

Council Members,

I appreciate that the Council delayed the decision on changes to County Code which once made would allow recycling haulers to choose a single stream comingled one bin recycling system. When I was alerted to this possible change by an article in a local paper I was surprised because for 30+ years the County has spent lots of time and money getting people well trained to separate their recyclables into the three-bin system, and those efforts have won the County much praise for both our recycling participation rate and the very low contamination of the recyclables we collect. Everyone agrees that the single bin system will have a higher rate of contamination as liquids from containers drain onto the paper and cardboard, and as broken glass gets ground into paper and cardboard especially when compressed in the proposed trucks.

The Recycling Contamination Reduction and Outreach Plan that the County released in June of 2021 found:

“The County’s effective curbside source-separated recycling program has contributed to the reduction of contamination rates to less than 1 percent, significantly lower than the state average. Given the strong support for the existing three-bin system and the resulting higher-value recycling commodities, the County is not currently evaluating alternative collection opportunities.”

With that basic knowledge I thought if I reviewed the public record leading up to this substantial change I would find information and data that would explain how the new system would lead to more material being collected, and even with the higher contamination rate the higher collection amount would lead to more marketable material coming out the other end of the Material Recovery Facilities (MRFs) to be used to produce new products. Unfortunately, after reviewing the public record for what has been provided to the County Council, the Bellingham City Council, the Solid Waste Advisory Committee (SWAC), and the Solid Waste Executive Committee (SWEC) I found nothing that would lead me to believe the amount of recycling will be improved by this change. Perhaps information has been provided but it just was not entered into the public record? What I did find was quite a bit of discussion of how this new system might be easier for SSC and the public, may lead to less litter on windy days, and may lead to fewer injuries to the workers who currently have to hand load recyclable materials into the trucks. I suspect some of these benefits, that are tangential to increased recycling, may be true since they make common sense, but even for these there was no real analysis or data (e.g. number of workers actually injured, truck fuel reductions, etc.) provided to make a decision. What I did find in the public record and in the various plans approved was information that seems to be counter to this proposed change.

Less than a year ago the County Council approved an updated Solid Waste Management Plan which sings the praises of the current three-bin system and states clearly that ***“other collection opportunities were not evaluated.”*** Below are the pertinent parts of that Plan that the County Council, all the cities in the County, and the Department of Ecology approved.

***Whatcom County Comprehensive Solid and Hazardous Waste Management Plan 2022 – 2027
Approved by the County Council 4/25/23***

4.2 Recycling Needs and Opportunities

Residential recycling programs in the County currently operate under a three-bin collection system. As stated in Ecology reports provided annually to the County, the County system has relatively high recycling rates (46 to 55 percent) and diversion rates (41 to 54 percent) when compared to the state and other Washington counties. Service

providers and County staff generally agree that the community, specifically single-family residential users, has a strong understanding of the existing source-separated, three-bin system. This understanding is reflected in the high residential recycling participation rate, which has held steady at over 90 percent in recent years. The County reports some of the lowest contamination rates in the state, which is commonly attributed to the curbside source separation. Contamination results when customers improperly sort recyclable materials, and results in higher customer costs and additional materials going to landfill.

Despite this, the CSHWMP update process considered the benefits of alternative collection methods under a commingled (single-stream) system for recyclables, including the potential for even higher participation rates and improved compliance. However, stakeholders noted the significant challenges associated with conversion to a commingled recycling system that would require the construction of high-end sorting facilities, a new truck fleet, and access to markets accepting degraded products. In addition, the value of recyclable commodities could decline because of increased contamination and increased competition from the many other communities that have already converted to commingled recyclables collection. Given the strong support for the existing three-bin system of collecting recyclables, other collection opportunities were not evaluated in the development of the CSHWMP. Ecology supports the collection of curbside-sorted materials through [RCW 70A.205.045\(7\)\(b\)](#).

1.3 Participating Jurisdictions

Pursuant to interlocal agreements, the CSHWMP defines the solid waste management policy of the County and all incorporated cities in the County, including Bellingham, Blaine, Everson Ferndale, Lynden, Nooksack, and Sumas.

Each participating jurisdiction, as represented by the Solid Waste Executive Committee (SWEC) through interlocal agreement, adopted this revision to the CSHWMP prior to its approval by Ecology.

I find it hard to understand how the County and the City of Bellingham approved the Plan with this language when at the same time the City was already moving forward with single bin pilot trials upon SSC's request. Does the Solid Waste Plan need to be amended before such changes can take place, or are the various plans the County and cities approve meaningless when a single company desires a change even though the company is a regulated utility that gains its franchise from the County?

I also don't understand how the City of Bellingham continues to move forward with changes to their recycling collection, and now mandatory organics collection, when those changes were not discussed in the recently updated "Comprehensive" Solid Waste Management Plan. Both the City of Bellingham and SSC have members on the Solid Waste Advisory Committee that helped draft the plan, and the City is a member of the Solid Waste Executive Committee. Here is the pertinent language in the interlocal agreement between the County and the City of Bellingham:

First Amended Interlocal Agreement with the City of Bellingham – 12/30/1991
Responsibilities of the City: The City hereby agrees:

- A. That its cooperation with the County shall include, where appropriate, provisions in its franchise agreements with waste haulers to implement curbside recycling or other waste reduction and recycling programs of the adopted plan;

All of the above just shows that the County's solid waste planning has not anticipated this change, and that the process for these changes has not been followed well. That being said, if this new proposed system can actually increase the amount of material that is recycled we should consider it. So, the basic fact that seems to be missing in the public record is any analysis or data that backs up that this new system will increase recycling. How much more will be collected, and more importantly how much more marketable recyclables will be coming out the other end of the MRFs? If that information does not exist than you are blindly making a decision that may cost local rate payers hundreds of thousands of dollars.

I was surprised while reviewing what the SWAC had been provided and discussed regarding all of this to learn that data that SSC is required to provide the County that would provide some of this information has not been provided for the past ten years. The SWAC also rightly identified that under the new single bin system, either new information would need to be required, or recycling and contamination rates would be impossible to determine. Why has the County not demanded this required information, and how did the Health Department come to support SSC's proposed changes without it? Here is the pertinent discussion from the October SWAC meeting:

SWAC Minutes – 10/26/23

Discussion of Whatcom County Code 8.10 Revision

Jennifer discussed the revision of Code 8.10 regarding single stream recycling. In order to support SSC's operations and implement the single stream recycling, code 8.10.050 needs to be revised. The language will need to be amended or removed to enact single stream in the city and beyond.

The group discussed section 8, the submittal of documents and notices, which have **not** been submitted since 2014. 2014 was when the program moved from Public Works to the Health Department. This is an opportune time for this documentation to be submitted again. It was noted the documents should be collected and tracked once again.

It was asked if the reporting requirements being proposed to add to the code, do those exist elsewhere? What was compelling them to be submitted and is this replacing what was compelling that or is this new code language to get those reports submitted again? Jennifer noted this is current language in the code and monthly reports are required, but they've not been received or submitted.

Jennifer asked Rodd if SSC collects some of the data listed in Section 8. Rodd noted he believes some only recorded for UTC customers, but will check. Rodd noted monthly recycle tonnage per material, only have the weight in an aggregate but unsure if it's in the number people may want. Once it changes to single stream, we will only know the gross tonnage and not how much paper Whatcom County residents recycled in a given month due to it being combined with other counties recycling. It wouldn't tie directly into the language. Troy noted the numbers are reported to Ecology.

It was noted the contamination rate will be needed moving forward. The committee stated once it goes to single stream fully, not able to calculate unless doing waste audits and the residual rate may not be accurate as multiple programs are combined into one sorting facility.

It was noted the most important thing is diversion from landfill through recyclables and organics. There was discussion about accuracy. Contamination figures need to be known if we are going to work on diversion as a goal.

Bad Proposed Code Language Change

Source Separation - The changes to the code proposed under 8.10.040.B and 8.10.050.A to remove references to source separation seems incorrect since source separation usually refers to the customer keeping recyclables separate from their garbage before it is picked up. This is very important to reduce contamination and maintain a workable recycling system. The proposed single bin recycling would still be source separation, just not to the same level. If you remove the source separation requirement it could allow haulers to just collect the recyclables mixed in with the garbage to then be separated at a “dirty” MRF. This type of dirty recycling is not very successful and should be avoided, so the wording in these sections should be changed to avoid potentially allowing dirty recycling. If this change in collection is desired, I would recommend just removing reference to the “three bin” system, but leaving source separated in the code. Perhaps a definition of source separation needs to be added to make this clear.

8.10.070 Submittal of documents and notices- The changes in this section are confusing and do not provide the information necessary for the County to evaluate performance.

- In 8.10.070.B1 the term Material Recovery Facility should be defined.
- In 8.10.070.B1c “recycling collectors” and “processors” need to be defined. Is a processor the same as a MRF? Is a “recycling collector” the same as a Solid Waste Collection Company? Why has Processor been removed under 8.10.070.B1, but is used again under 8.10.070.B1c? Also, in 8.10.070.B1c, it appears this would only be the tonnage that is delivered to “processors” by curbside collection companies, and they will not have the ability to break this out by material as the reporting requirement states once single bin collection is started. Will the MRFS also be required to report tonnages out the backend by each material? According to SWAC minutes once single bin recycling starts, especially if out-of-county MRFs are used, it is unlikely getting backend tonnages by material will be possible from such MRFs (processors?) because of the way they mix loads from a variety of haulers. Does the county or haulers have the contractual ability to require MRFs (especially those outside of the County) to report backend tonnages for just the material delivered from the County? Without this data there is no good way for the County to evaluate performance and contamination rates.
- In 8.10.070.B1d what does a “Public Service Contract” include (need definition?), and again a definition of “processing” is needed.
- I am unclear what the difference is between reporting requirements in 8.10.070.B2a and 8.10.070.B1c? Same issues apply as discussed above under 8.10.070.B1c.

Based on information available I am still unclear whether this single bin proposal benefits our local recycling efforts, or just the bottom line of SSC. If I had a vote on this matter here are the questions I would want clear information regarding:

- If as the Solid Waste Plan says we already have a 90% recycling participation rate, how much higher can this new system increase that?

- Is there real evidence from the SSC pilot projects and from other communities that such a switch will lead to higher amounts of materials being collected at the curbside? How much higher if as the Solid Waste Plan says we already have a higher rate than most of the rest of the state?
- What contamination rate is to be expected under this new system? Can we get data from the MRFs about how much of each commodity is marketable once separated? If our current contamination rate is 1% as the recent study found how much more material will need to be collected to make up for the higher contamination?
- Glass in such systems, especially with truck compaction, is a problem and some have discussed the need for separate collection of glass (like Nooksack Valley Disposal already does), or perhaps not collecting glass at all. How will this problem be handled and tracked? Is there a market for glass? How much are we being paid for the various commodities once they are separated at the MRF, or how much are we paying to get rid of them?
- SSC currently picks up a variety of materials that are set next to the 3 bins, such as motor oil, car batteries, scrap metal, etc. How will these items be handled with a single-bin system?
- If this new single bin system is so much more efficient and will lead to fewer trucks on the roads how many jobs will be lost?
- Currently our recyclables are taken to a local MRF on Slater Road for separation, and this local processing is supported in various documents. I have been told that the local MRF is not able to sort the types of mixed loads this new system would deliver so our recyclables will be hauled to a MRF in King County. Is that true? How many local jobs will be lost? What are the added transportation costs? Will our recyclables be tracked separately (tonnage, contamination, etc.) from other communities that use this regional MRF?
- The City of Bellingham is currently considering mandatory curbside collection of organic waste. Will the County go down this path also? For 30+ years the County has promoted home composting of such waste, so if collection becomes mandatory will exemptions be given for those who have embraced home composting, or will they be paying for a system they don't need?
- To implement a single bin system will new trucks and bins need to be purchased, and if so won't those costs be passed along to rate payers? Is there a financial analysis that shows these increased new infrastructure costs, (compared to the old trucks and bins which I assume have already been amortized), and how those costs will be offset by greater efficiency to avoid rate increases to households?
- Where is the financial analysis that shows the costs / benefits to actual recycling compared to employee injuries, litter, truck fuel usage, etc.?
- Why is so little information available about what materials are actually being recycled, and at what costs, and where?
- Studies suggest changes to single bin systems work better (less contamination) if accompanied by significant educational efforts to ensure people know what can and cannot be put in the bins.

Will SSC undertake these increased educational efforts? Who will oversee it? Who will pay for it? Will these efforts include tagging or rejecting loads that contain improper materials?

- Since the new toter for single bin collection is so much larger than the current capacity of the 3-bins (about 5 times larger) will residents be allowed to move to less frequent collection for a reduced cost? Has less frequent collection been considered to further reduce fuel usage, wear and tear, and climate impacts?

I hope this information and these questions are helpful in your deliberations. If it turns out this proposed system increases recycling I am all for it, but to date I have not seen any information that would allow me to make that determination. If you have any questions feel free to contact me.

Thanks so much for reviewing this.

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