007, the Parties executed the *Amended and Restated Adams County Unclassified Use Permit Mitigation Agreement* (the “Mitigation Agreement”), a copy of which is attached to this Agreement as **Exhibit A**, which, among other provisions, includes a “Solid Waste Disposal Offer” whereby WMW agreed to offer to provide free solid waste disposal at WMDSO’s Columbia Ridge Landfill and Recycling Facility or another mutually agreeable landfill facility owned and/or operated by a subsidiary of Waste Management, Inc. after the expiration of the County’s current solid waste disposal contract on June 30, 2011;

WHEREAS WMW has not decided to proceed with the development, construction, and operation of the Adams County Landfill at this time, but wishes to maintain the option for future construction and operation of the Adams County Landfill; and

WHEREAS, the Parties wish to execute this Agreement to set forth the terms and conditions governing the solid waste disposal services that WMW has agreed to provide pursuant to the Mitigation Agreement;



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Resolution
ADAMS COUNTY COMMISSIONERS
Adams County Auditor, Nancy McBroom



TERMS AND CONDITIONS

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein, the Parties agree, represent, and warrant as follows:

1. PURPOSE. The Parties agree that the purpose of this Agreement is to set forth the terms and conditions governing the solid waste disposal services that WMW has agreed to provide pursuant to the Mitigation Agreement, provided, however, that if a term or condition set forth herein directly conflicts with a term or condition in the Mitigation Agreement, the term or condition in the Mitigation Agreement shall control, unless otherwise agreed to in writing by the Parties. Except as expressly stated herein, nothing in this Agreement is intended to modify or should be interpreted as waiver or implied consent to amend County or WMW rights or obligations contained in the Mitigation Agreement.

2. TERM; TERMINATION. The Term of this Agreement shall commence on July 1, 2011 and shall continue in effect until the earliest of the following dates, as provided in Section II.E of the Mitigation Agreement:

2.1. Two (2) years after the date on which WMW provides written notice to the County that WMW has elected to abandon its right to construct the Regional Landfill, as defined in the Mitigation Agreement; or

2.2. The date upon which WMW provides written notice to the County that the Adams County Landfill has begun accepting Authorized Solid Waste for disposal, in which case, pursuant to the Mitigation Agreement, Adams County solid waste shall be accepted for disposal at the Adams County Landfill.

3. DEFINITIONS. The following definitions shall apply to this Agreement. Any term used not defined in this Agreement shall have the definition provided in the Mitigation Agreement, if such term is defined therein.

3.1. "Acceptable Waste" means Authorized Waste Materials that are permitted for disposal or other management at the Landfill under all laws, regulations and permits. "Acceptable Waste" does not include Hazardous Waste and any other radioactive, volatile, corrosive, flammable, explosive, biomedical, infectious, biohazardous, or toxic waste, substance or material, as defined by or listed or characterized under applicable federal, state, or local laws or regulations and which are not permitted for disposal or other managements at the Landfill.

3.2. "Authorized Waste Materials" means:

(a) Household wastes and commercial solid wastes, as defined in WAC 173-351-100, generated in Adams County;

(b) Household wastes and commercial solid wastes, as defined in WAC 173-351-100, generated outside of Adams County that are approved in advanced by WMW in writing for disposal at the Landfill;

(c) Household wastes and commercial solid wastes received by the County pursuant to the Interlocal Agreement for Solid Waste Services dated May 16, 2005, and as thereafter amended or replaced, between Lincoln County, Washington and Adams County, Washington, a copy of which is attached hereto as **Exhibit B**, provided, however, that any amendments or replacement

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Resolution
ADAMS COUNTY COMMISSIONERS
Adams County Auditor, Nancy McBroon



agreements shall not increase the types, sources, or quantities of wastes beyond those authorized for disposal under the May 16, 2005 Interlocal Agreement;

(d) Incidental quantities of Special Wastes, as defined below, generated within Adams County that are received at transfer stations owned and/or operated by Adams County or a municipality within Adams County; and

(e) Larger quantities of Special Wastes from commercial, industrial, construction, or environmental cleanups with the prior written agreement of the Parties, including agreement as to quantities, types, disposal rates, and, if agreed, payment of a fee to WMW.

3.3. "Special Waste" means industrial solid wastes, as defined in WAC 173-351-100, and other types of waste that can lawfully be disposed of in the Landfill, including industrial process wastes, properly packaged and labeled asbestos containing material, petroleum contaminated soils, treated/de-characterized wastes, medical wastes, demolition debris and other materials requiring special handling in accordance with applicable federal, state, provincial or local laws or regulations. Delivery and disposal of Special Wastes at the Landfill as provided in Section 3.2(e) of the Mitigation Agreement shall require prior approval of WMDSO.

3.4. "Non-Conforming Waste" means all wastes other than Acceptable Waste, including but not limited to Hazardous Wastes and those solid wastes prohibited for disposal in Oregon under OAR 340-093-0040, which are:

(a) Used oil as defined in ORS 468.850(5), including liquid used oil and used oil purposely mixed with other materials for the purpose of disposal, but not including cleanup materials from incidental or accidental spills where the used oil spilled cannot feasibly be recovered as liquid oil;

(b) Discarded or abandoned vehicles;

(c) Discarded large metal-jacketed residential, commercial or industrial appliances such as refrigerators, washers, stoves and water heaters;

(d) Whole tires, except as provided in OAR 340-064-0052. Tires processed to meet the criteria in OAR 340-064-0052 may be landfilled. For purposes of this subsection, "tire" shall have the meaning given in OAR 340-064-0010(26);

(e) Lead-acid batteries.

(f) Solid wastes prohibited or restricted by the State of Washington.

3.5. "Hazardous Waste" means wastes that are defined as hazardous wastes under federal law, including the federal Resource Conservation & Recovery Act, 42 U.S.C. §§ 6901 et seq., and under comparable state laws and regulations, including Chapter 173-303 WAC.

3.6. "Landfill" means the Columbia Ridge Landfill and Recycling Center owned and operated by WMDSO, or such other mutually agreeable solid waste disposal facility owned and/or operated by a subsidiary of Waste Management, Inc.



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Resolution
ADAMS COUNTY COMMISSIONERS
Adams County Auditor, Nancy McBroom



4. SERVICES PROVIDED. WMDSO shall provide the County with disposal services (“Services”) for County’s Acceptable Waste delivered by the County, or its authorized agent, to the Landfill. County shall be responsible for transportation of the Acceptable Waste to the Landfill, including the cost thereof.

5. LIMITATION ON QUANTITIES. The Parties agree that the maximum annual amount of Acceptable Wastes shall not exceed 20,000 tons per calendar year. If, in the future, the quantity of the County’s Acceptable Waste above approaches 20,000 tons per calendar year, the Parties also agree to amend the 20,000-ton annual limit to reasonably reflect the County’s projected waste stream.

6. DISPOSAL RATES. As consideration for the Mitigation Agreement, WMW and WMDSO agree that the Services shall be provided at no cost to the County, except as otherwise specified herein or agreed to by the Parties. For example, WMDSO may charge for the disposal of larger quantities of Special Wastes identified under Section 3.2(e) above.

7. COUNTY WARRANTIES. County hereby represents and warrants that all waste material delivered by County to the Landfill shall be Acceptable Wastes and shall not be or contain any Nonconforming Waste. County represents and warrants that it will comply with all applicable laws, ordinances, regulations, orders, permits or other legal requirements applicable to the County’s wastes. Without limiting the generality of the foregoing, County further represents and warrants that all transfer stations from which County’s wastes are delivered shall have developed and are fully implementing, pursuant to WAC 173-350-310(5), programs for screening Hazardous Wastes and other Non-Conforming Wastes from the Acceptable Waste.

8. WMDSO WARRANTIES. WMDSO hereby represents and warrants that WMDSO is and shall continue to operate the Landfill consistent with all applicable federal, state and local laws, regulations and permit conditions, including, without limitation, obligations related to sureties, inspections, testing, reporting, closure and post-closure.

9. LIMITED LICENSE TO ENTER. County and its subcontractors shall have a limited license to enter the Landfill for the sole purpose of off-loading Acceptable Waste at an area designated, and in the manner directed, by WMDSO. County shall, and shall ensure that its subcontractors, comply with all rules and regulations of the Landfill. WMDSO may reject Acceptable Waste or deny County or its subcontractors entry to the Landfill in the event of County’s or its subcontractors’ failure to follow such rules and regulations.

10. INSPECTION; REJECTION OF WASTE. Title to and liability for Non-Conforming Waste shall remain with County at all times. WMDSO shall have the right to inspect, analyze or test any waste delivered by County. If County’s waste is Nonconforming Waste, WMDSO can, at its option, reject Nonconforming Waste and return it to County or require County to remove and dispose of the Nonconforming Waste at County’s expense. County shall indemnify, hold harmless, and pay or reimburse WMDSO for any and all costs, damages and/or fines incurred as a result of or relating to County’s tender or delivery of Nonconforming Waste, including costs of inspection, testing, analysis, and remediation.

11. SPECIAL HANDLING; TITLE. If WMDSO elects to handle, rather than reject, Nonconforming Waste, WMDSO shall have the right to manage the same in the manner deemed most appropriate by WMDSO given the characteristics of the Nonconforming Waste. WMDSO may assess and County shall pay additional fees to reimburse WMW or WMDSO for costs that

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Resolution
ADAMS COUNTY COMMISSIONERS
Adams County Auditor, Nancy McBroom



are reasonably associated with delivery of Nonconforming Waste, including, but not limited to, special handling or disposal charges, and costs associated with modifications in operations, specialized equipment, and other operational, environmental, health, safety or regulatory requirements. Title to and ownership of County's Acceptable Waste shall transfer to WMDSO upon its acceptance of and physical control of such waste for disposal at the Landfill.

12. INDEMNIFICATION. Except as otherwise expressly set forth herein, the indemnification provisions set forth in Section XVIII of the Mitigation Agreement shall apply to this Agreement to the same extent they would apply at the Adams County Landfill.

13. SUCCESSORS AND ASSIGNS. Neither Party shall assign this Agreement without the prior written consent of the other Party, except that WMW or WMDSO may assign this Agreement to any subsidiary, parent or affiliated company without the County's consent. If this Agreement is assigned as provided above, it shall be binding on and shall inure to the benefit of the Parties hereto and their respective successors and assigns.

14. FORCE MAJEURE AND BACKUP DISPOSAL FACILITY. If either Party is prevented from or delayed in performing its duties under this Agreement by circumstances beyond its control, whether or not foreseeable, including, without limitation, fires, typhoons, hurricanes, severe weather, floods, volcanic eruptions, pandemics, quarantines, war, civil disturbances, acts of terrorism, labor disputes, acts of God, or threats of such circumstances, or any future laws, rules, regulations, orders, or acts of any local, state, federal, or provincial government ("Force Majeure"), then the affected Party shall be excused from performance hereunder during the period of such disability. The Party claiming Force Majeure shall promptly notify the other Party when it learns of the existence of a Force Majeure condition and when the Force Majeure condition has terminated. Notwithstanding anything in this Agreement to the contrary, the term "Force Majeure" does not include and a Party shall not be excused from performance under this Agreement for events relating to increased costs, including, without limitation, increased costs of fuel, labor, insurance or other expenses of performing the Services hereunder. The provisions of this Section notwithstanding, if WMW and WMDSO are unable to accept County waste at the Landfill for disposal for a period in excess of 48 hours, WMW shall provide an alternative facility owned or operated by WMW or its affiliates for disposal of the County's waste under the same terms as this Agreement for such interim period of time as is necessary until County waste can again be accepted at the Columbia Ridge Landfill. WMW shall be responsible for all costs incurred by County to transport and dispose of its waste at an alternative facility that are in excess of the costs incurred by the County to transport its waste to the Columbia Ridge Landfill if WMW fails to provide a backup disposal option as provided for in this Section.

15. NOTICE. Any notice required or permitted hereunder shall be provided in accordance with Section XXI of the Mitigation Agreement, provided that notice shall be given to WMW as follows:

To WMW: Dean Kattler, Vice President
Waste Management of Washington, Inc.
13225 NE 126th Place
Kirkland, WA 98034



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Resolution
ADAMS COUNTY COMMISSIONERS
Adams County Auditor, Nancy McBroom



with a copy to: Waste Management
Attention: Western Group General Counsel
7025 N. Scottsdale Road, Suite 200
Scottsdale, AZ 85253

16. LEGAL FEES. In the event any legal action is taken by either Party against the other Party to enforce any of the terms and conditions of this Agreement, it is agreed that the unsuccessful Party to such action shall pay to the prevailing Party therein all court costs, reasonable attorneys' fees and expenses incurred by the prevailing Party.

17. RELATIONSHIP OF THE PARTIES. The execution of this Agreement shall not create any agency, partnership, joint venture, association or any other relationship between the Parties other than as independent contracting parties.

18. AMENDMENT. This Agreement may not be modified, in whole or in part, except upon unanimous approval of the Parties and by a writing signed by all the Parties.

19. NO THIRD PARTY BENEFICIARIES. This Agreement is made solely and specifically among and for the benefit of the Parties hereto, and their respective successors and assigns, and no other person will have any rights, interest, or claim hereunder or be entitled to any benefits under or on account of this Agreement, whether as a third party beneficiary or otherwise.

20. HEADINGS. The Headings used in this Agreement are inserted only as a matter of convenience and for reference and in no way define, limit or describe the scope of this Agreement nor the intent of any provision thereof.

21. CONSTRUCTION. In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, that invalidity, illegality, or unenforceability shall not affect any other provision in this Agreement and this Agreement shall be construed as if the invalid illegal, or unenforceable provision had never been contained in it.

22. SURVIVAL OF CLAIMS. Termination of this Agreement shall not relieve either Party of any claims against it that arise under this Agreement before the Agreement is terminated.

23. GOVERNING LAW AND VENUE. This Agreement, and all amendments or supplements thereto, shall be governed by and construed in accordance with the laws of the State of Washington. Venue shall be in Adams County, or in an adjacent county.

24. COUNTERPARTS. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. A signature by any Party received via .pdf file or facsimile shall be treated as an original.

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Adams County Auditor, Nancy McBroom




* * *

IN WITNESS WHEREOF, the Parties enter into this Agreement. Each person signing this Agreement represents and warrants that he or she has been duly authorized to enter into this Agreement by the Party on whose behalf it is indicated that the person is signing.

**WASTE MANAGEMENT OF
WASHINGTON, INC.**

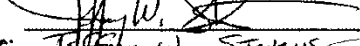
By: 
Name: Dorey Kattler
Title: Area VP
Date: Jan 11, 2011

**WASTE MANAGEMENT DISPOSAL
SERVICES OF OREGON, INC.**

By: 
Name: Dorey Kattler
Title: Area VP
Date: Jan 11, 2011

**ADAMS COUNTY, a Washington
Municipal Corporation**

BOARD OF COUNTY COMMISSIONERS

By: 
Name: Jeffrey W. Stevens
Title: Chair
Date: 1-18-11

Attachments

Exhibit A: Amended and Restated Adams County Unclassified Use Permit Mitigation Agreement (Nov. 30, 2007)

Exhibit B: Interlocal Agreement for Solid Waste Services dated May 16, 2005 between Lincoln County, Washington and Adams County, Washington

Disposal Agreement - Adams County Final (January 4, 2011)



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Adams County Auditor, Nancy McBroom

EXHIBIT A



RESOLUTION NO. R-103-07

ORDER OF BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, WASHINGTON

IN THE MATTER OF THE AMENDMENT AND RESTATEMENT OF THE ADAMS COUNTY UNCLASSIFIED USE PERMIT MITIGATION AGREEMENT DATED FEBRUARY 22, 1994, BETWEEN ADAMS COUNTY, WASHINGTON AND WASTE MANAGEMENT OF WASHINGTON

WHEREAS, on August 8, 1991, Waste Management of Washington ("WMW") submitted an application to the Board of County Commissioners for Adams County (the "Commissioners") for an unclassified use permit to allow for the construction and operation of a regional solid waste landfill on property located in the southeastern part of Adams County (the "Regional Landfill");

WHEREAS, a Draft Environmental Impact Statement for the Landfill was issued by Adams County on March 18, 1992, and a Final Environmental Impact Statement was issued on August 9, 1993, and an Addendum to the County's Final Environmental Impact Statement was also adopted by the Health District. All impact statements were issued in compliance with the requirements of RCW 43.21C and Adams County Code 18.04;

WHEREAS, on February 22, 1994, the Commissioners approved an Unclassified Use Permit ("UUP") for WMW to construct the Regional Landfill and executed a Mitigation Agreement with WMW governing the rights and responsibilities of the County and WMW with respect to the Landfill ("Mitigation Agreement"); and,

WHEREAS, WMW and Adams County entered into a certain Settlement Agreement dated January 6, 1994, as amended by the First Amendment dated July 1, 1999 (collectively, the "Settlement Agreement"), to settle a dispute related to WMW's use of the Adams County Bruce Landfill as a backup facility in WMW's 1990 bid for disposal of the City of Seattle's solid waste at the Columbia Ridge Landfill in Gilliam County, Oregon;

WHEREAS, the Settlement Agreement provides for WMW to pay Adams County \$ 125 for every ton of solid waste that is transported from the City of Seattle and disposed of at the Columbia Ridge Landfill and such payments shall continue unless or until WMW elects to permanently abandon plans to site, construct and operate a regional landfill in the County;

WHEREAS, the First Amendment to the Settlement Agreement provides for WMW to pay \$30,000 per year of the total amount owed to the County and to accrue the balance owed under the Settlement Agreement, such balance is to be paid to the County at such time as WMW commences operation of the Regional Landfill in Adams County and provides

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EXHIBIT A

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ADAMS COUNTY COMMISSIONERS
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that WMW shall not owe the County the accrued balance if WMW elects to abandon any plans to open the Regional Landfill;

WHEREAS, on May 19, 1997, the Adams County Health District, after public review and consultation with the Washington State Department of Ecology, Adams County, and other agencies, issued a "Full Permit for Municipal Solid Waste Landfilling, ("Full Permit") to WMW authorizing construction of the Landfill, with a ten-year term expiring on May 31, 2007;

WHEREAS, Section II.B.2 and 3 of the 1994 Mitigation Agreement required that WMW commence construction of the Landfill within two years of obtaining the Full Permit from the Health District and commence operation of the Landfill within four years of such date;

WHEREAS, Section XXII.K of the 1994 Mitigation Agreement provides that it may be amended in a writing signed by the County and WMW and that the County may amend the 1994 Mitigation Agreement without also requiring an amendment to the Unclassified Use Permit unless the Commissioners determine, in their discretion, that the proposed amendment constitutes a substantial change in a material provision of the Unclassified Use Permit that requires public notice and hearing as provided in Adams County Municipal Code Chapter 17.72;

WHEREAS, on June 28, 1999, the County passed Resolution No. R-60-99 which approved an amendment to the Mitigation Agreement extending the date for commencing construction at the Landfill to May 31, 2007 and the date for commencing operation at the Landfill to May 31, 2009;

WHEREAS, on February 16, 2007, WMW submitted a request for renewal of the Unclassified Use Permit, extension of implementation dates and modification of the Mitigation and Settlement Agreements, asking to extend the date for construction and implementation for an additional ten years (until May 31, 2017 and May 31, 2019, respectively) and submitted a corresponding request to the Health Department to renew the Full Permit for a similar ten-year period;

WHEREAS, on March 28, 2007, the Adams County Technical Advisory Committee ("TAC") sent a letter to WMW requesting additional information to allow the TAC to complete its evaluation and recommendation regarding WMW's request to extend the term of the Unclassified Use Permit;

WHEREAS, on April 6, 2007, WMW submitted additional information to the County;



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Resolution
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Adams County Auditor, Nancy McBroom



EXHIBIT A

WHEREAS, on April 27, 2007, WMW submitted a written Unclassified Use Permit/Mitigation Agreement Extension request to the County, asking to extend the dates for commencement of construction for 6 months (until October 31, 2007) to provide additional time for the County and WMW to consider revisions to the Mitigation Agreement to extend the deadlines for construction and operation, noting that the County and WMW have both been diligently pursuing the information and negotiations necessary to consider that extension;

WHEREAS, on May 9, 2007, the Adams County Health Department issued a one-year renewal of the Full Permit, with a condition that requires WMW to obtain and comply with all of the terms of any extension of the Unclassified Use Permit and Mitigation Agreement.

WHEREAS, on May 29, 2007, the County passed Resolution No. R-43-07, which approved (a) a three-month extension of the project implementation schedule in the Unclassified Use Permit, and (b) an amendment to the Mitigation Agreement extending the date for commencing construction at the Landfill to August 31, 2007 to allow the TAC and WMW to continue to negotiate appropriate terms pursuant to which the County could agree to extend the time frame to commence construction and operation of the Regional Landfill;

WHEREAS, on August 27, 2007, the Commissioners amended the Mitigation Agreement by extending the deadline for WMW to commence construction of the Regional Land until November 30, 2007.

WHEREAS, WMW and the County are interested in amending the Settlement Agreement in order to maintain the option for future construction and operation of the Adams County Regional Landfill, consistent with the provisions of the Settlement Agreement and the Unclassified Use Permit;

WHEREAS, subject to solid waste procurement requirements, as necessary, WMW and the County are interested in amending the Mitigation Agreement in a manner that will allow the County to reduce its solid waste disposal costs potentially prior to and even if the Landfill is not constructed;

WHEREAS, subject to solid waste procurement requirements, as necessary, WMW and the County are interested in amending the Mitigation Agreement in a manner that will allow for the phased construction of the Landfill, by WMW constructing and the County operating a landfill (the "County Landfill") that is substantially smaller than the Regional Landfill for managing municipal solid waste and other solid waste materials generated within Adams County and certain limited quantities of solid waste generated outside of

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Adams County Auditor, Nancy McBroom



EXHIBIT A

Adams County, and will apply appropriate mitigation from the Mitigation Agreement to each phase of the Landfill development;

WHEREAS, Adams County Code does not require that an Unclassified Use Permit must have an expiration date;

WHEREAS, WMW is willing to offer certain County solid waste disposal mitigation options prior to construction of the Regional Landfill in consideration for the County's agreement that the Unclassified Use Permit will not lapse even if construction of the Regional Landfill does not commence prior to the dates specified in the Mitigation Agreement, as amended, to address certain terms of the Mitigation Agreement related to County solid waste mitigation;

WHEREAS, WMW and the County agree that certain provisions of the 1994 Mitigation Agreement have either already been satisfied, or are no longer necessary and appropriate to mitigate impacts from the County Landfill or the Regional Landfill, or that certain of the mitigation measures in the Mitigation Agreement should only be required upon construction and operation of the Regional Landfill, as opposed to the smaller County Landfill and, therefore, the parties are desirous of making certain amendments to the Mitigation Agreement to reflect this;

WHEREAS, on November 13, 2007, the County issued a Notice of Adoption and Addendum to the Final Environmental Impact Statement for the proposed actions contained in this Amended and Restated Unclassified Use Permit Mitigation Agreement, finding no probable significant adverse impacts associated with the changes proposed to the Mitigation Agreement and the duration of the unclassified use permit;

WHEREAS, on November 15, 2007 the County published this Notice of Adoption and Addendum to the Final Environmental Impact Statement ("FEIS") and mailed notice to recipients of the FEIS, Adams County municipalities, the Department of Ecology; and agencies with jurisdiction;

WHEREAS, on November 19, 2007, the Adams County Technical Advisory Committee (TAC), comprised of the County Planning designee, the County Public Works Director, and a County Health Department designee, recommended adoption of the Amended and Restated Unclassified Use Permit Mitigation Agreement to the Commissioners;

WHEREAS, on November 13, 2007, November 19, 2007, and November 26, 2007, the Commissioners discussed the proposed revisions to the Mitigation Agreement and provided opportunity for public comment; and



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Adams County Auditor: Nancy McBroom



EXHIBIT A

WHEREAS, WMW and the County agree to amend the 1994 Mitigation Agreement consistent with the terms and conditions of this Amended and Restated Mitigation Agreement to eliminate the Unclassified Use Permit expiration provisions, to provide for certain County solid waste mitigation prior to construction of the Regional Landfill, and to allow for the phased construction and operation of a first phase County Landfill if the County and WMW elects to do so, and of the Regional Landfill, if WMW elects to do so.

NOW THEREFORE having considered the terms of this Amended and Restated Unclassified Use Permit Mitigation Agreement as a whole, the benefits of providing for certain County solid waste mitigation prior to construction of the Regional Landfill, and the efficiencies in eliminating the Unclassified Use Permit expiration provisions;

NOW THEREFORE BE IT HEREBY RESOLVED that the Adams County Commissioners find that the Amended and Restated Unclassified Use Permit Mitigation Agreement is warranted to make available certain benefits of providing for certain County solid waste mitigation prior to construction of the Regional Landfill, to allow for the phased construction and operation of the Landfill, and to eliminate the Unclassified Use Permit expiration provisions. The Commissioners find that this amendment and restatement of the Mitigation Agreement does not constitute a substantial change in a material provision of the Unclassified Use Permit because (a) allowing phased construction and operation of the Landfill does not change the environmental standards and conditions applicable to the facility; (b) all County and State standards applicable to the Landfill will continue to apply; (c) Adams County's Unclassified Use Permit Ordinance sets no time limits by which construction and operation must commence; (d) the Health Department has issued a one-year renewal of the Full Permit; and, (e) providing solid waste mitigation prior construction of the Regional Landfill is a benefit to Adams County; and,

BE IT FURTHER RESOLVED that the Adams County Commissioners do hereby approve the Amended and Restated Unclassified Use Permit Mitigation Agreement attached to this Resolution as Attachment 1 and authorize the same to be executed, and

BE IT FURTHER RESOLVED that the Adams County Commissioners do hereby agree to amend the Settlement Agreement dated January 6, 1994 and the First Amendment to the Settlement Agreement dated July 1, 1999 as provided for in the Amended and Restated Unclassified Use Permit Mitigation Agreement.

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EXHIBIT A



DATED this 26th day of November, 2007.



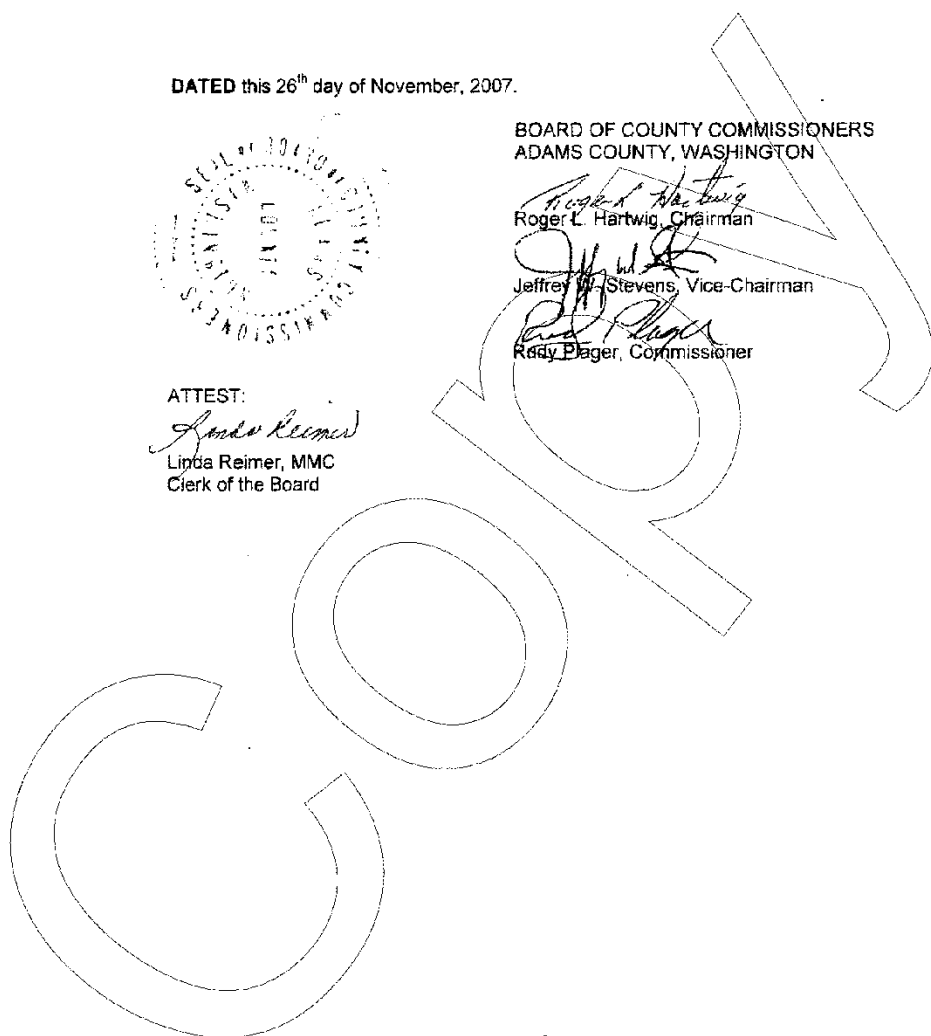
BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, WASHINGTON

Roger L. Hartwig
Roger L. Hartwig, Chairman

Jeffrey W. Stevens
Jeffrey W. Stevens, Vice-Chairman

Rddy Peger
Rddy Peger, Commissioner

ATTEST:
Linda Reimer
Linda Reimer, MMC
Clerk of the Board





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Adams County Auditor, Nancy McBroom



EXHIBIT A

ATTACHMENT 1

AMENDED AND RESTATED
ADAMS COUNTY UNCLASSIFIED USE PERMIT MITIGATION AGREEMENT

This AMENDED AND RESTATED ADAMS COUNTY UNCLASSIFIED USE PERMIT MITIGATION AGREEMENT ("Amended Mitigation Agreement" or "Agreement") is entered into by and between Waste Management of Washington, a Washington corporation ("WMW"), and Adams County, a Washington municipal corporation, ("the County").

RECITALS

WHEREAS, on August 8, 1991 WMW submitted an application to the Board of County Commissioners for Adams County (the "Commissioners") for an unclassified use permit to allow for the construction and operation of a regional solid waste landfill on property located in the southeastern part of Adams County (the "Regional Landfill");

WHEREAS, on February 22, 1994, the Commissioners approved an unclassified use permit for WMW to construct and operate the Regional Landfill and also executed with WMW the *Adams County Unclassified Use Permit Mitigation Agreement* (the "1994 Mitigation Agreement") governing the rights and responsibilities of the County and WMW with respect to the Regional Landfill;

WHEREAS, WMW and Adams County entered into a certain Settlement Agreement dated January 6, 1994, as amended by the First Amendment dated July 1, 1999 (collectively, the "Settlement Agreement"), to settle a dispute related to WMW's use of the Adams County Bruce Landfill as a backup facility in WMW's 1990 bid for disposal of the City of Seattle's solid waste at the Columbia Ridge Landfill in Gilliam County, Oregon;

WHEREAS, the Settlement Agreement provides for WMW to pay Adams County \$ 125 for every ton of solid waste that is transported from the City of Seattle and disposed of at the Columbia Ridge Landfill and such payments shall continue unless/until WMW elects to permanently abandon plans to site, construct and operate a regional landfill in the County;

WHEREAS, the First Amendment to the Settlement Agreement provides for WMW to pay \$30,000 per year of the total amount owed to the County and to accrue the balance owed under the Settlement Agreement, such balance is to be paid to the County at such time as WMW commences operation of the Regional Landfill in Adams County and provides that WMW shall not owe the County the accrued balance if WMW elects to abandon any plans to open a Regional Landfill in Adams County;

WHEREAS, Section XXII.K of the 1994 Mitigation Agreement provides that it may be amended in a writing signed by the County and WMW and that the County may amend the 1994 Mitigation Agreement without also requiring an amendment to the Unclassified Use Permit unless the Commissioners determine, in their discretion, that the proposed amendment constitutes a substantial change in a material

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provision of the Unclassified Use Permit that requires public notice and hearing as provided in Adams County Municipal Code Chapter 17.72;

WHEREAS, on June 28, 1999, the Commissioners amended the Mitigation Agreement by extending the deadline for WMW to commence construction of the Regional Landfill until May 31, 2007, and the deadline for commencing operation of the Regional Landfill until May 31, 2009;

WHEREAS, on May 29, 2007, the Commissioners amended the Mitigation Agreement by extending the deadline for WMW to commence construction of the Regional Landfill until August 31, 2007;

WHEREAS, on August 27, 2007, the Commissioners amended the Mitigation Agreement by extending the deadline for WMW to commence construction of the Regional Landfill until November 30, 2007;

WHEREAS, WMW and the County are interested in amending the Settlement Agreement in order to maintain the option for future construction and operation of the Adams County Regional Landfill, consistent with the provisions of the Unclassified Use Permit;

WHEREAS, subject to solid waste procurement requirements, as necessary, WMW and the County are interested in amending the Mitigation Agreement in a manner that will allow the County to reduce its solid waste disposal costs potentially prior to and even if the Landfill is not constructed;

WHEREAS, subject to solid waste procurement requirements, as necessary, WMW and the County are interested in amending the Mitigation Agreement in a manner that will allow for the phased construction of the Landfill, by WMW constructing and the County operating a landfill (the "County Landfill") that is substantially smaller than the Regional Landfill for managing municipal solid waste and other solid waste materials generated within Adams County and certain limited quantities of solid waste generated outside of Adams County, and will apply appropriate mitigation from the Mitigation Agreement to each phase of the Landfill development;

WHEREAS, Adams County Code does not require that an Unclassified Use Permit must have an expiration date;

WHEREAS, WMW is willing to offer certain County solid waste disposal mitigation options prior to construction of the Regional Landfill in consideration for the County's agreement that the Unclassified Use Permit will not lapse even if construction of the Regional Landfill does not commence prior to the dates specified in the Mitigation Agreement, as amended, to address certain terms of the Mitigation Agreement related to County solid waste mitigation;

WHEREAS, WMW and the County agree that certain provisions of the Mitigation Agreement have either already been satisfied, or are no longer necessary and appropriate to mitigate impacts from the County Landfill or the Regional Landfill, or that certain of the mitigation measures in the Mitigation



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Adams County Auditor: Nancy McBroon

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Agreement should only be required upon construction and operation of the Regional Landfill, as opposed to the smaller County Landfill and, therefore, the parties are desirous of making certain amendments to the Mitigation Agreement to reflect this:

WHEREAS, on November 13, 2007, the County issued a Notice of Adoption and Addendum to the Final Environmental Impact Statement for the proposed actions contained in this Amended and Restated Unclassified Use Permit Mitigation Agreement, and

WHEREAS, WMW and the County agree to amend the Mitigation Agreement consistent with the terms and conditions of this Amended Mitigation Agreement to eliminate the Unclassified Use Permit expiration provisions, to provide for certain County solid waste mitigation prior to construction of the Regional Landfill, and to allow for the phased construction and operation of a first phase County Landfill if the County and WMW elects to do so, and of the Regional Landfill, if WMW elects to do so.

NOW THEREFORE, ADAMS COUNTY AND WASTE MANAGEMENT OF WASHINGTON AGREE AS FOLLOWS:

I. ESTABLISHMENT OF TECHNICAL ADVISORY COMMITTEE

- A. Purpose and Establishment - The Parties have established a Technical Advisory Committee ("TAC") that is the review and advisory body making recommendations to the Board of County Commissioners ("Commissioners") also sitting as the Adams County Health Department ("Health Department") regarding compliance with the terms of this Amended Mitigation Agreement. In each case in this Agreement where information is to be submitted to or approvals are required from the Health Department, the Commissioners may, in their sole discretion, submit the information to the TAC for its review and recommendation before taking action.
- B. Membership - The TAC shall consist of the following members:
 - 1. Adams County Planning Director or designee;
 - 2. Adams County Public Works Director or designee; and
 - 3. Director of Adams County Health Department or designee.
- C. Jurisdiction of Commissioners or Board - The Health Department has jurisdiction over many subjects in this Amended Mitigation Agreement pursuant to RCW 70.95, WAC 173-304 and WAC 173-351 as they now exist or may be later amended. However, pursuant to the State Environmental Policy Act, the County has determined and it is agreed that the Commissioners also should have a decisionmaking role in those areas of Landfill construction, operation and closure where necessary to assure satisfactory accomplishment of mitigation deemed necessary pursuant to the EIS review completed for this project and pursuant to the Commissioners' unclassified use permit authority. The

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Adams County Auditor, Nancy McBroom

EXHIBIT A



standards for a decision by the Health Department shall be those set forth in this Agreement and any applicable law or regulation. The TAC shall review and make a recommendation to the Commissioners (also sitting as the Health Department) on the following matters:

1. The wildlife enhancement plan described in Section IX.I of this Agreement;
2. Placement and number of traps and host plants for monitoring of potential pest transmission as described in Section X.M of this Agreement;
3. Contingency plan for agricultural product disparagement issues as described in Section XIV.C of this Agreement;
4. Construction Quality Assurance/Quality Control described in Section VIII.A below;
5. Special waste plan required by Section VII below;
6. Closure and post-closure plans required by Section VIII.D below, including without limitation any request to shorten the 30 year post closure monitoring period;
7. Groundwater monitoring plan and design;
8. The results of the groundwater monitoring conducted as required by Section VIII.E below; and
9. Other requirements of WAC 173-304 and WAC 173-351 as they now exist or may later be amended that are not specifically addressed in this Section.

II. SOLID WASTE DISPOSAL OFFER

- A. Pursuant to the terms of this Agreement, WMW agrees to offer to provide free solid waste disposal at Waste Management Disposal Services of Oregon, Inc.'s Columbia Ridge facility ("Columbia Ridge"), or another mutually agreeable landfill facility owned and/or operated by a subsidiary of Waste Management, Inc. ("WMI"), for Authorized Waste Materials (the "Columbia Ridge Disposal Offer") after the expiration of the County's current solid waste disposal contract on June 30, 2011. Provided, however, if necessary to comply with the State's procurement laws, any of the WMW obligations in this Agreement related to this solid waste disposal offer, the construction and operation of the County Landfill or the Regional Landfill shall be interpreted to require WMW to offer and continue to offer the obligations and terms specified in this Agreement in response to any County solid waste procurement for the services and facilities specified in this Agreement.
 1. Authorized Waste Materials eligible for free disposal are:
 - a. Household wastes and commercial solid wastes, as defined in WAC 173-351-100, generated in Adams County;



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- b. Household wastes and commercial solid wastes, as defined in WAC 173-351-100, generated outside of Adams County that are approved in advanced by WMW in writing for disposal at the County Landfill;
 - c. WMW hereby approves for disposal household and commercial solid wastes received by the County pursuant to the Interlocal Agreement for Solid Waste Services dated May 16, 2005 between Lincoln County, Washington and Adams County, Washington;
 - d. Incidental quantities of Special Wastes, as defined below, generated within Adams County that are received at transfer stations owned and/or operated by Adams County or a municipality within Adams County; and
 - e. Larger quantities of Special Wastes from commercial, industrial, construction, or environmental cleanups with the prior written agreement of the Parties, including agreement as to quantities, types, disposal rates, and, if agreed, payment of a fee to WMW.
2. WMW and the County agree that the maximum annual amount of Authorized Solid Wastes shall not exceed 20,000 tons per calendar year. If, in the future, the County's Authorized Waste Materials stream described in (1) above approaches 20,000 tons per calendar year, the Parties also agree to amend the 20,000-ton annual limit to reasonably reflect the County's projected waste stream.
- B. Unclassified Use Permit Lapse - The Unclassified Use Permit that is the subject of this Agreement shall not expire as previously provided in the 1994 Mitigation Agreement Section II.C.1 provided that WMW has not notified the County in writing of its intent to abandon its right to construct and/or operate the Regional Landfill pursuant to Subsection E.
1. If WMW elects, in its sole discretion, to abandon its right to construct and operate the Regional Landfill prior to beginning construction of the County Landfill or the Regional Landfill, the Unclassified Use Permit shall expire on the date of WMW's notice to the County.
 2. If WMW elects, in its sole discretion, to abandon its right to construct and/or operate the Regional Landfill during construction, after construction, or during operation of the County Landfill, the Unclassified Use Permit shall expire for the Regional Landfill phase of the Landfill project on the date of WMW's notice to the County and shall only remain valid for the County Landfill phase.
 3. If WMW elects, in its sole discretion, to abandon its right to operate the Regional Landfill after construction of the Regional Landfill, the Unclassified Use Permit shall continue solely for the purpose of performing any and all required closure and post-closure activities and shall expire, as of the date of WMW's notice to the County, for any and all purposes related to reopening or operating the Regional Landfill.

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- C. Health Department Operating Permit.
1. WMW and the Operator must comply with the terms of the Solid Waste Facility Handling Permit (the "Operating Permit") issued by the County Health Department and renew as required pursuant to WAC 173-351.
 2. The County Health Department will not charge any Operating Permit fees until or unless WMW constructs either the County or the Regional Landfill facility.
- D. Settlement Agreement Payment Due Adams County.
1. Commencing January 1, 2008 and concluding June 30, 2011, WMW will pay to the County the sum of Sixty Thousand Dollars (\$60,000) per year, payable in monthly installments of Five Thousand Dollars (\$5,000) per month, within fifteen (15) days after the end of each month.
 2. Commencing July 1, 2011, WMW will pay to the County the sum of Thirty Thousand Dollars (\$30,000) per year, payable in monthly installments of Two Thousand Five Hundred Dollars (\$2,500) per month, within fifteen (15) days after the end of each month. WMW shall continue paying the County the sum of Thirty Thousand Dollars (\$30,000) per year unless and until WMW notifies the County in writing that WMW has elected to abandon its right to construct and operate the Regional Landfill or WMW stops receiving solid waste at and commences closure of the Regional Landfill.
 3. Accrued Funds.
 - a. WMW entered into a certain Settlement Agreement dated January 6, 1994, as amended by the First Amendment dated July 1, 1999 (collectively, the "Settlement Agreement") with Adams County. Paragraph 1(b) of the Settlement Agreement provides that commencing July 1, 1999, WMW will calculate the monthly tonnage of solid waste transported from the City of Seattle and disposed of at Columbia Ridge and multiply each such ton by twelve and one-half cents (\$.125). This amount less the monthly payments made by WMW shall be the "Accrued Funds" owed by WMW to Adams County. Similarly, WMW shall continue to calculate the accrued funds for the period between January 1, 2008 and June 30, 2011 pursuant to the payment requirements of this section and add that amount (less all monthly payments) to the accrued fund balance owing on January 1, 2008.
 - b. On July 1, 2011, WMW agrees to pay the total Accrued Funds owed to the County as of June 30, 2011 in one-lump sum (the "Accrued Funds Payment").
 - c. WMW's obligation to accrue funds (the difference between the monthly payment required under Subsection D.1 and the total amount owed for the City of Seattle solid waste stream) shall cease on July 1, 2011, and WMW shall only be obligated to pay the amount specified in Subsection D.2 above.



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4. The payment obligations contained within Section II.D of this Agreement supersede and replace the obligations outlined in the Settlement Agreement and the First Amendment to the Settlement Agreement.

E. Termination

1. The Columbia Ridge Disposal Offer described in Subsection A, above, shall continue unless and until WMW notifies the County in writing that WMW has elected to abandon its right to construct the Regional Landfill, or WMW has constructed the County Landfill or Regional Landfill and such Landfill has begun accepting Authorized Solid Waste for disposal. If WMW notifies the County that it elects to abandon its right to construct and operate the Regional Landfill, WMW shall continue to provide free solid waste disposal as described above for a period of TWO (2) years commencing from the date of notice of its intent to abandon its right to construct and operate the Regional Landfill.
2. Upon mutual agreement of WMW and the County, the Parties may proceed with the construction and operation of the County Landfill pursuant to the terms described below. If the Parties elect to construct and operate the County Landfill or if WMW elects to construct and operate the Regional Landfill, WMW's obligation to provide free solid waste disposal as described in Subsection A shall be deemed satisfied as of the date operation commences at the County Landfill or Regional Landfill.

III. DESCRIPTION OF APPROVED LANDFILL

- A. Project Approved – Pursuant to the terms of this Agreement, the Commissioners grant an unclassified use permit for the construction and operation of a non-hazardous solid waste landfill (the "Landfill"), subject to all of the conditions contained in this Amended Agreement. Disposal of solid wastes at the Landfill would involve the disposal of Authorized Solid Wastes as further defined in Sections VI and VII below in a series of lined modules, in accordance with state and federal laws and any and all requirements contained in this Agreement.

1. The Landfill will be constructed and operated in substantial conformance with Alternative 2 as shown on the conceptual site plan attached and incorporated by reference as Exhibit A.
2. Design, construction, operation, closure and post-closure of the Landfill must be in conformance with all of the applicable requirements of RCRA Subtitle D, 40 CFR 258 ("Subtitle D"), Washington Criteria for Municipal Solid Waste Landfills, WAC 173-351 and applicable provisions of the Washington Minimal Functional Standards, WAC 173-304 ("MFS"), as well as any more stringent conditions of this Amended Mitigation Agreement.

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3. Total disposal capacity of the Landfill shall not exceed 90 million tons of Authorized Solid Waste. The maximum annual amount of Authorized Solid Waste for disposal at the Landfill shall be as described in Subsection III.C.5 for the County Landfill and as described in Subsection III.D.3 for the Regional Landfill.
 4. Final closure of the Landfill must comply with all the closure and post-closure requirements in Section XI below.
- B. Phased Approach – The Parties have agreed it may be beneficial to develop, construct, and operate the Landfill in a phased approach, as described in this Agreement. Provided, however, if necessary to comply with the State's solid waste procurement laws, any of the WMW obligations in this Agreement related to construction and operation of the County Landfill or the Regional Landfill shall be interpreted to require WMW to offer and continue to offer the obligations and terms specified in this Agreement in response to any County solid waste procurement for the services and facilities specified in this Agreement:
1. For the first phase, upon mutual agreement of the Parties, WMW will construct, or offer to construct and the County will operate, or will be offered the opportunity to operate, pursuant to an Operating Agreement, including, but not limited to, provisions reasonably negotiated to achieve the bullet points outlined in Exhibit B, a substantially smaller landfill for managing municipal solid waste, other solid waste materials generated within Adams County, and certain limited quantities of solid waste generated outside of Adams County, the County Landfill, subject to the terms and conditions of this Amended Mitigation Agreement; and
 2. For the second phase, but only if WMW elects in its sole discretion to proceed with the second phase, WMW will construct and operate a larger regional landfill for municipal solid waste in the Pacific Northwest and elsewhere, the Regional Landfill, as approved in 1994 by the Commissioners, subject to terms and conditions of this Amended Mitigation Agreement.
- References in this Amended Mitigation Agreement to the "Landfill", without specifying the County Landfill or the Regional Landfill, shall mean both the County and the Regional Landfill. References in this Amended Mitigation Agreement to the "Operator" shall mean the County for the County Landfill and WMW for the Regional Landfill.
- C. Phase One: County Landfill.
1. WMW shall be responsible for, or offer to be responsible for, construction of the County Landfill, including additional cells and necessary improvements, and shall provide, or offer to provide, to the County certain heavy equipment, as specified in Exhibit B, for the County to operate the County Landfill. This obligation shall continue unless and until WMW notifies the County in writing at least 90 days in advance that WMW has elected to abandon its right to construct the Regional Landfill. If WMW notifies the County of its decision to abandon its right to construct



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the Regional Landfill, WMW shall provide a minimum of two (2) years disposal capacity, either in a cell at the County Landfill, or at an alternative WMW landfill location, as described in Subsection E.2 below. The County Landfill shall be constructed and operated in the area depicted on Exhibit C (attached hereto) as the "County Landfill Area," together with such additional area that is necessary for stormwater detention and leachate collection for operation of the County Landfill. This area may be amended by the Parties from time-to-time.

2. Consistent with the terms of WMW's obligations in Subsection 1 above, the County shall be the Operator of the County Landfill and shall operate, close, and maintain after closure the County Landfill in accordance with this Amended Mitigation Agreement, and all applicable laws, regulations, ordinances, permits, and other legal requirements applicable to the County Landfill. The County's right to operate the County Landfill shall continue unless and until WMW elects, pursuant to written notification 90 days in advance, to operate the Regional Landfill.
3. The Operator shall be responsible for all costs associated with operation and maintenance of the County Landfill and for maintenance of the initial equipment as well as the eventual equipment replacement, in accordance with this Amended Mitigation Agreement and an Operating Agreement, including, but not limited to, provisions reasonably negotiated to achieve the bullet points outlined in Exhibit B.
4. The Operator shall operate the County Landfill for the benefit of the residents, businesses, and municipalities of Adams County and shall only accept for disposal the Authorized Waste Materials defined in Section III.A.1.
5. WMW and the County agree that the maximum annual amount of Authorized Solid Waste disposed of at the County Landfill shall not exceed 30,000 tons per calendar year. If, in the future, the County's waste stream approaches 30,000 tons per calendar year, the Parties also agree to amend the 30,000-ton annual limit to reasonably reflect the County's projected waste stream.
6. The Parties agree to execute an Operating Agreement, including, but not limited to, provisions reasonably negotiated to achieve the bullet points outlined in Exhibit B, which shall govern the operation of the County Landfill, within SIX (6) months of mutually agreeing to construct and operate the County Landfill.

D. Phase Two: Regional Landfill.

1. At any time, WMW may elect to notify the County that WMW intends to proceed with the implementation of the second phase of the Landfill. If the County is operating the County Landfill and unless otherwise agreed in writing by the Parties, WMW shall provide the County with at least NINETY (90) days advance written notice of the date (the "Transition Date") when WMW shall assume responsibility for the operation of the Regional Landfill.

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2. After the Transition Date, WMW shall be the Operator of the Regional Landfill and shall construct, operate, close, and maintain after closure the Regional Landfill in accordance with this Amended Mitigation Agreement and all applicable laws, regulations, ordinances, permits, and other legal requirements applicable to the Regional Landfill.
3. The maximum annual amount of Authorized Solid Waste for disposal at the Regional Landfill will be an average of 4,000 tons/day, six days per week. As part of its Operating Permit application, WMW shall prepare a contingency plan as further described in Section X.C below to address contingency situations described in that section, including any potential impacts or mitigation necessary to address the potential situation where the Authorized Solid Waste disposed of at the Regional Landfill in any 24-hour period might be in excess of the annual average 4,000 tons per day allowed by this section. Whenever the average annual amount of Authorized Solid Waste proposed for disposal exceeds 4,000 tons per day, the County shall conduct additional environmental review addressing the impacts of the disposal in excess of an annual average of 4,000 tons per day. This review must be completed and any additional conditions imposed before the excess may be disposed of in the Regional Landfill. The TAC shall study the additional environmental review and make recommendation(s) to the Commissioners as to whether the change requires any additional mitigation measures and/or an amendment to the Unclassified Use Permit. Any required amendment to the Unclassified Use Permit shall comply with the following notice and public hearing requirements: (1) the Adams County Planning Commission shall review the proposed amendment to the Unclassified Use Permit and submit its recommendation to the Commissioners; (2) the review by the Planning Commission shall include a public hearing; (3) notice of the public hearing shall be mailed to all owners of real property, as shown in the records of the County Assessor, located within three hundred feet of any portion of the Landfill site, or to all owners of real property within 300 feet of any adjacent parcel owned by WMW, whichever is greater; (4) notice shall be sent at least ten days prior to the scheduled public hearing and published not less than ten days prior to the hearing in a newspaper of general circulation within the County and a newspaper of general circulation within the Landfill site area; (5) all hearing notices shall include a description of the Landfill site; (6) the Commissioners shall consider the Planning Commission's recommendation and either approve, approve with conditions, or deny the proposed amendment to the UUP; and (7) the Commissioners may, at their discretion, hold an additional public hearing prior to making a final decision, provided public notice of the hearing is provided as described above.

E. Termination

1. Abandonment of the County Landfill. At any time during operation of the County Landfill, the County may elect to notify WMW that the County intends to abandon



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its operation of the County Landfill, provided the County provides WMW at least NINETY (90) days written notice of its intent to abandon. Prior to abandonment, the County will close the County Landfill in compliance with Section XI. If the County elects to abandon the County Landfill before WMW is ready to construct and operate the Regional Landfill, the Unclassified Use Permit will not lapse.

2. Abandonment of the Regional Landfill. At any time during operation of the County Landfill or after closure of the County Landfill, WMW may elect to abandon its plans to proceed with the construction and operation of the Regional Landfill, provided that, during operation of the County Landfill, WMW must provide or construct sufficient landfill capacity at the County Landfill to ensure at least TWO (2) years disposal capacity from the date of its notice of its intent to abandon the Regional Landfill or must guarantee the County TWO (2) years of free waste transfer and disposal at another WMW landfill. Within THREE (3) months after WMW's notice to the County of its intent to abandon the Regional Landfill, WMW shall assign all of WMW's rights, duties, and obligations under this Amended Mitigation Agreement to the County, and the County shall agree to the assignment of those provisions of this Agreement that are relevant to the County Landfill. In addition, WMW shall transfer to the County its ownership of the real property comprising the County Landfill Area plus enough adjacent real property to provide at least 30 years of County solid waste disposal for the price of ONE (1) dollar. In conjunction with this transfer of real property, WMW shall encumber a ONE THOUSAND (1,000) foot buffer property to prohibit any future inconsistent uses.

- F. Ceasing Landfill Operations. If the Operator ceases operations at the Landfill for greater than 1 year, (i.e., no Authorized Solid Waste is disposed of at the Landfill during that period), unless due to uncontrollable circumstances as described in Section XX.E below, the Operator must initiate the closure requirements of Section XI below as also required by WAC 173-351.

- G. Subsequent Review of Project Impacts and Imposition of Additional Conditions.
Application of New Regulations. Any time that changes in the state and federal laws and regulations applicable to landfill construction or operations become effective, the new laws and regulations shall apply to the Landfill. The new laws and regulations shall apply to both construction of the Landfill and to operations of the Landfill through the Operating Permit. This includes, but is not limited to, any new state or federal laws or regulations that may be adopted in the future requiring the local government to impose a fee, tax, or other charge on the solid waste facility and/or its operations. Nothing in this section shall be interpreted to be a waiver by WMW of its right to challenge the constitutionality or applicability of any such law requiring a fee, tax or charge.

IV. DESCRIPTION OF ASSOCIATED REGIONAL LANDFILL USES

- A. Recycling Component

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1. If WMW elects to construct and operate the Regional Landfill, WMW voluntarily agrees to pay annually to Adams County a recycling grant in the amount of TWENTY THOUSAND DOLLARS (\$20,000).
2. To meet the state priority for landfilling source-separated waste over MSW, Authorized Solid Waste brought to the Regional Landfill pursuant to a contract between WMW and a municipal jurisdiction must be subject to approved local solid waste management and moderate-risk waste management plans, and an acceptable waste reduction and recycling (WR/R) element.
3. At a minimum, private Authorized Solid Waste generators not part of a municipal contract subject to the provisions of Subsection A.2 above must be from jurisdictions that have an approved solid waste plan that includes the private generator's waste stream or from a jurisdiction that otherwise meets the requirements of RCW 70.95.
4. For any Authorized Solid Waste stream from outside the State of Washington, the Department of Ecology shall verify that the Authorized Solid Waste stream meets the requirements of RCW 70.95.217 and .218 prior to that Authorized Solid Waste stream being disposed of at the Regional Landfill. Provided that, in the absence of any such determination by the Department of Ecology, Adams County shall make such verification. The private generator must be operating consistent with the requirements of the applicable solid waste plan.

B. Pilot Composting Program

1. WMW may establish a pilot composting program at the Regional Landfill which is designed to test the feasibility of composting the organic portion of the Authorized Solid Waste stream for potential use as a soil enhancement. The compost material produced would be added to a soil enhancement area and the results evaluated to determine the effectiveness of the compost, and the need for continuation of the pilot program. If WMW establishes a pilot composting program, WMW may set up the pilot composting program with sufficient funds to educate potential consumers of the compost. WMW will use independent agencies to evaluate the acceptability of the soil enhancement.
2. WMW may divert a portion of the Authorized Solid Waste stream to the pilot composting project for a sufficient period of time to allow a reasonable opportunity to test alternatives. If WMW establishes a pilot composting program, WMW shall develop an acceptable program in consultation with the Washington State University Extension Service with input from TAC.

C. Railroad Unloading Facility (RUF). If WMW elects to operate the Regional Landfill, the following requirements shall apply:



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1. The Unclassified Use Permit allows construction of a railroad unloading facility ("RUF") adjacent to the Union Pacific Railroad alignment north of Hooper junction to allow unloading of containers of Authorized Solid Waste from service areas utilizing a containerized shipment system.
2. The RUF will be designed and constructed to comply with Subtitle D, WAC 173-351 and WAC 173-304 and to allow flexibility in delivery schedules and equipment utilization.
3. Stormwater and other relevant construction requirements of Section IX also apply to construction of the RUF.
4. To accommodate 24 hour delivery of the Authorized Solid Waste, Authorized Solid Waste containers delivered after disposal operating hours will be stored in a secure area until the operations commence. In no event shall storage of full containers be allowed at the RUF in excess of 72 hours.
5. The RUF entrance either will be locked or attended by WMW personnel at all times. WMW personnel will be present at any time Authorized Solid Waste is being loaded or unloaded and during all operating hours.
6. RUF construction activity shall not be located within 200 feet from a shoreline as defined by the Adams County Shoreline Master Program.

V. REQUIRED PERMITS

- A. WMW or the Operator, as applicable, must obtain all required permits, including but not limited to those for construction and operation of the Landfill, accessory uses and buildings, recycling and composting facilities, transfer stations and the RUF, and those required, for any off-site improvements including but not limited to roads and rail lines.
- B. If Adams County staff is required to participate in review of or WMW's obtaining required permits for the Regional Landfill, including any renewals, or if the County is required to hire consultants to complete this permit review, WMW will reimburse the County for the cost of this staff and consultant's time pursuant to Ordinance No. 0-2-90, as amended. The County shall bear its own costs if Adams County staff is required to participate in review of or WMW's obtaining required permits for the County Landfill, including any renewals, or if the County is required to hire consultants to complete this permit review. WMW and the County will make commercially reasonable efforts to jointly select consultants to decrease costs incurred to complete permit review.

VI. UNACCEPTABLE OR HAZARDOUS WASTE

- A. The Landfill is permitted to accept only those solid wastes allowed in WAC 173-351 subject to the limitations of Section VI of this Agreement and the solid wastes as further defined in Section VII below, ("Authorized Solid Waste"). Except as limited herein (e.g.,

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tonnage limitations, out-of-county waste, etc.), the Landfill is expressly permitted to accept Authorized Solid Waste from all sources, including, but not limited to, industries, Indian tribes and Local, State or Federal Governments, whether or not the Authorized Solid Waste is generated from inside or outside of the state of Washington.

- B. WMW and the Operator are prohibited from knowingly accepting or disposing of:
1. Hazardous or "dangerous" wastes as defined in WAC 173-303, "hazardous wastes" as defined under RCRA Subtitle C and any household hazardous waste or other moderate risk waste that has been separated from the solid waste stream and separately collected.
 2. Municipal solid waste incinerator ash.
 3. Any solid waste that contains radioactive material regardless of whether the waste meets regulatory thresholds for disposal as a low-level radioactive waste pursuant to the low-level Radioactive Waste Policy Amendments Act of 1985, Public Law 99-240, provided that nuclear medicine waste material decayed below background levels in accordance with existing practice may be accepted as allowed by state solid waste regulations.
- C. Neither WMW nor the Operator shall own or construct a facility on this property or any other property acquired adjacent to this property for:
1. long-term storage or treatment of hazardous or dangerous wastes
 2. disposal of hazardous or dangerous wastes
- D. WMW will establish a procedure for preventing disposal of unacceptable and/or hazardous or dangerous waste that it receives at the Landfill and for proper handling and proper disposal of those wastes elsewhere at a properly permitted facility. This handling procedure must, at a minimum, comply with the requirements of applicable state and federal law, including WAC 173-351 and be reviewed and approved by the Health Department prior to starting construction of the Landfill. The procedure may include such methods as:
1. Random inspection of loads;
 2. Viewing the contents prior to actual disposal of waste;
 3. Use of material data forms and possibly test results of wastes from industrial generators where required prior to acceptance of the waste.
- E. The Operator shall refuse the disposal of waste deemed unacceptable and/or hazardous or dangerous by either returning it to the source or disposing of it in accordance with law at a permitted facility. Until the unacceptable, hazardous or dangerous waste is returned or disposed of properly, the Operator shall store any unacceptable, hazardous or



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dangerous waste in compliance with applicable generator requirements in accordance with WAC 173-303 and shall remain accountable for unacceptable, hazardous or dangerous wastes.

VII. SPECIAL WASTES

- A. WMW shall prepare, with assistance from the Operator, a comprehensive Special Waste Management Plan in compliance with the Adams County Solid Waste Management Plan, 2003 Update, similar in form and substance to the special waste management plan prepared for the Columbia Ridge Landfill in Gilliam County, Oregon. The procedures for handling special waste must, at a minimum, comply with applicable provisions of WAC 173-351, as well as any other relevant provisions of this Agreement. The contents of the special waste plan must be approved by the Health Department prior to starting construction of the Landfill.
- B. The Special Waste Plan shall include procedures for handling the following special wastes, but shall not allow their disposal in the Landfill:
 - 1. waste oil;
 - 2. lead acid batteries, which shall further comply with the requirements of RCW 70.95.010 et seq.;
 - 3. white goods, including a plan for recovery of CFC.
- C. The Special Waste Plan shall include procedures for handling and disposal in the landfill of the following special wastes:
 - 1. contaminated soils that are not hazardous;
 - 2. sludges and septage, including but not limited to mixtures of solid waste and sludge or septage;
 - 3. tires;
 - 4. household hazardous waste and moderate risk waste that have not been separated from the solid waste stream;
 - 5. chemical containers;
 - 6. agricultural crop waste;
 - 7. construction, demolition and land clearing waste;
 - 8. asbestos;
 - 9. medical and infectious waste;

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10. other materials identified in the Special Waste Plan that are difficult to manage because they may present personnel safety hazards, create odor and vector problems, generate excessive leachate, lead to excessive settlement, puncture or tear the landfill liner, pose a fire hazard or increase potential toxicity of landfill leachate.
- D. Documentation of waste characteristics shall be kept by the Operator on all special waste and include the results of waste testing when required.
- E. In the event of a change in federal or state law to allow disposal of waste not previously allowed, or to raise threshold limits, thereby allowing a greater concentration of what was previously an unacceptable waste or a special waste stream to be landfilled, (a "Reclassified Waste"), and if the Operator is considering accepting such waste, then the Operator must obtain WMW's and the Health Department's approval of the Operator's plan for receipt of the Reclassified Waste. The Health Department can condition the method of handling and disposal of any Reclassified Waste or prohibit the disposal of a Reclassified Waste if done according to applicable law.

VIII. QUALITY CONTROL AND MONITORING

A. Construction Plan/QAQC

1. WMW must submit a Quality Assurance/Quality Control ("QAQC") plan for construction required by WAC 173-351 to the Health Department for approval prior to starting construction of the Landfill. This plan shall be similar in form and content to the QAQC plan prepared for the Columbia Ridge Landfill in Gilliam County, Oregon.
2. WMW is responsible for hiring the QAQC personnel. The Health Department, operating through the TAC, has the right to monitor and inspect the QAQC program. For QAQC related to the construction of the Regional Landfill only, WMW will reimburse the County's costs pursuant to Ordinance No. 0-2-90, as amended, and the Health Department's costs pursuant to applicable Health Department ordinances or by separate agreement with the Health Department. For QAQC related to the construction of the County Landfill, the County shall bear its own costs if Adams County staff is required to monitor or inspect the QAQC program.

B. Cultural Resources Plan

1. As part of the construction plan, WMW will develop a cultural resources preservation plan to responsibly manage all cultural and historic resources located at the facility throughout the life of the project. The plan will be negotiated with Adams County in consultation with other interested parties including Native American groups, if their resources are affected.



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2. The plan will include, at a minimum, the requirement that if any cultural artifacts are encountered during any construction or landfill activity, all operations and/or construction shall immediately cease in the vicinity of where the artifacts were discovered, proper authorities shall be notified, and no further construction or operation shall occur in the location where the artifacts were discovered except pursuant to an approved cultural resources preservation plan.
- C. Operations Plan. WMW must develop, in cooperation with the Operator, and submit to the Health Department for review and approval prior to WMW commencing construction, a plan of operation in conformance with the requirements of WAC 173-351, as well as any other relevant conditions of this Agreement. Such plan will describe the facility's operation and be used by operating personnel for safety and emergency actions.
- D. Closure and Post Closure Plan
 1. WMW must submit to the Health Department for approval, prior to commencing construction of the Landfill, a closure and post closure plan that meets the requirements of WAC 173-351.
 2. The Operator of the Landfill shall provide financial assurance consistent with WAC 173-351-600, including establishment of a financial assurance mechanism that meets the requirements of WAC 173-351-600(5).
- E. Recordkeeping
 1. WMW (for construction-related activities) and the Operator (for operation-related activities) shall keep records of construction, operation, maintenance, testing, sampling, monitoring, closure and post-closure, including all raw data sheets, in a form acceptable to the Health Department and required for the Health Department under WAC 173-351, including the information listed below. The following information shall be included:
 - a. Records of permits;
 - b. Inspection records, training procedures and notification procedures as required in WAC 173-351;
 - c. Procedures for excluding hazardous waste, dangerous waste and unacceptable waste, for proper handling of special waste and inspection documents associated with the plan of operation;
 - d. Gas monitoring results and remediation plans required by WAC 173-351;
 - e. Any information, testing, monitoring, etc. required by groundwater monitoring and corrective action under WAC 173-351;
 - f. Major deviations from the plan of operation required in Subtitle D and MFS;

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- g. Daily records of weights of solid waste, types of waste and sources of waste received at the facility;
 - h. Climatic records;
 - i. Surface water monitoring records;
 - j. Records of agency or citizen complaints and the Operator's response; and
 - k. Posted disposal fees.
2. WMW (for construction-related activities) and the Operator (for operation-related activities) must notify the Health Department and the County when any new documents required under Section VIII.E, the recordkeeping section, have been added to the operating record.
3. All records, including raw data sheets, must be made available to the Health Department or the County on request at all reasonable times for inspection by the Health Department, the County or their agents, in accordance with Subsection G.1.
4. The Operator shall make annual reports to the Health Department and the Commissioners including the following information on operating activities, as required by WAC 173-351, for the previous year:
- a. Summary of operations, including solid waste volumes
 - b. Permit status
 - c. Facility capacity information
 - d. Ground-water and surface water monitoring results
 - e. Gas monitoring results
 - f. Any complaints by agencies or members of the public and the Operator's response, including, but not limited to, any lawsuits and administrative actions involving the Landfill
 - g. Nothing in this section shall prohibit the TAC from requesting some or all of this information on a more frequent basis if reasonably deemed necessary to adequately monitor the Landfill operations.

F. Monitoring

- 1. Monitoring of Landfill construction and operations, final cover, groundwater and landfill gas generation will be conducted as required by Sections IX, X, and XI of this Agreement and by relevant sections of WAC 173-351 as now exist or as may be later amended.
- 2. WMW shall submit monitoring plans required by WAC 173-351 to the Health Department for approval prior to construction of the Landfill.



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3. If consultants are needed for the monitoring required by Sections IX, X, and XI of this Agreement and by relevant sections of WAC 173-351 as now exist or as may be later amended, WMW and the County agree to strive to jointly hire such consultants. The allocation of responsibility for monitoring shall be established pursuant to an Operating Agreement, as described in Section III.C.6.

G. Inspections

1. The County and the Health Department, through the TAC, have the right to conduct periodic inspections during regular business hours without notice or by appointment if not during regular business hours.
2. The Parties shall cooperate to develop a reasonable inspection checklist for use during inspections.
3. WMW and the Operator shall grant immediate access to the facilities upon reasonable request by the County or the Health Department.
4. For inspections related to the operation of the Regional Landfill only, WMW will reimburse the County's costs pursuant to Ordinance No. 0-2-90, as amended, and the Health Department's costs pursuant to applicable Health Department ordinances or by separate agreement with the Health Department. For inspections related to the operation of the County Landfill, the County shall bear its own costs.

IX. CONSTRUCTION REQUIREMENTS

- A. Overall Requirements. The requirements of this Section IX shall apply during the construction of the Landfill, including the construction of Landfill cells during the operating life of the Landfill.

1. WMW shall design and construct the Landfill, accessory operations and facilities in accordance with the design standards of WAC 173-351 and WAC 173-304 and all other applicable laws and regulations, including future amendments, and any conditions of this Agreement deemed more stringent than the laws and regulations identified above. Consistent with MFS and standard industry practices for Subtitle D landfills, WMW shall have oversight authority over the Operator for any operation or maintenance activities on the Landfill, or as otherwise provided in an Operating Agreement, as described in Section III.C.6.
2. WMW shall submit a construction QAQC plan for review and approval by the Health Department in accordance with Section VIII.A above. All construction shall also be in conformance with the approved QAQC plan.
3. Open Landfill modules shall be constructed in phases to minimize disturbance of the site. Further, WMW must complete the entire cell liner construction prior to disposing of any Authorized Solid Waste in any portion of that cell.

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4. WMW shall apply water or dust-suppressing materials as necessary to reduce dust generated on dirt or gravel roads, haul routes, and maintenance/storage areas.
 5. WMW shall implement used oil recycling for oil used by WMW.
 6. WMW shall implement solvent recovery programs for solvents used by WMW.
 7. WMW shall recycle (retread) all tires used on WMW's heavy equipment, to the extent practicable.
 8. WMW shall meet OSHA requirements for worker health and safety.
- B. Blasting. No blasting in the Landfill footprint will be allowed unless WMW obtains approval from the Health Department. The WMW proposed blasting protocol must provide appropriate assurances, through use of blast sensors or other techniques, that the blasting will have no adverse effect on the Lower Roza flow interiors.
- C. Stormwater Control Measures
1. WMW shall comply with all design requirements of WAC 173-351 and WAC 173-350 for stormwater control.
 2. All storm drainage facilities and surface water diversion facilities shall be designed using management practices required by state NPDES program and are subject to review and approval of Health Department.
 3. All stormwater that historically has flowed through the Landfill footprint area shall be intercepted and diverted around the active area so that no surface water shall come in contact with any portion of a cell which contains solid waste.
 4. All stormwater runoff which comes in contact with solid waste shall be collected and treated in the leachate evaporation pond system. The leachate evaporation ponds shall be sized sufficient to accommodate the stormwater runoff from the 100-year, 24-hour storm. To address the worst case stormwater runoff scenario, the leachate evaporation pond system shall further be sized to accommodate the stormwater runoff that would be generated assuming a 100-year, 24-hour storm on a completely lined cell with no solid waste in place to help absorb some of the runoff.
 5. Stormwater runoff from paved areas, roofs and any other impervious surfaces shall be handled in manner to meet state NPDES program.
- D. Liner System/Evaporation Ponds
1. WMW will construct a liner system described more fully in this section. The liner system will be constructed to comply with all applicable requirements of WAC 173-351 for non-arid design and to meet the additional requirements of this section. The exact design for the liner and the secondary detection/collection system deemed



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necessary to adequately protect the groundwater will be determined during the review and approval of the groundwater monitoring system and during the Health Department's Operating Permit review.

2. Composite Liner. The composite liner shall be designed to comply with all requirements of WAC 173-351 for non-arid design and shall further comply with the minimum requirements set forth below, provided that WMW may request Ecology, and Health Department approval of an alternative liner that is functionally equivalent to the liner required by this subsection. The minimum liner design requirements are:
 - a. Minimum two-foot thick soil liner mixed with bentonite if necessary, moisture-conditioned and compacted to achieve a maximum permeability of 1×10^{-7} centimeters per second.
 - b. HDPE liner with a minimum thickness of 60 mils.
 - c. Geotextile fabric cushion installed on top of the HDPE liner to protect the HDPE from the overlying gravel materials.
 - d. One-foot thick washed gravel transmission layer with high permeability. This material shall be placed and sloped to facilitate leachate drainage and to limit the maximum leachate head to no more than 12 inches at any given point.
 - e. Leachate Collection Piping consisting of HDPE perforated pipes installed in rows in troughs within the gravel drainage layer. Spacing and configuration will be determined as necessary to collect any leachate and transport it to the leachate evaporation ponds. The leachate collection piping will also include riser pipes sufficient to facilitate monitoring, inspection and maintenance of the leachate collection system.
 - f. A second geotextile layer installed above the drainage layer and below the protective soil operations layer to prevent soil from entering and clogging the drainage layer.
 - g. Minimum one-foot thick soil operations layer placed above the second geotextile layer to prevent puncture of the geotextile and/or HDPE layers during solid waste disposal and compaction.
3. Secondary Leak Detection System. A combined leak detection and secondary liquid collection system shall be installed under the composite liner, beneath pipe trenches and sumps and other possible locations where potential liquid flow may occur. The secondary collection trough shall be lined with a minimum 60 mil HDPE and shall be designed with a drainage layer and HDPE pipe to collect any leachate that might leak through the composite liner described above.
4. Leachate Evaporation Ponds. WMW shall construct one or more landfill liquid (leachate) evaporation ponds with an HDPE primary liner, a liquid

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detection/collection drainage layer and an underlying composite HDPE/soil secondary liner similar to that described above for the landfill cell. Leachate collection and evaporation ponds shall be sized to meet WAC 173-351 requirements and further sized according to the stormwater assumptions described in Section IX.C above. Additional land area shall be left undeveloped adjacent to the pond to allow for expanding the pond size if it is determined that additional volume is required anytime during the life of the Landfill. The leachate evaporation ponds shall further be constructed to meet the following requirements:

- a. WMW shall install inflow controls to maximize the available storage in the liquid evaporation ponds, to respond to emergency operational needs, and to prevent potential overflow.
 - b. WMW shall construct the leachate evaporation pond(s) with a minimum 2 feet of freeboard, meeting the Subtitle D and MFS requirements.
 - c. The evaporation ponds shall be fenced to control access.
 - d. The Operator shall periodically test the residual solids in the leachate collection ponds and shall remove and treat the residuals solids, if necessary. Depending on the results of the tests, the residual solids shall either be disposed of in the Landfill or transported to an appropriate disposal facility.
 - e. The Operator shall regularly monitor the liquid level in the leachate collection pond and shall pump it out for disposal at a properly permitted facility if the level ever reaches within 2 feet of the top of the pond berm.
 - f. The Operator shall maintain liquid control facilities in proper operating condition through closure and post-closure.
5. The QAQC construction plan required in Section VIII.A above for both the liner and the leachate pond construction shall meet the requirements of WAC 173-351 and provide, at a minimum, approved QAQC procedures for monitoring the following:
- a. Moisture conditioning of the liner soils during cell construction to meet liner permeability and compaction requirements.
 - b. Surveying to ensure the minimum two feet thickness of clay is met or exceeded at all locations.
 - c. Controlled compaction of underlying foundation soils per standards approved by Health Department as part of the construction plan to protect against differential settlement.
 - d. Proper preparation of the subgrade and use of QAQC approved contractors to reduce the likelihood of puncturing or tearing the HDPE geomembrane liner during installation as a result of careless placement, rough handling, over stressing, or contact with sharp objects.



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- e. Subjecting liner seals to rigorous field tests of every inch of seam to ensure integrity.
- f. Shaping and contouring the liner grades to ensure free drainage of liquids under the force of gravity from all points of the Landfill to the pipes and sumps of the Landfill liquid collection system.
- g. Controlled placement of the landfilled materials performed to minimize instability or differential settling of the materials from occurring.

E. Groundwater Monitoring. WMW shall install groundwater monitoring wells of sufficient number and in the proper locations to meet the requirements of WAC 173-351. The groundwater monitoring system must be reviewed and approved by the Health Department and the Commissioners.

F. Water Supply/Neighboring Wells

- 1. Water for domestic use and for site application shall be supplied by new wells drilled on site or from off site sources. Construction cannot be commenced on the County Landfill or Regional Landfill until evidence of sufficient water supply is approved by the Building Official as required by RCW 19.27.097 and the Health Department as may be required for the Operating Permit.
- 2. If new water supply wells for the facility are located on site, they will not be downgradient of any portion of the Landfill footprint.
- 3. If or when WMW constructs an extraction well in excess of 5,000 gallons per day (gpd), WMW shall document the existing water levels, drawdown conditions, and current use in the existing wells shown on Exhibits B and C and as listed below prior to implementation of the project:

Wells in 15N37E:

22A1, 22H1, 26D1, 26G2, 26G1, 27H1, 27R3, 27R1, 32K1, 32R1, 30H1, 29D1, 28C1, 32L1, 34C1, 32Q1, 32G1, 32O2, 33M1, 33E1, 33D1, 33F1, 34A1, 27R2, 27H2, 26C4, 26C1, 26C2, 26C3

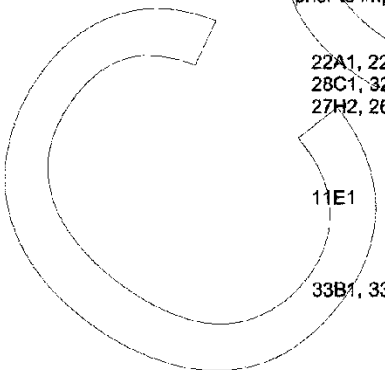
Wells in 15N37E:

11E1

Wells in 15N36E:

33B1, 33A1

Wells in 16N37E:



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Other wells that should also be documented, which are not shown on the attached exhibits are:

Wells in 15N37E:

09N (Dwayne Blankenship), 17D (Blankenship Farms), 31P1

If the well owner will not allow WMW access to document existing well, pump and use conditions, then that well owner is not entitled to the impact presumption described in Subsection 4 below. The well performance parameters to be documented will be proposed by WMW as part of its Operating Permit application and will be reviewed and approved by the Commissioners and the Health Department prior to implementing this condition.

4. The Operator will be responsible for modifying existing off site wells and/or providing alternative adequate water supply in the event extracting of water from the on site wells is shown to materially reduce existing off site capabilities below the levels documented in Subsection 3 above. Any significant change in existing well performance from that documented in Subsection 3 above after operation of the new WMW wells will be entitled to a presumption of the impact being caused by WMW, which may then be rebutted by WMW with evidence of other change in circumstances which could reasonably be a cause for the change in performance. Once rebutted, the presumption is no longer applicable and the general rules for burdens of proof shall apply.
5. WMW shall construct a domestic well of no more than 5,000 gallons per day ("gpd") for the County Landfill. No water storage is required for construction and operation of the County Landfill. If WMW elects to operate the Regional Landfill, WMW shall construct a minimum of 125,000 gallons of water storage tanks or ponds on-site, except that that WMW may request the County to approve a smaller water storage tank adequate to support the water needs of the Regional Landfill.
6. WMW shall construct a water truck loadout facility connected to the aboveground water storage tank or pond in Subsection 5 above located near the maintenance area to expedite filling of water tank trucks and other fire fighting equipment. Tank design and on site equipment shall be compatible with existing Fire Department No. 7 equipment.

G. Wind Erosion

1. Soil stockpiles not being used must be reseeded with native grasses during the next growing season to minimize erosion. Soil stockpiles not used for one year or longer shall be regraded to promote drainage and reseeded.



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2. Periodic watering of active disturbed areas is required where necessary to minimize wind erosion.
- H. Cultural Resources. WMW and the Operator shall comply with all requirements of the approved cultural resources plan described in Section VIII.B above during construction and operation of the Landfill.
- I. Wildlife
1. A wildlife enhancement plan will be prepared by WMW in consultation with the Washington Department of Wildlife and is subject to review and approval by the Commissioners prior to start of construction. The plan will include the following mitigation for both the County Landfill and the Regional Landfill:
 - a. On site trees shall be retained except in the area of the Landfill footprint.
 - b. Fencing would only be installed where necessary to restrict access and/or control vectors, litter and wind erosion. In general, the nonworking areas of the site will not be fenced or will be fenced with a design that will still allow deer movement through the site.
 - c. Construction activities will be restricted during winter months to those areas necessary for operation and development of the facility.
 2. In addition to the above, the wildlife enhancement plan will include the following wildlife mitigation for the Regional Landfill:
 - a. Three artificial nest structures for Swainson Hawks shall be constructed and installed on site. At each of the nest structures, WMW shall plant a cluster of ten trees and shall provide sufficient irrigation to maintain them.
 - b. A wildlife habitat enhancement area will be established in the draw south of the project site in Section 29. Enhancement will include one artificial raptor nest structure, in addition to the 3 nests provided in Subsection 2.a above, and the development of a small pond at the head of the draw, if practicable.
 - c. A long-term management area or areas for protection of the mule deer winter range, approximately 500 acres in size, including the enhancement area in Subsection 2.b above, shall be set aside on land outside of the footprint which is owned or leased by WMW and such areas shall be managed in cooperation with the Washington Department of Wildlife.
 - d. Other areas outside the Landfill footprint will be evaluated for small-scale habitat enhancement potential, such as plantings for wildlife food and cover.
- J. Wetlands. The haul route shall not be constructed within 25 feet of the boundary of the salt pan areas on the project site, and shall further comply with any applicable Adams County Critical Resources Ordinance.

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K. Vegetation

1. Lands taken out of wheat production as a result of the Landfill project will be replanted with a mixture of perennial grasses and forbs after closure.
2. CRP land on the project site not impacted will be maintained to applicable Soil Conservation Service standards.
3. Native vegetation or other plants acceptable to Soil Conservation Service and Washington Department of Wildlife shall be used for all revegetative efforts.

L. Sanitary Sewage. An onsite septic system shall be constructed sufficient for the employees and proposed operation of the Landfill site, except that WMW may substitute a holding tank toilet system instead of an onsite septic system. The septic system and drainfield and/or a holding tank toilet system will be built in conformance with Adams County Health Department and Washington Department of Health standards.

M. Electrical. If electrical service is necessary for the operation of the Landfill, necessary poles and three-phase lines shall be constructed by WMW pursuant to an agreement regarding cost and installation with the electric utility.

N. Building Construction. If buildings are constructed as part of the Landfill, WMW agrees to equip buildings at the Landfill with fire extinguishers and sprinklers. Buildings shall otherwise be constructed to meet 2006 International Building Code and International Fire Code requirements.

O. Mullan Road

1. Approval of Alternative 2 for the proposed landfill footprint will eventually allow WMW to deposit solid waste in a portion of the current right of way for Mullan Road.
2. Prior to the development of Module 15, as defined in Alternative 2, WMW agrees to construct a visual screen between the existing Mullan Road alignment and the active Landfill Area. WMW further agrees to provide what fencing or other security measures may be deemed reasonably necessary to protect the landfill operations from intrusion by users of the public Mullan Road. This security plan shall be part of the Operations Plan and shall be approved by the Health Department prior to construction of the landfill.
3. Prior to WMW removing the visual screen required in Subsection O.2 above and prior to disposing of any solid waste within the existing Mullan Road right of way, WMW must either obtain Commissioner approval to vacate Mullan Road entirely or to vacate the existing right of way for Mullan Road and to relocate Mullan Road to another location approved by the Commissioners that will adequately serve the public interest.



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4. If Mullan Road is relocated, WMW will pay all costs necessary to relocate and reconstruct Mullan Road to meet existing County road standards.
5. Nothing in this Agreement shall constitute any decision regarding whether to vacate Mullan Road. That is subject of specific and separate County action pursuant to the requirements of RCW 36.87.

P. Gas Management

1. When required by state regulation, WMW will provide a passive control system for the emission of gas that meets the requirements of WAC 173-351. The proposed control system is subject to review and approval by the Health Department. An active system would be installed when and if sufficient quantities of gas are produced to make cogeneration economically feasible.
2. Any onsite enclosed buildings shall be constructed in excess of 100 feet from any portion of the Landfill footprint to minimize potential landfill gas migration concerns and explosion hazards.

Q. Traffic Safety

1. This Amended Mitigation Agreement assumes that Mullan Road will be used as the primary route for ingress and egress from the County Landfill.
2. If, however, Gray Road becomes the primary route for ingress and egress to the County Landfill, or if WMW elects to construct and operate the Regional Landfill, the following requirements shall apply:
 - a. WMW shall reposition the stop bar on the north leg of Gray Road to a location approved by Washington State Department of Transportation (WSDOT) to provide greater sight distance onto SR-26 prior to commencing landfill operations.
 - b. To provide for more efficient circulation and minimize delays at SR-26, prior to commencing operations, WMW shall re-profile the north leg of Gray Road as required by WSDOT to provide for a level approach and to minimize the time needed for trucks to complete a turn onto SR-26.
 - c. WMW will work with WSDOT to determine whether improvements beyond those identified above are necessary to facilitate traffic flow and increase safety at the SR 26/Mullan Road and SR 26/Gray Road intersections. WMW shall participate with WSDOT in monitoring traffic at SR 26 and Gray Road a minimum of once per year to determine if/when improvements may be necessary. If the Level of Service (LOS) at the intersection drops below LOS C, then WMW will pay its fair share of any improvements deemed necessary by WSDOT to restore the LOS to C or better.

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X. OPERATIONAL REQUIREMENTS

- A. No Public Nuisance – The Operator shall operate the Landfill and associated facilities in a manner so as not to create a public nuisance.
- B. General Criteria - The Landfill shall be operated in accordance with the operating criteria of WAC 173-351 and WAC 173-304, as well as any additional requirements specified in this Agreement.
- C. Contingency Plan
 - 1. If WMW elects to construct and operate the Regional Landfill, WMW shall submit to Health Department for approval prior to commencing construction of the Regional Landfill a contingency plan describing any potential impacts or mitigation necessary to address the potential situation where the Authorized Solid Waste disposed of at the Regional Landfill in any 24 hour period might be in excess of the annual average 4,000 tons per day allowed by Section III.D.3 above.
 - 2. The contingency plan shall also describe how WMW will respond to temporary or longer term closure of the Regional Landfill operations or the transportation routes to the Regional Landfill or other emergencies that may prevent continued operation of the Regional Landfill as envisioned in this Agreement. The contingency plan for short or longer term closure shall include, at a minimum, the following provisions:
 - a. provision for back-up landfill facilities
 - b. provision for solid waste storage such as agreements with local jurisdictions to store their solid waste at the source
 - c. procedures for notice, choice of options and Health Department and/or County approval of options
 - 3. If contingency plan includes potential for increasing daily truck traffic beyond the 63 trucks per day discussed in the FEIS, or proposes increasing the time for storage of full solid waste containers within the County for in excess of the 72 hours permitted above, then the contingency plan will require additional environmental review of these changes prior to County approval and will not be deemed an emergency exempt from SEPA review.
- D. Hauler Agreements - The Operator will include in any agreements with haulers disposing of Authorized Solid Waste at the Landfill the following restrictions:
 - 1. Route restrictions, requiring haulers to use State routes to access the Landfill
 - 2. Unacceptable waste restrictions prohibiting disposal of unacceptable wastes as identified in Section VI above.



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3. Special waste handling requirements in accordance with the special waste plan described in Section VII above.

- E. Customer Contracts. If WMW elects to construct and operate the Regional Landfill, WMW will notify the County of new contract customers and will provide certification to the County that these new customers are fully in compliance with all state goals, statutes and requirements for handling and disposal of solid waste, including, but not limited to, state recycling goals and compliance with the Adams County Solid Waste Plan as it may relate to Authorized Solid Waste being imported into the County. All municipal generators must execute an interlocal agreement with Adams County prior to disposing of its Authorized Solid Waste at the Regional Landfill if required by the Adams County Solid Waste Plan. WMW will use its best efforts to assist nonmunicipal customers to also implement source-separated recycling programs and waste reduction programs prior to disposing of their Authorized Solid Wastes at the Regional Landfill in Adams County.

- F. Security. The Operator shall control access to the Landfill pursuant to WAC 173-351-200(6). Once the RUF begins operations, WMW shall control access and provide security to the RUF as provided in Section IV.C above.

- G. Recreation. No hunting or recreational uses shall be allowed within the Landfill Area. WMW may establish policies to allow reasonable hunting with permission in areas outside of the Landfill Area.

- H. Impacts On Neighboring Properties
 1. The Operator will have a local general manager available during working hours (i.e., hours when the Landfill is open or receiving waste) to meet with individual claimants who have a complaint regarding property values or other impacts from operations. Names, addresses, and phone numbers of responsible WMW and County officials will also be made available as will a list of government agencies, a summary of their jurisdiction and contacts for each agency.
 2. The Operator will provide 24-hour emergency phone numbers and personnel available on 24-hour basis to respond to any complaints or emergencies at the Landfill.
 3. Any party deemed injured or aggrieved by WMW's construction of the Landfill, WMW's operation of the Regional Landfill or the County's operation of the County Landfill may further file a complaint with the Adams County Building and Planning Department and ask the County to investigate and, if appropriate take all appropriate measures to enforce the conditions of the unclassified use permit approval and this Agreement as provided in Section XX below. The aggrieved party may further contact the Adams County Health Department to seek enforcement of any conditions of the Municipal Solid Waste Facility Handling Permit issued by the Health Department.

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- I. **Noxious Weed Management.** WMW will develop methods to control noxious weeds in cooperation with the Adams County Noxious Weed Control Board. A plan for noxious weed control shall be approved by the Weed Control Board prior to start of construction. The Operator shall be responsible for noxious weed control within the Landfill Area, and WMW shall be responsible for noxious weed control for all areas outside of the Landfill Area.
- J. **Litter Management.** The Operator shall control and collect litter as required by WAC 173-351-210, including through the use of portable or permanent litter control fences and/or worker collection of wind-blown litter.
- K. **Landfilling Procedures**
1. Landfilling procedures shall fully comply with WAC 173-351.
 2. The Operator will spread and compact solid waste with heavy machinery as it is placed to reduce settlement of the Landfill.
 3. The Operator will use daily, intermediate and final cover to help keep the solid waste dry, to retard decomposition, to minimize development of landfill liquid and gas and to reduce settlement.
 4. The Operator will limit the working face of the Landfill to no greater than 1 acre exposed at any one time.
 5. The Operator will grade intermediate cover slopes to encourage stormwater runoff and will periodically regrade the Landfill cover to eliminate localized surface water ponding.
 6. Authorized Solid Waste deposited on the active Landfill face will be covered daily with clean, compacted soil or approved alternate cover.
- L. **Fire Protection.** The Operator will train its staff and the Fire Department volunteer fire fighters to fight solid waste landfill fires and will furnish onsite any specialty equipment required for this purpose.
- M. **Vector/Predatory Species Management**
1. All solid waste will be covered with soil or approved alternate material and thereby made unavailable to scavengers, with the exception of the working face of the Landfill during operating hours. Daily cover will be placed over the working face area and the end of each day of operations.
 2. The Operator will implement steps to prevent vectors from inhabiting on-site buildings and active areas of the Landfill according to the WAC 173-351 and WAC 173-304 requirements. Measures will include fencing the active area of the facility, proper solid waste compaction, daily cover and other vector control measures.



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3. Control measures such as suspended wires, bird distress tapes, or percussion sounds will be used to discourage the attraction of nuisance birds to the Landfill if determined to be necessary by the Health Department.
 4. The Operator will implement control measures to mitigate the potential impacts related to pest transmission including the placement of insect traps and host plants around the Landfill footprint to monitor the possible occurrence of such pests. The type, number and placement of these traps and host plants will be determined in consultation with Washington State University Extension Service or other agency approved by the Commissioners.
- N. Equipment Maintenance. The Operator shall keep all maintenance vehicles clean. All equipment will be washed at a specially-designed equipment washing facility as needed to maintain intended function and to avoid odors and dust. Waste water from the equipment washing facility shall be collected and disposed of in accordance with local, state and federal law requirements or, alternatively, will be reused in a properly designed water recycling washing facility.
- O. Composting Procedures. All composting activities shall be conducted in an area designed to collect and appropriately treat or dispose of any runoff or leachate. Design of the facility and the operations plan are subject to review and approval by the Health Department, must comply with the requirements of WAC 173-304, and shall address such concerns as odors and vector management as well as the composting operation itself.
- P. Safety. WMW and the Operator shall meet Washington State Department of Labor & Industry requirements for worker health and safety.

XI- CLOSURE AND POST CLOSURE REQUIREMENTS

- A. Standards
1. Until and unless WMW elects to construct and operate the Regional Landfill, the County, as Operator, shall be responsible for meeting all applicable closure and post-closure requirements, including all financial assurance requirements. If WMW elects to construct and operate the Regional Landfill, the County shall retain any and all closure and post-closure funds that the County has accrued.
 2. The Operator shall conduct closure and post-closure of the Landfill in compliance with WAC 173-351 standards for non-arid design.
 3. If WMW elects to construct and operate the Regional Landfill, WMW shall have the right to undertake any due diligence it deems necessary to assess the condition of the Landfill prior to taking over operation, and the County shall disclose to WMW all material information concerning the condition of the Landfill prior to WMW taking

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over operation. Within FIVE (5) years of the Transition Date, as defined in Section III.D.1, if WMW can prove that any environmental, engineering, or other conditions, defects, or other problems are associated with the County's operation of the Landfill or failure to operate the Landfill in conformance with all applicable regulations and consistent with industry standards for Subtitle D landfills, WMW shall notify the County and the County shall take appropriate measures to correct such condition, defect, or problem. MFS and standard industry practices for Subtitle D landfills shall be the basis for any and all corrective measures. WMW shall assume all Landfill closure and post-closure responsibilities as of the Transition Date and shall assume all Landfill liabilities FIVE (5) years from the Transition Date. WMW shall bear the burden of proving any problems caused by Operator error. If any disputes arise under this Subsection, both Parties agree to use the dispute resolution process outlined in an Operating Agreement, as described in Section III.C.6.

4. WMW, in consultation with the County, shall prepare a written closure plan that meets the minimum requirements of WAC 173-351 for review and approval by the Health Department prior to commencing construction.
 5. The final cover will include a low permeability soil or synthetic membrane to eliminate infiltration of rain water. It will be contoured to redirect runoff and vegetated to promote evapotranspiration of excess moisture.
 6. The Operator will maintain the final cover, leachate collection and groundwater and gas monitoring systems throughout the post closure period, a minimum of 30 years, unless a shorter period is approved by the Health Department and the Commissioners.
 7. The Operator shall periodically inspect the final cover and make any necessary repairs. The Health Department shall monitor the Operator's inspection and repair activities.
 8. The Operator shall submit reports to the Health Department at a frequency required by WAC 173-351 after closure regarding all of the closure and post closure plan requirements, including, but not limited to, the results of the monitoring, inspections, and cover repair.
- B. Financial Assurances. The Operator must provide financial assurance for closure and post closure in accordance with the requirements identified in Section VIII.D.2 above.
- C. Restrictions on Future Use. Unless WMW invokes its rights under Section III.E above, WMW shall be responsible for the Landfill in perpetuity and shall impose restrictions on the future use of the Landfill footprint area which, at minimum, meet the requirements of WAC 173-351 such as no irrigated farming, no tilling, no livestock grazing, or no other activities which threaten the integrity of cap. If WMW invokes its rights under Section III.E above and transfers ownership of the County Landfill Area to the County, the County



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shall be responsible in perpetuity and shall impose restrictions on the future use of the Landfill footprint area which, at minimum, meet the requirements of WAC 173-351 such as no irrigated farming, no tilling, no livestock grazing, or no other activities which threaten the integrity of cap. As described in Section III.E above, upon transference to the County, WMW shall encumber a ONE THOUSAND (1,000) foot buffer to prohibit any future inconsistent uses.

- D. Notice on Title. WMW shall record a notice on title to the Landfill footprint area as required by WAC 173-351 stating that the site has been used to dispose of solid waste.

XII. COUNTY ROAD IMPROVEMENTS AND MAINTENANCE:

- A. If WMW elects to construct and operate the Regional Landfill, WMW shall be responsible for all costs associated with upgrading to all weather standards and to handle anticipated truck loads on that portion of Gray Road proposed to be used for access between SR 26 and the new private haul road and also the intersection of Gray Road and new haul road. WMW shall further be responsible for all costs associated with regular maintenance of these road areas to a minimum standard consistent with County maintenance of other similar class County roads. WMW shall also be responsible for obtaining all required permits to complete this requirement.
- B. If the County elects to operate the County Landfill, the County is then responsible for all costs associated with improving culverts and widening Mullan Road as required to operate the County Landfill.

XIII. SOLID WASTE UTILITY MITIGATION ISSUES

- A. The Parties acknowledge that the Landfill approved by this Unclassified Use Permit Mitigation Agreement may have some impact on the existing County solid waste system. WMW has made the solid waste services offer described in this Section, at least in part, to help mitigate those impacts. In addition, the Parties acknowledge that the County will have to make a future procurement decision on how to handle the County's Authorized Solid Waste and is considering several options including transportation to and disposal at the County Landfill. WMW agrees to continue to offer to provide solid waste disposal through: (a) the Columbia Ridge Disposal Offer; and/or (b) the phased development, construction, and operation of the Landfill as described in this Agreement. The County will complete any necessary procurement process before making a decision on how to dispose of the County's Authorized Solid Waste. The firm offer by WMW, which is described in Subsections XIII.B, .C, and .D below, has not, by extension of the Unclassified Use Permit and execution of this Agreement, been accepted by the County.
- B. WMW agrees to make certain payments and provide free solid waste disposal at the Columbia Ridge facility or another mutually agreeable WMW landfill facility, for municipal

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solid waste and other solid waste materials generated within Adams County and certain limited quantities of solid waste generated outside of Adams County, subject to the terms and conditions of Section II of this Amended Mitigation Agreement.

- C. Upon mutual agreement of the Parties, WMW agrees to construct, and to provide for County operation, the County Landfill, including additional cells and necessary improvements, and shall provide certain heavy equipment, as specified in an Operating Agreement, as described in Section III.C.6, for managing municipal solid waste and other solid waste materials generated within Adams County and certain limited quantities of solid waste generated outside of Adams County, subject to terms and conditions of this Amended Mitigation Agreement and Exhibit B describing the necessary terms of the Operating Agreement.
- D. If WMW elects to operate the Regional Landfill, WMW shall allow the County to dispose of certain Authorized Solid Wastes generated within Adams County at the Regional Landfill without charging a tipping fee for disposal, subject to the following terms and conditions:
1. Authorized Solid Wastes eligible for free disposal are those household wastes and commercial solid wastes, as defined in WAC 173-351, that are (i) generated within Adams County, (ii) received at transfer stations owned and/or operated by Adams County or a municipality within Adams County, and (iii) delivered to the Regional Landfill by the County, a municipality within Adams County or their contractors. In addition, other persons may be eligible for free disposal upon the written agreement of the County and WMW. WMW shall not unreasonably withhold approval for local individual residents who reside within Adams County or private haulers handling solid waste that is generated within the County that is not processed through a County transfer station. Without limiting WMW's right to withhold approval, the Parties agree that WMW may withhold approval for any or all residents who dispose of or seek to dispose of more than 200 tons per years of Authorized Solid Wastes directly at the Landfill.
 2. The Parties acknowledge that a fee on Authorized Solid Waste may still be collected on behalf of the County at the transfer station and/or the Regional Landfill to cover the cost of County solid waste programs approved by the Commissioners.
 3. WMW shall provide the County with TWO (2) years advance written notice of its intent to close the Regional Landfill during which period WMW shall continue to provide disposal without charge as described above. If WMW does not or cannot provide TWO (2) years notice of its intent to close the Regional Landfill, then WMW shall provide the County with a backup landfill for the disposal of the County's Authorized Solid Waste for the period of time commencing upon the closure of the Regional Landfill and ending TWO (2) years from the date of notice provided by WMW of its intent to close the Regional Landfill. For the period of time when the County's Authorized Solid Waste must be disposed of in the backup landfill, WMW



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shall provide free disposal and shall reimburse the County for the additional transportation costs (i.e., any costs greater than the transportation costs to the Regional Landfill), if any, for transporting Authorized Solid Waste to the backup landfill.

4. In no event shall WMW have any obligation to provide County with free disposal after (i) the closure of the Regional Landfill, or (ii) 2 years after providing the County with written notice as specified in Subsection 3 above, whichever is later.
5. Notwithstanding the above, if the Regional Landfill is forced to close because Adams County or the Adams County Health Department unreasonably refuses to renew the required permits, then WMW will only be required to dispose of the County's Authorized Solid Waste for the remainder of the period during which the Regional Landfill is allowed to operate.

XIV. PUBLIC AND COMMUNITY SERVICES MITIGATION

- A. Community Grant. Pursuant to the original Mitigation Agreement, WMW voluntarily donated to Adams County a community grant of \$40,000 as community services impact mitigation. The County used this grant for the benefit of Adams County Citizens generally.
- B. Local Hiring Program. To the extent practicable, if WMW elects to construct and operate the Regional Landfill, WMW will establish a local hiring program as follows:
 1. The program goal is to hire a minimum of 75% of the total Regional Landfill employees, including construction employees, from existing local residents. To the extent possible, WMW will establish preferential local hiring policies.
 2. WMW will provide reasonable training to local residents to facilitate local hiring.
 3. WMW will advertise available jobs in official local newspapers and with local employment offices.
 4. WMW will report to the County on the percentage of local hires and on specific steps to be taken to modify the hiring program if the 75% goal has not been met as follows:
 - a. once prior to start of construction
 - b. once per quarter for the next 2 years of construction and operation
 - c. once per year for five years thereafter.
 5. Nothing in this section is intended to violate the requirements of Title VII of the Civil Rights Act of 1964, especially 42 U.S.C. § 2000e-2 and/or RCW 49.60.030.

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- C. Agricultural Products Contingency Plan. If WMW elects to construct and operate the Regional Landfill, WMW shall, in consultation with the Washington Association of Wheat Growers, the Washington Cattlemen's Association, and any other interested agricultural organizations identified by the County Commissioners, establish a contingency plan for responding to potential agricultural product disparagement issues, including potential market perception that County crops may be "contaminated" by the presence of the Regional Landfill operations. The Contingency Plan must be approved by the Commissioners prior to start of construction of the first cell intended for Regional Landfill operation. The Contingency Plan will include, at a minimum, the following:
1. trigger mechanisms to implement the plan
 2. independent testing
 3. advertising effort in major markets impacted
 4. efforts to counter claims of agricultural disparagement or respond to market fears
 5. costs necessary to lobby or work with government agencies
 6. assurances of performance

XV. TAXES AND FEES

- A. WMW shall be responsible for all property taxes assessed and all other taxes (including sales tax, B&O tax, etc.), all permit or license fees, and any other governmental assessment or charge relating to the construction of the County Landfill, if constructed. After operation of the County Landfill commences and until WMW begins operating the Regional Landfill, the County shall be responsible for all other taxes (including sales tax, B&O tax, etc.), all permit or license fees, and any other governmental assessment or charge relating to the operation and maintenance of the County Landfill.
- B. After WMW begins operating the Regional Landfill, WMW shall be responsible for all property taxes, as well as all other taxes (including sales tax, B&O tax, etc.), all permit or license fees, and any other governmental assessment relating to the construction, operation and maintenance of the Regional Landfill.
- C. WMW will comply with any requirements of state agricultural lands and open space lands tax designations, including payment of back taxes and penalties if required by state law.
- D. WMW and the Operator will use their best efforts to encourage local sales tax revenue by arranging point of sale as much as practicable to be in Adams County.

XVI. COUNTY'S DISCLAIMER OF RESPONSIBILITIES



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- A. If WMW elects to construct and operate the Regional Landfill, County has no affirmative burden to seek Authorized Solid Waste from other jurisdictions but will reasonably enter into interlocal agreements as required by the Adams County Solid Waste Plan.
- B. Except as specifically provided herein, WMW acknowledges that the County is not responsible for the timing of the project or permits, although County will use reasonable and diligent efforts in processing any permits required from the County.
- C. County is not responsible to work out agreements with railroad or WSDOT regarding WMW transportation requirements or the approvals necessary to accomplish the road mitigation identified above.
- D. A Party's failure to detect violations of this Agreement shall not be deemed a waiver of the right to enforce all of the terms of this Agreement.
- E. Nothing in this Agreement shall constitute a waiver by the County of its public duty to protect the public health, safety and welfare and the County reserves the right to take all actions necessary to protect same in future and to protect the public from operation of a public nuisance.
- F. Any County or WMW approvals required by this Agreement shall not be unreasonably withheld. The County and WMW shall reasonably cooperate in providing necessary information requested by WMW to obtain approvals required from third parties.

XVII. HOST FEES FOR REGIONAL LANDFILL

- A. Calculation of Host Fee. If WMW elects to construct and operate the Regional Landfill, WMW shall pay to the County a Host Fee for each ton of Authorized Solid Waste (excluding any Authorized Solid Waste generated within the County for which no disposal fee is paid, as described in Section XIII.D.1 above) based on the following tonnage thresholds:

Total Tons Per Month (tpm)	MSW	Non-MSW
<i>Less than 21,000 tpm</i>	<i>None</i>	<i>None</i>
<i>21,000 tpm to 42,000 tpm</i>	<i>\$0.75/ton</i>	<i>\$0.25/ton</i>
<i>more than 42,000 tpm</i>	<i>\$1.75/ton</i>	<i>\$0.45/ton</i>

- 1. For purposes of the Host Fee, the following definitions apply:
 - a. MSW means only "household waste" and "commercial solid waste" as defined in Chapter 173-351 WAC.
 - b. Non-MSW means all Authorized Solid Waste other than MSW.

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2. The Host Fee shall be calculated by multiplying the total tons of Authorized Solid Waste (excluding any Authorized Solid Waste generated within the County) received during any calendar month times the Host Fee rate applicable to the tonnage threshold. For example, if the total tonnage of Authorized Solid Waste disposed of during the month is 25,000 tons (consisting of 20,000 tons of MSW and 5,000 tons of Non-MSW, the Host Fee would be \$16,250 (20,000 tpm x \$0.75/ton + 5,000 tpm x \$0.25/ton).
- B. Quarterly Payment. The Host Fee shall be paid quarterly to the County within 20 calendar days after the end of the preceding quarter for all Authorized Solid Waste (excluding any Authorized Solid Waste generated within the County) disposed of at the Regional Landfill during that preceding quarter. WMW shall submit to the County accurate records indicating the total tonnage disposed of for each day of the preceding quarter, together with a check payable to the County for the Host Fee amount owing under this Agreement. The County shall have the right to hire an independent private auditor to conduct an annual audit of the tonnage data and the Host Fee calculations. WMW agrees to make all necessary information available to the independent auditor for this purpose, upon reasonable demand from the County. The independent private auditor shall be required to maintain the confidentiality of all cost, revenue, and other data and shall not allow such documents to become public record for the purposes of RCW 42.17.250, et seq.
- C. Guaranteed Minimum. Once operation of the Regional Landfill has passed the tonnage threshold of 21,000 tpm, WMW shall pay to the County a guaranteed minimum host fee of \$6,000 per month of operation, regardless of the volume of Authorized Solid Waste disposed of at the Regional Landfill and regardless of the amount of revenue WMW collects as disposal fees on Authorized Solid Waste disposed of at the Regional Landfill. If at the end of any full year of operation, the total annual Host Fee paid to the County does not equal or exceed the guaranteed minimum, then WMW's last Host Fee payment for that year of operation shall include an amount sufficient to bring the total annual Host Fee up to the guaranteed minimum. "Year of operation" means the year commencing upon the date of opening of the Regional Landfill for accepting Authorized Solid Waste for disposal and all subsequent years.
- D. Use of Host Fees. The Host Fees payable pursuant to this Agreement shall be deposited into an Adams County Mitigation and Economic Benefit Fund and shall be used for functions and activities that promote economic benefit and public welfare for the citizens of Adams County.
- E. Gilliam County Reopener. The Parties agree that the Host Fee applicable to annual tonnages greater than 42,000 tpm shall be renegotiated at such time as the owner or operator of the Columbia Ridge Landfill located in Gilliam County, Oregon renegotiates its existing host fee agreement with Gilliam County, Oregon to a greater host fee than currently paid in Gilliam County, Oregon. The host fee currently paid in Gilliam County is



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\$1.75 per ton of MSW and \$0.45 per ton of Non-MSW. WMW agrees to offer Adams County a host fee comparable to any renegotiated host fee in Gilliam County, Oregon, when the average monthly volume exceeds 42,000 tpm.

- F. Waiver of Right to Challenge Host Fees. WMW knowingly and willingly waives right to challenge or contest the validity of the Host Fee provision of this Agreement. WMW has agreed to these Host Fees voluntarily, without duress by the County. In the event the Host Fee provision of this Agreement is invalidated, WMW agrees to continue to make Host Fee payments in exchange for the continued right to operate the Regional Landfill, to the extent permitted by law.

XVIII. INDEMNIFICATION AND LIABILITY

A. WMW's Indemnification.

1. WMW shall hold harmless, indemnify and defend the County, its elected and appointed officials, officers, employees, representatives and agents, from and against any claim, action, loss, damage, injury, liability, cost and expense of whatsoever kind or nature (including, but not by way of limitation, attorney's fees and court costs and other costs of defense) arising out of
 - a. the County's lawful actions in processing WMW's Regional Landfill proposal or in granting any of the required permits and approvals, including the unclassified use permit and the Operating Permit,
 - b. any injury (whether mental or corporeal) or death to persons, or any damage to real or personal property arising out of or incidental to any act or omission of WMW in the performance of its obligations under this Agreement, and
 - c. any and all costs or damages resulting from any release or emission or threatened release of emission or any environmental contamination and/or failure to comply with all applicable federal, state and local environmental statutes and regulations, arising out of or incidental to any act or omission of WMW in the performance of its obligations under this Agreement.
2. The obligations and indemnifications provided in this Agreement shall be guaranteed by WMI in a separate guarantee agreement that contains at a minimum the following terms:
 - a. Upon request of the County, WMI shall provide the County with an independently audited financial statement from the latest annual report which adequately demonstrates, in the Commissioners' sole discretion, sufficient assets to secure the financial commitments, including potential liability for environmental contamination contained in this Agreement. If the County is not reasonably satisfied with the financial statement of WMI, then WMW's right to operate the landfill pursuant to this Agreement and the unclassified use permit

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may, at the Commissioners' sole discretion, be suspended and not be reinstated until such time as the County is provided adequate alternative assurances.

- b. In the event of any default of any of the terms of this Agreement and failure to cure by WMW within the time allowed, County shall have the right to demand performance and/or payment of damages from WMI.
 - c. WMI's obligations as Guarantor of this Agreement shall remain in full force and effect throughout the term of this Agreement and those obligations of WMW that survive termination shall similarly be obligations of Guarantor that survive termination.
 - d. WMI fully waives any right to notices, demands, amendments or modifications to this Agreement. Notice, demand, amendment or modification being given to or executed by WMW shall also bind WMI as Guarantor.
 - e. The obligations of WMI as Guarantor shall be binding on Guarantor's heirs, successors and assigns.
3. It is further understood that the indemnification provided in this Agreement shall constitute WMW and WMI's waiver of immunity under industrial insurance, Title 51 RCW, solely for the purposes of this indemnification and solely in relationship to the County and shall not constitute WMW's waiver in respect to the employee.

B. County's Indemnification

1. During the County's operation of the County Landfill and for a period of FIVE (5) years from the Transition Date, as defined in Section III.D.1, the County shall hold harmless, indemnify and defend WMW, its officials, officers, employees, representatives and agents, from and against any claim, action, loss, damage, injury, liability, cost and expense of whatsoever kind or nature (including, but not by way of limitation, attorney's fees and court costs and other costs of defense) arising out of:
 - a. any injury (whether mental or corporeal) or death to persons, or any damage to real or personal property arising out of or incidental to any act or omission of the County in the performance of its obligations under this Agreement, and
 - b. any and all costs or damages resulting from any release or emission or threatened release or emission or any environmental contamination and/or failure to comply with all applicable federal, state and local environmental statutes and regulations, arising out of or incidental to any act or omission of the County in the performance of its obligations under this Agreement.

C. Notice and Defense



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1. Whenever a Party receives notice of any claim or action that the Party believes is covered by the indemnification provisions of this Agreement, that Party shall, within five (5) working days after receiving such notice, present the other Party with written notice of the action or claim and shall make a demand of the other Party to cover the costs of defending such claim or action pursuant to the provisions of this Agreement.
 2. In any action subject to the indemnification provisions of this section, if a Party (the "Indemnitee") presents the demand for indemnification as provided for in Subsection (1) above and the other Party (the "Indemnitor") agrees to fully indemnify the Indemnitee for any costs, claims or damages, then the Indemnitor shall have the right to select counsel and experts for the defense and control the litigation for the defense. If there is any potential that the Indemnitee may be liable for any of the costs, claims or damages, then the Indemnitee shall retain sole discretion in the selection of its counsel and experts. The Indemnitee shall reasonably coordinate its defense costs and selection of counsel and expert witnesses with those of the Indemnitor to minimize duplicative efforts.
- D. Comparative Fault. In the event of comparative fault on the part of the County and WMW, any loss shall be apportioned in accordance with the percentage fault of each Party.
- E. No Waiver. No action or inaction of either Party shall be deemed a waiver of the indemnity provisions of this Agreement.
- F. Survival of Indemnification. The indemnification provisions of this Section specifically survive termination of Agreement.

XIX. INSURANCE

A. WMW's Insurance.

1. Without limiting its liability under this Agreement, WMW shall procure and maintain at its sole expense commencing with the start of construction of the County or Regional Landfill, insurance of the types and in the minimum amounts stated below:

Schedule	Limits
Worker's Compensation Statutory Coverage & Employer's Liability (including appropriate federal acts)	Statutory/\$1,000,000
Commercial General Liability Premises-Operations Products-Completed Operations Contractual Liability Independent Contractors	\$5,000,000 Combined Limit Single

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Environmental Liability	\$10,000,000 Combined Limit Single
Automobile Liability All Autos Owned, Hired or Used	\$1,000,000 Combined Limit Single

2. WMW's commercial general liability policy shall include contractual liability on a blanket or specific basis to cover the indemnification contained in Section XVIII of this Agreement. It shall also name the County as an additional insured for liability arising out of operations performed by WMW pursuant to this Agreement.
3. All insurance shall be written by a company or companies with a Best rating of "A" or better, licensed in the State of Washington to provide the type of insurance that the company is offering. Prior to commencing any work under this Agreement, certificates evidencing the maintenance of said insurance shall be furnished to the County, on a form acceptable to the County.
4. All insurance shall provide that no material alteration or cancellation, including expiration and non-renewal, shall be effective until sixty (60) days after receipt of written notice by County.

B. County's Insurance.

1. Without limiting its liability under this Agreement, if the County elects to operate the County Landfill it shall procure and maintain at its sole expense during its operation, insurance of the types and in the minimum amounts stated below:

Schedule	Limits
Worker's Compensation Statutory Coverage & Employer's Liability (including appropriate federal acts)	Statutory/\$1,000,000
Commercial General Liability Premises-Operations Products-Completed Operations Contractual Liability Independent Contractors	\$5,000,000 Combined Limit Single
Environmental Liability	\$10,000,000 Combined Limit Single
Automobile Liability All Autos Owned, Hired or Used	\$1,000,000 Combined Limit Single

2. The County's commercial general liability policy shall include contractual liability on a blanket or specific basis to cover the indemnification contained in Section XVIII of this Agreement. It shall also name WMW as an additional insured for liability arising out of operations performed by County pursuant to this Agreement.
3. All insurance shall be written by a company or companies with a Best rating of "A" or better, licensed in the State of Washington to provide the type of insurance that the company is offering. Prior to commencing any work under this Agreement,



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certificates evidencing the maintenance of said insurance shall be furnished to WMW, on a form acceptable to WMW.

4. All insurance shall provide that no material alteration or cancellation, including expiration and non-renewal, shall be effective until sixty (60) days after receipt of written notice by WMW.

XX. DEFAULT AND TERMINATION

A. Default - There shall be two categories of default by WMW or the Operator in its performance under this Agreement:

1. A "Procedural Default" is one in which WMW or the Operator fails to meet a material term of this Agreement but which failure does not cause or threaten to cause any personal injury, property damage, or harm to the environment, e.g., the Operator is late in providing a required report or document to the County and said document is not necessary to make timely County decisions to avoid damage or threatened harm.
2. A "Substantive Default" is one in which WMW or the Operator neglects, fails, or refuses to comply with a material term of this Agreement and such failure causes or directly threatens personal injury, property damage or harm to the environment, e.g., failure to properly install or operate the groundwater monitoring system.
3. For purposes of this Agreement, if WMW is insolvent, dissolved pursuant to court order, files for bankruptcy, is adjudged bankrupt, or makes a general assignment for the benefit of creditors, or if a receiver is appointed for the benefit of its creditors, or if a receiver is appointed on account of its insolvency, that event could impair or frustrate WMW's performance of this Agreement. Therefore, it is agreed that the occurrence of those events shall constitute a substantive default under this Agreement, and if WMW cannot supply adequate assurances of future performance to the County within fifteen (15) days of the notice of such default, then the County may select any of the remedies identified in Subsection D.
4. For purposes of this Agreement, WMW's failure to pay the host fee, as provided for in Section XV above, shall be deemed a Substantive Default.

B. Opportunity to Cure - In the event of either a Substantive or a Procedural Default, the defaulting Party shall have fifteen (15) days from the date of written notice by the other Party to commence cure of or remedy the default. The time provided to cure under this section may be extended for a reasonable time upon approval of the other Party.

C. Emergency - In situations where the County or the Health Department reasonably determine that immediate action is required to protect the public health, safety and welfare and therefore that an emergency exists, WMW or the Operator shall be required to

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immediately cure the default and the opportunity to cure provision of Subsection B above shall not apply.

D. Remedies

1. If the Procedural Default is not remedied within fifteen (15) days, the County or the Health Department, whichever entity has jurisdiction of the subject matter pursuant to this Agreement, may assess monetary penalty against WMW or the Operator in the amount of Five Hundred Dollars (\$500) per day for each additional day that WMW or the Operator fails to cure the Procedural Default. If WMW or the Operator fails to cure the Procedural Default after incurring thirty (30) days of such monetary penalties, the agency with jurisdiction may elect to treat the Procedural Default as a Substantive Default.
2. If the Substantive Default is not remedied within fifteen (15) days, the agency with jurisdiction may, at its option, choose one of the following remedies, including all reasonable costs and attorneys fees to seek such remedy:
 - a. seek the judicial remedy of specific performance;
 - b. seek actual damages for personal injury, property damage or harm to the environment;
 - c. require closure of the facility or the applicable portions of the facility;
 - d. declare this Agreement terminated and the applicable permits under its jurisdiction suspended or revoked.
3. Remedies for Procedural Default and Substantive Default during the construction and operation of the County Landfill shall be specified in an Operating Agreement, as defined in Section III C.6.
4. Nothing in this selection of remedies section shall be deemed to affect any individual actions or remedies that may be available to individuals or individual property owners asserting damage arising out of the construction or operation of the Landfill.
5. Nothing in this remedy section shall be interpreted to prevent a Party from seeking adequate performance and/or damages as more fully provided in Section XVlll above.

- E. Uncontrollable Circumstances - The occurrence of uncontrollable circumstances shall excuse and suspend during its duration the obligations of WMW or the County to perform an obligation or comply with a condition or requirement of this Agreement; provided, however, that depending on the uncontrollable circumstances, WMW or the Operator may be required to take such actions that are reasonably necessary to protect the public health, safety and welfare and will be precluded from further construction or operation at the site or from receiving any of the benefits under the terms of this Agreement until the



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uncontrollable circumstance has ended. "Uncontrollable Circumstances" means any act, event or condition, (including a labor strike, work stoppage or slowdown that cannot be remedied with reasonably available alternative work forces) that has a material adverse effect on the rights or the obligations of a Party under this Agreement, if such 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 or requirement of such Party under this Agreement. such acts or events shall include, but not limited to, the following:

1. an act of God (except normal weather conditions for Adams County), hurricane, volcanic eruption, tornado, epidemic, landslide, lightning, earthquake, fire or explosion (provided such explosion or fire is not caused by WMW or the County), flood or similar occurrence, an act of public enemy, war, blockade, insurrection, riot or civil disturbance, sabotage or similar occurrence;
2. exercise of the power of condemnation or other taking by any governmental body;
3. the order, or injunction or judgment of any federal, state, or local court, administrative agency or governmental body or officer with jurisdiction in the County, affecting the construction or operation of the Landfill or the right or the ability of WMW or the Operator to receive solid waste at the Landfill, provided, however, that such order or judgment shall not arise in connection with or be caused by the negligent or willful action or inaction of the Party relying thereon;
4. the suspension, termination, interruption, denial or failure of renewal or issuance of any permit, license, consent, authorization or approval, provided, however, that such suspension, termination, or denial shall not arise in connection with or be caused by the negligent or willful action or inaction of the Party relying thereon;
5. a labor strike, work stoppage or work slowdown beyond the reasonable control of the Party relying thereon and provided that substitute labor cannot reasonably be obtained; a Party whose performance is affected by any such event shall give written notice to the other Party as soon as it is reasonably practicable and further shall attempt diligently to remove such condition;
6. A Party not performing its obligations under this Agreement because of an uncontrollable circumstance shall not be entitled to the benefits of this Agreement (such as the right to receive solid waste or the right to receive the host fee) until such obligations are performed or some reasonable substitution is agreed.

F. Provisions that Survive Termination. In the event this Agreement is terminated pursuant to operation of any of the provisions of this Agreement, the following provisions shall expressly survive termination:

1. the closure requirements of Section XI.
2. the indemnification provisions of Section XVIII.

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3. the assignment provisions of Section XXII.
4. the compliance with applicable law provisions of Section III.
5. the free disposal of County Authorized Solid Waste of Section XIII.

XXI. CORRESPONDENCE AND NOTICE

- A. **Notice.** All notices or communications provided for by this Agreement must be in writing, and may either be delivered personally, by certified mail, by express delivery service, or facsimile transmission, return receipt requested. Such notices shall be deemed delivered on the date of receipt, as evidenced by the return receipt or the equivalent (e.g., date stamp of recipient, proof of facsimile transmission). Either Party shall have the right to designate a new address for the receipt of notices by giving written notice, but notwithstanding the foregoing, such notice of a new address shall not be effective until actually received by the other Parties. All notices or communications shall be given to the Parties at their addresses set forth below:

County: Adams County Commissioners
210 W. Broadway
Ritzville, WA 99169

with a copy to: Adams County Health Department
425 E. Main, Suite 700
Othello, WA 99169

with add'l copy to: Adams County Public Works
210 W. Alder
Ritzville, WA 99169

WMW: Calvin R. Palmer
Vice President
Waste Management of Washington, Inc.
801 Second Avenue, Suite 614
Seattle, WA 98104

with a copy to: Waste Management
Attention: Western Group General Counsel
7025 N Scottsdale Road, Suite 200
Scottsdale, AZ 85253

XXII. ASSIGNMENT



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- A. No assignment of any of the rights or obligations of this Agreement is allowed without written approval of Commissioners, provided WMW can assign its rights and obligations without Commissioner approval under the following circumstances: (1) to another entity that owns in excess of 50% of WMW; (2) to another entity that is at least 50% owned by the same entity that owns in excess of 50% of WMW; or (3) to an entity that is owned in excess of 50% by WMW. Provided further, that all of the financial obligations of the parent company (WMI) cannot be assigned to any entity without County approval that the proposed assignee has sufficient assets to satisfy the obligations of this Agreement.
- B. The County will not unreasonably withhold its approval of an assignment if WMW provides sufficient assurance of comparable security.

XXIII. GENERAL PROVISIONS

- A. State Law. This Agreement shall be deemed to have been made in and shall be construed under the laws of the State of Washington. Venue is to be in Adams County, or an adjacent county.
- B. Compliance with Law.
 - 1. General. In performing each and every part of this Agreement, WMW and the Operator, its officers, employees, agents and subcontractors shall comply with all applicable laws, regulations, ordinances, building codes, orders and all other requirements of federal, state, regional, county and local government authorities and agencies having jurisdiction over the Project and WMW and Operator shall accordingly obtain all licenses and permits required by law. The latter requirements of law include, but are not limited to, all applicable statutes, regulations and orders concerning minimum wage rates, nondiscrimination in the employment of labor, protection of public and employee safety and health, environmental protection, the protection of natural resources, fire protection, burning requirements and prohibitions, permits, fees and similar subjects. The County shall have the right to inspect copies of all correspondence or any other public documents sent to or from WMW, its officers, employees, agents or subcontractors to any government agency, federal, state, regional, county or local, relative to any and all of the requirements of law relating to this Agreement. The requirements of this section shall survive the expiration of the Agreement.
 - 2. Environmental Compliance. WMW and the Operator shall further construct and operate the Landfill in compliance with any applicable local, state or federal law or regulation for the protection of human health or the environment or natural resources which is now or which may be at any time in effect, including, but not limited to, all federal, state and local laws and regulations relating to the handling, treatment and disposal of hazardous or dangerous materials or wastes.

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Adams County Auditor, Nancy McBroon

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3. Public Procurement Compliance. To the extent necessary to comply with the law, this Agreement shall be interpreted and performed in compliance with the state's public procurement processes. WMW's obligations under this Agreement, including the firm offer outlined in Subsections XIII.A, .B, and .C will remain open until the County completes any required procurement processes to decide how to dispose of the County's Solid Waste.
- C. Comprehensive Solid Waste Management Plan Updates. Each required renewal of the Operating Permit shall be in conformance with the county's comprehensive solid waste management plan as may be hereafter amended, to the extent required by then applicable law.
- D. Time of the Essence. Time limits stated in this Agreement are of the essence. No waiver of the Agreement time limits is to be construed by either Party's failure to object to untimely performance under the Agreement. In any event, any waiver of such time limits shall not be construed as a waiver of any future time limits.
- E. Accounting Systems. WMW shall at all times maintain an accounting system that uses generally accepted accounting principles for all services rendered and material supplied in connection with this Agreement. WMW's accounts and records covering the charges and reporting requirements that are addressed in this Agreement shall be open to inspection for any reasonable purpose by the County, the Health Department and the State of Washington at all reasonable times and shall be retained by WMW for a time period sufficient to cover expiration of all applicable statutes of limitation. The County shall have the right to inspect and copy all records and documents, to interview any persons, and to review any evidence in WMW's possession or control which may assist the County in determining what amounts are owed to the County.
- F. Severability. Except as set forth below, if any term or provision of this Agreement or its application to any person or circumstances, shall to any extent be invalid or unenforceable, the remainder of this Agreement or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable shall not be affected, and each term and provision of this Agreement shall be valid and enforced to the fullest extent permitted by law; provided, that the Parties shall negotiate in good faith regarding any amendment to this Agreement that would, to the maximum extent possible, effectuate the intent of any provision determined to be invalid or unenforceable; and Provided further that the Parties expressly agree that the Host Fee provisions of Section XVII above shall be deemed a material term of this Agreement. If the Host Fee is held invalid or unenforceable, then, at the Commissioners' sole discretion, WMW's right to continue construction and/or operation of the Landfill shall immediately cease until the Parties can reach agreement on an appropriate and enforceable amendment to this Agreement to satisfy the requirements of the host fee provisions.



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- G. No Third Party Beneficiary. The rights and obligations created by this Agreement are for the sole benefit of the Parties, their successors or assigns and no person not a Party shall be a beneficiary, intended or otherwise, of any such rights or be entitled to enforce any of the obligations created by this Agreement.
- H. Independent Contractor/No Joint Venture. The Parties shall perform all work under this Agreement as independent contractors. Neither Party is not now, nor will it ever be considered an employee, agent or servant of the other Party for any purposes under this Agreement or otherwise. No subcontractors, employees or agents of either Party are or shall be considered employees, agents, subagents or servants of the other Party for any purposes under this Agreement or otherwise. Nothing in this Agreement shall be construed to create a partnership or joint venture between the County and WMW.
- I. Headings. Any headings to articles, sections or paragraphs are not part of the terms of this Agreement and shall not be interpreted as such.
- J. Attorneys' Fees. If any legal action is necessary to enforce the provisions of this Agreement, the prevailing Party shall be entitled to its reasonable costs and attorneys fees, including those on appeal, in addition to any other relief to which it may otherwise be entitled.
- K. Binding Effect/Amendment. This Agreement is complete and binding upon all Parties and may only be amended in writing, signed by both Parties. The County may amend this Agreement without also requiring an amendment to the Unclassified Use Permit unless the Commissioners determine, in their discretion, that the proposed amendment constitutes a substantial change in a material provision of the unclassified use permit that requires public notice and hearing as provided in Section III.D.3 of this Agreement.
- L. Construction. The terms of this Agreement have been fully negotiated by both Parties and there shall be no presumption of construction or interpretation for or against either Party as drafter.

XXIV. EFFECTIVE DATE

- A. This Amended Mitigation Agreement shall be effective November 30, 2007 (the "Effective Date").
- B. This Amended Mitigation Agreement amends, restates, and replaces the 1994 Mitigation Agreement, as amended. Upon the Effective Date, this Amended Mitigation Agreement shall replace the 1994 Mitigation Agreement in its entirety.

XXV. SIGNATURE EXECUTION

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Adams County Auditor, Nancy McBroom



EXHIBIT A

Parties warrant and represent that they have the authority to enter into and sign this permit/agreement and that such signatures are binding upon their companies and/or County.

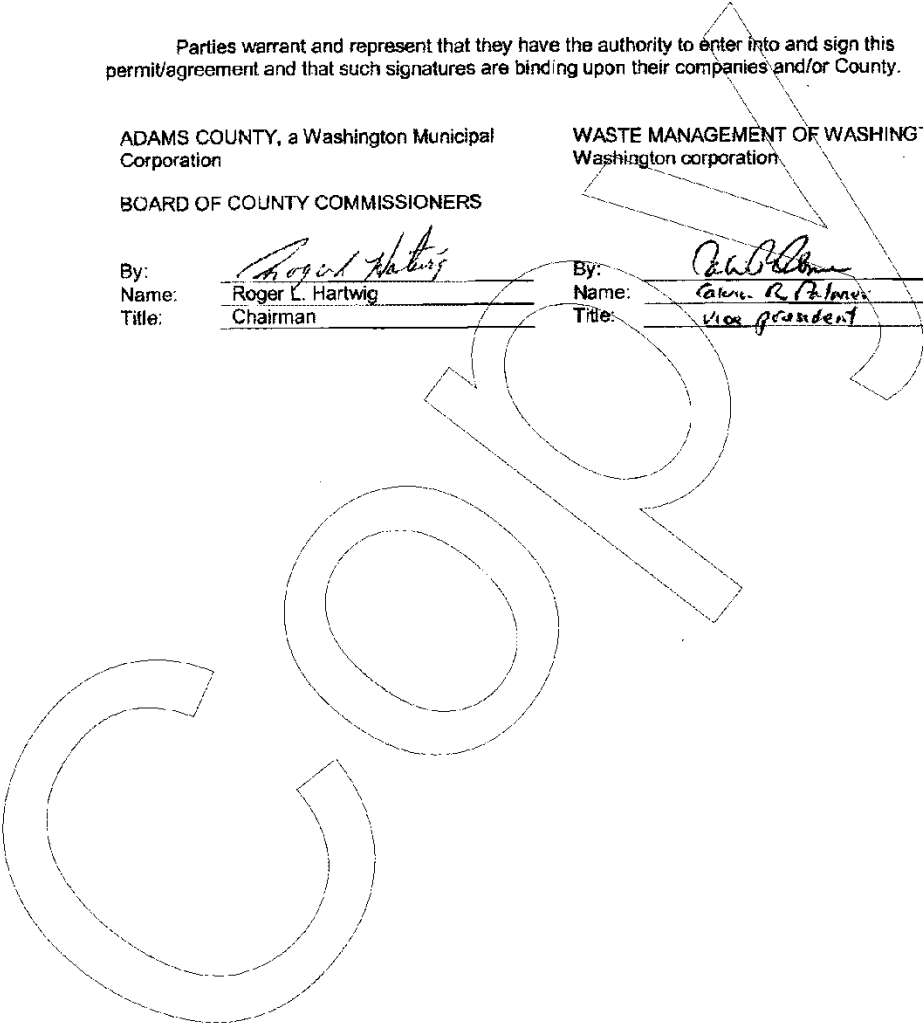
ADAMS COUNTY, a Washington Municipal Corporation

WASTE MANAGEMENT OF WASHINGTON, a Washington corporation

BOARD OF COUNTY COMMISSIONERS

By: *Roger L. Hartwig*
Name: Roger L. Hartwig
Title: Chairman

By: *Carrie R. Palmer*
Name: Carrie R. Palmer
Title: vice president





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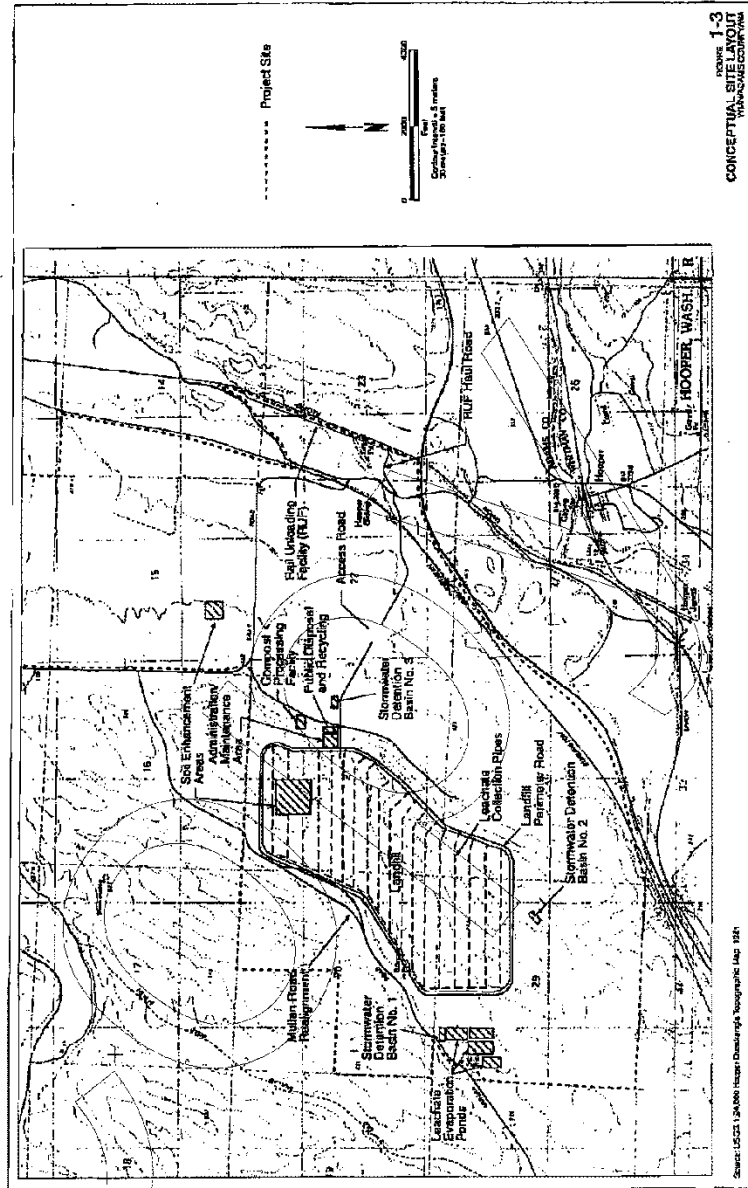


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Resolution
ADAMS COUNTY COMMISSIONERS
Adams County Auditor, Nancy McBroom



EXHIBIT A

**EXHIBIT B
AMENDED AND RESTATED
ADAMS COUNTY UNCLASSIFIED USE PERMIT MITIGATION AGREEMENT**

Operating Agreement Bullet Points

Size of County Landfill

- 13.29 acres (which shall include site of active waste cell) as depicted on Exhibit C and a defined area around the leachate pond, stormwater detention, building, and other operating needs will constitute the "County Landfill Area"
- Cell #1 will be built with a minimum of two (2) years capacity and will be available for filling prior to June 30, 2011
- Cell #2 will be built and available for filling prior to December 31, 2015 or the date Cell #1 is full; however, such date may be modified earlier or later through the bi-party review and assessment process defined below
- The combined sizes of Cells #1 and #2 will create ten years of landfill capacity for Adams County
- Additional cells shall be constructed no later than six (6) months in advance of expected need and must be authorized for filling by the County Health Department and Department of Ecology no later than ninety (90) days in advance of expected need

Permits and Landfill Plans

- The Operating Agreement shall specify the party that holds each necessary permit and designate which party is responsible for obligations under the permits
- Any updates to permits must be approved by the County
- All updates to closure plans shall be done through collaboration of WMW and the County

County's Operation of County Landfill

- County must operate the County Landfill in accordance with MFS for operations and the Mitigation Agreement and consistent with industry standards for Subtitle D landfills, including updates to MFS operating guidelines and industry standards over time
- County agrees to bear costs of operating the County Landfill, including costs associated with: monitoring water and gas; maintenance of County Landfill Area; recordkeeping per state requirements; insurance (per the requirements of the Mitigation Agreement); and the County's operating permit
- WMW agrees to work with Adams County to prepare and process the County's operating permits



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WMW's Construction of the County Landfill

- WMW will enclose the entire County Landfill Area with chain-link fencing
- Stormwater:
 - The 100-year, 24-hour storm must be detained on-site for entire life of County Landfill
 - Stormwater systems must be designed to ensure that the existing stormwater conveyance, i.e. dry-release gully, is routed around the property
 - Ponded water may be reused for dust control
 - Stormwater may be recirculated into cell in prescribed fashion ending Department of Ecology's revision to WAC 173-351
- WMW will construct a water supply well not to exceed 6000 gpd (exempt well)
- WMW will construct a small building for employees (min. 120 sq ft), which may be prefabricated, and provide a vault-style toilet
- WMW will provide electricity for employee building and pumping of leachate pond
- For each cell constructed, WMW, at its sole cost and expense, will hire a consultant mutually agreed to by the County Health Department, to test 100% of the liner using a conductivity method. WMW agrees to make any repairs necessary to the liners to ensure there are no leaks
- WMW must meet both MFS and requirements contained in the Mitigation Agreement for construction and industry standards for Subtitle D landfills

Equipment

- The condition of all equipment described below must be approved by Adams County prior to acceptance
- Once accepted by Adams County, all equipment becomes the property of Adams County. Adams County will assume all operations and maintenance costs as well as replacement of equipment once its useable life has expired
- WMW agrees to provide the following Landfill Operating Equipment:
 - One (1) 950 Cat wheel loader or equivalent in good condition, late model, and low hours, including any applicable warranties
 - One (1) 826 Cat landfill compactor or equivalent in good condition, late model, and low hours, including any applicable warranties
- WMW agrees to provide the following Transfer Facility Equipment, provided WMW did not already pay the Settlement Agreement accrual balance in 2011 as described in Section II of the Mitigation Agreement:
 - Two (2) drop axle tractors in good condition, late model, and low hours, including any applicable warranties

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EXHIBIT A

- o Five (5) walking floor trailers, length – 53 feet, height to be approved by Adams County, in good condition, late model, and low hours, including any applicable warranties

Review & Dispute Resolution Process

- Either party may request a conference regarding the Landfill construction and/or operations and parties will agree to schedule a conference as quickly as necessary depending on the item to be discussed
- Parties shall independently review status of Landfill and its associated agreements every five (5) years and provide, in writing, party's continued intent to be bound by the Landfill agreements.
- If a dispute arises under the Landfill agreements, the Parties agree to first mediate any such dispute and, if mediation fails to resolve the dispute, submit claims to final and binding arbitration
- In the event of mediation or arbitration, the Parties agree that the standard of care is "standards in the industry for comparable-sized operations"
- Parties shall meet and confer at a minimum of every year to discuss any issues with Landfill operation and construction or other Landfill-related issues

Remedies

- Parties agree to include and specify remedies for Procedural and Substantive Default during construction and operation of the County Landfill

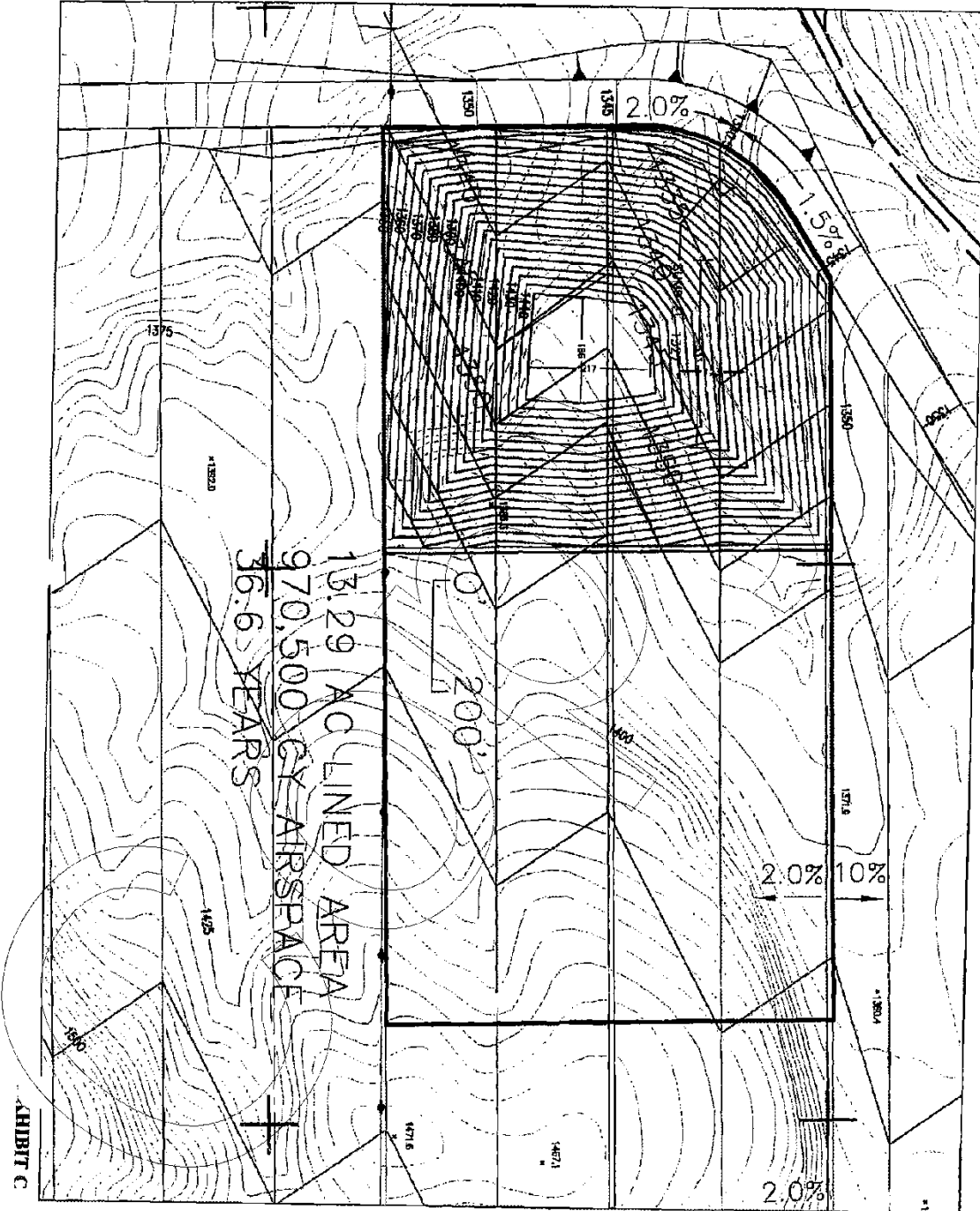


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ADAMS COUNTY COMMISSIONERS
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Adams County Auditor, Nancy McBroom



EXHIBIT B

Interlocal Agreement

for

Solid Waste Services

This agreement made and entered into this 16th day of May, 2005 by and between Lincoln County, Washington and Adams County, Washington, both of which are organized under the laws of the State of Washington and hereinafter collectively referred to as "Counties";

WTINESSETH:

WHEREAS, the Counties have entered into contracts for operation of solid waste transfer stations to include long haul and disposal of solid waste to a regional landfill to serve each respective county jurisdiction; and,

WHEREAS, geographical conditions make it advantageous for wastes from parts of one county to utilize the transfer stations located in the adjoining county in an effort to provide efficient and cost effective solid waste disposal; and,

WHEREAS, it is to the mutual advantage of the Counties to contract pursuant to Chapter 39.34 RCW for the purpose of sharing transfer station facilities in order to assure proper disposal of solid waste; and,

WHEREAS, the previous interlocal agreement, dated May 20, 1996, has become outdated and in need of amendment.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained herein, it is agreed by the Counties that the previous interlocal agreement conditions and covenants be terminated and replaced by the following:

1. PURPOSE OF AGREEMENT

The purpose of this agreement is to allow Lincoln County residents and refuse hauling companies serving Lincoln County to utilize the Adams County transfer stations, hereinafter referred to as "transfer stations".

2. ADMINISTRATION

Wastes received at the transfer stations from Lincoln County residents shall be charged the regular tipping fees established by the Adams County Board of County Commissioners for dumping at the stations, payment to be received at the time of dumping. Lincoln County residents shall have access to the facility during normal station operating hours as established by Adams County.

Commercial haulers serving Lincoln County shall have access to the transfer stations during mutually agreed upon hours of operation. Commercial haulers will be directed to the scales for weighing prior to dumping; the hauler will then be directed to the dumping area, dump and return to the scales for weighing. The station attendant shall provide the hauler with a scale receipt indicating the gross, tare and net weights.

Commercial haulers will have the option of two billing processes with a one time selection upon initiation of service to a Lincoln County community. The options are as follows:

- a). Adams County shall bill Lincoln County for all wastes dumped at the transfer stations by the commercial hauler by the fifteenth of each month for the previous months activities. The invoice shall list the date that each load was dumped at the facility, the invoice number or scale receipt number of the respective load, the vehicle I.D. number, the quantity of the waste for the respective load, the cost for dumping the load, and any

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additional costs incurred by Adams County as a result of the hauler dumping outside of normal hours of operation. Upon receipt of the bill Lincoln County will bill the local agency including any and all additional fees to be assessed by Lincoln County.

b). Adams County will bill the commercial hauler directly for all wastes dumped at the transfer stations by the commercial hauler by the fifteenth of each month for the previous months activities. The invoice shall list the date that each load was dumped at the facility, the invoice number or scale receipt number of the respective load, the vehicle I.D. number, the quantity of the waste for the respective load, the cost for dumping the load, and any additional costs incurred by Adams County as a result of the hauler dumping outside of normal hours of operation. In addition Adams County will provide Lincoln County a copy of the billing. The commercial hauler will then collect from the community all the required fees and transmit them to the County requiring them.

The availability of either option to a commercial hauler shall be subject to the approval of the Counties.

Adams County shall charge Lincoln County and/or the commercial hauler for the Lincoln County community the rate negotiated with Regional Disposal for the disposal of waste collected at the transfer stations plus a \$3.00 per ton administration fee for this service.

Adams County shall contact Lincoln County in writing at least ninety (90) days in advance of any changes in either contractor rates or administrative fees charged at the transfer stations.

Lincoln County shall remit payment to Adams County no later than the thirtieth day from receipt of the Adams County billing statement.

3. RELEASE OF LIABILITY

The counties agree to be responsible and assume liability for their own negligent acts or omissions or those of its officers, agents or employees to the full extent required by law, and agree to save, indemnify, defend, and to hold the other party harmless from any such liability. In the case of concurrent negligence, any damages allowed shall be levied in proportion to the percentage of negligence attributable to each party and each party shall have the right to seek contribution from the other party in proportion to the percentage of negligence attributable to the other party.

The counties further agree to hold harmless and release from all liability for any injuries, damages, or destruction to all or part of the property owned or claimed by the other when such damage directly or indirectly results from, or is related to this agreement, unless such damage arises from the act of negligence in either county. In that event, such release from liability shall not be effective to the extent of such negligence.

4. DURATION AND TERMINATION

This agreement shall be in effect at the time of approval and execution by the Board of County Commissioners of each County and end June 30, 2006. This agreement shall automatically be extended for one-year terms under the same provisions and for the same service fees, unless either County gives written notice of intent to terminate or amend this agreement, or any portion thereof, at the end of the then expiring term on or before April 1.

Adams County shall notify Lincoln County at least ninety (90) days prior to terminating its contract with Regional disposal for waste disposal at the transfer stations.

If, through any cause, Adams County shall fail to fulfill in a timely and proper manner its obligations under this agreement or shall otherwise violate the terms of this agreement, Lincoln County shall thereupon have the right to terminate this contract forthwith. Responsibility for payment for use of the Adams County transfer stations, and not otherwise paid for prior to the effective date of such termination, shall not be extinguished.

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EXHIBIT B



5. AMENDMENTS AND REVISIONS

Any necessary amendments and revisions will require approval from the Boards of County Commissioners. Should the Counties be unable to agree on amendments or revisions, the Counties shall refer the dispute to a third party mediator, mutually agreed upon by the Counties, to resolve the dispute.

Dated this 16th day of May, 2005 at Ritzville, Washington.

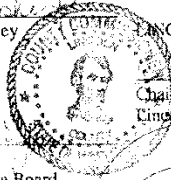
ADAMS COUNTY

Chairman
Adams County Board of County Commissioners

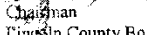
ATTEST:

Clerk of the Board

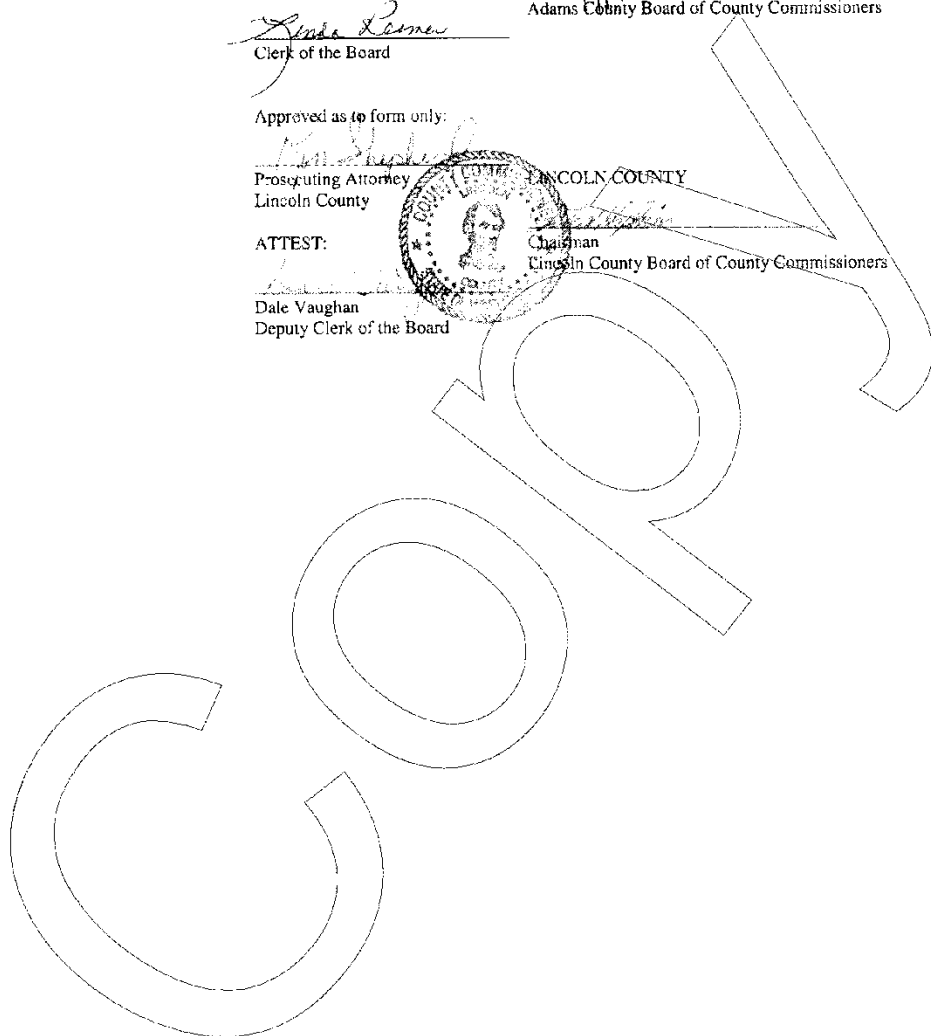
Approved as to form only:


Prosecuting Attorney
Lincoln County



ATTEST:

Chairman
Lincoln County Board of County Commissioners

Dale Vaughan
Deputy Clerk of the Board





Appendix F – WUTC Cost Estimate Questionnaire

INTRODUCTION

By state law (RCW 70A.205), 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 WUTC Cost Assessment Questionnaire (Questionnaire) has been prepared in accordance with the guidelines prepared by the WUTC (WUTC Third Edition October 2019). The purpose of this Questionnaire 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 requests this information in order 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 Adams County (County) as to the probable rate impacts of proposed programs. Consistent with this purpose, the cost assessment focuses primarily on those programs (either implemented or recommended) with potential rate impacts.

Adams County Cost Assessment Questionnaire

Prepared By: Josiah Close, HDR

Telephone: (425) 614-9124

Email: Josiah.Close@hdrinc.com

Date: May 9, 2024

Definitions: The Solid Waste and Hazardous Waste Management Plan (Plan) is a long-term strategy that includes management, storage, collection, diversion, transportation, treatment, use, processing, and final disposal of the County’s solid waste. The Plan covers a twenty-year planning horizon and the Questionnaire has defined the period of review for the cost assessment in the Table 1, below.

Table 1. Cost Assessment Period	
Year	Plan Year
1	2025
2	2026
3	2027
4	2028
5	2029
6	2030



The County’s fiscal year is the same as the calendar year (CY) - that is - January through December. The County worked in conjunction with local governments and citizens as well as HDR to develop a county-wide, comprehensive plan. No other jurisdictions have developed a plan exclusive of the County.

Demographics

The data source for population projections used in the development of the plan is the Washington State Office of Financial Management (OFM). In order to maintain a conservative yet accurate approach, the population projections utilize the “medium” case figures from the OFM. The base year and the associated populations are detailed in the table below as well as the assumed percentage increases from the Plan years one (2025) through six (2030). The 2023 population of 21,200 was taken from Table 2 - 1 of the Plan and is utilized as the starting point. This figure was then projected for 2025 through 2030 by extrapolating the projected population growth with the help of addition projection data from OFM for 2025 and 2030. Table 2, below, shows the population projection by year for use in the Questionnaire.

Year	Plan Year	Adams County Population	Percentage Change
1	2025	21,570	0.9
2	2026	21,769	0.9
3	2027	21,970	0.9
4	2028	22,173	0.9
5	2029	22,377	0.9
6	2030	22,565	0.8

Waste Stream Generation

The following in Table 3 details the estimated waste generation and recycling tonnage for the County. Waste generation is estimated at 8.72 pounds per person per day, based on Table 2-2 in the Plan.

Year	Plan Year	Waste Generation (Tons)	MSW Disposed (Tons)	Recycled & Diverted (Tons)	Other Waste (Tons)
1	2025	34,326	22,998	11,328	0
2	2026	34,643	23,211	11,432	0
3	2027	34,963	23,425	11,538	0
4	2028	35,285	23,641	11,644	0

Table 3. Waste Generation					
Year	Plan Year	Waste Generation (Tons)	MSW Disposed (Tons)	Recycled & Diverted (Tons)	Other Waste (Tons)
5	2029	35,611	23,859	11,752	0
6	2030	35,910	24,060	11,850	0

It is important to note that the recycling rate is assumed at 33.0% which is in line with the figure from the Plan of 33.0%. This was done in order to maintain the appropriate relationships in the projection of solid waste tonnages and recycling rates.

Waste Generation Assumptions:

- Figures, except the “Year” and “Plan Year,” are shown as tons per year (TPY). Projected waste generation figures for 2025 through 2030 are based on the total waste generation rate for 2021 (8.7 pounds per person per day) which is the most recent available and based on Ecology tonnage records in conjunction with the population forecasts from OFM.
- The projected amounts of recycling and diversion, disposed municipal solid waste (MSW) assume the same percentage of the total waste generated as in 2021
- MSW Disposed per person per day is 5.83 pounds or 2,128 pounds per year (based on 2021 data)
- Other waste includes construction, demolition, and land clearing wastes disposed at limited purpose landfills

System costs reported in the Questionnaire are funded by County revenues and through nominal grants.

Solid Waste Collection Programs

Curbside collection of MSW is mandatory within city and town limits but not mandatory in the unincorporated areas of the County. In the non-mandated service areas, Residents may choose whether to subscribe to waste collection services or self-haul to one of the two transfer stations located within the County. Collection is conducted by a number of private entities including Sunshine Disposal, Wheatland Waste Systems, and Consolidated Disposal Services. The following table details information about the WUTC-regulated collection in the County.



Table 4. Projection of Population and MSW Collection within Adams County							
		2025	2026	2027	2028	2029	2030
Population	Othello	9,252	9,341	9,430	9,521	9,612	9,724
	Ritzville	1,787	1,804	1,821	1,839	1,857	1,862
	Hatton	80	80	80	80	80	80
	Lind	535	535	535	535	535	535
	Washtucna	210	210	210	210	210	210
	Unincorp.	<u>9,706</u>	<u>9,799</u>	<u>9,893</u>	<u>9,988</u>	<u>10,084</u>	<u>10,154</u>
	Total	21,570	21,769	21,970	22,173	22,377	22,565
Tons of MSW	Othello	14,724	14,865	15,007	15,151	15,296	15,475
	Ritzville	2,844	2,871	2,899	2,926	2,954	2,963
	Hatton	127	127	127	127	127	127
	Lind	851	851	851	851	851	851
	Washtucna	334	334	334	334	334	334
	Unincorp.	<u>15,446</u>	<u>15,594</u>	<u>15,744</u>	<u>15,895</u>	<u>16,047</u>	<u>16,159</u>
	Total	34,326	34,643	34,963	35,285	35,611	35,910

* Projected 2025 through 2030 data based on assumed waste generation rates and population growth rates applied to 2023 population and 2021 tonnage data

There are currently two County-owned and operated transfer stations located in Adams County, the Bruce Transfer station and the Ritzville Transfer Station. In 2011, as a result of successful contract negotiations with WMW and Waste Management of Oregon, Inc., for solid waste disposal services, the County declined to renew the contract with Regional Disposal Company (RDC), and ownership and operations of the Bruce Transfer Station and Ritzville Transfer Station reverted to Adams County. MSW accepted at the transfer stations is disposed at the at the Waste Management Disposal Services of Oregon, Inc.'s Columbia Ridge Recycling and Landfill Facility and the Adams County Regional Landfill. Self-haulers in the County can also dispose MSW at the two transfer station which is then transferred and disposed at the Columbia Ridge Recycling and Landfill Facility and the Adams County Regional Landfill, both owned and operated by Waste Management.

Organics Collection Programs

There are currently no organics collection programs operating within the County. With the closure of Royal Organics in Grant County, transporting organics for composting is not currently economically feasible. There are currently no compost facilities operating within the County. Barr-Tech Composting, located in Sprague in Lincoln County, is the closest facility available for acceptance of green waste.

Recycling Programs

Currently, no curbside residential recycling service is provided in the municipalities of Ritzville, Lind, Othello, Hatton, and Washtucna. Residents rely on drop-off sites located at the Bruce Transfer Station and the Ritzville Transfer Station. In addition, the City of Othello and Consolidated Disposal Services, Inc., provide containers at 250 N. Broadway Avenue for recycling newspaper, cardboard, and aluminum cans at no cost to citizens. This service is provided for residential use only and is not to be used by commercial businesses. Commercial-sector recycling collection is not currently available. Businesses may use the Bruce Transfer Station and the Ritzville Transfer Station for recycling.

Existing education and outreach waste reduction programs implemented by the County:

- Public education and outreach
- Recycling drop-off at Bruce and Ritzville transfer stations
- On-call collection of office paper from local schools

The assumed recycling rate is 33.0% of the total waste collected and this rate was used to project the future amount of recycling tons. This was done in order to maintain the appropriate relationships in the projection of solid waste tonnages, specifically for the non-recyclables or other waste. Table 5 shows a projection of recycling tons based on the 2021 data from Table 2-2 in the Plan.

Year	Plan Year	Recycling (Tons)
1	2025	11,328
2	2026	11,432
3	2027	11,538
4	2028	11,644
5	2029	11,752
6	2030	11,850

The costs of providing the waste reduction programs are included within the County’s solid waste budget and are funded through County revenues or via contracts and agreements.

Energy Recovery & Incineration (ER&I) Programs

MSW from the County is disposed of at the Waste Management Columbia Ridge Landfill. The Columbia Ridge Landfill manages landfill gas to generate renewable energy, reduce emissions, and prevent odor. The landfill gas collection system collects 9,400 cubic feet per minute of landfill gas through more than 100 wells. A portion of the gas is sent to an on-site energy plant, with the remaining gas managed by flares per federal requirements. The energy plant at Columbia Ridge uses landfill gas to generate renewable energy. Gas collected from the landfill powers 12 engines, which produce 12.8 megawatts (MW) of electricity—enough to power 12,500 homes in Seattle through an agreement with the City of Seattle. Columbia Ridge is also home to 90 wind turbines with the capacity to generate



150 MW of power. The Waste Management (WM) Adams County Regional Landfill (ACRL) located within the County is a new landfill facility with operations beginning in April 2024. Landfill gas management at the ACRL will be implemented when feasible.

Expenses

The project expenses (2025–2030) for the County are shown below in Table 6 and are based on cost figures escalated by assumed inflationary factors from the 2024 budget.

Table 6. Cost per Ton ¹						
	2025	2026	2027	2028	2029	2030
Total Expenses	\$2,190,486	\$2,264,886	\$2,341,296	\$2,420,845	\$2,503,129	\$2,586,410
MSW Tons	22,999	23,211	23,425	23,641	23,859	24,060
Cost/MSW Ton	\$95.24	\$95.24	\$95.24	\$95.24	\$95.24	\$95.24

Funding Mechanisms

Administrative responsibility for solid waste handling systems in the County is currently divided among several agencies and jurisdictions in local, county, and state governments. The County exercises its solid waste responsibilities through the Public Works - Solid Waste Division for administrative functions to include:

- Administering, staffing, and operating the two transfer stations; recycling operations; MRW operations; and management of the closed Bruce Landfill
- Administering and staffing public education programs for waste reduction and recycling
- Administering contracts
- Maintaining the Plan as adopted in relation 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 the County.
- Providing staff support for the solid waste advisory committee (SWAC)

The Solid Waste Division is funded by the fees collected from the two transfer stations. The County also receives grant monies from Ecology for solid waste management planning activities and pilot projects. Provided in Table 7 is a summary of the revenues received by the County based on the 2024 budget.

¹ Projected expenses are based on the most recent data available at the time of this assessment and does not include upcoming changes such as utilization of the Adams County Regional Landfill.

Table 7. County Revenues		
Funding Source	2024 Budget	Funding Percentage
City Disposal Fees	\$1,320,000	65.1
Individual Disposal Fees	\$440,000	21.7
Sale of Recyclables	\$150,000	7.4
DOE LSWFA Grant	\$75,000	3.7
DOE Litter	\$25,000	1.2
Investment Interest	\$15,000	0.7
Operating Transfer	<u>\$2000</u>	<u>0.1</u>
Total Funding Sources	\$2,027,000	100.0

The following assumptions were used to project revenues and expenses on an annual basis:

- Revenues
 - Customer Growth – 0.9%–0.8%
 - Misc. Revenue – 1.0%
- Expenses
 - Labor – 3.5%
 - Benefits – 4.0%
 - Materials & Supplies – 3.0%
 - Equipment – 4.0%
 - Utilities – 3.5%
 - Insurance – 4.8% (avg)

Table 8. Projected Revenues and Expenses (\$000s)						
Costs	2025	2026	2027	2028	2029	2030
Revenues						
City Disposal Fees	\$1,331	\$1,344	\$1,356	\$1,369	\$1,381	\$1,393
Individual Disposal Fees	\$444	\$448	\$452	\$456	\$460	\$464
Sale of Recyclables	\$152	\$153	\$155	\$156	\$158	\$159
DOE LSWFA Grant	\$75	\$75	\$75	\$75	\$75	\$75
DOE Litter	\$25	\$25	\$25	\$25	\$25	\$25
Other Misc Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Investment Interest	\$28	\$28	\$28	\$28	\$28	\$28
Operating Transfer	<u>\$2</u>	<u>\$2</u>	<u>\$2</u>	<u>\$2</u>	<u>\$2</u>	<u>\$2</u>
Total Revenue	\$2,057	\$2,075	\$2,092	\$2,111	\$2,129	\$2,146



Table 8. Projected Revenues and Expenses (\$000s)						
Costs	2025	2026	2027	2028	2029	2030
Expenses						
Total O&M	\$2,127	\$2,197	\$2,268	\$2,340	\$2,415	\$2,486
Total Taxes & Transfers	\$9	\$9	\$9	\$9	\$9	\$9
Rate Funded Capital	\$45	\$50	\$55	\$60	\$65	\$70
Debt Service	0	\$0	\$0	\$0	\$0	\$0
Total Reserve Funding	\$10	\$9	\$10	\$12	\$14	\$21
Total Expenses	\$2,190	\$2,265	\$2,341	\$2,421	\$2,503	\$2,586
Bal./(Def.) of Funds*	(\$134)	(\$190)	(\$249)	(\$310)	(\$374)	(\$440)

* Annual balance or deficiencies of funds do not include additional taxes from increased revenues

Table 8 above utilizes the County’s 2024 budgeted revenues and expenses. Those are then inflated by the escalation factors that were shown previously. As can be seen, current revenues are not sufficient to fully fund the projected expenses which includes the additional operating and maintenance expenses as well as capital expenses proposed in the Plan. Given the deficiency of funds in 2025 through 2030, based on the 2024 budget, it is recommended that the County address the revenue shortfall by either future revenue adjustments or securing other funding sources such as grants, etc. Additionally, as it is projected that the population—and therefore solid waste tonnage—will increase in the next six years the County should strategize about how this transition should happen as some costs may not increase proportionally with the service population while maintaining the same, high level of service from the County.

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Appendix G – SEPA Documents

Background

1. Name of proposed project, if applicable:

Adams County Solid Waste and Hazardous Risk Waste Management Plan

2. Name of applicant:

Adams County

3. Address and phone number of applicant and contact person:

**Todd O'Brien, P.E., Director
Adams County Public Works
210 West Alder Avenue
Ritzville, WA 99619
Phone: (509) 659-3276**

4. Date checklist prepared:

July 15, 2024

5. Agency requesting checklist:

Adams County Public Works

6. Proposed timing of schedule (including phasing, if applicable):

This checklist is submitted for a non-project proposal intended to update the Adams County long-range plan for solid waste management, recycling, and disposal. The proposed Solid Waste and Hazardous Waste Management Plan is undergoing public review and comment. A final copy of the Solid Waste and Hazardous Waste Management Plan is expected to be approved by all cities and towns in Adams County, the Adams County Board of County Commissioners, and the Washington State Department of Ecology (Ecology) in 2024/2025.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

Ecology's guidelines (Guidelines for Development of Local Comprehensive Solid Waste Management Plans and Plan Revisions) require solid waste and hazardous waste management plans to be reviewed and, if necessary, updated periodically.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

Does not apply.

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.

No, this SEPA Checklist is intended to address only programs and activities specifically recommended in the Solid Waste and Hazardous Waste Management Plan. It is assumed that any new private or public facilities will need to complete a separate SEPA review process as appropriate.

10. List any government approvals or permits that will be needed for your proposal, if known.

State Law (Revised Code of Washington 70A.200) and guidelines issued by Ecology require a public review period for this plan for a minimum of 30 days, require that the plan be reviewed by the Washington Utilities and Transportation Commission and the Department of Agriculture, and require Ecology to examine and comment on the preliminary draft of the plan. The Board of County Commissioners and the cities and towns must also adopt the final draft of the plan. After



adoption by the County and cities/towns, Ecology must approve the plan before it becomes effective.

- 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.)**

Adams County is required by State law to maintain a solid waste management plan in a “current and applicable condition.” The existing solid waste management plan was completed in 2018 and is outdated in several areas. In addition to updating the discussion of current facilities and programs, the new proposed solid waste management plan contains a number of recommendations. Most of these recommendations represent refinements to existing policies and programs, based on the goal of decreasing reliance on landfills (by increasing waste reduction, recycling, and composting) and reducing environmental impacts caused by existing activities. The recommendations proposed in the Solid Waste and Hazardous Waste Management Plan can be found in Chapter 12 – Implementation 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 Solid Waste and Hazardous Waste Management Plan addresses activities and programs that occur throughout Adams County.

Environmental Elements

1. Earth

a. General description of the site:

Circle or highlight one: Flat, rolling, hilly, steep slopes, mountainous, other:

The facilities and programs addressed by the Solid Waste and Hazardous Waste Management Plan recommendations are inclusive of the entire County and include all of the above.

b. What is the steepest slope on the site (approximate percent slope)?

Does not apply; there is no specific site being addressed by this Plan.

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.

Does not apply; there is no specific site being addressed by this Plan.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

Does not apply; there is no specific site being addressed by this Plan.

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.

Does not apply; there is no specific site being addressed by this Plan.

f. Could erosion occur because of clearing, construction, or use? If so, generally describe.

Does not apply; there is no specific site being addressed by this Plan,

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Does not apply; there is no specific site being addressed by this Plan.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any.

Does not apply; there is no specific site being addressed by this Plan.

2. Air

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.

No significant emissions are anticipated as a result of the recommendations made by this Plan.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

Does not apply; there is no specific site being addressed by this Plan.



c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Does not apply; there is no specific site being addressed by this Plan.

3. Water

a. Surface:

- 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.**

Does not apply; there is no specific site being addressed by this Plan.

- 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.**

Does not apply; there is no specific site being addressed by this Plan.

- 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.**

Does not apply; there is no specific site being addressed by this Plan.

- 4. Will the proposal require surface water withdrawals or diversions? Give a general description, purpose, and approximate quantities if known.**

Does not apply; there is no specific site being addressed by this Plan.

- 5. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.**

Does not apply; there is no specific site being addressed by this Plan.

- 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.**

Does not apply; there is no specific site being addressed by this Plan.

b. Ground:

- 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 a general description, purpose, and approximate quantities if known.**

Does not apply; there is no specific site being addressed by this Plan.

- 2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (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.**

Does not apply; there is no specific site being addressed by this Plan.

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.**

Does not apply; there is no specific site being addressed by this Plan.

- 2. Could waste materials enter ground or surface waters? If so, generally describe.**

Does not apply; there is no specific site being addressed by this Plan.

- 3. Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.**

Does not apply; there is no specific site being addressed by this Plan.

- d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:**

Does not apply; there is no specific site being addressed by this Plan.

4. Plants

- 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

- b. What kind and amount of vegetation will be removed or altered?**

Does not apply; there is no specific site being addressed by this Plan.

- c. List threatened and endangered species known to be on or near the site.**

Does not apply; there is no specific site being addressed by this Plan.

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any.**

Does not apply; there is no specific site being addressed by this Plan.

- e. List all noxious weeds and invasive species known to be on or near the site.**

Does not apply; there is no specific site being addressed by this Plan.

5. Animals

- a. **List any birds and other animals that 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:**

All of these types of birds and animals can be found in Adams County.

- b. **List any threatened and endangered species known to be on or near the site.**

Does not apply; there is no specific site being addressed by this Plan.

- c. **Is the site part of a migration route? If so, explain.**

Does not apply; there is no specific site being addressed by this Plan.

- d. **Proposed measures to preserve or enhance wildlife, if any.**

Does not apply; there is no specific site being addressed by this Plan.

- e. **List any invasive animal species known to be on or near the site.**

Does not apply; there is no specific site being addressed by this Plan.

6. Energy and natural resources

- 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.**

Several of the activities recommended in the Plan will require small additional amounts of electrical power to support normal, everyday activities.

- b. **Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.**

Does not apply; there is no specific site being addressed by this Plan.

- 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.**

Does not apply; there is no specific site being addressed by this Plan.

7. Environmental health

- a. **Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur because of this proposal? If so, describe.**

No, although the Plan discusses the Household Hazardous Waste Facilities and increased education and outreach for those facilities, these activities should help prevent these types of environmental health issues in future. Additional information can be found in Chapter 9 – Moderate-Risk Waste.

1. Describe any known or possible contamination at the site from present or past uses.

Does not apply; there is no specific site being addressed by this Plan.

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.

Does not apply; there is no specific site being addressed by this Plan.

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.

Does not apply; there is no specific site being addressed by this Plan.

4. Describe special emergency services that might be required.

Does not apply; there is no specific site being addressed by this Plan.

5. Proposed measures to reduce or control environmental health hazards, if any.

Does not apply; there is no specific site being addressed by this Plan.

b. Noise

1. What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Does not apply; there is no specific site being addressed by this Plan.

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)?

Does not apply; there is no specific site being addressed by this Plan.

3. Proposed measures to reduce or control noise impacts, if any:

Does not apply; there is no specific site being addressed by this Plan.

8. Land and shoreline use

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.

Does not apply; there is no specific site being addressed by this Plan.

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 because 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?

Does not apply; there is no specific site being addressed by this Plan.

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?

Does not apply; there is no specific site being addressed by this Plan.

c. Describe any structures on the site.



Does not apply; there is no specific site being addressed by this Plan.

d. Will any structures be demolished? If so, what?

Does not apply; there is no specific site being addressed by this Plan.

e. What is the current zoning classification of the site?

Does not apply; there is no specific site being addressed by this Plan.

f. What is the current comprehensive plan designation of the site?

Does not apply; there is no specific site being addressed by this Plan.

g. If applicable, what is the current shoreline master program designation of the site?

Does not apply; there is no specific site being addressed by this Plan.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

Does not apply; there is no specific site being addressed by this Plan.

i. Approximately how many people would reside or work in the completed project?

Does not apply; there is no specific site being addressed by this Plan.

j. Approximately how many people would the completed project displace?

Does not apply; there is no specific site being addressed by this Plan.

k. Proposed measures to avoid or reduce displacement impacts, if any.

Does not apply; there is no specific site being addressed by this Plan.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any.

Does not apply; there is no specific site being addressed by this Plan.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

Does not apply; there is no specific site being addressed by this Plan.

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

Does not apply.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

Does not apply.

c. Proposed measures to reduce or control housing impacts, if any:

Does not apply.

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Does not apply.

b. What views in the immediate vicinity would be altered or obstructed?

Does not apply.

c. Proposed measures to reduce or control aesthetic impacts, if any:

Does not apply.

11. Light and glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Does not apply; there is no specific site being addressed by this Plan.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

Does not apply; there is no specific site being addressed by this Plan.

c. What existing off-site sources of light or glare may affect your proposal?

Does not apply; there is no specific site being addressed by this Plan.

d. Proposed measures to reduce or control light and glare impacts, if any:

Does not apply; there is no specific site being addressed by this Plan.

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

Does not apply; there is no specific site being addressed by this Plan.

b. Would the proposed project displace any existing recreational uses? If so, describe.

Does not apply; there is no specific site being addressed by this Plan.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Does not apply; there is no specific site being addressed by this Plan.

13. Historic and cultural preservation

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.

Does not apply; there is no specific site being addressed by this Plan.

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.

Does not apply; there is no specific site being addressed by this Plan.



- 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.**

Does not apply; there is no specific site being addressed by this Plan.

- 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.**

Does not apply; there is no specific site being addressed by this Plan.

14. Transportation

- 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.**

Does not apply; there is no specific site being addressed by this Plan.

- 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?**

Does not apply; there is no specific site being addressed by this Plan.

- c. **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).**

Does not apply; there is no specific site being addressed by this Plan.

- d. **Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**

Does not apply; there is no specific site being addressed by this Plan.

- e. **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?**

Does not apply; there is no specific site being addressed by this Plan.

- f. **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.**

Does not apply; there is no specific site being addressed by this Plan.

- g. **Proposed measures to reduce or control transportation impacts, if any:**

Does not apply; there is no specific site being addressed by this Plan.

15. Public services

- 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.**

Does not apply.

b. Proposed measures to reduce or control direct impacts on public services, if any.

Does not apply; there is no specific site being addressed by this Plan.

16. Utilities

a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other:

Does not apply; there is no specific site being addressed by this Plan.

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.

Does not apply; there is no specific site being addressed by this Plan.

Signature

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.

X 

Type name of signee: Todd O'Brien, P.E.

Position and agency/organization: Adams County Public Works Director

Date submitted: August 26, 2024

Supplemental sheet for nonproject actions Do not use this section 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?

By providing for secure disposal of solid wastes and increased waste reduction and recycling activities, the Plan is expected to decrease impacts and discharges to water and air, and to provide for more secure handling of toxic or hazardous substances that may be part of the solid waste stream. No substantial increases or decreases in noise levels are expected as a result of the SWMP's recommendations.

- **Proposed measures to avoid or reduce such increases are:**

Does not apply.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

No significant impacts to plant, animal, fish, or marine life are expected.

- **Proposed measures to protect or conserve plants, animals, fish, or marine life are:**

Does not apply.

3. How would the proposal be likely to deplete energy or natural resources?

A small amount of energy and materials will be needed to implement the recommendations in the Plan, but this is expected to be more than offset by the energy and resources conserved as the result of increased waste prevention, recycling, and composting recommended by the Plan.

- **Proposed measures to protect or conserve energy and natural resources are:**

Does not apply.

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?

No substantial impacts, either positive or negative, to environmentally sensitive or other protected areas are expected to result from the recommendations in the Plan.

- **Proposed measures to protect such resources or to avoid or reduce impacts are:**

Does not apply.

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?

No substantial impacts, either positive or negative, to land and shoreline use are expected to result from the recommendations in this Plan.

- **Proposed measures to avoid or reduce shoreline and land use impacts are:**

Does not apply.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Minor changes are proposed for public services and to several aspects of the waste collection system.

- **Proposed measures to reduce or respond to such demand(s) are:**

None.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The Solid Waste and Moderate Risk Waste Management Plan was prepared in response to State requirements for the proper management of solid waste. This Plan is intended to comply with all applicable local, state, and federal laws and requirements regarding protection of the environment.



Appendix H – Comments Received and Responses

PLACEHOLDER



PLACEHOLDER