

# CHAPTER 10

## ENFORCEMENT AND ADMINISTRATION

This chapter describes the administrative structure for solid waste management planning, permitting, financing, and enforcement for the three waste management systems in Pierce County. It also discusses illegal dumping issues.

### 10.1 Goals

**Goals:** The Pierce County Council and the Solid Waste Advisory Committee (SWAC) established the following goals to govern administration and enforcement issues:

**Goal:** To ensure that the Health Department's permitting, monitoring, and enforcement programs for solid waste are adequately funded, staffed, and managed in a cost-effective manner.

**Goal:** To ensure that there is a coordinated approach by all enforcement agencies to resolve illegal dumping problems and to remove regulatory barriers that prevent clean-up in a timely manner.

**Goal:** To ensure that disposal service levels are maintained consistent with the Plan and that rates charged are equitable and reflect cost effective management and operation practices.

**Goal:** To promote inter-jurisdictional cooperation and the orderly, cost-effective, and environmentally sound management of the solid waste system.

**Goal:** To ensure thorough public discussion on proposed waste management projects.

**Summary of actions taken:** The 1989/92 Plan contained a number of recommendations which repeated or reinforced support for the development of curbside collection programs or directed the County to support educational activities about all waste management and recycling issues. The 1989/92 goals and recommendations, included in Appendix D, provided the context for earlier County actions. Other recommendations specifically related to enforcement and administration included:

- Continuance of the existing funding method used to support the Tacoma-Pierce County Health Department (TPCHD) and the Solid Waste section of the Pierce County Public Works and Utilities Department, Environmental Services Division.
- Recognition of Tacoma's continuing role for controlling all aspects of solid waste management within its corporate limits.
- Continuation of the coordinated household hazardous waste collection programs.
- Development of and support of zoning code amendments on issues related to solid waste facilities.
- Adoption of a county-wide flow control ordinance and a limitation on the importation of out-of-county solid waste until short term needs were identified.

- Establishment of a working group of waste managers from the public and private sector to share ideas and brainstorm problems.
- Development of a general public education program to coordinate with other related solid waste issues such as litter, illegal dumping, and increased disposal fees.

All of the 1989/92 Plan’s recommendations relating to the establishment of waste reduction and recycling programs and public outreach were implemented, and hazardous waste collection programs were expanded and extended according to the adopted *Local Hazardous Waste Management Plan*. Also, revisions were made to Pierce County’s Development Regulations (zoning code) to ensure a coordinated process between the County and the Health Department for the permitting and siting of solid waste, composting, and recycling facilities. As recommended, the tipping fee continues to be used as the financing mechanism to support Pierce County and Health Department programs. (Permitting and financing mechanisms for all jurisdictions are discussed in more detail later in this chapter.)

Recommendations about flow control, waste importation, and the working group of waste managers were partially implemented. A Recycling Roundtable was formed to provide guidance for developing recycling programs. Its formation was to generally carry out the Plan’s recommendation to establish a group of waste managers to “keep each other informed, share new discoveries, and brainstorm on problem issues.” The Roundtable acted in this capacity until members decided there was no need to continue meeting once the recycling collection programs were in place. Since that time, the Solid Waste Division has communicated directly to city managers and

mayors about issues related to the Pierce County management system, and to private recycling and hauling businesses, as issues arise. The Solid Waste Division sponsors meetings with the cities and towns to respond to their inquiries, explain an issue, gather comment, and coordinate responses.

In 1995, Tacoma established a Rate Advisory Group to help evaluate and steer Solid Waste Utility rates and charges related to Tacoma’s waste management system.

As discussed in other chapters, both flow control and the limitation of the importation of waste may no longer be legally possible.

The County adopted a handling system ordinance that would have allowed the County to direct the flow of waste to any one facility. It was never used to flow control waste. Instead, it has been used to provide annual public notice of all the existing solid waste and recycling facilities operating in Pierce County. (The ordinance is discussed in more detail later in this chapter.)

The following sections provide more detail about administration, enforcement, and funding issues.

## 10.2 Organizational Structure

There are three management systems in the county: the Pierce County/cities and towns system; the Tacoma/Ruston system; and Fort Lewis/McChord Air Force Base system. For all jurisdictions, the Tacoma-Pierce County Health Department (TPCHD) acts as the regulatory agency for the permitting of solid waste facilities, for enforcement of solid waste regulations, and to provide public education about these permitting and enforcement activities and related public health risks.

Following is a summary of the management structure for the three separate systems.

***Pierce County/cities and towns:*** Until 1987, Pierce County government played only a marginal role in solid waste management. Up to that time, management was loosely provided through the Health Department's oversight of permitting and enforcement activities, through individual cities' collection contracts and the County's disposal contract, and through the services provided to residents in the unincorporated areas by the hauling companies. Oversight of collection rates of the hauling companies serving the unincorporated areas and some cities was, and continues to be, under the jurisdiction of the Washington Utilities and Transportation Commission (WUTC).

As a direct result of the 1989 Plan, the management system substantially changed. Pierce County added a Solid Waste Division to the Department of Public Works and Utilities; signed Interlocal Agreements with all the cities and towns; modified the disposal contract; and began working with private industry and the cities to implement the recycling programs of the Plan.

***Interlocal Agreements:*** The Agreements state the general obligations of each municipality and provide for review, renewal, and amendment processes. Through the agreements, Pierce County's cities and towns join with the County in adopting, implementing, and enforcing the Solid Waste Plan. The three new cities, Edgewood, Lakewood, and University Place, did not sign agreements when they were formed. They continued to contract with the existing haulers that served their areas or are served under the franchise system. Thus, they remain part of the County's system which provides management and disposal for the

unincorporated areas and 19 of the 21 cities and towns.

The County is responsible for countywide planning and management services for waste generated and collected within the unincorporated areas and 19 municipalities; the development of curbside recycling minimum service levels and other model recycling programs; countywide public education and outreach about solid waste disposal issues and waste reduction and recycling; data monitoring and collection; contracts for disposal rates; and to "cost-effectively plan for, design, and/or site disposal facilities."

Cities are responsible for collection within their jurisdictions; implementation of similar or the same residential recycling collection programs through their contracts with hauling companies; development of any other special collections or outreach specific to their jurisdiction; and coordination with the County on all other programs.

***County management:*** The Pierce County Council's role is to develop policy through adoption of the Plan and to approve budgets in order to implement programs. The Council sends issues to the Solid Waste Advisory Committee (SWAC) for review and comment and adopts ordinances to implement the Plan as necessary. The County Executive, as the County's chief administrator, is responsible for directing the activities of the Department of Public Works and Utilities and for proposing a budget to the County Council. Both the County Council and the County Executive have a non-voting representative on the SWAC.

The Department of Public Works and Utilities Solid Waste Division has a solid waste manager and a small staff of solid waste analysts, planners, environmental educators, and an office assistant who

provide all the County's solid management services for the County and 19 cities and towns. The staff is also responsible for coordinating with the Tacoma Solid Waste Utility and the Tacoma-Pierce County Health Department. The Solid Waste Division staffs the SWAC and acts as the Executive's non-voting representative.

*Solid Waste Advisory Committee (SWAC):* The State requires that counties establish a SWAC "to assist in the development of programs and policies concerning solid waste handling and disposal..." (RCW 70.95). By law, the SWAC is established to report to the Pierce County Council. The SWAC members must be representatives from "public interest groups, citizens, businesses, waste management industry, and local elected officials."

The SWAC "serves in an advisory and technical capacity to the County Council..." and makes "recommendations to the Council on matters relative to the development of solid waste handling programs and policies." One of its main functions is to "provide a forum within the community for the expression of opinions regarding solid waste handling and disposal plans, ordinances, resolutions, and programs prior to adoption..." SWAC meetings provide regular opportunities for public comment. (Pierce County Code, Chapter 2.92).

At different times, and for particular issues, some cities in the county have established their own SWAC to look at an issue particular to their jurisdictions or an important countywide solid waste issue.

*Inter-government coordination:* The County Executive and the County Council communicate directly with the city and town mayors on an issue-by-issue basis. The County and its cities also have other forums available to raise and discuss issues about

solid waste. In particular, there is the Pierce County Regional Council (PCRC) which is the planning group formed by all municipalities to resolve comprehensive land use planning issues under the Growth Management Act (GMA), RCW 36.70A.

To implement the Growth Management Act, Pierce County and the cities and towns have adopted *Countywide Planning Policies*, comprehensive land use plans, and development regulations. These policies, plans, and regulations provide procedures for coordination with other jurisdictions. They also provide guidance for the siting of capital facilities and the adoption of service levels for capital facilities. Particularly important to the solid waste system are those policies and procedures which identify "essential public facilities of a countywide or state-wide nature." Under State law, these are public facilities "that are typically difficult to site, such as...solid waste handling facilities." (RCW 36.70A.200 (1)). Under this law, no comprehensive plan or development regulation may preclude the siting of essential public facilities. (Solid waste policies from the *Pierce County Comprehensive Land Use Plan* and related policies from the *Countywide Planning Policies* are included in the Appendices.)

To implement the countywide waste reduction and recycling outreach programs, the Solid Waste staff regularly provides the cities and towns with information about recycling and education programs and an annual report. The office often responds to requests made by each city mayor or administrator about a variety of activities throughout the year.

In the last few years, Solid Waste has coordinated emergency storm or flood debris programs for the unincorporated areas and the 19 cities when an emergency has

been declared. The most recent example was in early 1997, when staff worked with the haulers and the Public Works Transportation Division to provide residents with curbside pickup and drop-off sites for debris from a severe, after-Christmas ice storm. More than 40,225 tons of debris were collected and processed into fuel or wood mulch.

**Tacoma/Ruston:** The City of Tacoma has operated a refuse utility (renamed the Solid Waste Utility) since 1929 and that agency is responsible for management and operation of the City's municipal solid waste and recycling collection programs and disposal system. As a joint-participant in the Plan, the City is responsible for its own planning, management, and disposal system. As explained in the other chapters, Tacoma coordinates with the County on educational efforts, special collection programs, and data monitoring about recycling and disposal tonnage.

The Tacoma Solid Waste Utility is responsible to the City's Department of Public Works, which is under the direction of the City Manager who reports to the City Council. The Tacoma City Council sets policy direction and adopts budgets and ordinances as necessary to implement the solid waste management programs of the City. Tacoma has a voting position on the Pierce County SWAC.

The Tacoma Solid Waste Utility provides Pierce County staff with information about Tacoma and its planning activities, collection and disposal programs, and any needs and alternatives that have been identified by the Tacoma City Council for insertion within the Solid Waste Plan.

The Town of Ruston has an interlocal agreement with Tacoma for disposal at Tacoma's facilities and an agreement with

the County for adoption of the Solid Waste Management Plan. Ruston operates its own collection utility system. Like other communities, Ruston is responsible for collection, the recycling program, and coordination with Tacoma and the County. The Ruston Town Council adopts the Plan and ordinances to implement the Plan, and is in charge of the Town's refuse and recycling collection staff.

**Fort Lewis/McChord AFB:** Fort Lewis and McChord Air Force Base jointly use the Fort Lewis disposal system with separate but coordinated collection systems for solid waste and recycling. Fort Lewis has adopted the *Solid Waste Management Plan for the Fort Lewis Military Reservation* which describes the military system in more detail.

The County does not sign an Interlocal Agreement with the two military bases. However, the military systems are described in a summarized form in this document. As a result, this Plan acts as an umbrella document for the military in terms of coordination with the County, other cities, and the Health Department about general goals and issues shared by all jurisdictions. The Solid Waste Division works with the two bases on data collection and analysis of countywide recycling achievements and special recycling collection events. County staff also assist the two bases with public education and outreach, and school education services.

The Fort Lewis Public Works Department is the primary organization involved with solid waste management at Fort Lewis. Its responsibilities generally include refuse collection, management of the disposal and collection facilities, and oversight of contracts with waste haulers. The Fort's

solid waste plan was prepared under the guidance of the Fort Lewis SWAC.

McChord Air Force Base has its own management program which works with Fort Lewis and has established a Quality Recycling Program to specifically implement Federal directives on recycling, procurement, and other environmental compliance issues. (For more detail, please consult the Fort Lewis plan and McChord's brochure "Join McChord As It Travels The Recycling Highway.")

***Tacoma-Pierce County Health Department***

***(TPCHD):*** The Health Department is a separate agency from the County with a seven member board serving the entire county and all of its cities and towns. The Health Department's role in solid waste management is to implement programs to ensure solid waste handling complies with state and local solid waste regulations. This includes the permitting process and enforcement for solid waste facilities under the *State's Minimum Functional Standards* (MFS) (WAC 173-304) and the *Criteria for Municipal Solid Waste Landfills* (CMSWL) (WAC 173-351) and other waste-related local regulations.

The Health Department coordinates with the County and cities on special collections and public information programs, and administers the *Local Hazardous Waste Management Plan* adopted by all municipalities. The Health Department has a non-voting ("ex-officio") representative on the SWAC and participates in the planning and review of all solid waste management programs and the development of the Plan.

The Health Department works with other agencies charged with implementation of various enforcement regulations. For instance, the Pierce County Fire Marshal has

responsibility for enforcement of tire pile storage requirements. Various municipal public works departments and the Sheriff's Department work with the Health Department to handle illegal dumping, nuisance, or public health-related issues resulting from illegal dumping, improper storage, or littering.

### **10.3 Monitoring, Enforcement, and Compliance Programs of the Health Department**

***General description:*** The Tacoma-Pierce County Health Department's *Source Protection / Waste Management Programs* assure protection of the public from health risks and environmental contamination resulting from the handling and disposal of solid and hazardous waste materials. Health Department staff work in partnership with other agencies and private industry to identify solid and hazardous waste handling problems and to determine economically and environmentally sound solutions.

Through these programs, the Health Department performs regulatory oversight of solid waste handling and disposal sites in accordance with State solid waste regulations and the Solid Waste Management Plan.

Regulatory oversight includes activities such as the permitting, monitoring, inspection, and enforcement of state and local solid waste regulations. The Health Department also participates in the development of state and hazardous waste management policies and regulations. The Waste Management Program includes a strong educational component with the household and small business hazardous waste program.

**Figure 10.1 Allocation of 1997 Revenues  
(all sources)**

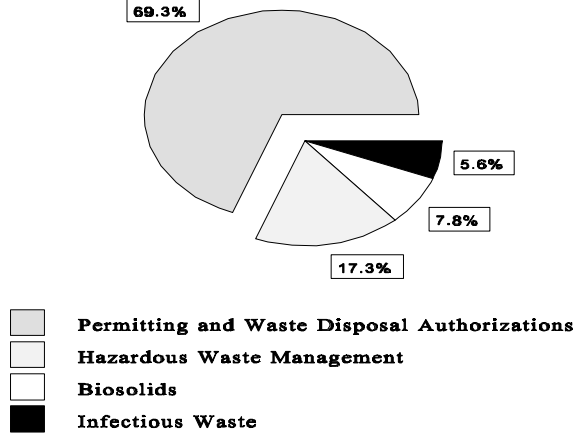


Figure 10.1 illustrates how the Health Department allocates the revenues received from all sources to the Source Protection / Waste Management Programs. The following provides a more detailed description of these four programs.

**Solid waste permitting:** The largest proportion of the Health Department’s solid waste efforts goes towards the permitting, monitoring, and inspection of solid waste facilities, as follows:

**Landfills:** The objective of landfill permitting requirements is to ensure that landfills are sited, constructed, operated, and closed in a manner that is protective of the environment, the public’s health, and in compliance with the State’s regulations.

To achieve these objectives, the Health Department reviews solid waste facility applications, engineering designs and reports, hydrogeologic reports, human health risk assessments, facility operation and closure plans, and various other documents. Once a facility is permitted, staff perform construction oversight with regards to facility design requirements; routine

operational compliance inspections; methane and groundwater monitoring and data analysis; waste characterizations; enforcement activities; preparation of annual reports; and the drafting of annual permits. The program also provides information to the general public and special interest groups regarding both current and closed landfills.

**Other facilities:** For other facilities, the objective is to assure that facilities do not create public health problems, nuisances, or environmental contamination. The Health Department provides similar services as those provided to landfills which includes inspections, document review, annual reports, education, enforcement, and general permitting activities.

**Enforcement:** To ensure facilities are in compliance and to protect the public, staff must sometimes take actions, such as establishing compliance schedules and requiring remediation or corrective action at sites not in compliance. Two additional enforcement tools are revocation or suspension of solid waste permits. Additionally, the Health Department has the ability to not renew a solid waste permit if the permit holder is unwilling or unable to comply with the conditions of the permit.

The following Table 10.2 illustrates the solid waste permitting workload for 1996 and 1997.

<b>Table 10.2 Solid Waste Permitting Workload</b>		
<b>Landfills</b>	<b>1996</b>	<b>1997</b>
Inspections of permitted MSW landfills	80	75
Inspections of permitted inert and demolition landfills	15	20
Inspections and methane monitoring of closed landfills	48	50
<b>Other facilities</b>		
Inspection of composting and recycling facilities	101	70
Inspection of transfer stations, incinerators, and contaminated soil treatment facilities	71	75

**Waste Disposal Authorization (WDA):** This program provides a mechanism to review and authorize the disposal of suspect wastes at Pierce County facilities. Program components include: review of available information regarding the waste from the generator; coordination of sampling and analysis requirements with landfill operators and the Washington State Department of Ecology; inspection of the waste generation process and sample collection; review of waste analysis results; issuance or denial of the disposal authorization; inspection of disposal facilities for compliance with disposal authorization requirements; development of policies and procedures related to the WDA program; and education regarding various waste streams.

Health Department staff work with the generators of these questionable or unknown wastes to inform them of the relevant state and local regulations, as well as of the potential environmental and human health risks posed by a given waste

material. As part of the process, the staff periodically make on-site visits to more completely review a waste stream or to observe sampling events.

The Health Department also works closely with the permitted solid waste facilities that accept wastes via the WDA process and has begun to work with businesses on a more industry-wide basis. The Department has identified business types most likely to generate wastes that are marginal for landfilling and they have been contacting and advising the businesses of the process that is available for proper disposal.

Enforcement is through acceptance or denial of the WDA. The Health Department continually tracks the permits and assesses ways to improve the process. This tracking and evaluation system has led to the abolition of WDA's for asbestos-containing materials and to the educational programs already discussed. The Health Department reviews about 80 WDA's per year and may approve less than half.

**Biosolids:** The Health Department provides permitting services to the local wastewater utilities for the controlled land application of biosolids. Properly handled, biosolids can be utilized as a fertilizer and soil conditioner. Biosolids are no longer defined or regulated as a solid waste. The State has new permitting regulations that remove biosolid land applications sites from the solid waste regulation process. While the permitting procedures have changed, the Health Department continues many of the same functions under different funding mechanisms.

The program has provided services which include: review of permit applications and environmental checklists for all proposed land application sites; mapping and recording of all application sites; pre-

application and post-application inspections; review of biosolids quality reports from wastewater treatment plants; enforcement; and education for both the public and other agencies regarding biosolids. Staff also has reviewed sources to obtain information regarding details of an individual site, such as surrounding drinking water wells, the types of soils on-site, and the location of surface waters on or near the site (river, lakes, ponds, creeks, etc.). A database has been kept on all sites to determine site life and potential impacts. Possible enforcement actions have included the withdrawal of the permit and/or monitoring to evaluate potential impacts. The Health Department typically has permitted 80-90 biosolids utilization sites per year.

(Chapter 9 Special Wastes includes more information about biosolids management alternatives in relation to solid waste issues.)

***Infectious waste management:*** The focus of this program is to ensure that infectious waste is handled, treated, stored, transported, and disposed properly as mandated by local ordinances (Pierce County Code, Chapter 8.38). Program activities include: the inspecting and permitting of all infectious waste generators, transporters, and treatment facilities; review and approval of alternative treatment technologies; providing education information for infectious waste facilities; and serving as a source of information for other agencies and the general public.

On an annual basis, 50% of the permitted infectious waste facilities receive individual site inspections while the other 50% are required to complete a self-inspection with reports submitted to the Health Department.

The Health Department has produced a number of publications for use by the general public and which have been distributed to the regulated and unregulated infectious waste community. For instance, a "syringe safety" brochure was given to individuals who need information on the handling and disposal of home-generated sharps, and a brochure about how to develop an infectious management plan is provided as a tool to infectious waste management facilities, businesses, and individuals. The staff has also conducted a survey of the infectious waste generating community to gather information regarding the amount of waste that is generated, methods of handling and disposal, and other information.

Health Department staff works with all infectious waste management facilities that are not in compliance. Available enforcement tools include compliance schedules, administrative hearings, permit revocations, facility closure, and criminal prosecutions.

(Chapter 9 Special Wastes defines and describes infectious waste in more detail and identifies possible additional activities.)

***Local Hazardous Waste Management:***

Local governments are required to plan and implement programs to address Household Hazardous Waste (HHW) and Small Quantity Generator Hazardous Waste (SQGHW). The Health Department, with Pierce County Solid Waste Division and Tacoma Solid Waste Utility, addresses these issues under the guidance of the *Tacoma-Pierce County Local Hazardous Waste Management Plan*, which has been adopted by all municipalities. The Health Department works with the various cities and agencies and also provides education

and training services to Pierce County residents and businesses.

This Health Department service differs from the other programs in two respects. First, it is funded by Department of Ecology grants, in coordination with similar grants received by Pierce County Public Works and Utilities and by City of Tacoma Solid Waste Utility. The local matching funds for this grant are currently received from Pierce County.

Secondly, the program has little or no “regulatory” emphasis. The goal is to provide training and information to enable county residents and businesses to:

(1) generate less hazardous waste; (2) use hazardous products, when needed, more safely; (3) properly store and dispose of hazardous wastes; and (4) comply with the various regulations that address hazardous substances/hazardous waste. Currently, staff are completing an analysis of data from a survey of small businesses to identify their waste management issues and how they prefer to receive information. As discussed in Chapters 4 and 7, it is through this program that the Health Department, Tacoma, and the County have established agreements which allows all county residents to take household hazardous waste to the Tacoma collection facility.

The following are some of the program’s other public outreach aspects:

- *Hazardous Waste Line:* A toll-free hotline provides residents and businesses with information regarding proper storage and disposal of hazardous wastes. Also provided is information on alternative (less or non-toxic) products and on applicable regulations. The hotline has been in service since late 1991, and receives an average of 350 calls per month. In 1997, it handled approximately 4,200 calls.

- *Fair / Community Events:* Displays are designed and staffed at several home and garden shows, the Spring Fair, Pierce County and Western Washington Fairs, and at major trade shows (e.g., Automotive Service Association). A hazardous waste display is available for use at local environmental fairs and community centers. In addition, the Health Department staff make numerous presentations to local community and business groups.

- *Publications / Publicity:* The Health Department has developed a number of publications for use by the general public as well as several publications targeting specific groups. Examples include "Household Hazardous Waste" brochures used by several agencies and distributed throughout Pierce County, and a small business hazardous waste disposal directory that is used by many county agencies. The Health Department periodically updates and reprints a listing of used oil collection centers throughout Pierce County.

- *Business Inspections:* The Health Department conducts visits to local businesses to review current waste management practices, evaluate compliance with applicable regulations, and describe ways to improve waste handling. These visits are educational, not enforcement, in nature. Automotive / allied trades and printers / photo developers have been emphasized in prior years. Currently, the Health Department is designing a pilot project wherein visits would be concentrated in a “wellhead protection zone.” This project is expected to be implemented in coordination with a local water purveyor and with the Health Department’s Wellhead Protection Program.

Health Department staff also assist businesses in classifying their waste as

hazardous or not, and to interpret dangerous waste regulations. These business visits are routinely coordinated with other agencies, including Pierce County Sewer Utility and Tacoma Solid Waste Utility.

- *Oil and Antifreeze Collection:* In response to demand from residents, staff worked with private businesses to develop drop-off sites for used antifreeze and contracts separately with a hauler to transport and recycle the antifreeze. There are currently five Department-sponsored sites accepting antifreeze, with more planned. In addition, where the existing system of private oil collection sites does not provide adequate service, the Health Department staff can establish oil collection sites. There is currently one sponsored oil collection site located in Key Center. Additional sites in Sumner-Lake Tapps-Orting area are planned. Again, these collection efforts are the “last-resort” where private sector collection has been inadequate. Staff periodically survey collection site operators to gauge overall reclamation rates, or to evaluate the need for additional sites.

(Additional information about the coordination of these household hazardous waste programs is in Chapter 4 Waste Reduction and Recycling and in Chapter 9 Special Wastes.)

***Compliance Program:*** The primary agency charged with responding to illegal dumping complaints is the Health Department. The Compliance Program staff of the Health Department handles illegal dumping and improper storage complaints for all of the cities and the unincorporated areas of Pierce County. The major funding source for this program comes from the “pool” of monies provided to the Health Department from all municipalities. Unlike other Health

Department waste management programs, this program is not funded by tipping fees.

When incidents are reported, the staff of the Compliance Program responds to complaints and investigates the dumpsite. Illegal dumping is a criminal offense. If they are able to identify the dumper through the contents of the material or if a license plate number is reported, the Health Department can require the violator to cleanup the site. If there is sufficient evidence and a reluctance of the violator to do the cleanup, the Health Department can press for prosecution, with a maximum of 90 days in jail. However, the enforcement of illegal dumping complaints does not seem to be a high priority within the legal system. More money may be spent trying to enforce cleanup than it might cost to do the cleanup. Legally, money collected through the court system cannot be used to fund the Health Department’s programs.

In the event that the dumper is not identified, the property owner is responsible for the cleanup and is notified by the Health Department of the complaint. If the site is on public right-of-way, the Health Department notifies the appropriate municipal public works department. The Health Department does not pick-up illegally dumped materials. The Sheriff’s Department is authorized to issue citations and enforce a \$1000 fine if they encounter the violator in the act of dumping.

In 1996, the Compliance Program staff handled 384 illegal dumping requests and 484 requests as of September 1997. These totals included sites in unincorporated areas and all cities and towns. In 1996, this represented approximately 1,970 service work hours.

The activities of the Compliance Program include more than just handling illegal dumping. Other activities include: resolving problems with failing septic systems and broken public sewer lines; rodent investigations and control; and dealing with the improper storage or disposal of solid waste / garbage. Improper storage is not a criminal offense, and it is handled through a citation process.

(More detail about illegal dumping is found later in this chapter in section 10.6.)

## 10.4 Permitting

***Solid waste permits:*** A variety of solid waste and recycling facilities require a solid waste permit administered by the Health Department. To begin operation, the facilities must be in compliance with the State's *Minimum Functional Standards* (MFS) (WAC 173-304) or the *Criteria for Municipal Solid Waste Landfills* (WAC 173-351). From time to time, these regulations are amended or replaced by the State and superseded by new regulations. But in general, the regulations adopted by the State include siting and design requirements, a plan of operation, and other standards to protect ground and surface water and to prevent air pollution. When the State amends the WACs, the Health Department must conduct a public review adoption process to revise or adopt the new or superseding regulations.

Currently, permits for proposed solid waste facilities are site specific although this may change in the future for certain types of activities to be identified by the State. The applicant must show evidence of compliance with State environmental rules and include plans, reports, and other support information. The Health Department

reviews the application and makes a determination as to whether or not the proposed facility meets all applicable laws and regulations, conforms with the most recently adopted Solid Waste Management Plan, and complies with all zoning requirements. If the application is not complete, the Health Department can deny the permit.

The standards include requirements for waste piles and outside storage but do not apply "to any facility that recycles or utilizes solid wastes in containers, tanks, vessels or in any enclosed building or to single family residents or farms engaged in composting their own wastes." (For more detailed information, the reader should refer to the appropriate WAC or any superseding regulations adopted by the State.)

***Review process:*** Once the Health Department has determined the application is factually complete, the Washington Department of Ecology makes a technical review of the application and recommends either for or against issuance of the permit. Following Ecology's review and recommendation, the Health Department can either issue or deny the permit. However, Ecology may appeal the issuance of the permit to the State's Pollution Control Hearing Board (PCHB).

Permit requirements apply to any solid waste facility covered under the MFS no matter in which municipal jurisdiction it is to be located, other than on tribal land, but including the military reservations. The permits require annual reporting to the Health Department and, currently, are renewed annually after review for compliance.

In 1997, the Legislature passed a bill directing Ecology and the State SWAC to

conduct a comprehensive review of the permit system. The resulting study, *ESHB 1419 Report: Washington's Solid Waste Permit System*, identifies a number of definition and permitting issues and alternatives. The report may, ultimately, result in changes to the existing permitting system and facility requirements.

*Facilities on tribal land:* The U.S. Environmental Protection Agency (EPA) is the agency responsible for the permitting and enforcement of solid waste facilities on tribal land. Tribes must meet the EPA requirements under the Federal regulations (RCRA) for landfill design and siting. The permitting procedures are different from the State's regulations, but for landfills the requirements are essentially the same. For other facilities, tribes must also meet Federal environmental regulations.

However, for tribal "fee" land in Pierce County the regulations are not as clear. "Trust" land is property owned by a tribal member or the Tribe and placed in the trust of the United States and no taxes are paid on it. "Fee" land is property owned by a tribal member or the Tribe and requires payment of taxes. In the 1988 Puyallup Land Claims Settlement Agreement, the parties agreed to have the State and EPA have environmental regulatory authority on "fee" lands (about 95% of the land) while the tribe and EPA continue to have authority over trust land. It is not clear if solid waste or recycling facilities proposed on the Puyallup Tribe's "fee" land would be required to meet the State's Minimum Functional Standards (WAC 173-304) under this agreement. It appears that it applies, but has not yet been tested.

***Land use permits:*** Solid waste and recycling facilities must be in compliance with the local jurisdiction's zoning requirements. Generally, in most municipalities, some facilities may be permitted outright, which means they don't need to go through a public hearing approval process as long as they are located in the appropriate zones, although they must meet standard building and other development permits. Other facilities may require a land use permit, which entails completing a public hearing process. Public hearings require public notification of the application and provide an opportunity for public testimony.

For unincorporated lands in Pierce County, the Hearing Examiner conducts the hearing on a land use permit under the procedures contained in the Pierce County Code (PCC). The Hearing Examiner can deny or approve the application and can condition approval upon the applicant meeting a number of development standards and other requirements to mitigate impacts.

Tacoma and other cities and towns have their own individual zoning regulations and adopted procedures with similar processes that allow facilities in certain zones, either permitted outright or through a public hearing permit process.

*Coordinated review:* Within recent years, the State adopted legislation that requires all jurisdictions who plan under the Growth Management Act to streamline the permitting process and State Environmental Policy Act (SEPA) review. In Pierce County regulations, the land use permit process provides for integration of environmental review and appeal. The analyses and design requirements that are needed for the solid waste permit can be used for the land use review process. Within

the review process there is also the option for a “consolidated permit review” which provides for reviewing the requirements of a number of types of permits, including those of other agencies, at the same time.

These new review processes are designed to reduce duplication and to allow for reports, analyses, and mitigations which are standard requirements of the solid waste permit to also be used for the environmental review and decision making during the land use permit review.

*Pierce County zoning regulations:* For the unincorporated areas, with the exception of the military reservations, zoning is established by the policies and regulations implementing the *Pierce County Comprehensive Land Use Plan*. The Plan’s designations and policies provide for distinctly different types and densities of development between urban and rural areas. In general, rural areas are planned for low density residential, agricultural, and forest land with small commercial nodes to serve the immediate area. The rural residential zones also allow for many resource uses. The Development Regulations (PCC, Chapter 18.A) were adopted to implement the Plan. These zoning regulations identify in which zones facilities are allowed and by what type of process.

As directed by the 1989/92 Solid Waste Plan, the Solid Waste Division worked with the Planning and Land Services Department (PALS) to assure that all types of solid waste and recycling facilities are allowed under Pierce County regulations in unincorporated lands. Under this code, solid waste facilities / businesses may be allowed outright or through either of two types of permit processes which require a public hearing and allow for public testimony into the record, the Conditional Use Permit (CUP) or the Public Facility Permit (PFP).

The County established the PFP process to provide for the siting of public facilities in order to address policies of the *Comprehensive Land Use Plan*, the *Countywide Planning Policies*, and the GMA requirement for providing a process to site “essential public facilities.”

The procedures for the two public hearing permits are similar; however, the PFP requires additional factors to be considered related to public ownership of the facility or the need for the facility as identified in a general utility comprehensive plan, such as the Solid Waste Plan. Its purpose is to recognize that “certain public facilities provide necessary services to other uses but are deemed unique due to factors such as: siting criteria, size, technological processes, and requirements for municipal comprehensive facility planning and budgeting.” One of the findings for the permit requires that public facilities be consistent with the goals and policies of the Comprehensive Plan and the Solid Waste Plan. (Findings for a Public Facility Permit, as listed in Chapter 18A of the Pierce County Code, are in the Appendices.)

The Pierce County Development Regulations for unincorporated areas also contains buffering, landscaping, and fencing standards specific for solid waste and certain recycling facilities. These were developed to coordinate with and complement the requirements of the Health Department’s Solid Waste Permit.

*Commercial / industrial type of facilities:* In general, the solid waste and recycling facilities are treated like any other industrial or commercial business and are allowed in zones which allow those types of activities. Some activities, such as home composting or recycling drop-off sites, are allowed in all

zones or as an accessory use in any zone. This is also true for those waste piles and surface impoundments, which require a solid waste permit. These last two facilities are generally recognized as a method for an industrial or agricultural business to properly handle their waste. If the industry is allowed in a zone, then these facilities are allowed as an accessory use.

Large-scale recycling businesses such as a materials resource recovery facility (a “clean MRF”) are allowed outright in urban industrial areas. They are not allowed in the small rural commercial zones since the purpose of these zones is to provide only those commercial services needed to serve the rural residents of the surrounding area. Small buy-back businesses are allowed in many commercial zones, a mixed-use district, and rural commercial areas.

Composting facilities that do not compost municipal solid waste (MSW) are allowed in urban industrial areas, with a public hearing permit in most rural residential and forest land zones, and outright in the agricultural zone.

*MSW facilities:* Facilities which handle municipal solid waste, or are those types of recycling facilities which are essential to the County’s waste management system, are allowed throughout the County in many zones because they provide an essential service. Transfer facilities, recycling facilities which separate recyclables from mixed municipal solid waste (a “dirty MRF”), composting facilities which compost municipal solid waste, landfills, and waste-to-energy facilities require a public hearing permit process (either a CUP or PFP). In urban zones they are only allowed in industrial areas unless they are a small-scale Drop-Box Transfer facility. Small drop-box transfer stations are allowed

in all zones through a public hearing process.

In rural areas, facilities that handle municipal solid waste are allowed in most rural zones and in some limited commercial zones through the public hearing permit processes. The purpose of allowing these facilities in rural areas is to be enable them to be located on the same site of a municipal solid waste landfill or to provide an efficient transfer service system for rural residents and because they provide an essential service. The rural areas have been identified as the areas most likely to meet the environmental siting requirements under the state and federal siting regulations (*Phase I Landfill Siting Study*) for landfills. By allowing these facilities in rural zones through a public hearing process, the County has ensured that the County’s regulations do not preclude siting of “essential public facilities” as required by RCW 36.70A. 200.

(Tables in the Appendices illustrate the zoning for solid waste and recycling facilities in the Pierce County Development Regulations, PCC, Chapter 18A.)

***Handling system ordinance:*** Pierce County adopted a waste handling ordinance in 1990 (PCC, Chapter 8.30 Solid Waste Handling System) which is administered by the Solid Waste section of the Department of Public Works and Utilities. The ordinance applies to “the reduction, processing, recycling, and disposal of solid waste as well as solid waste facilities.” It broadly defines solid waste to include almost any waste handling, composting, or recycling facility, or processing activity. It requires the County to designate solid waste facilities for waste originating within the unincorporated areas of the County or from any city using the

County's waste management system. It "makes unlawful for any person to dispose of or otherwise handle any solid waste originating in the county or elsewhere unless such disposal or handling is consistent with" the Solid Waste Plan or expressly allowed by County ordinance or contract.

The intended use of the ordinance was to "flow control" waste and also to assure that no waste was taken to facilities that were operating improperly without land use or solid waste permits. It has never been used to control the flow of waste to any facility. With the U.S. Supreme Court's decision in *C&A Carbone vs. Clarkstown* in 1994, flow control of waste is no longer a viable option for local governments and the ordinance might not be able to be used for this reason. (Flow control is discussed in more detail in Chapters 5, 6, 7, and 8).

While the ordinance hasn't been used for flow control, it has been used to officially notify the general public about facilities operating in Pierce County which have up-to-date permits. As required by the ordinance, the Solid Waste staff works with the Health Department each year to publish a list of all solid waste, composting, and recycling facilities operating under current permits from the Health Department. The staff reviews the status of each permit and whether or not the facility is meeting the requirements of other agencies' permits, and then publishes a legal notice.

The ordinance has some weak regulatory teeth that could be used to prevent a facility from operating if it doesn't meet Health Department standards. However, there has been no occasion to apply these enforcement rules; the Solid Waste Permit process has been sufficient to resolve issues with problem facilities.

## 10.5 Financing Systems

This section briefly outlines the funding mechanisms that support the solid waste management systems in Pierce County, the City of Tacoma, and the Tacoma-Pierce County Health Department. The solid waste management systems for Fort Lewis and McChord AFB are funded by the Department of Defense (DOD), just like any other federal military function.

***Pierce County system:*** The primary funding source for the Pierce County management system is the tipping fee. It includes the cost of disposal plus the cost of other elements of the solid waste system. These other elements include: transfer stations, the cost to transfer waste between facilities, the County's Purdy composting facility, and administration. It also includes public outreach, planning, and education programs conducted by the County and the Tacoma-Pierce County Health Department. Table 10.3 provides a more detailed list of what the tipping fee paid for in 1999.

The tipping fee is established through Pierce County's contract with Land Recovery, Inc. (LRI) to provide waste handling and disposal services to residents and businesses of unincorporated Pierce County as well as to the residents and businesses of the 19 cities and towns who participate in the Pierce County disposal system. Waste export provisions of the contract were amended in 1997 to extend to the year 2011; and the entire agreement was revised in 1998. A new Pierce County LRI Waste Handling Agreement took effect January, 1, 1999. The contract directs the relationship between the County and LRI by setting out basic rates for waste disposal, transfer, recycling, and administration programs. It establishes a process to adjust those rates for inflation or compliance with new environmental law or standards.

According to the contract, the tipping fee is set administratively and “shall not require an ordinance or resolution of the governing bodies of the County. However, before implementation of any proposed rate increase, the County Executive shall report to the County Council the basis for such an increase.”

*Rate-setting process:* LRI submits an informal rate increase proposal to the Solid Waste Division that works with LRI to finalize the proposal for submission to the County Executive. In turn, the Executive submits the proposal to the County Council for review. The Council may hold hearings on whether the proposed increase is consistent with the terms of the Pierce County-LRI contract. If the Council disputes the appropriateness of the increase, the contract outlines an arbitration process. If the Council does not object to the increase, tipping fees will increase as proposed.

When the tipping fee increases, the individual hauling companies must pay the higher rate each time a collection truck crosses the scales. Once the fee increase has been approved, the haulers must then go to the appropriate regulatory authorities, either a city council with which they contract or to the Washington Utilities and Transportation Commission (WUTC), to get their collection rates adjusted in accordance with the higher disposal fee.

The fee that the customer pays after approval from the WUTC or the city or town, includes the cost to pick-up waste and the cost of the tipping fee. Some cities attach the cost of municipal overhead, franchise fees, or taxes to the collection fee. Collection fees are stated on a dollars per container per month basis.

Through 1998 the County’s share of the tipping fee remained a constant per ton rate of \$5.83 per ton. This rates pays for the services of the Solid Waste Division and the Health Department’s Waste Management Division and to pay the bonded debt on any capital facilities. It does not fund the Health Department’s Compliance Program, which handles illegal dumping.

The only debt that the County has contracted for solid waste facilities was for \$2.1 million in General Obligation Bonds to build the County’s Yardwaste Composting Facility at Purdy. These bonds will reach maturity in December 2001. In a recent survey of Washington counties, Pierce County had the lowest per capita debt for solid waste facilities at \$3 per person.

In using the County share of the tipping fee, the Solid Waste Division and the Health Department offer their solid waste programs to all county residents. The two agencies coordinate some functions with Tacoma, Fort Lewis, and McChord Air Force Base. This portion of the tipping fee is also used as the match for State grants, such as the Coordinated Prevention Grants (CPG).

The Solid Waste Division also receives some grant monies to support water education and pollution prevention programs from the State’s Centennial Clean Water fund.

While the County’s per ton share remained constant, the following changes occurred since 1991:

- the County’s service area population increased over 16%;
- the percentage of waste being recycled increased from 36% to 50%;
- per capita waste disposed declined by 4%; and
- inflation raised urban consumer prices by 25%.

**Figure 10.3 Services Funded Through Pierce County Tipping Fees  
(per the terms of 1998 Waste Handling Agreement which took effect on January 1, 1999)**

**Disposal Services**

- Disposal of solid waste in a landfill (or landfills) permitted under Chapter 173-351 WAC<sup>1</sup>
- Federal, state, and local environmental regulatory compliance (closure, post-closure, etc.)
- Pierce County Litter and Clean-up Waste Disposal Credit

**Transfer and Recycling Activities**

- Solid waste transfer facilities at Anderson Island, Hidden Valley, Key Center, Prairie Ridge, and Purdy
- Recycling services at all transfer facilities
- Residential compostable yardwaste collection at transfer facilities and landfill
- Transportation of waste from transfer facilities to landfill
- Transportation of recyclables from transfer facilities to market
- Transportation of compostable materials from transfer facilities to shredding operation
- Pierce County Yardwaste Composting Facility at Purdy (capital & operations subsidy to provide low cost composting)
- Compostable waste shredding operation at Hidden Valley
- Transportation of shredded yardwaste from Hidden Valley to Purdy
- Provision of Curbside Recycling Bins for programs throughout Pierce County

**Solid Waste Division and Health Department**

Pierce County Public Works and Utilities, Solid Waste

- development, maintenance, and implementation of the Solid Waste Management Plan
- implementation of curbside recycling, yardwaste collection, and composting programs
- support/outreach to Pierce County recycling companies
- staff support to the Solid Waste Advisory Committee
- waste reduction and recycling public education programs (youth and adult)
- public information and outreach

Tacoma-Pierce County Health Department, Waste Management Division

- solid waste facility permitting
- solid waste enforcement
- development, maintenance, and implementation of the *Local Moderate Risk Plan* (household hazardous waste) coordination of household hazardous waste management programs

<sup>1</sup>For waste that is long-hauled to a landfill outside Pierce County, the following additional services are included:

- waste containers for shipment via truck and rail
- compaction of waste in preparation of shipment
- in-county transport of waste containers from private transfer stations to intermodal facility
- intermodal facility for transfer of waste containers from truck to rail
- rail or truck transportation to out-of-county disposal site

**Tacoma:** Disposal and collection rates for the City of Tacoma Solid Waste Utility are determined by the Tacoma City Council. Collection service fees and rates are calculated on a cost per service basis, with a variable fee schedule based on the frequency of service and the amount collected. Service fees are proposed by the Solid Waste Utility for review by the City Council and are established through City ordinances. The adoption of City ordinances requires readings at two City Council meetings. The reading at the first meeting includes a public hearing of the proposed rate ordinance. Each ordinance must also have a majority vote of the City Council.

Tacoma established a single rate for residential services which includes all curbside recycling services, taxes, and other related charges. In 1995, Tacoma established a Rate Advisory Group to help evaluate and steer Solid Waste Utility rates and charges.

**Health Department:** In addition to a portion of the tipping fee funneled through the Pierce County Public Works and Utilities Department, the Tacoma-Pierce County Health Department has other sources to help assist in solid waste permitting and enforcement activities and with illegal dumping compliance programs. These include: solid waste permit fees charged to applicants for each new facility and for annual renewal; matching grant programs such as the State Coordinated Prevention Grants (CPG); and funding from each of the cities and towns which pays for the Health Department's other programs.

Unlike the other solid waste related services, the Health Department Compliance Program's work on illegal dumping is funded through neither the Health Department's share of tipping fee, grants, nor permit fees, but from a portion of the contributions made by local governments to fund the general operations of the Health Department.

Figures 10.4 and 10.5 summarize existing funding mechanisms available for use by Pierce County, Tacoma, other cities and towns, and the Health Department.

**Figure 10.4 Primary Financing Mechanisms**

**Collection Fees and Utility Rates**

The funding sources most visible to the public are collection fees or utility rates assessed by the private waste collection companies, recyclers, the City of Tacoma, and those cities that contract for waste services but perform the billing themselves. The primary purpose of these fees is to assess each customer their share of collection and disposal costs. Other funding sources, discussed below, are often embedded within collection fees or utility rates.

**Facility Tipping Fees**

To fund solid waste handling and disposal operations, public and private transfer and disposal sites charge tipping fees. In the Pierce County/ cities and towns system, the County's contractor, Land Recovery Inc. (LRI), charges tipping fees to solid waste collection companies and self-haulers as authorized by its contract with Pierce County. The City of Tacoma charges self-haulers a tipping fee, which offsets disposal costs not covered in the customer's utility bills.

**Tipping Fee Surchargers**

Because Pierce County does not own or operate its own waste collection or disposal services, the County does not directly collect funds to finance its solid waste management responsibilities. Instead, LRI, per its contract with Pierce County, remits to the County a portion of tipping fees collected. The City of Tacoma imposes a surcharge on self-haulers to fund the Tacoma CARES program described elsewhere in this chapter.

**Inter-Jurisdictional Transfers**

The Pierce County Solid Waste Division transfers a portion of its tipping fee surcharge to the Tacoma-Pierce County Health Department. This provides the Health Department's match for grants. In addition, cities and towns each contribute monies to fund the Health Department's non-waste programs, including the Compliance Program, which handles illegal dumping.

**Bond Financing**

To provide up-front funding for capital facilities, jurisdictions often turn to debt financing. Pierce County built the Yardwaste Compost Facility at Purdy using Long Term General Obligation Bonds. The debt is being repaid as LRI remits to the County a portion of solid waste tipping fees equivalent to the County's annual debt obligations. The bond covenant was written to require the County to provide funds from the general fund if the tipping fee provides insufficient funds.

**Grants**

Pierce County, the City of Tacoma, and the Tacoma-Pierce County Health Department fund portions of their operations with Coordinated Prevention Grants awarded by the Washington Department of Ecology. Grant funding, however, must be matched by local funds. This means that systems or programs cannot be funded exclusively by grants. The Federal Emergency Management Agency also has awarded grants to offset some of the costs of emergency storm and flood debris removal.

**Service/ Permit Fees**

The Tacoma-Pierce County Health Department charges fees for the services it provides to regulated solid waste handling facilities.

**Franchise Fees and Utility Taxes**

Cities have two funding sources that are not available to the County. Cities which contract for waste collection services often include a franchise fee within the contract. Proceeds may assist the city in providing customer services, billing or Spring cleanup programs. In addition, cities can tax waste collection companies in much the same way they can tax other utilities.

<b>Figure 10.5 Secondary Financing Mechanisms</b>
<b>Fund Balances and Interest</b>
Over time, the County's Solid Waste Fund has accumulated a fund balance. The balance itself, and interest accrued on the balance, is included in each year's County budget. In recent years, the fund balance has helped the County fund programs such as emergency storm debris cleanups prior to the receipt of federal grants.
<b>Reserve Accounts</b>
Although ultimately funded through tipping fees, collection rates, or taxes, reserve accounts should be mentioned in their own right. By law, disposal facility operators must maintain closure and post-closure accounts to properly close and monitor landfills. Other funding sources are structured to ensure that these reserve accounts are properly funded. In the Pierce County/cities and towns system, Solid Waste acts as a trustee for the closure and post-closure accounts that LRI must maintain for its Hidden Valley Landfill.
<b>Road Fund</b>
The Transportation Services Division within Pierce County Public Works and Utilities earmarks a portion of road fund to offer the Adopt-A-Road program, which handles litter collection on the public rights-of-way in unincorporated Pierce County.
<b>Host Fees</b>
To offset impacts on the local community and to compensate County ratepayers for the longstanding contributions to the development and operation of the Hidden Valley Landfill and the Intermodal Facility, LRI remits to Pierce County host fees for every ton of waste it accepts that did not originate with the Pierce County/cities and towns disposal system. By contract and ordinances, host fees relating to waste coming into the Hidden Valley Landfill are earmarked for open space preservation programs.
<b>Compost and Commodity Sales</b>
Pierce County and LRI share revenues earned from the sale of compost produced at the Pierce County Yardwaste Composting Facility. Pierce County's share is contributed to open space and parks programs. LRI, the City of Tacoma, and private sector haulers and recyclers receive revenue from the sale of recyclable materials collected through their recycling programs. These revenues offset collection and tipping fees.
<b>Department of Defense</b>
The Department of Defense funds solid waste and recycling programs at McChord Air Force Base and Fort Lewis.

## 10.6 Illegal Dumping

**Who, what, and why:** For the purposes of this Plan, illegal dumping refers to the intentional dumping of solid waste on another person's property without their knowledge or consent and includes littering along road right-of-ways. The term does not apply to improper storage of waste or improper disposal of waste on one's own property. However, the Health Department reports that many of the illegal dumping complaints they receive and investigate turn out to be improper storage of waste by the individual who owns the property. Improper storage may be part of a larger County

enforcement issue relating to illegal or non-conforming businesses, particularly junk and salvage yards. Enforcement agencies are looking at new ways to coordinate efforts to improve enforcement and resolve some of these problems. These are not the responsibility for solid waste planning but enforcement efforts for waste storage and handling might be coordinated with code enforcement of other issues.

It is unclear just how much illegal dumping is occurring and whether it is on the rise. There is a common perception among the general public and the media that it is increasing. It is difficult to document that there has been an increase. This is because

the many agencies and individual land owners in Pierce County which must deal with illegal dumping, litter, or improper storage don't pool information about the sites they investigate and cleanup, nor is there one source for how much is spent each year by all agencies and private landholders in resolving the problem.

The 1989/92 Plan did not describe illegal dumping in any detail. Records in the Solid Waste office indicate that the number of complaints have been higher than the complaints handled by the Health Department in 1996 and '97, which were 386 and 484, respectively. Past records are not comparable because the Health Department uses a different system to categorize complaints than in the past.

There is a common consensus among agencies, however, that a problem exists and has always existed. Everything from abandoned mobile homes, stripped and burnt vehicles, tires, appliances, animal carcasses, old furniture and organic debris, to general household garbage has been dumped.

Illegal dumpsites are not only eyesores but also can pose a number of problems. They can pollute air and water, breed insects, attract rats, and generally become a nuisance or a health risk. Once started, sites tend to attract other dumpers. The cost of disposing illegally dumped waste can be far greater than the original cost of proper disposal. The problem is that those who dump displace the costs onto the general society.

The Health Department reports that the most common materials illegally dumped are general trash, followed by old furniture and other household items, construction and demolition debris, yardwaste, tires, and appliances, in that order.

*Is it really the cost of disposal?* The "why" of illegal dumping is also not readily answerable. The general belief of the cause is that the cost of disposal is too high. Studies have been done elsewhere which indicate that when disposal rates go up, illegal dumping increases. However, these studies also show that, after a period of time, dumping decreases to its previous level. No studies have been done by the Health Department to document the effect of increased disposal rates in Pierce County.

People who dump general household trash could avail themselves of the many free alternatives to reduce the amount of waste they must dispose. Most residents are within a two- to five-mile driving distance of a drop-off recycling site or a buy-back business where they can recycle for free many items that are found in household trash. Household hazardous waste, such as oil-based paint or pesticides, can be taken free-of-charge to Tacoma's collection site at the City's landfill.

Recycling also offers other advantages. Within the Pierce County system, the curbside pickup of recyclables decreases the overall monthly garbage bill by \$1 per garbage can. The monthly charge for weekly pickup of one can of waste is about the price of a cheap pizza or the cost of two movie tickets. Residents who are good recyclers can opt for the mini-garbage can with curbside recycling which costs even less. For those who don't want to pay a collection fee, there are opportunities to self-haul, as many do. Self-haulers can reduce their disposal costs by dropping off recyclables at the landfills, transfer stations, and recycling centers before crossing the scales with waste for disposal. There are reduced rates at the transfer stations for self-haulers to separate yardwaste from garbage. Also, residents can home compost yardwaste

or use a worm box to compost foodwaste. Both of these options provide a nutrient rich soil amendment for home gardens and lawns.

There is a one-time cost for the disposal of those larger items that residents don't generally discard on an annual or monthly basis, such as tires, furniture, and appliances. The cost for disposing of these items is comparable for the Puget Sound area. There are also many automotive-related stores that will take the tires for less and, generally, the tire is recycled into another product.

Appliances are more costly to dispose. Refrigerators, for instance, cost \$20 for disposal by City residents in the Tacoma Landfill and \$30 at the Hidden Valley Transfer Station. These fees pay for removal of refrigerant cooling to protect the environment before the metal is recycled. There are other alternatives. Working appliances and reusable furniture can be donated free to charities. Many appliance and furniture stores will pickup and recycle old appliances and mattresses when they deliver a new item. Some charities will pickup reusable furniture. There are also a number of "mosquito fleet" entrepreneurs who scavenge for recyclable metal.

*Who is doing the dumping?* The disposal of stripped and burnt cars is probably the result of a crime. This may also apply to cow carcasses where someone has butchered a stolen animal. Some dumping may be the result of illegal hauling where homeowners have paid someone to cleanup their property and the illegal hauler has dumped the material. As discussed in Chapter 9, illegal tire piles often start in this manner.

Some dumping of other materials may be directly related to disposal costs. Such things as roofing and construction debris, for

instance, are examples of a builder or home remodeler avoiding the cost of doing business or an example of the individual homeowner being unwilling to be responsible for the remains of a construction project. A frequent complaint in letters to the newspapers is that some lawn and yard maintenance or pruning businesses have been responsible for dumping organic debris on vacant lots. There are many businesses in the county who will take and recycle these items for a fee, so it is not a lack of alternatives that drives illegal dumping.

Generally, however, illegal dumping may be the result of sheer carelessness, laziness, and an unwillingness on the part of some people to be responsible for their own waste. Some may believe, mistakenly, that certain materials will biodegrade. Others may dump on government-owned property thinking they pay too much in taxes without realizing that they are driving up government costs or who don't care. Some may dump on property owned by large timber companies, the Department of Natural Resources (DNR), or on Fort Lewis because they can get away with it.

Some people on limited incomes who dump may be tenants of landlords who do not supply sufficient garbage collection. Some illegal dumpers may be short-time residents of the County who do not care about the area, or are tourists who don't know where to properly recycle or dispose of their waste. Some studies have indicated that highway littering is the result of a specific age group, generally teenagers. Also, there have been frequent complaints in newspapers that hunters are not carrying out their waste, leaving both debris and animal remains at campsites or alongside trails.

The bottom line is that there are many people dumping illegally for many reasons which makes it difficult to come up with solutions that will resolve the problem.

**Handling systems:** Besides the Health Department's Compliance Program which is charged with handling illegal dumping, there are many agencies and large landholders in Pierce County that play some role in resolving illegal dumping problems on their own lands or in controlling roadside litter on county- or municipally-owned road right-of-ways. The following is a brief, illustrative description of some of their responsibilities and how they manage this waste.

**Cities and towns:** Park and public works departments of all cities and towns and Pierce County have programs in place to control litter along road right-of-ways or on municipally-owned land. Generally, this is a regular part of the road maintenance duties of public works crews. Roadside litter is usually composed of fast-food wrappings or drink containers, or things that have fallen out-of, off-of, or broken-from a passing vehicle; although some rural roads have become used as frequent dumping sites. Park departments usually budget for litter cleanup as part of maintenance programs for municipally-owned park properties. Generally, public works crews can not cleanup illegal material on private property.

Some cities and towns in Pierce County have additional laws to deal with illegal storage or dumping which they enforce through their police powers. For instance, Lakewood has adopted regulations about the improper storage of inoperable, wrecked, or damaged vehicles and is making a strong effort to resolve this eyesore.

Most Pierce County cities sponsor Spring cleanup days which allow residents to set out unwanted and bulky household items, including appliances, at the curb. These cities contract with their waste haulers for pickup and hauling of these materials to disposal sites with the cost absorbed within the haulers contract or they may fund these

programs through their general fund. Such Spring cleanups may act as a deterrent to illegal dumping of those items that people generally need to dispose only once a year.

Some cities may contract for hauling illegally dumped materials found within their city limits as part of their regular contract with the haulers.

It is worth noting that the same state laws which prohibit Pierce County from contracting for or undertaking its own waste collection services constrain the County from contracting for programs, such as cleanup days, as implemented by the cities.

**Tacoma:** The City of Tacoma implements programs on illegal dumping and improper waste problems through a multi-department effort involving the Solid Waste Utility, Building and Land Use Services Division, and Legal Department. Most of the enforcement efforts related to improper waste disposal in Tacoma are performed under the Tacoma CARES Program. This is a City-run program which addresses litter cleanup and waste disposal, community restoration and beautification projects, property fix-up assistance, and other neighborhood programs. The CARES program is funded by the \$3.00 per vehicle charge on residential tipping of solid waste at the Tacoma Landfill.

Different actions are implemented through Tacoma CARES depending on where the waste is found. If the waste is found on private property not near the right-of-way, enforcement is handled through the Building and Land Use Services Division and the Legal Department as an enforcement issue. If the waste is found near the City's right-of-way, the Solid Waste Utility will notify the property owner to remove the waste or the Solid Waste Utility will remove the waste and charge the property owner for labor and disposal costs. This is performed under the

authority of Tacoma’s solid waste ordinance (Chapter 12.09). If waste is found on the City right-of-way, the Solid Waste Utility removes the material at the City’s expense.

*Pierce County:* The Solid Waste Division does not manage an illegal dumping program. The Health Department is the primary agency charged with this responsibility for the unincorporated county. Like other municipalities, Pierce County’s Public Works and Utilities Department has a Road Maintenance Division responsible for litter control along road right-of-ways. They coordinate with the Pierce County Sheriff’s Prisoner Release Program to use prisoner crews to do some of the cleanup.

The County established an Adopt-A-Road Litter Control Program in 1992. Its purpose “is to enable volunteer organizations to supplement County litter control efforts by allowing such organizations to adopt portions of county roads for the purpose of picking up litter with the intent of increasing civic pride and reduction of roadside litter.” Roadside litter picked up by the County is not charged a disposal fee at the landfill. It was estimated that, in 1996, about 375 road shoulder-miles were being monitored by citizen volunteers at a cost of \$173.74 per mile. The Maintenance Division estimates that 75 tons of general litter, tires, and miscellaneous debris were picked up, saving the County about \$57,000 dollars in 1996.

The Parks Department has a regular maintenance crew for County-owned properties and includes litter removal and cleanup of other types of illegal dumping as part of its regular garbage disposal costs.

Tonnages from cleanups, litter, and other removal programs that were taken to the Hidden Valley Landfill by the County and the State Department of Transportation is illustrated in Table 10.6. The State must pay a tipping fee.

<b>Table 10.6 Tonnage for Roadside Cleanups</b>		
<b>Year</b>	<b>County</b>	<b>State</b>
1992	714	176
1993	784	148
1994	521	96
1995	460	59
1996	500	53
1997	591	78

The Code Enforcement office of Pierce County Planning and Land Services provides enforcement of County land use codes. Code Enforcement may act as the lead agency and coordinator related to illegal dumping on problem sites that have abandoned or run-down development and may be in violation of zoning or building standards. They may also address junk cars in relation to junk yards and illegal dumping in relation to illegal landfills.

*Washington State:* Retail grocers, packers, and manufacturers pay a tax which is used to fund litter control and other programs under the State’s Model Litter Control Act (RCW 70.93). How the money is to be used has been the subject of a number of legislative proposals, most recently in 1997. Nearly all of the money has gone to the Washington Department of Ecology to fund Ecology Youth Litter Crews (50%), general waste reduction and recycling activities (30%), and local governments grants to assist with litter or illegal dumping abatement programs.

The Washington Department of Transportation (DOT) also receives a sum which is used for State Highway maintenance and the Adopt-A-Highway program for state roads. The State Parks and Recreation Department receives a small amount per year from the litter fund for in-park pickup.

The Washington Department of Ecology has revamped its Youth Corps operations and succeeded in doubling the collection rates along State highways in 1997. The Youth Corps also has been used to remove materials on other state or federal forests.

In response to the 1997 legislative session, Ecology formed a Litter Task Force to provide advice to the Legislature, local governments, and industry on administrative and legislative actions to more effectively implement the Model Litter Control Act. Ecology completed a survey of how litter and illegal dumping is handled by local jurisdictions and the Task Force has looked into how litter and illegal dumping is handled on State lands. Ecology's survey indicated that the three wastes most often dumped were general trash, with much fast food debris; furniture and household items; and appliances. According to Ecology, "Many of the counties contacted expressed frustration at their inability to deal more effectively with litter and illegally dumped materials."

The Litter Task Force made a number of recommendations to the Legislature. Among these were recommendations to establish a local government grant program for litter control by cities and counties, and for a statewide litter prevention campaign with local government and tax-paying businesses to raise awareness of litter issues and to encourage prevention. There was also a recommendation to conduct a statewide litter survey targeted at litter composition, sources, demographics, and geographic trends and to maintain an information base to guide prevention and pickup efforts.

*Fort Lewis:* It appears that the Fort, with its large reservation, bears the brunt of illegal dumping because it is located adjacent to large urban-density populations and Interstate 5. At various times, the Fort has

performed cleanups of illegally dumped waste using troops to do the work. During the most recent cleanup in Spring 1998, 151 tons of debris was delivered to the landfill. The following illustrates the tonnage removed in previous years:

Spring 1993 - 75 tons  
Fall 1993 - 114 tons  
Fall 1994 - 22 tons  
Spring 1995 - 108 tons  
Fall 1995 - 106 tons

Everything from abandoned cars and mobile homes, clothing, household garbage, broken lawnmowers, and partially butchered cows and other dead animals, to roofing material has been found. The Fort's reservation may be a popular site for dumping stolen cars and demolition debris.

Besides cleanups, troops are assigned an area of responsibility they are required to police on a regular basis. The amount of tonnage and the types of materials removed in this way are not consistently recorded.

The easily accessible east side of the Fort's reservation and along the Nisqually River are where most of the dumping occurs. The Fort has tried a number of times to prevent entry including fencing. However, dumpers have repeatedly cut holes in the fences; repaired holes have been re-opened. A few dumpers have been caught. One was videotaped in the process but other than actually being caught red-handed the Fort has no other means of enforcement.

McChord AFB is less accessible to the general public and does not have the same illegal dumping problems caused by off-base residents.

*Large timber or park land owners:* Like Fort Lewis, the owners of large acreages of timber, or forest and park land have substantial problems with illegal dumping. In Pierce County this includes timber

companies such as Plum Creek, Weyerhaeuser, and Champion; the Washington State Department of Natural Resources (DNR); the Forest Service; the National Park Service (Mt. Rainier); Tacoma Public Utilities; and other miscellaneous private land owners, particularly Christmas tree farms.

All of them report similar types of materials as found by other agencies. Besides general household goods and garbage, their lists of items most commonly dumped include tires, stripped and burnt cars, and roofing materials.

Few of the timber companies keep accurate statistics about tonnages, types of materials, or the cleanup costs in Pierce County. Few report dump sites to local governments or health departments. One reason for their not reporting is that the companies know that most the time they'll have to cleanup the site because dumpers are rarely identified and, if identified, enforcement is a low priority in the court systems. Some county health departments, but not Pierce County's, use a lien against the property owner if the site is not cleaned up. Rather than do the paperwork and encounter a lien, many large timber companies just cleanup sites.

Another reason the timber companies don't have precise records segregated to their lands in Pierce County is because they don't group the data by county jurisdictions since their ownerships spread across county boundaries.

All of the large timber land owners have identified certain hot spots where dumping occurs most frequently. There seems to be some particular sites on lands located near the King County border, around Wilkeson and Carbonado, and along the Nisqually River on the southern border.

Most of the timber companies try to manage illegal dumping by closing off roads to

vehicle traffic and posting large signs warning of fines and enforcement at past, frequently used sites. Some land managers indicate they feel that most backpackers and horseback riders pack out their debris and don't contribute to much of the problem. Restricting vehicle access on roads seems to be the key component to the timber companies' approach to reducing the amount of illegal dumping.

Some companies have aggressive programs. Plum Creek, for instance, hires off-duty police officers to randomly patrol their holdings during weekends, evenings, and on holidays. The company also places garbage collection containers in or adjacent to outlying towns like Carbonado and Wilkeson to encourage proper disposal. There have been particular problems with roofing, sheetrock and other remodeling materials, and stripped cars.

In the past, the Washington Forest Protection Association has surveyed the problem and recommended various solutions. The Association has worked with Pierce County in the past to resolve zoning issues adjacent to forest lands to encourage decreased densities around their lands.

The Department of Natural Resources (DNR) also has substantial problems with illegal dumping. Their lands are often located close to urban areas and it is difficult to restrict access. In fact, the sites are often subject to almost continual dumping. Besides general household garbage, materials most often include car bodies, appliances, tires, and yardwaste. A manager of DNR lands in Pierce County is familiar with receiving regular notices from the Health Department about the need to cleanup sites, particularly around Key Center near the County's drop-box transfer station, on lands in the Waller Road area, along Highway 7, and west of Ashford area on north side of the Nisqually River. When

Tacoma evicted transients (including convicted felons who were disturbing the peace) from Public Utility properties at Alder Lake Dam and closed off the site, the transients moved onto DNR land. Evicted from DNR land they moved closer to the entrance to Mt. Rainier National Park.

The Forest Service and the National Park Service experience similar problems. Debris from careless tourists constitutes a larger part of the problem in Mount Rainier National Park. The Park Service has instituted recycling collection.

The Tree Farm Association also reports similar problems with illegal dumping. Property owners have found roofing, dead horses and goats, refrigerators, batteries, and general garbage. Owners have posted signs, fenced their lands, and some even charge fees for access to discourage dumping.

## 10.7 Needs and Alternatives

This section is divided into a discussion of needs and alternatives to reduce illegal dumping and a discussion about issues and alternatives to consider with financing all programs.

### 10.7.1 Illegal Dumping

There is no *one* solution or combination of programs or enforcement actions that will resolve all illegal dumping problems in Pierce County because there will probably always be a segment of society who will dump waste. However, a more coordinated pro-active effort that includes both prevention programs as well as enforcement and cleanup programs could be put in place with the goal of *reducing* the extent of dumping on all lands, public or private. These could be coordinated with the County's other code enforcement efforts.

The following identifies five broad needs to implement a coordinated program effort and a number of action alternatives that could be used either individually or in combination depending upon the support of municipal jurisdictions, federal and state agencies, Fort Lewis, and private and public landowners of large properties. How to finance and how much financing is needed are the key issues for all of these.

The following action items are numbered for ease of reference and these numbers are not met to represent priorities.

- ***Need --- To identify the extent of the problem within the unincorporated areas.*** The Health Department and the County need to know how much illegal dumping is occurring in the unincorporated areas. There is a need for information about the amount and type of materials, location, frequency of occurrence in same or adjacent sites, and when or what time of the year illegal dumping increases. It is possible that by identifying the type of materials that are dumped in certain spots and at what time of the year it most often occurs that the agencies can develop an improved understanding of who is doing the dumping and why. With that type of information it is easier to design prevention programs to target specific groups of people who dump or to activate broad public outreach and enforcement programs at times when illegal dumping may increase. Even without knowing who or why, agencies could design action programs to target hot spots and the particular materials that are being dumped.

Without this information it is difficult to design effective preventive public outreach programs; to justify financing of new or more efficient cleanup or enforcement programs; to apply for state grants or other funding; or to evaluate whether or not new programs actually need to be funded.

Cities probably need this information to a lesser extent than the County, although the information could be used to compare urban and rural areas to see if there is a connection between hot spot locations and nearby activities. Many cities, such as Tacoma, are already aware of the type and locations where problems most often occur within their incorporated city limits. Many cities and towns have already adopted and financed some preventive measures which may help to reduce and prevent illegal dumping, such as the Spring cleanup events. Also, the more urbanized nature and the smaller area within city limits to be monitored, generally results in city dump sites being more quickly noticed and reported by nearby residents. Thus, the sites are more likely to get cleaned up quickly than sites in unincorporated areas.

Information, however, about particular types of materials such as construction debris or yardwaste, may help the cities to develop and coordinate collection and public outreach programs with the County, the Health Department, or other agencies.

The State's Litter Task Force has also identified a need to "conduct a statewide litter survey targeted at litter composition, sources, demographics, and geographic trends" and to maintain an "information base to guide prevention and pickup efforts."

*#1 Action -- Improved reporting system:*

The sheer size of the unincorporated area in the county and the multiplicity of large land holders makes it more difficult to police the unincorporated areas because dumping can occur out-of-sight of an enforcement agency or land owner. A small site can begin with one or two items, and grow unnoticed by agencies while attracting more dumpers, before a complaint is made and the Health Department takes action.

There are a number of ways to identify the extent of the problem. One is to more aggressively seek out sites and encourage reporting of problems by developing a more visible, public outreach program that encourages individual residents to report sites. Several incentives could be developed to encourage citizen reporting.

*#2. Action -- Develop a network of volunteer groups to monitor hot spots identified in past complaints:* Other than the County's Adopt-A-Road Program, no agency or volunteer group is seeking out or monitoring sites. The Health Department could work with local neighborhood groups in the cities and the county, the County's Adopt-the-Road Program, and any watershed monitoring organizations that are created to implement watershed action plans, to develop a program where local residents take on more responsibility for monitoring local sites identified from past reports and in identifying any new ones.

A system might be developed where these organizations also take on the responsibility of cleaning up the sites with disposal, but not collection costs, paid through a voucher system. Health Department employees spend time searching through the dumped materials to find three pieces of identification in order to identify the dumper and to implement enforcement actions. The volunteers, with an incentive program, might take on this role while they are cleaning up the sites. Using volunteers in this way, however, can be risky in terms of health and safety liability issues.

Snohomish County has developed such a program using grants as an incentive. Procedures and eligibility for the grants is prescribed by the Snohomish Health District. Basically, the sites must first be reported to and certified by the Snohomish Health District. Those groups which meet certain criteria apply for a disposal grant

which provides for a permit which allows for a reduced disposal rate. To limit the cost of such a program in Pierce County, an annual dollar amount could be set for each year and allocated on a first-come, first-served basis until the money is used up.

Using volunteer groups to monitor and cleanup sites has the advantage of freeing up agency staff time from investigating dump sites and using the limited staff for more productive efforts. Volunteer programs also help to build a general feeling of local responsibility among residents of an area for solving problems. Such volunteers generally become advocates in discouraging illegal dumping and supporting other programs. However, agencies must continue to fully support these programs and work with these groups to continue to be successful and that requires a substantial cost. It also should be recognized that citizen efforts wax and wane over time; other supportive public outreach efforts will be needed to make this system work continually and effectively.

*#3. Action -- Survey the county for illegal dumping sites:* Surveys about the extent of illegal dumping do not have to be complicated, formal reporting systems in order to provide more accurate information. For instance, the Snohomish County Solid Waste Division, when asked to become more involved in illegal dumping, identified a number of basic questions, such as “how many dump sites were there?” or “Was the problem rural or urban or both?” They designed and conducted a random, drive-by survey. One of the findings of their report was that sites are often located in close proximity to each other and there were definite patterns to the location of sites.

Such a survey could be conducted in Pierce County once each year. In addition, once more aggressive public outreach and

enforcement programs are implemented, a sampling of the initial study sites could be re-visited to evaluate program effectiveness.

*#4. Action -- Annually interview large property owners and state and federal agencies about the hot spots on their properties in Pierce County:* This annual inventory would include: large timber companies, park or forest land holders such as the Forest Service and the National Park Service, Fort Lewis, state agencies such as the Department of Natural Resources, groups such as the Christmas Tree Association, or any other large land holding group that can be identified.

The inventory does not have to be complicated or require detailed reporting. The aim of the inventory should be to gather better information but also to set up a regular dialogue about illegal dumping problems with other agencies and landholders. These groups should not be made to feel their information will result in enforcement actions. They should be made to feel that government agencies are reaching out to them to help devise and participate in solutions to the problem.

The survey could take the form of an annual mail survey that asks for general hot spot information and types and amounts of material found. Before conducting the first survey, the Health Department could begin with a meeting of all groups to discuss the issue, asking them to bring whatever information they have and ideas about how to coordinate outreach programs and cleanup and enforcement programs. Many of these landowners already have programs in place. The question to answer is what programs can agencies develop to support and complement private owner’ activities?

A similar group was set up in Lewis County, the Illegal Dumping Task Force, to explore solutions to the problem. The Task Force

determined that “the best method for dealing with the issue is to educate the public and encourage reporting of illegal dumping activities.” They also implemented a number of other actions and “improvements in tracking illegal dumps and prosecutorial response have already been obvious.”

*#5. Action -- Map and evaluate past sites handled by the Health Department:* The Health Department could work with the County’s GIS program to map previous complaint sites. This information is available for 1996 and 1997. Mapping would help to identify hot spots. If the mapping could group sites by material type or when the site was first reported, the information could be used to develop other preventive public outreach and enforcement programs.

For improved mapping evaluations in the future, the Health Department would need to consider revising the information gathering system to better characterize what type of materials are being dumped. This type of information may be of importance to other enforcement agencies. For instance, if Pierce County is a dumping site for stolen cars, police enforcement agencies might be interested in identifying the hot spots for dumping the vehicles. Sites could be randomly visited or even staked out to catch the perpetrators. While this might not resolve the problem and dumpers may move to other sites, the pressure from the perceived increase in enforcement could make Pierce County less attractive to those who dump the vehicles. It would be helpful if other large landowners could also identify these types of material hot spots.

● *Need - To identify and remove institutional or legal barriers that make enforcement programs too costly or ineffective:* In order to speed the cleanup of individual sites and to make existing actions more cost-effective, each jurisdiction needs to identify what barriers exist to conducting cleanups and enforcement programs within their community. Tacoma is an example of a city which has already identified these actions and implemented the CARES program.

*#6. Action -- Develop a citation process by revising penalties:* Currently, the Health Department’s existing enforcement program uses a criminal penalty system to target the people who do the dumping. More often than not, however, it is the owners of the properties who pay for and clean up the sites rather than the illegal dumpers. A citation system might be more cost-efficient.

*#7. Action -- Identify all enforcement program costs and compare these with the costs for cleanup and disposal:* Before implementing a citation program, the Health Department should identify the existing average enforcement cost to handle a complaint on an individual site. This should include the Compliance Program’s costs to investigate sites and notify property owners, any follow-up costs to ensure sites are cleaned up, and any prosecuting or enforcement costs of both the Health Department and any other municipal agency. Often, the costs for prosecution are hidden in other agencies’ budgets. Given the rising cost of law and enforcement in general, the question needs to be asked: is criminal prosecution an appropriate and cost-effective solution to illegal dumping when there are so many more serious priorities for the legal system?

The Health Department also needs to identify how many of the sites actually get cleaned up through prosecution.

The reason to identify the average site cost is to evaluate and compare the costs against the average cost to cleanup and dispose of materials from a given site. Are legal enforcement systems more costly than just going ahead and implementing other cleanup programs? Would it benefit the overall program, if owners where dumping has occurred, were to receive half of a heavy fine to defray their costs? Or all of the fine if they sort through the trash and find the three pieces of identification for the citation? Is this legal under Washington law?

• ***Need - To develop coordinated prevention and cleanup and enforcement programs.*** While improved information would be helpful, action programs that actually get sites cleaned up could be the first priority. Countywide programs supported by all jurisdictions, agencies, and land-owners working together may be a cost-efficient method to reduce illegal dumping in all of Pierce County.

*#8. Action -- Develop and implement a proactive, countywide public outreach and education program:* The purpose of this preventive action program would be to raise the consciousness of the general public about illegal dumping and to make it a socially unacceptable practice. The countywide approach has been successfully used in Pierce County for other waste issues. For example, the County's programs about recycling focus all residents on the need to support recycling and smooth the way for new collection programs to be implemented. If jurisdictions pooled their efforts for coordinated outreach, each jurisdiction or private or public land holder may benefit from decreased dumping.

The County Solid Waste Division has substantial experience in using various public outreach delivery systems including such things as: newspaper inserts; radio, tv, billboard, and newspaper advertising; direct-mail newsletters; exhibits; and school education programs. The school education programs have been particularly effective when kids have taken the message home to their parents.

The State's Litter Task Force has also identified the need for a statewide prevention campaign working with local governments and tax-paying businesses. A countywide program could be coordinated with statewide efforts.

*#9. Action --- Develop a public education program which targets specific groups and materials:* A second aspect of a coordinated public outreach program would be to devise educational programs and materials which target those groups that are doing the dumping or to target specific geographic areas where the dumping is occurring most often. Such a program could also focus on specific materials and the alternatives for handling or disposing of these materials. It would be appropriate to combine this sort of program with new types of collection programs for specific materials.

As an example, outreach materials could be prepared and distributed throughout the Elbe-Ashford area and in coordination with the National Park Service to target tourists, if this is a group that can be identified as contributing to the illegal dumping problems in this area. The information should stress proper disposal but should also clearly identify sites where the tourists may recycle or dispose their materials correctly. This could be combined with the development of more drop-off recycling sites in the area which are clearly signed and obviously and easily accessible.

If hunters are identified as a problem group, the agency working on the public outreach program could work with local hunting group associations to engender a “carry-it-out” philosophy. The outreach media campaign could be timed to occur when hunting seasons begin and promoted in areas where hunting most often occurs. Again, more recycling drop-off sites in those areas might provide a partial solution.

If construction debris is a problem in all jurisdictions, a campaign could be developed to target the construction industry and home remodelers. It should identify alternative collection opportunities. It is possible this might be combined with a system that provides incentives to construction businesses to source-separate recycle materials before disposal.

*#10. Action -- Acquire matching grants or donated time and materials to match government funding and state grants:* If large timber companies and other land owners see the benefit of a countywide public outreach and education program to their properties, they may be willing to provide matching funds for outreach activities or other preventive actions. Generally, it takes three to five years to show the effects of a broad, public outreach program. To gather their support, detailed actions would need to be developed and jurisdictions would need to commit to aggressively implement the program for at least three years. A long-term maintenance program would also be needed.

*#11. Action --- Place signs at hot spot sites warning of fines and notifying dumpers that sites are monitored on a regular basis.* This inexpensive action may serve as a deterrent to dumping if the dumpers feel sufficiently pressured. When new dumpsites develop, new signs could be erected. To be most effective this program needs to be combined

with more aggressive monitoring and enforcement programs.

Lewis County’s Task Force joined with the local Crime Stoppers organization and designed “Dumpstoppers” signs notifying readers that dumping is illegal, that the lands would have to be fenced off if dumping continued, and a phone number to call to report violators. A publicity campaign was designed to coincide with the opening of hunting season, when access to public and private forest lands is in high demand.

*#12. Action -- Use existing staff or fund a new enforcement program to monitor hot spots:* Just as Plum Creek Timber Company has done, the Health Department and other jurisdictions could develop preventive enforcement programs that include regular random monitoring of hot spots during the hours that dumping is most likely to occur which is during the weekday evenings and weekends. Large landowners in the County, such as the timber companies, DNR, the Forest Service and the National Park Service, might be willing to contribute to the funding cost, if sites on their lands are included within the monitoring system.

Before developing this program it needs to be determined whether the cost of random monitoring and enforcement is a more efficient way to reduce illegal dumping than spending money on prosecution activities or a citation process.

Such a monitoring and enforcement program would probably work more effectively if there is a strong effort to develop a volunteer monitoring system as well.

*#13. Action -- Develop and fund new collection programs for large, bulky items such as furniture, appliances, tires, or used batteries:* As previously stated, cities have implemented Spring and Fall collection programs for some of these items and these

programs may act as a deterrent to illegal dumping. The County, however, does not contract for collection and thus has not had the means to develop a similar program.

The County, the Health Department, and the cities may want to rethink their programs and collaborate on new approaches, or the County and the Health Department could consider facilitating a program that would be complementary to the cities' Spring cleanups.

An option that could be used for unincorporated areas, would be for the County and the Health Department to develop a voucher system where residents could receive a voucher to defray the disposal cost of certain items. To control the overall cost of such a program, a set sum of money could be set aside each year. The system could be administered on a first-come, first-served basis; or limited to low-income residents; or issued in some other random manner. The vouchers could be issued throughout the year or they could be timed to be issued during the Spring and the County and the Health Department could activate a public outreach program to complement the cities' Spring cleanup programs.

For a more coordinated approach, the cities could consider revising their Spring cleanups and also use a voucher system in coordination with the County and the Health Department.

*#14. Action -- Institute mobile collection programs for bulky furniture items and appliances:* A more costly preventive approach that would require more administration would be for all jurisdictions in the County's system to go together to contract with haulers for mobile, on-call collection for certain large and bulky items. The system could require residents to defray

a portion of the cost; limited to provide service only to low-income residents who have received a voucher; or limited through some other means. A pre-determined amount would need to be budgeted for each year to prevent escalation of the cost of such a program.

*#15. Action -- Lobby the State to provide funds to reinstate the tire tax or develop a new funding source to clean up tire piles, as was done in the past:* As indicated in Chapter 9, the source for funding cleanup of tire piles has been allowed to sunset and there are no monies to cleanup illegally dumped tires. All the jurisdictions in the county could join with other cities and counties to lobby the Legislature to devise new programs or reinstate this program which was successful in the past.

*#16. Action -- Enforce the existing tire pile storage requirements:* The Fire Marshal administers the tire pile storage requirements. The Health Department and the Fire Marshal should find ways to increase enforcement of these regulations. It needs to be determined if funding is an issue. One option to consider might be citing the property owner and developing a set time for the owner to complete the cleanup. If the cleanup is not completed by the owner, pay for the cleanup and institute a lien against the property to cover the costs.

*#17. Action -- Develop a public outreach program which focuses on reducing inappropriate use of drop-off recycling sites:* Throughout the county, and in urban areas particularly, haulers are encountering problems with the free drop-off recycling collection sites. People are using the sites to drop-off general garbage or large household items. In some cases the problem becomes so severe that property owners will no longer allow the collection containers on their properties. Policing the sites is

becoming a bigger expense. In addition, similar problems are found around recycling collection sites for large multi-family complexes. While this sort of dumping may not fit the traditional view of “illegal dumping,” it may have more far-ranging effects on the whole management system. If recyclers must reduce the number of drop-off sites, then it will effect the overall recycling rate since there will be fewer, convenient alternatives to recycle.

These sites do not just serve residents. Many of these sites offer the many small businesses of the county with a way to reduce the amount of material they need to dispose. Perhaps a new and unique information program can be developed for all jurisdictions to help reduce the inappropriate use of the sites by making it socially unacceptable to misuse the sites.

*#18. Action -- Expand capabilities of drop-box transfer stations in outlying rural areas:* The County may want to consider modifications to the existing drop-box transfer stations which would provide more capability for collecting large, bulky items like furniture, appliances, tires, and construction debris. Some identified hot spots where such items regularly occur, particularly on DNR land, are located near the Key Center drop-box station. Anecdotal information explains these hot spots as resulting from frustrated residents of the area who are told to take the material to the Purdy Transfer Station and who don't want to take the time or who perceive the distance as a barrier. Whether or not this is true, the County may want to consider expanding the facility or sponsoring special drop-off days for these materials at the facility occurring two or three times a year. Another question to be answered: does the illegal dumping on DNR land near the Key Center facility coincide with the days the facility is closed?

Other hot spots might be located close to other such transfer facilities. Improved information about illegal sites might suggest similar solutions. For instance, transfer and drop-box stations could provide bays for source-separated construction / demolition debris. An incentive system that allowed for a reduced rate for source-separation might help to decrease the illegal dumping of CDL. It also would provide a means to divert these materials for recycling.

*#19. Action -- The County could develop additional drop-box transfer stations in areas where illegal dumping occurs most frequently:* Although the information is not available to confirm this, some illegal dumping in southern Pierce County may be because of lack of nearby access to a solid waste transfer facility. Tourists passing through the area may have no idea where to dispose of their waste. Also, the area has a large number of vacation homes and these seasonal residents may also be a part of the problem. The perceived distance to the transfer stations may also contribute to the reasons for illegal dumping by local residents.

The County would need to study the situation and gather more information about where the dumping is occurring in this area and why. No one has studied the optimal driving distance for providing self-haulers with a transfer facility and the location of a new facility would need to take into consideration who may be contributing the most to the illegal dump sites. If tourists passing through area are main contributors to the problem, the County might want to work closely with the Elbe-Ashford community and the National Park Service to develop a facility in that area. However, the County could first try to see whether a strong public outreach campaign, coupled with increased information about recycling

drop-off sites might resolve most of the problem.

The County could also survey residents of the area about their perceptions as to why illegal dumping is occurring to gain insights as to whether a new drop-box facility would help to alleviate the problems.

- ***Need --- To develop a coordinated measurement system to monitor effects of preventive and enforcement programs.***

Other than the Health Department's record of complaints it handles each year, there currently is no way to measure the impact of any program. If new programs are developed, there needs to be some way to identify how well they worked and what may need changing to make them work more efficiently. It is likely that grant-funded projects will need to identify how successful they were in achieving results.

*#20. Action -- The Health Department and other jurisdictions should collaborate on an annual report about illegal dumping:* The report should identify what actions were taken during the year; the costs of the individual jurisdiction's' illegal dumping programs; the amount and type of materials collected through preventive programs or cleaned up at illegal sites; the number of sites investigated, etc. From this information, all jurisdictions should determine what programs need to be changed, what programs need continued support; what financing methods are available; and to set new, yearly goals.

- ***Need -- To find ways to coordinate the financing of new prevention or cleanup programs for illegal dumping, either by making existing programs more cost-effective or through new, or re-directed funding sources.*** A few of the previously described actions are inexpensive and could

be done within the existing management and financing systems, such as conducting a survey or inventory, evaluating existing information about hot spots, or adding signs at hot spots. Other actions, such as a voucher system, monitoring hot spots, or public outreach, will need additional funding. The following are a few alternatives to consider about funding actions to support new illegal dumping programs

*#21. Action -- Evaluate ways to redirect existing funding:* As already indicated, a change from a penalty program to a citation system with heavy fines might make it possible for the Health Department to expand its services and assist property owners with the cleanup of their properties or to provide more incentives for volunteer cleanups. However, it may not be legal in Washington to use fines to support these programs. This would need study.

*#22. Action -- Apply for State grants and develop matching grants from private sources:* The Legislature may be developing a local government grant program to assist in litter and illegal dumping cleanup programs. If so, all jurisdictions in the County could pool the grant money to implement countywide preventive and enforcement programs. As discussed previously, large timber or park landholders may also be willing to provide matching grants or in-kind services if the programs can be shown to help decrease illegal dumping throughout the county.

*#23. Action -- Increase the amount from the existing funding systems:* The Health Department could request all jurisdictions to increase the amount of funding to be used for the Compliance Program. The Health Department could request that additional monies could also come from the tipping fee to fund programs for the unincorporated

areas and the 19 cities and towns of the Pierce County system. Part of the problem with increasing tipping fees is that such an action might increase illegal dumping. This may be particularly true if the tipping fees increase because of other needs to expand or provide other services for the solid waste management system.

*#24. Action -- Establish a Disposal District to fund cleanup of illegal dump sites or a Collection District to make collection mandatory:* To fund illegal dumping prevention and collection programs, the County could establish a Disposal District which may levy and collect an excise tax to fund solid waste disposal activities (RCW 36.58.140). As explained in Chapter 5, such a district is an independent taxing authority with the ability to implement charges or taxes to pay for the services provided “on the privilege of living in or operating a business in” the district. Whether or not sufficient funds could be obtained through this authority would depend upon whether cities would consent to participating.

Also, further study would be needed of the effects of the law’s provision; “that any property which is producing commercial garbage shall be exempt if the owner is providing regular collection and disposal.”

The purpose behind creating a Disposal District needs to be clear. A district will not prevent illegal dumping although it may provide the funds to cleanup sites. No community in the country has been able to prevent illegal dumping, even when their residents are offered free collection or drop-off services.

An alternative that does not require the formation of a junior taxing district is to require mandatory collection under the County’s authority to form a Collection District for the unincorporated County.

The idea behind this alternative is that everyone would pay for disposal, so there would be no incentive to illegally dump waste to save the cost of disposal. As discussed in Chapter 5, the County must determine that mandatory collection is in the public interest. Under the mandatory collection of a Collection District, a hauler may request that the County collect fees from delinquent customers. This alternative would also need to be studied regarding how enforcement would be carried out and whether or not there were exceptions allowed, such as for low-income senior citizens or for others.

*#25. Action – Establish a revolving fund for clean-up of problem waste areas.* The County could establish a special revolving fund, to provide up-front funding necessary to enable the abatement or clean-up of illegally dumped waste and junk cars. The initial contribution or loan may come from the Solid Waste Fund (i.e. tipping fee) or other funds.

Some departments and agencies have the authority to abate problem wastes on sites and to impose fees and fines on a property owner or liens on property to recoup costs of abatement. However, to date these tools have not proven to be efficient. Some enforcement codes lack clear procedural steps and coordination between agencies. This lack of coordination costs money and slows or prevents site clean-up. In addition, even if abatement can proceed and a site is cleaned up, the enforcement agency often has to wait a long time to recoup its costs via the fine or lien. In order to clean-up properties where all other enforcement actions have failed, an up-front source of funds is needed, though many of the costs could eventually be reimbursed to the fund when, for example, a lien is cleared.

Clean-up of junk vehicles, often one part of problem waste sites, adds another dimension to the issue. The State definition of “solid waste” includes “abandoned vehicles or parts thereof” (RCW 70.95.030), yet the authority and procedures for disposing of junk vehicles differ from that for solid waste in general. Title 46 RCW grants law enforcement (commissioned officers ) most responsibility related to junk vehicles and vehicle towing and wrecking. With junk vehicles, up-front funding might furnish a means of or incentive for instigating the disposal process.

Clean-up of problem waste areas will require work on many fronts. However, a key problem has been no available disposal funds in the various departments that must coordinate enforcement. Establishment of a fund to specifically and fairly address difficult, problem waste areas would be a significant step in addressing illegal dumping. The details of the fund, the use of fund dollars, and proposed changes to enforcement codes and agency procedures would need to be developed and recommended by a coordinating group, including relevant County Departments and related agencies, and reviewed by the County Council.

Table 10.7 provides evaluation criteria comparing action alternatives to reduce illegal dumping.

Table 10.7 Evaluation of Illegal Dumping Alternatives	PROS	CONS
<p><b>NEED --- Identify extent of the illegal dumping problem.</b>  <b>Why:</b> Improved information may help to design public outreach programs; to justify financing of new or more efficient cleanup or enforcement programs; to apply for state or other matching grant funds; or to evaluate whether or not new programs actually need to be funded.</p>		
<p><u>#1 Improved reporting system</u>  - by aggressively encouraging residents to report sites.</p>	<ul style="list-style-type: none"> <li>• Using a public outreach program to ask citizens to report more sites is one way to raise consciousness about the problem.</li> <li>• More citizen reports would identify sites of which Health Department is currently unaware.</li> <li>• If all sites are identified and cleaned up, then the less likely that existing sites would continue to attract other dumpers.</li> <li>• Individual landowners might take more responsibility for care, maintenance, and prevention of illegal dumping on their property if they thought enforcement actions were more aggressively pursued and if they were more aware of the illegal dumping problem.</li> </ul>	<ul style="list-style-type: none"> <li>• Health Dept. does not currently have, nor planned for, any funding for a public outreach program about illegal dumping/improper storage. Estimated cost for a minimal public outreach program to encourage citizen reporting: \$5,000.</li> <li>• Citizens could become cynical if sites are reported and no action is taken.</li> <li>• More identified sites would require increased enforcement action which would cost money in terms of Health Department staff and court enforcement.</li> <li>• Unless coupled with other actions, just getting more sites identified will not prevent illegal dumping from occurring or cleanup the sites, particularly if the dumpers don't feel they will be penalized. To be effective this would need to be part of a package of actions.</li> <li>• Requiring more citizens, who have been victimized, to cleanup their property and foot the cleanup costs might raise the ire of property owners.</li> </ul>
<p><u>#2 Use a network of volunteer groups to monitor hot spots and / or clean up some dump sites.</u></p> <p>[Pierce County's Adopt-A-Road Program uses this format as part of a package of actions to address cleanup of litter on road-right-of-ways.]</p>	<ul style="list-style-type: none"> <li>• Publicity about using volunteer groups to monitor hot spots might help to act as a deterrent.</li> <li>• Volunteer monitoring program could be a simple system using existing groups who organize themselves (as in Snohomish Co.); are already organized (watershed groups, Adopt-A-Road groups); or more complex with staff aggressively organizing volunteer groups throughout the county. (Not all of the county needs to be covered.)</li> <li>• Volunteer monitoring groups could more quickly identify illegal sites when they occur resulting in quicker enforcement or cleanup action which might prevent these sites from attracting other dumpers.</li> <li>• Sites would get cleaned up; maybe more efficiently and quickly than under current system. Frequently used sites might decrease.</li> <li>• Using volunteer groups is one way to develop a feeling of responsibility for their local area within the general citizenry.</li> </ul>	<ul style="list-style-type: none"> <li>• An aggressive program to develop volunteer monitoring groups would require a full time staff person to work with the groups and to help them maintain enthusiasm. This is currently not a Health Department staff assignment. Estimated costs: \$40-60,000.</li> <li>• The interest of volunteer groups typically waxes and wanes and is difficult to maintain.</li> <li>• A more aggressive program to use volunteers to cleanup sites would require additional staff and would require additional financing to pay for disposal of waste materials.</li> <li>• No funding has been identified to pay for actual cleanups in the unincorporated area. Use of the tipping fee to fund an aggressive cleanup program could increase illegal dumping, particularly when the tipping fee increases when the landfill closes in 1998.</li> <li>• There are issues that need to be resolved about risk liability of using/allowing volunteers to cleanup sites.</li> </ul>

<b>Table 10.7 Evaluation of Illegal Dumping Alternatives</b>	<b>PROS</b>	<b>CONS</b>
<p><u>#3 Survey the county for illegal dumping sites.</u></p>	<ul style="list-style-type: none"> <li>• Surveys can be simple or complex but would establish a baseline of information to measure the effectiveness of future actions.</li> </ul>	<ul style="list-style-type: none"> <li>• A survey might require up to ½ FTE to complete, depending upon complexity of survey. Estimated costs: \$40,000 for ½ FTE for one-time project. (Yearly follow-up costs would be less once system was standardized.)</li> <li>• This is currently not a Health Department staff assignment.</li> <li>• No funding has been identified.</li> </ul>
<p><u>#4. Survey large property owners and state and federal agencies annually about hot spots on their properties.</u></p> <p>This task could be enlarged to form an Illegal Dumping Task Force among agencies and large property owners.</p>	<ul style="list-style-type: none"> <li>• A survey of large property owners would help to identify hot spots and the actions owners may already be taking to reduce illegal dumping. A mail survey would be an inexpensive way to acquire information. A phone survey would gather less accurate information than a mail survey but would also help identify hot spots.</li> <li>• Forming an Illegal Task Force would broaden base of support for future actions.</li> <li>• A Task Force may identify other more effective actions to take and may help in gathering support for matching grants from private industry.</li> </ul>	<ul style="list-style-type: none"> <li>• The cost for a mail survey would be for staff time to mail out questionnaire and tabulate responses. A phone survey would require approximately 2 full weeks of staff time. Surveys are not currently a Health Department staff assignment.</li> <li>• Forming and staffing meetings of Illegal Dumping Task Force would require approximately ½ FTE at a cost of approximately \$40,000. This is currently not a Health Department staff assignment.</li> </ul>
<p><u>#5 Map and evaluate past sites handled by Health Department's Compliance Program.</u></p> <p>This task could result in revisions to the information gathering system to facilitate future mapping.</p>	<ul style="list-style-type: none"> <li>• Mapping could identify hot spots. Capabilities are available in both the Health Department and through Pierce County's GIS system.</li> <li>• Revisions to data gathering could help to pinpoint types of materials, time of year, and amounts which may lead to improved public outreach program which could target specific sites and or people who are doing the dumping.</li> <li>• Identification of hot spots could be used in coordination with volunteer or other monitoring and enforcement programs.</li> </ul>	

Table 10.7 Evaluation of Illegal Dumping Alternatives	PROS	CONS
<p><b>NEED --- To identify and remove institutional or legal barriers that make enforcement programs too costly or ineffective.</b>  <u>Why:</u> Inadequate information exists about costs to all agencies to cleanup sites and to enforce existing system through prosecution.</p>		
<p><u>#6 Develop a citation process by revising penalties.</u></p> <p>This could include a revision of the amount of the fines. It could include publicizing the names of those fined.</p>	<ul style="list-style-type: none"> <li>• Courts appear reluctant to enforce current criminal prosecutions. De-criminalizing the enforcement process by changing to a citation for illegal dumping may speed up enforcement action.</li> <li>• Heavier fines may act as a deterrent.</li> <li>• Publicizing names of those fined might act as a deterrent.</li> </ul>	<ul style="list-style-type: none"> <li>• Health Department's citation system for improper storage of waste does not seem to have resulted in improved enforcement through court system.</li> <li>• Using fines received to defray cleanup costs may not be legally possible under State law.</li> </ul>
<p><u>#7 Identify all enforcement program costs and compare these with the costs for cleanup and disposal</u> This includes Health Department costs and prosecution costs of all agencies.</p>	<ul style="list-style-type: none"> <li>• This action would provide a baseline to compare future enforcement actions and effectiveness.</li> <li>• This could be used to identify an average per ton cost for enforcement and/or a per ton cost for cleanup which would provide a basis for making funding decisions for additional programs.</li> </ul>	<ul style="list-style-type: none"> <li>• Evaluating all enforcement costs, including prosecution costs, and estimating a per ton cleanup cost is not currently a Health Department staff assignment. Estimated costs for a one-time evaluation project using 1/4 to 1/2 FTE: \$40,000.</li> </ul>
<p><b>NEED - To develop coordinated prevention, cleanup, and enforcement programs.</b>  <u>Why:</u> Prevention programs that are countywide, involving all jurisdictions, may be cost-efficient and effective at reducing illegal dumping and/or cleaning up sites.</p>		
<p><u>#8 Develop and implement a pro-active, countywide public outreach and education program.</u></p> <p>(See #9)</p>	<ul style="list-style-type: none"> <li>• Other jurisdictions around the country and in Washington have also determined that public outreach and education is one of the most effective tools to reduce illegal dumping.</li> <li>• A countywide public outreach program may be the most cost-efficient approach, if all jurisdictions participate. There is a successful history of using countywide public education programs to promote recycling in Pierce County.</li> <li>• Grant applications may be more acceptable to granting agencies if a public outreach/education program is countywide and supported by all jurisdictions.</li> <li>• A low-key outreach program could be developed with minimal cost by using the Solid Waste Division's existing public outreach delivery system of newsletters, exhibits, and school education activities.</li> </ul>	<ul style="list-style-type: none"> <li>• An aggressive public outreach program that goes beyond using the existing public outreach activities could be expensive. No financing support has been identified. (See #9)</li> <li>• Public outreach programs about illegal dumping are not a current Health Department staff assignment.</li> <li>• Under the Solid Waste Plan policies, it has not been the responsibility of the Solid Waste Division to conduct illegal dumping public outreach programs.</li> </ul>

<b>Table 10.7 Evaluation of Illegal Dumping Alternatives</b>	<b>PROS</b>	<b>CONS</b>
<p><u>#9 Develop a public education program which targets specific groups and materials.</u></p>	<ul style="list-style-type: none"> <li>• An intense, three-year program, followed by continued, long-term public outreach may be an effective way to reduce illegal dumping.</li> <li>• A public outreach program would publicly support and make more effective any increased enforcement activities.</li> <li>• Targeting specific groups of people who dump and/or specific materials that are dumped might lead to identification of other solutions, such as providing more opportunities for disposal or recycling in areas where materials are dumped or working with specific groups to ensure they have opportunities and know where to recycle.</li> <li>• Targeting specific groups, hot spots, and materials and then timing the information programs to occur when dumping most often occurs may be an appealing approach to a variety of groups- such as large timber land owners, state and federal agencies, etc. Such a specific program might encourage more cross-jurisdictional support and funding.</li> </ul>	<ul style="list-style-type: none"> <li>• There needs to be more information about where illegal dumping occurs, when, and by whom in order to develop an effective, aggressive outreach program which targets groups and or types of materials.</li> <li>• An aggressive outreach program using tabloid inserts, radio/tv ads, billboards, etc. could cost between \$71,000 to \$207,000.</li> <li>• No financing support has been identified. Increases in tipping fee to pay for aggressive outreach programs may have the detrimental effect of increasing illegal dumping, particularly when tipping fees go up because of long-haul costs when the landfill closes in 1998.</li> <li>• Public outreach programs about illegal dumping are not a current Health Department staff assignment.</li> <li>• Under the plan policies, it has not been the responsibility of the Solid Waste Division to conduct public outreach programs about illegal dumping.</li> </ul>
<p><u>#10. Acquire matching grants or donated time and materials to match government funding and state grants.</u></p>	<ul style="list-style-type: none"> <li>• A concerted effort to involve all jurisdictions, large property owners, and state agencies in matching funding could result in more aggressive and effective programs to reduce illegal dumping or to cleanup existing sites.</li> </ul>	<ul style="list-style-type: none"> <li>• Requires administrative staff time to pursue grant funding and matching grants. Depending upon degree of effort desired, staff funding needs could range from ½ to 1 FTE position. Estimated costs for ½ FTE: \$40,000.</li> <li>• This activity is not a current Health Department staff assignment.</li> </ul>
<p><u>#11. Place signs at hot spot sites warning of fines and notifying dumpers that sites are monitored on a regular basis.</u></p>	<ul style="list-style-type: none"> <li>• This action could act as a deterrent and may be inexpensive.</li> <li>• Signs are available from the Health Department and funding exists for creating signs.</li> <li>• This activity would be most effective if there is actually some random monitoring of hot spot sites.</li> <li>• Watershed groups have requested such signs. Timber companies use signs at their illegal dumping hot spots.</li> </ul>	<ul style="list-style-type: none"> <li>• There would be some staff costs for erecting signs.</li> <li>• Vandalism of signs may occur.</li> </ul>

<b>Table 10.7 Evaluation of Illegal Dumping Alternatives</b>	<b>PROS</b>	<b>CONS</b>
<p><u>#12. Use staff to randomly monitor hot spots.</u></p> <p>Timber companies hire off-duty police to randomly monitor hot spots on their properties in evening and weekend hours.</p>	<ul style="list-style-type: none"> <li>• This action would be most effective if coupled with public outreach programs, volunteer monitoring, and an aggressive enforcement program.</li> <li>• Hiring staff to monitor all hot spot sites in the County and publicizing the fact may act as a deterrent.</li> <li>• Timber companies and other agencies may be amenable to assist with matching grants to help fund this pro-active approach; particularly if hot spots on their property were included in the monitoring system.</li> </ul>	<ul style="list-style-type: none"> <li>• This activity requires funding of 2 or more FTE--equivalent positions. Estimated costs for 2 FTE: \$80,000. No funding has been identified.</li> <li>• This is not currently a Health Department staff assignment.</li> </ul>
<p><u>#13 Develop and fund new collection programs for large, bulky items such as furniture, appliances, tires, or used batteries.</u></p> <p>Cities, with their collection authority, contract for Spring cleanups of such items.</p> <p>This action could include either collection events or voucher systems. The County and/or Health Department might consider a reduced fee voucher system funded by an annual set amount to issue vouchers to low-income or others for one-time drop-off of items.</p> <p>(See #14)</p>	<ul style="list-style-type: none"> <li>• One-time collection events have proved popular.</li> <li>• Collection events can ensure proper disposal or recycling of the particular waste collected.</li> <li>• A voucher system aimed at low-income groups would provide a financial resource for those who may legitimately find disposal costs too high.</li> <li>• A Spring collection program or voucher system could be promoted in coordination with the cities' Spring cleanups so that residents of the unincorporated area were receiving the same promotional messages about proper disposal and options.</li> <li>• Collection events or voucher systems might be most effective if timed with a public outreach program about illegal dumping and strengthened enforcement.</li> <li>• Cities might be interested in replacing existing cleanup programs with a voucher system to reduce costs.</li> </ul>	<ul style="list-style-type: none"> <li>• One-day events are expensive and involve substantial staffing and publicity. One-day collection events can cause substantial traffic problems.</li> <li>• Collection events attract out-of-county residents who try to abuse the system. Evidence from past events indicates that out-of-county people turned away from the event, often dump the materials illegally. Events are difficult to police.</li> <li>• There is no evidence that collection events actually target those people who illegally dump.</li> <li>• Neither the Health Department nor the Solid Waste Division contract for collection nor have the authority to contract for collection in the unincorporated areas. Therefore, there are no existing fee systems that could be increased to provide one-time collection services.</li> <li>• Voucher systems can be expensive, if not limited to a set dollar amount.</li> <li>• Increases in the tipping fee to pay for these actions could lead to increased dumping. Increasing the tipping fee would increase the costs for those people who are already paying for services, which could be viewed as a penalty upon those who are disposing correctly.</li> <li>• This is not a current Health Department staff assignment.</li> <li>• Voucher systems can be used unscrupulously by people who trade them or fabricate them. A voucher system for use only for residents of unincorporated areas could cause perception problems with residents of cities and towns in terms of promotional confusion and, perhaps, resentment.</li> <li>• Once started, collection events are difficult to stop and costs can increase.</li> </ul>

<b>Table 10.7 Evaluation of Illegal Dumping Alternatives</b>	<b>PROS</b>	<b>CONS</b>
<u>#14 Develop a mobile collection program for bulky furniture items and appliances.</u>	<ul style="list-style-type: none"> <li>• A mobile collection system could be developed instead of collection events and would be more cost-efficient than collection events.</li> <li>• A set sum could be budgeted each year for mobile collection to prevent increases in cost.</li> <li>• In the unincorporated areas, a mobile collection system could be offered only to low-income residents, thus providing the service to those who may find disposal costs too high and reducing the possibility of misuse of the system by those who can afford disposal costs.</li> <li>• A voucher system could be used to administer the system. This would also prevent out-of-county people from trying to abuse the system.</li> <li>• It may be possible to contract for a certain amount of collection with minimal increase to any jurisdiction's staff costs to administer the program.</li> </ul>	<ul style="list-style-type: none"> <li>• Charity groups already have informal systems set up for working appliances and reusable furniture. A mobile collection system should be aimed only at collecting those items that need disposal so as not to infringe upon charity activities.</li> <li>• Many appliance dealers already will deliver new appliances and pickup old ones. A mobile collection system should not replace any existing systems as this would just replace free-enterprise system with government costs for the service.</li> <li>• Cities have collection funding systems in place. Neither the County nor the Health Department are authorized to collect items and, thus, have no developed funding system.</li> <li>• Increases in tipping fee to provide for mobile collection could lead to increased illegal dumping.</li> <li>• This is not a current Health Department staff assignment nor a Solid Waste Division staff assignment.</li> <li>• Administrative staff costs to administer a voucher/mobile collection system are estimated to be up to ½ FTE.</li> </ul>
<u>#15. Lobby the State to reinstate the tire tax or to develop a new funding source to cleanup tire piles, as was done in the past.</u>	<ul style="list-style-type: none"> <li>• The \$1 per tire tax efficiently collected monies to cleanup illegal tire piles. A large number of tires were removed from Pierce County to appropriate disposal or recycling facilities.</li> <li>• Lobbying the State would not cost any additional funding. It's a matter of whether this is a priority with elected officials.</li> <li>• Anecdotal evidence indicates the public would support reinstatement of the tax.</li> </ul>	<ul style="list-style-type: none"> <li>• Legislature is always reluctant to pass a tax, even one that has worked well in the past.</li> </ul>
<u>#16. Enforce existing tire pile storage requirements</u>	<ul style="list-style-type: none"> <li>• This would require no new action. It's a matter of re-prioritizing staff assignments.</li> <li>• Increased penalties might be effective in reducing improper storage of tires.</li> </ul>	<ul style="list-style-type: none"> <li>• Some businesses may stop accepting tires, which might cause an increase in illegal dumping of tires.</li> <li>• If there is not enough staff to enforce current regulations, additional staff may be needed.</li> </ul>
<u>#17 Develop a public outreach program which focuses on reducing inappropriate use of drop-off-recycling sites.</u>	<ul style="list-style-type: none"> <li>• Drop-off sites provide substantial opportunities for citizens and small businesses to recycle. Encouraging proper use of the sites may help retain these sites which have become an essential adjunct to Pierce County's recycling system.</li> <li>• A public outreach program could probably fit within the Solid Waste Division's existing budget and outreach activities.</li> </ul>	<ul style="list-style-type: none"> <li>• A public outreach program may not reach those who are abusing the sites and, thus, may not solve the problem.</li> <li>• The Solid Waste Division and other County agencies may be in danger of communicating too many messages, which reduces the effectiveness of each.</li> </ul>

<b>Table 10.7 Evaluation of Illegal Dumping Alternatives</b>	<b>PROS</b>	<b>CONS</b>
<p><u>#18 Pierce County could expand capabilities of drop-box transfer stations in outlying rural areas.</u></p> <p>This could include expanding facilities to take appliances and furniture and other large items or sponsoring special days during the year to take these items.</p>	<ul style="list-style-type: none"> <li>• A financing system is already in place to include expansion of facilities, as necessary.</li> <li>• This is already an assigned Pierce County Solid Waste Division responsibility.</li> <li>• Collection of appliances, furniture, and tires at rural drop-box transfer stations might reduce illegal dumping of these materials in the general area surrounding the facility.</li> <li>• Special collection events might help reduce dumping and would keep the public focused on illegal dumping and proper methods of disposal.</li> </ul>	<ul style="list-style-type: none"> <li>• Access to drop-box facilities may not be related to illegal dumping and, therefore, may not have much effect on the problem.</li> <li>• The cost, or perceived cost, of disposal may be the issue and increased access would not resolve the problem unless these activities were accompanied by reduced fees.</li> <li>• The average cost for disposal of waste at rural drop-box facilities is higher than the rest of the system. Tipping fees would have to be raised throughout the system to solve what may be a local, rural problem.</li> </ul>
<p><u>#19 Pierce County could develop additional drop-box transfer stations in rural areas where illegal dumping occurs most frequently.</u></p>	<ul style="list-style-type: none"> <li>• If access is the issue in some parts of Pierce County, then additional drop-box stations might reduce some illegal dumping.</li> <li>• A system is in place, funded by the tipping fee, for Pierce County to establish additional drop-box facilities.</li> </ul>	<ul style="list-style-type: none"> <li>• Information is insufficient to determine location for new drop-box stations. Hot spots are not identified. It is not known what types of people are illegally dumping or why.</li> <li>• Access to drop-off stations may not have much effect on illegal dumping if cost, or perceived cost, may be driving the illegal dumping.</li> <li>• There is no identified funding system to provide a reduced fee.</li> <li>• There are annual costs for maintaining and operating new drop-box stations which would cause an increase to the entire system funded by tipping fees. The actual average cost for disposal at rural transfer stations is higher than the rest of the system. Other counties have tried charging fees based on actual cost which has resulted in rural residents unwilling to pay the fees or use the drop-boxes.</li> </ul>
<p><b>NEED --- To develop a coordinated measurement system to monitor effects of preventive and enforcement programs.</b>  <b>Why:</b> There is no mechanism in place to measure the effectiveness of existing or future programs.</p>		
<p><u>#20. The Health Department and other jurisdictions should collaborate on an annual report about illegal dumping.</u></p>	<ul style="list-style-type: none"> <li>• An annual report could identify the effectiveness of various actions to decrease illegal dumping. It would provide back up information for grant applications.</li> </ul>	

Table 10.7 Evaluation of Illegal Dumping Alternatives	PROS	CONS
<p><b>NEED -- To find ways to coordinate the financing of new prevention or cleanup programs for illegal dumping, either by making existing programs more cost-effective or through new, or re-directed funding sources.</b></p> <p><u>Why:</u> Any aggressive combination of the alternatives listed above will need additional funding dedicated to reducing illegal dumping.</p>		
<p><u>#21. Evaluate ways to redirect existing funding.</u></p>	<ul style="list-style-type: none"> <li>• Re-evaluating priorities may identify some small funding amounts that may be used to reduce illegal dumping.</li> <li>• Heavier fines might be created and re-directed to support cleanup programs.</li> <li>• A coordinated funding system to handle illegal dumping between cities and towns, Health Department, and Pierce County, rather than the current piece-meal jurisdictional approach might result in stronger, more effective programs.</li> </ul>	<ul style="list-style-type: none"> <li>• Re-prioritizing funding programs may short-change other, essential programs. It would require a determination that some programs no longer need as much funding. The County, cities, and other agencies would have to re-prioritize other goals and policies.</li> <li>• It may not be legal, under State law, to direct fines toward cleanup programs.</li> <li>• Individual jurisdictions are unlikely to want to change their funding priorities and redirect some of their monies to a countywide system.</li> </ul>
<p><u>#22. Apply for State grants and develop matching grants from private sources.</u> (See #10)</p>	<ul style="list-style-type: none"> <li>• State litter grants are becoming available for use in resolving illegal dumping problems. (See #10.)</li> </ul>	<ul style="list-style-type: none"> <li>• Requires administrative staff time to pursue grants. The amount may be small and cause administrative problems for disbursing to all jurisdictions who want it. (See #10.)</li> </ul>
<p><u>#23 Increase the amount from the existing funding systems.</u></p>	<ul style="list-style-type: none"> <li>• Increases in the tipping fee might pay for programs.</li> </ul>	<ul style="list-style-type: none"> <li>• Large increases in the tipping fee may increase illegal dumping, particularly when the tipping fee increases because of closure of the landfill in 1998.</li> </ul>
<p><u>#24 Establish a Disposal District to fund cleanup of illegal dump sites or a Collection District to make collection mandatory.</u></p>	<ul style="list-style-type: none"> <li>• A Disposal District could levy an excise tax to fund solid waste activities.</li> <li>• A Disposal District would be able to provide what would appear to be free disposal costs to self-haulers.</li> <li>• If collection is mandated by a Collection District, there is no cost impediment to disposing of solid waste appropriately rather than illegal dumping.</li> </ul>	<ul style="list-style-type: none"> <li>• Disposal Districts are designed for unincorporated areas. Unless cities agree to a District, it is unlikely that enough money could be generated to have much effect.</li> <li>• Disposal Districts have been politically unpopular.</li> <li>• Provisions of the law may exempt commercial businesses which would put the burden upon rural residents.</li> <li>• There would be substantial costs to developing, passing, and administering a Disposal District.</li> <li>• Property taxes would increase.</li> <li>• There would need to be a fundamental change to the property tax system, A complete in-depth analysis would be needed to identify the potential benefits and effects of a Disposal District.</li> <li>• Enforcement of a Collection District may be difficult.</li> <li>• With a Collection District, the County may end up trying to collect fees from delinquent customers.</li> </ul>

Table 10.7 Evaluation of Illegal Dumping Alternatives	PROS	CONS
<p><u>#25 Establish a revolving fund for cleanup of problem waste areas and a coordinating group to recommend how the fund is used</u></p>	<ul style="list-style-type: none"> <li>• This task could provide a means to jump-start the clean-up of problem sites that affect citizens' health and safety and community well being.</li> <li>• The coordinating group could analyze needs and recommend updates to enforcement codes.</li> <li>• Getting sites cleaned-up quickly helps to prevent the sites from attracting additional illegal dumping.</li> <li>• Publicizing a proactive clean-up program might be a useful public information tool for calling attention to the problem and creating an atmosphere that illegal dumping is "socially unacceptable."</li> <li>• Records of clean-up could better help define the problem and identify solutions.</li> </ul>	<ul style="list-style-type: none"> <li>• If enforcement codes are not updated and coordinated and made more effective, there may be few funds available to replenish the revolving fund.</li> <li>• Replenishing the fund will also require commitment from the justice system.</li> <li>• The clean-up of junk vehicles could quickly drain the fund unless limitations are set.</li> <li>• The poor coordination between the County's regulations and State licenses for the handling of junk vehicles, hulk hauling, and vehicle restoration activities provides loopholes which could work against resolving the junk vehicle problems.</li> <li>• If not carefully managed, the loan fund could be abused by repeat offenders.</li> <li>• There would be a staffing cost to administer the program.</li> </ul>

## 10.7.2 Other Financing Issues

The funding sources described in Section 10.5 adequately fund existing programs. In the coming years, however, all three waste management systems will face changes in the way they do business. In addition, there may be changes in consumer/citizen behavior, law, and state government regulations and policies. These changes may impact the long-term adequacy or viability of the funding sources tapped today. This section identifies changes which may be on the horizon and potential actions that may be of assistance in determining a future direction.

***Issue #1 --- If Pierce County and LRI fail to negotiate a new contract, or if Pierce County is unable to negotiate a contract with a disposal vendor that provides for a sharing of tipping fee revenue to benefit County programs, the County will need to explore alternative means to fund core solid waste management programs.*** In 1998, Pierce County and LRI entered into a new thirteen-year waste handling agreement. Until December 2011, LRI will provide waste disposal services to the County and access to the Hidden Valley Transfer Station. The company will also operate the County-owned Yardwaste Composting Facility and the County's four publicly-owned transfer stations. And, among other programs, the company will remit a portion of tipping fees to the County for use in education, recycling, and administrative programs (i.e., the County Administrative Cost component of the tipping fee).

- *Explore using the Solid Waste Collection surcharge:* State's laws authorize counties to impose fees on solid waste collection services. The revenue generated by this fee, which can be set by the County Council on the customers of haulers serving the

unincorporated areas of the County, can fund the "administration and planning expenses that may be incurred by the County in complying with the requirements in RCW 70.95.090." (RCW 36.58.045)

The County could set a per customer fee to fund just Solid Waste Division management functions or expand the scope of the fee to offset some of the costs of County-owned facilities. On the down side, state law allows the County to impose this fee only on customers within unincorporated service areas. City residents and self-haulers to facilities other than those owned by the County would not pay the fee. To overcome these obstacles the County could consider formation of a solid waste collection district through which subscription to waste collection services becomes mandatory (thus expanding the base of customers paying the fee) and/or request the cities and towns to impose an equal surcharge within their jurisdictions.

- *Set tipping fees so transfer stations pay for themselves:* To avoid having ratepayers in one part of the County subsidize transfer stations they don't use, the County could set tipping fees at each transfer station which more accurately reflect the specific costs of each facility. Alternatively, the County may have to consider privatizing or closing the transfer stations.

- *Form a Solid Waste Disposal District:* As discussed in Chapter 5, a solid waste disposal district is a governmental entity authorized by RCW 38.58. Disposal districts may collect taxes to fund solid waste disposal activities. City and towns may choose to participate in a disposal district formed by the County, but state law places all administrative and legislative control of such a district under the County Council.

***Issue #2 --- If cities and towns discontinue association with Pierce County for disposal services, the County will need to take steps to ensure an equitable distribution of (public and private sector) costs:*** Pierce County's cities and towns, other than Tacoma and Ruston, have voluntarily joined with the County for the provision of disposal services. If one, or all, of the cities were to choose to contract for waste disposal services without the County's involvement, the total tonnage entering the County system under the aegis of the Pierce County-LRI Waste Handling Agreement would decline. The County would lose revenue associated with the County Administrative Cost component of the tipping fee, but would presumably be able to discontinue providing services for, or to, the cities and towns. The real financial impact would be that the remaining ratepayers would be responsible for the fixed costs of the composting facility (capital costs through 2001 and ongoing operations and maintenance costs thereafter) and operations and maintenance costs for the publicly owned transfer stations. The Interlocal Agreement provides an important role.

- ***Audit Contracts and Strictly Allocate Costs:*** The County would need to exercise its contractual rights to audit LRI's books to ensure that costs, risk, and liabilities are appropriately allocated between County and city customers. The County could also explore setting higher fees at publicly-owned transfer stations for residents or businesses located in cities which are no longer part of the disposal system.

***Issue #3 --- If haulers or generators decide to flow waste outside the established Pierce County system, the County will need to take steps to ensure an equitable distribution of (public and private sector) costs and to explore alternative means to fund core solid waste management programs.***

Because Pierce County may be limited in its ability to enact or enforce “flow control” (see Appendix F) it is possible that one or more of the solid waste haulers, or large customers of those companies, could choose to haul wastes to facilities other than those operated as part of the Pierce County system. This would create a financial issue even more complicated than if cities were to leave the system. Pierce County would remain responsible for planning and providing services to all residents and businesses within the unincorporated area and within cities and towns that are part of the County system. But, not all those generators would be directing waste to the facilities which provide the fees to fund the required services.

- ***Seek reduction in responsibilities:*** In addition to all the actions detailed above, the County would need to consider asking the County Council and /or Legislature to reduce its planning and service responsibilities for the customers of haulers which no longer participate in a County-managed solid waste disposal system.

***Issue #4 --- If waste reduction and recycling programs become “too successful” in diverting waste, the County may need to find ways to make recycling services pay for themselves so that the tipping fee funds only waste transfer and disposal services which cannot be funded alternatively:*** With an increasing population and moderate inflation, the Solid Waste Division is generating less revenue per capita from the County Administrative Cost component of the tipping fee than at any point since implementing the County’s waste reduction and recycling programs. Befitting a program that has reached a certain level of “maturity”, per capita spending has decreased from \$5.06 per capita in 1991 and \$5.26 in 1993 to an estimate of \$4.29 in 1999; an 18 percent

decline from the peak year. Inflation magnifies the decrease. The County's inflation adjusted per capita spending on these services has declined by 34 percent since 1991.

So far, this has not been much of a problem because conservative budgeting has taken this reality into account. If tonnage declines, however, the fixed costs of providing services, such as transfer stations and composting facilities, must be spread over a smaller rate base, resulting in a need to increase per ton fees.

- *Restructure the tipping fee:* The total cost for recycling services and yardwaste processing services could be placed within the subscriber charges for those services, thus eliminating them from the tipping fee. To accomplish this, the County could: 1) negotiate with LRI to remove recycling and composting related costs from the tip fee and negotiate with the haulers to raise recycling and composting charges to fully fund those systems; or 2) negotiate with LRI and directly contract for residential recycling and yardwaste collection services as allowed by law.

If these solutions do not resolve the problem, the County may need to consider broadening the rate base through formation of a disposal district or a collection district, or consider the further privatization or elimination of programs.

***Issue #5 --- If long-haul related tipping fee increases result in tonnage declines, the County may need to find replacement funding sources:*** The long-haul of all the County's waste will trigger a 15 to 30 percent rate increase. Large commercial, industrial, and institutional waste generators may choose to direct their haulers to bypass the established disposal system, or they may choose to self-haul materials to out-of-

county disposal sites. Fee increases may also lead to an increase in the amount of illegal dumping. Tonnage reductions impact the County's ability to pay its fixed costs (as explained above).

- *Explore the alternative funding mechanisms explained above.*

***Issue #6 --- If there is public pressure to discontinue subsidies for non-disposal programs, the County will need to find replacement funding sources for non-disposal programs which continue to equally distribute costs among all beneficiaries:***

Since Pierce County implemented recycling and composting programs earlier in the 1990s, these programs have been subsidized by users of the waste disposal system. In the future, high waste disposal costs may force public sentiment to turn against having an integrated solid waste management system in which disposal and recycling are funded together.

- *If this situation happens, the County will need to explore using the alternative funding mechanisms explained above.*

***Issue #7 --- If the State changes the way it gives out grants, the County may need to identify alternative ways to pay for programs now funded by grants, new programs that would meet revised eligibility criteria, or identify which grant-funded programs have accomplished desired tasks and could be eliminated:***

- *The County should consider monitoring and / or participating in legislative and agency actions which concern grants.*

## 10.8 Recommendations

### *Reports to County Council*

**#10-1** The Pierce County Solid Waste Division shall report to the Pierce County Council on a semi-annual basis about: 1) significant solid waste disposal decisions made by other Pacific Northwest jurisdictions; 2) the development, implementation, and consequences of new, innovative and unusual approaches to solid waste management; and 3) the current status of long-haul alternatives, particularly with the cost impact of fuel generated from waste.

### *WUTC coordination*

**#10-2** The Pierce County Solid Waste Division should coordinate with and regularly present the interests of Pierce County citizens to the Washington Utilities and Transportation Commission.

**#10-3** For services to be provided within unincorporated Pierce County, the County should continue to work with the Washington Utilities and Transportation Commission to carry out and implement the adopted recycling minimum service levels through approval of the franchised haulers' rates.

### *Interlocal Agreements*

**#10-4** When Pierce County and the Cities and Towns (excepting Tacoma and Ruston) enter into Interlocal Agreements to implement this plan, those Agreements shall require the planning partners to work cooperatively in a common solid waste transfer and disposal system. This is necessary to: provide economies of scale; avoid unnecessary and costly duplication of services; and minimize the number of solid waste related facilities which must be developed and permitted to implement this plan.

### *Open competitive procurement processes*

**#10-5** Where practical, the solid waste management system should be advanced through an open competitive procurement process to benefit the public interest.

### *Investigate impact of future changes to flow control*

**#10-6** If future changes to federal law allow local governments to ban waste imports or to engage in "flow control," the County shall investigate the impact a ban on waste imports (either by Pierce County or by other jurisdictions) or new flow control authority would have on solid waste disposal rates and services, and publicize its findings for citizen review and comment.

### *Solid waste regulations – public notice and comment*

**#10-7** When state and federal solid waste regulations are revised, the Comprehensive Solid Waste Management Plan and applicable local solid waste regulations should be amended to, at a minimum, meet the new state and federal regulations.

- #10-8** The Tacoma-Pierce County Health Department shall implement ways to increase public notice, input, and involvement in the solid waste handling facility permit application review process. The following issues were identified as particular areas the Health Department should review:
- Formal public notice and comment periods when issuing and modifying solid waste handling facility permits.
  - Public meetings on the basis of requests, a significant degree of public interest, or to clarify one or more aspects important to compliance with the requirements of applicable permit; and
  - Identification of impacts which may occur across jurisdictional boundaries.
- #10-9** When an applicant applies for a Solid Waste Permit, the Tacoma-Pierce County Health Department shall notify the property owner(s) and verify that the owners understand they will be responsible for clean-up of any waste left by any solid waste facility or activity on their property.
- #10-10** When state or local solid waste regulations are revised, staff of the Solid Waste Division should work with the Tacoma-Pierce County Health Department and the SWAC to review zoning for the solid waste and recycling facilities. The SWAC will submit proposed code amendments to the Council for consideration.

*Enforcement, illegal dumping, and neighborhood clean-up programs*

- #10-11** Agencies should work together to develop effective enforcement capabilities to address the illegal dumping of solid waste and non-compliant solid waste handling facilities. In implementing a coordinated program, agencies could consider:
- Developing a new interagency enforcement group.
  - One standardized reporting form and a phone number for citizens to call and report illegal dumping or to check on the status of follow-up actions.
  - New codes with more teeth, higher fines, liens, and provisions for recovering both clean-up and disposal costs.
  - Prioritization of enforcement actions.
  - Eliminating access to abandoned properties that have debris or which have been condemned in order to prevent illegal access and to reduce risk to public safety.
- #10-12** Local and state enforcement agencies should work together to develop effective code enforcement capabilities to address the handling and management of junk or abandoned vehicles.
- #10-13** Implementing agencies should pursue additional and / or new grant funding to support illegal dumping enforcement, clean-up and educational efforts. Additionally, grant money should be sought to support local community groups' neighborhood clean-up programs.
- #10-14** Pierce County and all participating municipalities should support and encourage the implementation of the volunteer litter control programs, such as Adopt-the-Road, Adopt-a-Stream, and Adopt-a-Trail programs.

**#10-15** Pierce County, the Health Department, and others should work together to develop a process to share illegal dumping information. Such an information sharing system would be used to support and aid enforcement, educational, and prevention activities.

*Funding*

**#10-16** The current funding mechanism used to support the Tacoma-Pierce County Health Department and the County's solid waste programs should continue to be used.

**#10-17** Pierce County and its cities and towns should develop adequate funding for illegal dumping enforcement programs, which could include:

- budget solutions for enforcement agencies;
- the costs of disposal of solid waste within any associated nuisance or enforcement programs, including the removal of junk or abandoned vehicles; and
- new codes with higher fines, liens, abatement requirements, and penalties for non-compliance.

**#10-18** As one aspect of its enforcement efforts, Pierce County should establish an illegal dumping abatement revolving fund. This fund would enable the clean-up or abatement of illegally dumped waste and junk cars when other enforcement actions have failed. The initial contribution or loan may come from the Solid Waste Fund (i.e. tipping fee) or other funds. Funds would be reimbursed from collections and fees and when liens imposed on the cleaned-up property are cleared. The details of the fund, the use of the fund dollars, and proposed changes to related enforcement codes and agency procedures will be developed and recommended by a coordinating group, convened by the Solid Waste Division, and including representatives of relevant County Departments, related agencies, the Solid Waste Advisory Committee, and cities and towns. The fund shall not be used for funding FTEs. The coordinating group shall provide its recommendations to the Council for its review, no later than six months following adoption of this Plan by the County Council.

**#10-19** Pierce County should study and may form a Disposal or Collection District pursuant to Chapters 36.53 or 36.58A RCW. The study should assess whether the County should consider formation of a Disposal or Collection District for funding all or certain portions of the solid waste management system, such as to address illegal dumping. The study should consider the issues related to coordination with local cities and towns, applicability to properties producing commercial garbage, possible adoption of an excise tax and how that affects the taxing structure, the experiences of other counties, and other related concerns.

*Household hazardous waste*

**#10-20** Pierce County, Tacoma, and the Tacoma-Pierce County Health Department should continue their coordinated services to provide all residents of the county with opportunities to dispose or recycle household hazardous wastes.

*Public outreach*

**#10-21** A general public education program should be developed to coordinate with all project specific public relation efforts (e.g. waste reduction, landfill siting, etc.) and to coordinate with other related solid waste issues such as litter, illegal dumping and increased disposal fees.

*State and Federal actions*

**#10-22** The County should identify and support initiatives or actions which legislative bodies could undertake that, in Pierce County's judgement, would assist Pierce County and the cities and towns to achieve the goals within the Plan, including the authority to control the flow of waste.

**Tacoma's role**

**#10-23** Under this Solid Waste Management Plan, the City of Tacoma will retain control over all aspects of solid waste management within its corporate city limits, such as collection and disposal rates, minimum service levels, and waste management programs.