



McCleary City Council Agenda

08/12/2020- 6:30PM

Flag Salute

Roll Call: ___ Pos. 1-Amsbury, ___ Pos. 2-Huff , ___ Pos. 3- Heller, ___ Pos. 4- Blankenship, ___ Pos. 5- Iversen

Presentation			
Executive Session			Union Negotiations RCW 42.30.140
Public Hearing			
Mayor Comments			
Public Comment			
Minutes		Tab	A Minutes
Approval of Vouchers		Tab	B Accounts Payable July 1-15 & 16-31 Payroll - July 2020
		Tab	C COVID Expenditures
Staff Reports		Tab	D PW, Police, Finance, LP, Building
Old Business			
New Business		Tab	E COVID-19 Update
		Tab	F Eddie Biers Kitchen Sign - Discussion
Ordinances		Tab	G LTGO Bond Ordinance
		Tab	H Water/Sewer Bond Ordinance
Resolutions		Tab	I GHC Solid & Hazardous Waste Management
Contracts			
Mayor/Council Comments			
Public Comments			
Adjourn/Recess Meeting			

[WebEx Link](#)

Join By Phone: +1-408-418-9388

Meeting number (access code): 126 702 7238

Meeting password: PRmY2ZuHJ42 (77692984 from phones and video systems)

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GRAYS HARBOR COUNTY

**SOLID & HAZARDOUS WASTE
MANAGEMENT PLAN FOR
YEARS 2020 TO 2025**



Planning for a safe, cost-effective and sustainable solid waste management system that protects public health and the environment, now and into the future.

Version 06-01-20

Acknowledgements

Adopting Jurisdictions

Grays Harbor County
City of Aberdeen
City of Cosmopolis
City of Elma
City of Hoquiam

City of McCleary
City of Montesano
City of Oakville
City of Ocean Shores
City of Westport

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Table of Contents

Introduction	1
The Mission of the Grays Harbor County Solid Waste Management Plan.....	1
Achieving the Mission Statement	1
Plan Development and Adoption	2
Section 1. Background of the Planning Area	3
1.1 Physical Description	3
1.2 Population.....	3
1.3 Demographics.....	6
1.4 Economy	8
1.5 Key Trends	9
Section 2. Solid Waste Laws, Regulations, & Plans	10
2.1 Federal Regulations	10
2.2 State of Washington.....	10
2.4 Local Solid Waste Management Plan and Laws	12
2.5 Other Pertinent Local Plans and Agreements	13
2.6 Key Trends	14
Section 3. Waste Generation	16
3.1 Disposal Quantities and Trends	16
3.2 Future Solid Waste Stream Forecast	17
3.3 Waste Characterization Study	18
3.4 Key Trends	20
3.5 Waste Generation Management Actions	20
Section 4. Waste Collection and Disposal	21
4.1 Residential and Commercial Collection Services	21
4.2 Active Solid Waste Handling Facilities	22
4.3 Closed Solid Waste Handling Facilities	25
4.4 Waste Export	26
4.5 Key Trends	27
4.6 Waste Collection & Disposal Management Actions	27
Section 5. Waste Diversion	29
5.1 Recycling	29
5.2 Composting	33
5.3 Energy Recovery	33
5.4 Waste Reduction.....	34
5.6 Key Trends	35
5.7 Waste Diversion Management Actions	35

Section 6. Special Wastes	37
6.1 Biomedical wastes	37
6.2 Pharmaceutical wastes	37
6.3 Wood wastes	38
6.4 Tire Wastes.....	39
6.5 Industrial Wastes and Sludges	40
6.6 Contaminated Soils.....	40
6.7 Disaster Debris.....	41
6.8 Animal Carcasses.....	41
6.9 Key Trends	41
6.10 Special Wastes Management Actions	42
Section 7. Moderate Risk Wastes.....	44
7.1 Regulatory Framework.....	44
7.2 Moderate Risk Waste Facility.....	44
7.3 Used Motor Oil Collection Facilities.....	46
7.4 Other MRW Programs.....	47
7.5 Key Trends	48
7.6 Moderate Risk Waste Management Actions.....	48
Section 8. Dangerous Waste Generators	49
8.1 Dangerous Waste Generators.....	49
8.2 Remedial Action Sites	51
8.3 Hazardous Waste Transporters & Facilities.....	53
Section 9. Enforcement	54
9.1 Regulating Agencies.....	54
9.2 Enforcement Management Actions.....	55
Section 10. Education and Outreach.....	56
10.1 Grays Harbor County Education & Outreach	56
10.2 Other Outreach & Education Resources	57
11.3 Key Trends	57
11.4 Education and Outreach Management Actions.....	57
Section 11. Administration.....	59
11.1 Grays Harbor County	59
11.2 Municipalities	60
11.3 Tribal Governments	61
11.4 Administration Management Actions	61
Section 12. Solid Waste Funding.....	63
12.1 State Law	63
12.2 Grays Harbor County	63
12.3 Municipalities	67

12.4 Washington Utilities and Transportation Commission (WUTC)	68
12.5 Six-Year Capital Improvement Plan	68
12.6 Key Trends	69
12.7 Solid Waste Funding Management Actions.....	69
Section 13. Five-Year Implementation Program	70
13.1 Ongoing Program Delivery Evaluation	70
13.2 Annual SWAC Review	70
13.3 New Program Efforts.....	71
13.4 Implementation Actions and Schedule	71
Section 14. SWMP Amendments, Updates, & Revisions.....	76
14.1 SWMP Amendments.....	76
14.2 SWMP Updates	76
14.3 SWMP Revisions.....	78
14.4 Update Management Action	79
Appendix A. Definitions.....	80
Appendix B. WUTC Cost Assessment.....	90
Appendix C. Interlocal Agreement.....	101
Appendix D. WSDA and WUTC Review Letters.....	108

Tables

Table 1: Grays Harbor County Population, 2010 - 2019	5
Table 2: Population in Census Designated Places, 2010	5
Table 3: OFM GMA Population Projection for Grays Harbor County	6
Table 4: Countywide Population by Age, 2016 US Census	6
Table 5: Countywide Race/Ethnicity, 2016.....	7
Table 6: Housing Units by Jurisdiction, 2018 Estimate	7
Table 7: County and Municipal Solid Waste Code Citations.....	12
Table 8: Tons of Solid Waste Generated, 2012-2019	16
Table 9: Tons of Solid Waste Generated Per Capita, 2012-2019.....	16
Table 10: Percent Annual Increase, Tons of Solid Waste Generated	16
Table 11: Stafford Creek Limited Purpose Landfill Volumes, 2015-2017.....	17
Table 12: Solid Waste Forecast, 2018 through 2040	17
Table 13: Percent of Waste Composition by Category, 2015-2016 West WGA.....	19
Table 14: Other Exempt Active Solid Waste Handling Facilities	25
Table 15: List of Designated Recyclables and Collection Method as of January 2020....	29
Table 16: Glass Drop-Off Container Locations	31
Table 17: Collected MRW, 2015 -2017.....	45
Table 18: County-Supported Used Motor Oil Collection Facilities, 2018	46

Table 19: Used Motor Oil Collection at Public Facilities	46
Table 20: County Hazardous Sites List, September 2017	51
Table 21: TSDR companies servicing Grays Harbor County	53
Table 22: State Statutes	63
Table 23: Projected Tipping Fees, 2020 - 2025	65
Table 24: Transfer Station Rates for Special Wastes, 2020.....	65
Table 25: Implementation Schedule for SWMP Management Actions.....	71

Figures

Figure 1: Map of Grays Harbor County	4
Figure 2: Percent of Solid Waste by Category, 2015-2016 West WGA	18
Figure 3: Composition of Total Waste Stream by Percent, 2015-2016 West WGA & Statewide	19
Figure 4: Major Active and Closed Solid Waste Handling Facilities.....	23
Figure 5: Grays Harbor County Transfer Station Tipping Fees, 2013-2019	64
Figure 6: CLCP & LSWFA Funding to Grays Harbor County Over Last Three Biennium.....	66

Introduction

The Mission of the Grays Harbor County Solid Waste Management Plan

The Grays Harbor County Solid Waste Management Plan will provide a safe, cost-effective and sustainable solid waste management system that protects public health and the environment, now and into the future.

We will measure our success by:

- ▶ Reducing reliance on landfills by encouraging waste reduction through recycling and reuse of products
- ▶ Providing education and outreach to increase public awareness about solid waste programs and beneficial practices
- ▶ Removing toxic materials from the waste stream
- ▶ Maintaining the affordability of solid waste programs while adequately sustaining program infrastructure
- ▶ Encouraging innovation and public/private partnerships that improve options for waste diversion, collection, and reuse.

Achieving the Mission Statement

The Grays Harbor County Solid Waste Management Plan (SWMP) achieves this mission statement by creating a document for guiding solid waste management in Grays Harbor County and the nine incorporated municipalities over the next five years.

The SWMP provides information about current solid waste management practices in the county and establishes recommendations for coordinated programs for waste collection and disposal, waste diversion, special wastes, moderate risk wastes, dangerous waste generators, enforcement, administration, and public education and outreach. The SWMP aims at making its recommendations a reality through an implementation program.

SWMP Elements

- Planning area background
- Solid waste laws, regulations, & plans
- Waste generation
- Waste collection & disposal
- Waste diversion
- Special wastes
- Moderate risk wastes
- Dangerous waste generators
- Enforcement
- Public education & outreach
- Administration
- Solid waste funding
- Implementation

Plan Development and Adoption

Preparation of the SWMP is a mandate under [RCW 70.95.080](#), which requires “Each county within the state, in cooperation with the various cities located within such county, shall prepare a coordinated, comprehensive solid waste management plan.” [RCW 70.95.110](#) further requires the SWMP to undergo update and review every five years. The timeframe for the Grays Harbor SWMP begins on January 1, 2020 and runs through December 31, 2025. The next SWMP update should be in place by January 1, 2026.

The Grays Harbor Solid Waste Advisory Committee (SWAC), assisted by county staff, played an instrumental role in developing the SWMP and guiding its implementation.¹ The SWAC initiated the plan development process by assessing countywide background data and existing solid waste management practices, identifying key trends, and then formulating recommendations for management actions. The SWMP concludes with an Implementation Plan that accomplishes the mission statement.

All nine cities and the county each adopt the SWMP through resolution, which follow in Appendix A.

¹ For more information about the SWAC, see page 46.

Section 1. Background of the Planning Area

1.1 Physical Description

Grays Harbor County borders the Pacific coast of Western Washington, extending approximately 50 miles along the lower Olympic Peninsula coastline. The county covers a geographic area of 1,902 square miles, ranking it 15th in area amongst Washington's 39 counties.

The county shares borders with Jefferson County to the north, Pacific and Lewis Counties to the south, and Mason and Thurston Counties to the east.

The Grays Harbor Estuary and the river valleys are a defining geographic characteristic of the county. As one moves inland, the topography shifts from river lowlands and rolling hills to the Olympic Mountains in the northern half of Grays Harbor County.

Aberdeen, Hoquiam, and Cosmopolis, situated at the mouth of the Chehalis River, make up the commercial-industrial core of Grays Harbor County. Oakville, Elma, and Montesano are smaller cities located in the Chehalis River Valley. McCleary is on the western edge of the Black Hills and the Cities of Ocean Shores and Westport border the Pacific Coastline. The Quinault Indian Nation covers a 300-square mile area in the northwest corner of the county. The Chehalis Reservation straddles the Grays Harbor/Thurston County lines; approximately 80% of the 4,215-acre reservation is within Grays Harbor County. The Olympic National Forest and Olympic National Park own much of the northern half of the County.

The county's climate is typical of the coastal Pacific Northwest, with cool summers and mild, wet winters. High temperatures average around 70° during the summer months and from 45° to 52° in the winter. There is a sizable variation in rainfall at different locations in the county; the average increases from 50 inches per year at the southeastern boundary to 220 inches per year at the northeastern boundary.

1.2 Population

The 2019 Office of Financial Management (OFM) population estimate for Grays Harbor County was 74,160, the 19th most populous county in Washington State. Between 2010 and 2018, the entire county grew by 1,363 people, a growth rate of 1.8 percent. This was the second lowest growth rate among the 39 counties during this period.

Most of the county population, 61.0 percent, resides within the incorporated cities, although the unincorporated area has the single highest population. Aberdeen, Hoquiam, and Cosmopolis alone account for 36.5 percent of the county population.

There has been population growth and decline among the cities in the county. While Aberdeen and Hoquiam continue to lose population, other communities in Grays Harbor County are experiencing growth. Since 2010, the City of Ocean Shores exhibited the highest growth rate, followed by the east county Cities of Elma and McCleary. The unincorporated population of the county declined slightly.

Table 1: Grays Harbor County Population, 2010 - 2019

Jurisdiction	2010	2012	2014	2016	2018	2019	Avg. Annual Change	Total Change 2010-19
Grays Harbor County	72,797	73,150	73,300	72,820	73,610	74,160	0.21%	1.87%
Unincorporated County	28,438	28,610	28,635	28,110	28,320	28,410	-0.01%	-0.10%
Incorporated Cities	44,359	44,540	44,665	44,710	45,290	45,290	0.34%	2.10%
Aberdeen	16,896	16,890	16,850	16,780	16,760	16,880	-0.01%	-0.09%
Cosmopolis	1,649	1,640	1,645	1,650	1,665	1,680	0.21%	1.88%
Elma	3,107	3,110	3,130	3,145	3,360	3,375	0.94%	8.63%
Hoquiam	8,726	8,655	8,625	8,580	8,560	8,540	-0.24%	-2.13%
McCleary	1,653	1,655	1,660	1,685	1,760	1,790	0.90%	8.29%
Montesano	3,976	4,050	4,075	4,105	4,155	4,175	0.54%	5.01%
Oakville	684	690	690	695	690	695	0.18%	1.61%
Ocean Shores	5,569	5,745	5,880	5,955	6,220	6,490	1.72%	16.54%
Westport	2,099	2,105	2,110	2,115	2,120	2,125	0.14%	1.24%

A census designated places (CDP) is a concentration of population within unincorporated areas. The US Census Bureau define and collects information on CDPs. There are 23 CDPs in Grays Harbor County as shown in the table below.

Table 2: Population in Census Designated Places, 2010

Place	Population	Place	Population
Aberdeen Gardens	279	Amanda Park	252
Brady	676	Central Park	2,685
Chehalis Village	346	Cohasset Beach	722
Copalis Beach	415	Grayland	953
Hogans Corner	85	Humptulips	255
Junction City	18	Malone	475
Markham	111	Moclips	207
Neilton	315	Ocean City	200
Pacific Beach	291	Porter	207
Queets	174	Qui-nai-elt Village	54
Santiago	42	Satsop	675
Taholah	840		

Population fluctuations occur seasonally in the recreationally-oriented communities located along the ocean beaches. A high percentage of the seasonal population change occurs in the communities of Ocean Shores, Westport, Moclips, Copalis Beach, Pacific Beach, and Grayland. Fluctuations are primarily due to a significant tourist influx for the fish and shellfish openings and summer activities.

OFM prepares low, medium, and high 30-year population projections for each county fully planning under the Growth Management Act (GMA). While Grays Harbor County does not fully plan under GMA, OFM includes the county in the event it chooses to do so in the future.

State law requires OFM to review its projections every five years. The agency prepared its most recent project in 2017. A projection middle range represents OFM's estimate of the most likely growth scenario for the county.² Historic population trends for the county strongly suggest that the medium series best represents growth in the county.

Table 3: OFM GMA Population Projection for Grays Harbor County

Series	2018	Projection					Percent Change
		2020	2025	2030	2035	2040	
Low Series	73,610	69,202	69,369	69,425	68,597	67,846	-7.8%
Medium Series	73,610	73,613	74,617	75,794	75,865	75,589	2.7%
High Series	73,610	78,027	80,200	82,259	83,426	84,665	15.0%

1.3 Demographics

Age and Race/Ethnicity

The county has a higher percentage of residents who are 65 and older than the statewide average. Similarly, the county is less diverse than the statewide average.

Table 4: Countywide Population by Age, 2016 US Census

	Grays Harbor	WA State Average
Under 5 years old	5.5%	6.2%
Under 18 years old	20.8%	22.4%
65 years and older	20.2%	14.8%

² [RCW 43.62.035](#)

Table 5: Countywide Race/Ethnicity, 2016

Race/ethnicity, 2016	Grays Harbor	WA State Average
White	87.4%	80.0%
Black	1.4%	4.1%
American Indian, Alaskan Native	5.5%	1.9%
Asian, Native Hawaiian, other Pacific Islander	1.8%	9.4%
Hispanic or Latino, any race	9.9%	12.4%

Households

The most common type of housing units in the county are single-family residences. The incorporated cities have the highest number of multi-family homes with Aberdeen reporting the highest.

Table 6: Housing Units by Jurisdiction, 2018 Estimate

	Total Housing Units	Single-Family Units	Multi-Family Units	Mobile Home & Special Housing Units
Grays Harbor County	36,354	26,006	4,867	5,481
Unincorporated Grays Harbor County	13,274	9,204	297	3,773
Aberdeen	7,312	4,892	2,073	347
Cosmopolis	725	616	42	67
Elma	1,391	902	314	175
Hoquiam	3,869	2,837	882	150
McCleary	808	690	96	22
Montesano	1,747	1,322	339	86
Oakville	296	216	0	80
Ocean Shores	5,339	4,287	438	614
Westport	1,593	1,040	386	167

Other household statistics include:

- The average household has 2.45 people
- The 2017 median household income in the county was \$50,498 and \$68,289 statewide.
- The poverty rate in 2017 was 18.3 percent in Grays Harbor as opposed to 11.0 percent for the statewide average.
- 67.8 percent of households are owner-occupied
- 32.2 percent of households are rentals

1.4 Economy

Grays Harbor County is rural-resource driven economy emphasizing timber, wood and paper products, seafood processing, manufacturing, and agriculture.

Key Industries

Major wood product manufacturers include Sierra Pacific Industries, Simpson Door Company, Willis Enterprises, Cosmo Specialty Fibers, Murphy Company, and Girard Wood Products. Major food processing and manufacturing companies include the Ocean Gold, Protein, Cold, and Express Companies; Ocean Spray Cranberries; and Washington Crab Producers. The two shipyards in the county are Westport LLC and the Little Hoquiam Shipyard.

Other Businesses

The 2016 US Census reports a total of 1,622 businesses in the county under 19 separate categories.

Category	Number
Agriculture, forestry, fishing and hunting	68
Utilities	3
Construction	161
Manufacturing	80
Wholesale trade	45
Retail trade	262
Transportation and warehousing	64
Information	22
Finance and insurance	74
Real estate and rental and leasing	80
Professional, scientific, and technical services	86
Management of companies and enterprises	3
Administrative and support and waste management and remediation services	63
Educational services	7
Health care and social assistance	189
Arts, entertainment, and recreation	30
Accommodation and food services	227
Other services (except public administration)	152
Industries not classified	6
Total	1,622

US Department of Agriculture 2012 data reports there were 557 farms in the county totaling 119,440 acres.

Economic Forecast

The Department of Revenue reports the county's economy is slowly recovering to pre-recession levels, particularly in employment. The annual unemployment rate has decreased from a high of 13.9 percent in 2010 to 7.1 percent in 2017.

1.5 Key Trends

- People age 65 and older are a growing segment of the Grays Harbor County population and comprise a larger percentage of the total population compared to the rest of the state.
- As housing prices continue to increase along the I-5 corridor, growth is spilling into the county, especially in the East County area. The four fastest growing cities in the county since 2010 are Ocean Shores, McCleary, Elma, and Montesano.
- Tourism continues to grow and bring more visitors to the county. Solid waste planning needs to consider their impact to the waste stream.
- The permanent population in the North Beach area of the county is increasing. The populations of Ocean Shores and the community of Pacific Beach in particular are growing at rates faster than the county as a whole.

Section 2. Solid Waste Laws, Regulations, & Plans

2.1 Federal Regulations

Congress passed the Federal Resource Conservation and Recovery Act of 1976 (RCRA) to give the US Environmental Protection Agency (EPA) the authority to adopt specific regulations for a national system of hazardous and non-hazardous solid waste management. EPA's regulations, guidance, and policies form the framework for state and local government solid waste operating programs.



RCRA focuses on:

- Establishing the framework for states to implement municipal solid waste and non-hazardous secondary material management programs;
- Developing a comprehensive system and federal/state infrastructure to manage hazardous waste from its production to disposal;
- Preventing contamination from adversely impacting our communities and resulting in future Superfund sites;
- Restoring contaminated lands;
- Creating programs to encourage companies to modify manufacturing practices in which to generate less waste and reuse materials safely;
- Enhancing perceptions of wastes as valuable commodities that can be part of new products through its sustainable materials management efforts; and
- Bolstering the nation's recycling infrastructure and increasing the municipal solid waste (MSW) recycling/composting rate.

2.2 State of Washington

State Solid Waste Statutes

The primary state statutes governing solid waste management within the RCRA framework are:

- [Chapter 70.93 RCW](#), Waste Reduction, Recycling, and Model Litter Control Act, which focuses on controlling litter, increasing waste reduction, and encouraging recycling and composting
- [Chapter 70.95 RCW](#), Solid Waste Management – Reduction and Recycling, which establishes a comprehensive statewide program for solid waste handling, and solid waste recovery and/or recycling

- [Chapter 70.105 RCW](#), Hazardous Waste Management, which establishes a comprehensive statewide framework for the planning, regulation, control, and management of hazardous waste

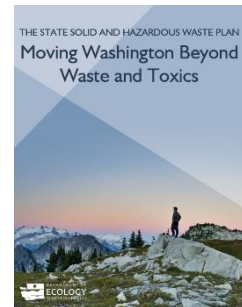
[Title 70 RCW](#) provides additional laws relating to waste reduction, solid waste incinerator and landfill operators, hazardous waste fees, labeling of plastics, packaging containing metals and toxic chemicals, used motor oil recycling, biosolids, biomedical wastes, mercury disposal, and electronic product recycling.³

These state statutes authorize the Department of Ecology (ECY) to adopt specific agency rules for statewide implementation.⁴

State Solid Waste Management Plan

Both Chapters [70.95](#) and [70.105](#) RCW require the state to develop and regularly update a state solid waste management plan that provides guidance for the future management of waste and materials statewide. The most recent state plan, [Moving Washington Beyond Waste and Toxics](#), sets a state vision, implemented through plan goals and actions that focus on:

- Managing hazardous waste and materials,
- Managing the scope of solid waste and materials,
- Reducing the impacts of materials and products,
- Measuring progress, and
- Focusing on outreach and information.



Washington Utilities and Transportation Commission

The Washington State Utilities and Transportation Commission (WUTC) regulates solid waste collection companies through [Chapter 81.77 RCW](#) and [Chapter 480-70 WAC](#). The commission's jurisdiction extends only to private collection companies operating within unincorporated county areas and does not extend to municipal or private collection companies operating within cities. However, if a city chooses to defer managing solid waste altogether under state law, collection by a private company within the city limits will fall under WUTC jurisdiction.

³ See Chapters [70.95C](#), [70.95D](#), [70.95E](#), [70.95F](#), [70.95G](#), [70.95I](#), [70.95J](#), [70.95M](#), and [70.95N](#).

⁴ See [Chapters 173-300 through 173-351 WAC](#)

2.4 Local Solid Waste Management Plan and Laws

The primary responsibility for regulating and overseeing the management of solid waste in Washington resides with local governments.⁵ Local governments implement requirements for solid waste management through adopted policy and codes.

Grays Harbor County Solid Waste Management Plan

The Grays Harbor County Solid Waste Management Plan (SWMP) is the guiding policy document for solid waste management for Grays Harbor County and the nine incorporated municipalities. Preparation of a SWMP is a mandate under [RCW 70.95.080](#), which requires “Each county with the state, in cooperation with the various cities located within such county, shall prepare a coordinated, comprehensive solid waste management plan.”

Grays Harbor County and the nine cities signed an interlocal agreement in 2009 to jointly undertake solid waste planning through a SWMP. The SWMP establishes joint programs for the collection and disposal of solid waste and programs for waste reduction, recycling, organics, special wastes, and administration. The plan also anticipates general solid waste management needs for the next 20 years.

The Grays Harbor Solid Waste Advisory Committee (SWAC) plays an instrumental role in developing the SWMP by providing a draft to county and municipal legislative officials to consider. Each municipality adopts the SWMP through interlocal agreement and the Board of County Commissioners adopt the document by resolution.

Grays Harbor County has been engaged in solid waste management planning since 1972. The county last revised its SWMP in 2012 and the current 2019 SWMP Revision supersedes all previous plans.

County and Municipal Codes

The county and the nine incorporated cities implement the SWMP through code provisions.

Table 7: County and Municipal Solid Waste Code Citations

Jurisdiction	Code Provisions
Grays Harbor County	<ul style="list-style-type: none"> • Chapter 8.12, Litter Control • Chapter 8.28, Solid Waste Collection and Disposal • Chapter 8.32, Minimum Levels of Service for Residential Recycling

⁵ [Chapter 36.58 RCW](#) authorizes counties and [Chapter 35.21 RCW](#) authorizes cities to establish and operate solid waste management programs within the context of state statutes.

Jurisdiction	Code Provisions
Grays Harbor County Board of Health	<ul style="list-style-type: none"> Ordinance 2004-1, Grays Harbor County Solid Waste Handling Standards
City of Aberdeen	<ul style="list-style-type: none"> Chapter 13.08, Solid Waste and Recyclable Materials Collection System
City of Cosmopolis	<ul style="list-style-type: none"> Chapter 7.04, Solid Waste and Collection Chapter 7.08, Garbage Franchise Chapter 7.12, Litter Control Code
City of Elma	<ul style="list-style-type: none"> Chapter 8.04, Solid Waste Collection Chapter 8.12, Littering
City of Hoquiam	<ul style="list-style-type: none"> Chapter 3.16, Solid Waste Disposal Sites Chapter 3.20, Garbage Disposal
City of McCleary	<ul style="list-style-type: none"> Chapter 8.12, Litter Control Chapter 8.20, Mandatory Solid Waste Collection
City of Montesano	<ul style="list-style-type: none"> Chapter 6.04, Municipal Solid Waste Department
City of Oakville	<ul style="list-style-type: none"> Chapter 8.04, City Dump Chapter 8.16, Uniform Litter Control Code Chapter 8.28, Solid Waste Management Program
City of Ocean Shores	<ul style="list-style-type: none"> Chapter 8.04, Litter Control Chapter 8.06, Solid Waste Collection and Recycling
City of Westport	<ul style="list-style-type: none"> Chapter 6.08, Garbage Collection Chapter 6.09, Solid Waste Disposal Systems Chapter 6.10, Refuse and Litter

[Section 8.28.040](#) of the Grays Harbor County Code designates specific disposal sites in the county for solid waste. All solid waste generated in the county, with certain exceptions, must be disposed at these sites. Hazardous waste is one such excluded waste. [Section 8.28.050](#) governs the unlawful disposal of solid waste.

2.5 Other Pertinent Local Plans and Agreements

Grays Harbor County/LeMay Enterprises Solid Waste Agreements

The solid waste agreements between Grays Harbor County and LeMay Enterprises, Inc. have been key documents guiding solid waste management within the county for nearly 30 years. The two parties first entered into the current agreement in 1994. The initial agreement assigned LeMay Enterprises to construct, own, and operate the Grays Harbor County Transfer Station as well as be the sole entity responsible for disposing of all solid waste generated in the county. The agreement also provided for a rate structure that supported disposal, operating, landfill closure, capital facilities, and administrative costs.

The parties revised this agreement in 2014 with several key amendments. Major amendments to the agreement:

- Allowed affiliates of LeMay Enterprises to export county solid waste to the company-owned landfill facility at The Dalles, OR, or as an alternative, Boardman, OR;

- Provides emergency response procedures after disaster events;
- Allows the company to construct, own, and operate a new Transfer Station in coordination with county consultation; and
- Grants the county space at the Grays Harbor County Transfer Station to fund and operate a household hazardous waste facility.

This agreement will remain in effect until December 2034.

Another agreement between the two parties concerning the Aberdeen Sanitary Landfill dates to September 1990 and is still in effect. This agreement acknowledges LeMay Enterprises' ownership of the landfill and its responsibilities for operation, closure, and post-closure care. It also outlines a rate structure and establishes the county's financial responsibilities for the facility by creating the:

- Closure Account and Special Operation Account to pay for leachate management and temporary cover in accordance with the closure plan;
- Post-Closure Account to conduct post-closure care and monitoring; and
- County Reserve Account to support county efforts on solid waste issues including, but not limited to, closure of solid waste facilities, new facility siting, landfill oversight, solid waste planning, and assisting in rate stabilization.

This agreement remains in effect until completion of post-closure care as evidenced by little or no settlement, gas production, and leachate generation.

Municipal Collection Contracts

The cities of Aberdeen, Cosmopolis, Elma, McCleary, Montesano, Oakville, Ocean Shores, and Westport contract with LeMay Enterprises, Inc. to provide curbside collection programs. The City of Hoquiam contracts with locally-based Hometown Sanitation, LLC.

Emergency Management Plan

The Grays Harbor County [2018 Multi-Jurisdiction Hazard Mitigation Plan](#) (page 17-7) has identified the need to locate, design, permit, and construct a solid waste staging area in the event of an earthquake, flood, landslides, severe weather, tsunami, or wildland fire hazard.

2.6 Key Trends

- The Washington State Legislature passed a series of bills in 2019 related to solid waste management. While it is too early to determine how these new laws will

affect the county's solid waste program, it will be important for the SWAC to monitor the state's planning activities. These newly adopted laws include:

- [RCW 70.370](#) and [RCW 70.95.090\(10\)](#): Establishment of a Recycling Development Center within the Department of Ecology that will create a state recycling Contamination and Reduction Outreach Plan (CROP). Local jurisdictions will need to create their own CROP by July 1, 2021 or adopt the state's CROP.
 - [RCW 70.95.815](#): Adopts a state goal to reduce food waste in the state by 50% by 2030. The Department of Ecology will work with the Departments of Agriculture and Health to develop a state wasted-food reduction plan by October 2020 with recommendations on changing state law to achieve reduction goals.
 - [RCW 70.375](#): Requires architectural paint producers to participate in a Department of Ecology approved paint stewardship plan.
 - [RCW 70.380](#): Requires a third-party study and recommendations on reducing plastic packaging waste by October 2020.
- The budget passed by the legislature for the 2019-2021 biennium failed to include an increase in funding for the Local Solid Waste Financial Assistance program (previously known as Coordinated Prevention Grants).
 - The US Environmental Protection Agency (EPA), the US Department of Agriculture (USDA), and the US Food and Drug Administration (FDA) are launching a "Winning on Reducing Food Waste" initiative aimed at improving coordination and communication across federal agencies attempting to better educate Americans on the impacts and importance of reducing food loss and waste. In the United States, food waste is estimated at between 30 percent to 40 percent of the food supply, the three agency heads noted in a news release. Food waste is the largest category of material that ends up in landfills at more than 75 billion pounds a year.
 - Efforts continue at developing domestic markets for recycled products, especially paper.

Section 3. Waste Generation

Wastes generated in Grays Harbor County originate from residential, commercial, industrial, and institutional sources. This section examines current and future trends regarding the quantities of solid wastes generated in the county that are exported to out-of-county landfills, collected through recycling, and landfilled within the county.

3.1 Disposal Quantities and Trends

Grays Harbor County and LeMay Enterprise, Inc. maintain records of total tonnage of solid waste brought to the Grays Harbor County Transfer Station for export and recycling.

Over the past five years, the overall total solid waste tonnage per person has been increasing at a slightly greater pace than the annual estimated population growth rate. Recycling rates, however, have fluctuated widely but have been relatively stable since 2015.

Table 8: Tons of Solid Waste Generated, 2012-2019

	Tons Generated							Average
	2013	2014	2015	2016	2017	2018	2019	
Exported for land disposal	48,033	48,948	51,232	51,655	53,673	55,037	58,252	52,404
Collected through recycling	5,741	5,494	5,550	6,041	6,088	5,900	6,010	5,832
Total tons generated	53,774	56,456	58,797	59,712	61,778	60,937	64,262	59,388

Table 9: Tons of Solid Waste Generated Per Capita, 2012-2019

	Tons Generated per Capita							Average
	2013	2014	2015	2016	2017	2018	2019	
Exported for land disposal	0.66	0.67	0.70	0.71	0.74	0.75	0.79	0.72
Collected through recycling	0.08	0.07	0.08	0.08	0.08	0.07	0.08	0.08
Total tons generated per capita	0.73	0.77	0.80	0.82	0.85	0.82	0.87	0.81

Since 2013, per capita generation of solid waste has increased by 280 pounds, or 19 percent.

Table 10: Percent Annual Increase, Tons of Solid Waste Generated

	Percent Increase					Average Increase
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	
Exported for land disposal	4.5%	1.4%	4.2%	2.5%	5.8%	3.7%
Collected through recycling	14.3%	0.0%	0.0%	-13.4%	14.0%	3.0%
Total tons generated	3.9%	2.5%	3.7%	-2.4%	6.6%	2.9%

The Stafford Creek Limited Purpose Landfill operated by Northwest Rock, Inc., accepts inert wastes, such as wood and demolition wastes, and soil capping material.

Table 11: Stafford Creek Limited Purpose Landfill Volumes, 2015-2017

Waste Material	Cubic Yards		
	2015	2016	2017
Construction & demolition	11,018.0	8,568.0	9,746.5
Wood waste	13,124.0	15,594.0	16,851.0
Roofing	11,871.5	11,035.0	12,037.0
Soil capping	32,560.5	879.0	2,666.0
Total	68,874.0	36,075.0	41,300.5

3.2 Future Solid Waste Stream Forecast

Forecasting solid waste streams into the future is fraught with uncertainty. Changing attitudes about solid waste, the strength or weakness of the economy, and growth patterns are examples of changes that complicate predictions. However, using basic assumptions, a simple linear projection can provide reasonable insight in analyzing future solid waste management needs.

This forecast relies on:

- The 2017 OFM 20-year medium series population projection, 2020 through 2040;
- The average ton per capita rates for solid wastes exported for land disposal (0.72) and recycling (0.08) for the years 2013 through 2019;
- The average annual increase for solid wastes exported for land disposal (3.7%) and recycling (3.0%) for the years 2013 through 2019

The formula used for both solid wastes exported for land disposal and recycling:

$$(\text{Projected Population} \times \text{Per Capita Average}) \times \text{Average Annual Increase}$$

Table 12: Solid Waste Forecast, 2018 through 2040

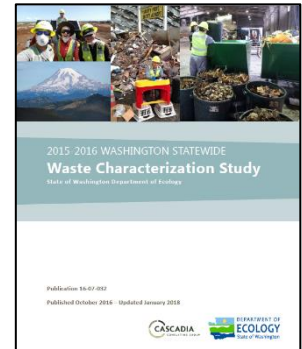
	2020	2025	2030	2035	2040
Medium series population projection	73,613	74,617	75,794	75,865	75,589
Exported for land disposal, tons	54,962	55,712	56,591	56,644	56,438
Collected through recycling, tons	6,066	6,148	6,245	6,251	6,229
Total tons generated	61,028	61,860	62,836	62,895	62,666

Future volumes at the Stafford Creek Limited Purpose Landfill are difficult to predict given the fluctuating flow of materials into the site.

3.3 Waste Characterization Study

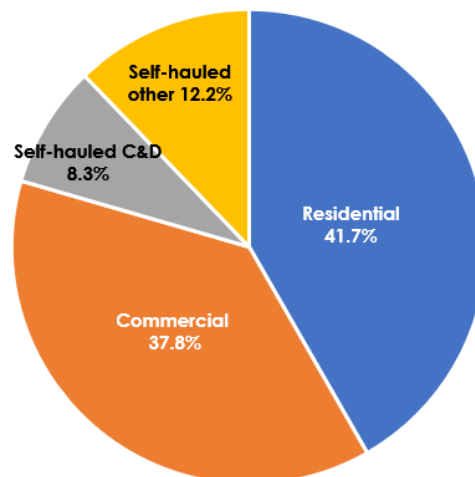
Grays Harbor County participated in the 2015-2016 statewide [Waste Characterization Study](#). This study examined waste streams in six representative Waste Generation Areas (WGA) of the state. Grays Harbor and Clallam Counties made up the West WGA.⁶

The characterization study examined the quantity and type of solid waste originating from residential, commercial, and self-hauled categories.



- The study defined “residential wastes” as waste hauled by contracted or municipally operated vehicles in which 80 percent or more of the waste is from single-family and/or multifamily residential sources.
- “Commercial wastes” were wastes hauled by contracted or municipally operated vehicles in which 80 percent or more of the waste is from institutional, commercial, or industrial sources, and includes construction and demolition (C&D) materials.
- “Self-hauled construction and demolition (C&D) wastes” includes wastes hauled by vehicles not operated by a franchise or municipality and whose waste was generated as a result of construction or demolition activities. The study did not consider quantities landfilled at the Northwest Rock facility.
- “Self-hauled other wastes” include wastes hauled by vehicles not operated by a franchise or municipality and not from construction or demolition activities.

Figure 2: Percent of Solid Waste by Category, 2015-2016 West WGA



⁶ The study did not account for the volumes accepted at the Stafford Creek Landfill.

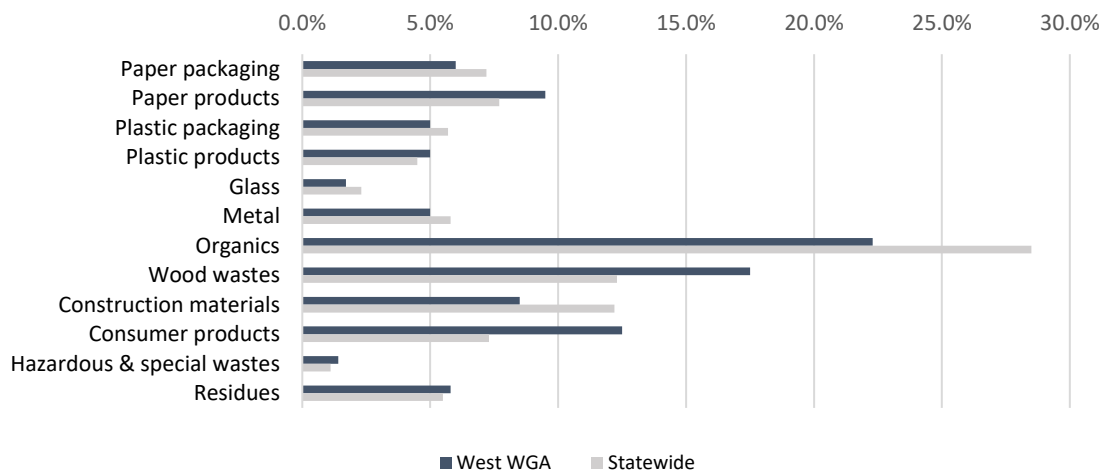
Within the West WGA, the residential waste stream accounts for the largest percentage of wastes, followed closely by those from commercial sources. The self-haul other sector is the next largest and likely comprised of those rural residents who choose not to use a commercial pick-up service.

The study also sorted the waste stream in each WGA into broad categories, followed by more refined subcategories.

Table 13: Percent of Waste Composition by Category, 2015-2016 West WGA

Material	Residential	Commercial	Self-hauled C&D	Self-haul other
Paper packaging	6.2%	7.3%	1.5%	4.3%
Paper products	11.5%	11.0%	1.6%	3.4%
Plastic packaging	6.0%	5.7%	0.3%	2.5%
Plastic products	5.7%	4.7%	1.2%	5.9%
Consumer products	8.6%	12.8%	2.0%	31.8%
Metal	4.8%	4.2%	4.6%	8.4%
Glass	2.9%	0.6%	0.1%	2.1%
Organics	35.3%	15.3%	0.3%	14.6%
Wood wastes	3.2%	27.2%	56.8%	9.8%
Construction materials	4.5%	6.1%	31.5%	13.8%
Residues	10.2%	3.2%	0.1%	2.8%
Hazardous & special	1.2%	2.1%	0.0%	0.5%

Figure 3: Composition of Total Waste Stream by Percent, 2015-2016 West WGA and Statewide



Finally, results of the study showed some interesting similarities and differences when comparing the statewide waste stream and the West WGA, as shown above in Figure 3. While the order of waste categories by percent of total volume generally in each WGA showed similarity, comparisons within individual categories highlighted regional

differences between the West WGA and other areas of the state. These distinctions likely reflect the types of industries within a region and the structure and strength of the local economy (for example, the amount of construction material in communities with strong economies).

Within the West WGA, edible and inedible vegetative food wastes comprised nearly 41.7 percent of all organics while edible and inedible meat, fats and oils added another 14.3 percent. Yard wastes made up 22.0% of organics.

The largest percentages of wood waste in the West WGA included painted wood (27.4%), dimensional wood (15.0%), untreated wood (12.4%), and engineered wood (10.8%).

Consumer products in the West WGA constituted a much larger share of the waste stream than elsewhere in the state. The largest percentages within this category were mattresses (23.5%), organic textiles (22.7%), furniture (21.2%), synthetic and mixed textiles (13.8%), and tires (5.8%).

Under the hazardous and special waste category, medical waste was the largest item (70.4%) followed by water-based paints (10.2%).

3.4 Key Trends

- The downturn in recycling tonnage in 2018 was unusual; the recycling stream typically is more consistent.
- There is a growing shift toward the use of multi-layered packaging for products like juice and soup that combine layers of paper, plastic, and metal. This type of packaging is more environmentally friendly in some ways than the more traditional metal, glass, and plastic packaging it replaced because it is lighter in weight and increases product shelf life. However, because these newer types of packaging consist of multiple materials, they can be more difficult and expensive to recycle.
- Organics comprise a much larger percentage of the waste stream in Grays Harbor and Jefferson Counties compared to the statewide average.

3.5 Waste Generation Management Actions

- A. The Solid Waste Advisory Committee will review solid waste tonnage from the Grays Harbor Transfer Station annually to analyze impacts to planning and management.

Section 4. Waste Collection and Disposal

Solid waste collection and disposal programs in Grays Harbor County include municipally-contracted collection services, state-issued private collection certificates, the Grays Harbor County Transfer Station, export to out-of-county landfill facilities, and Northwest Rock's Stafford Creek limited purpose landfill.

The Grays Harbor County SWMP provides the same level of access to collection and disposal programs within the urban and the rural areas of the county, with the notable exception that participation in collection services within rural areas is not mandatory.

4.1 Residential and Commercial Collection Services

Municipal Collection Programs

Within the county, the cities of Aberdeen, Cosmopolis, Elma, McCleary, Montesano, Oakville, Ocean Shores, and Westport contract with LeMay Enterprises, Inc. for curbside collection services. LeMay Enterprises, Inc., owned by Waste Connections and doing business as LeMay Grays Harbor in the county, provides both residential and commercial solid waste and co-mingled recycling collection services as part of the contracted service. Residential collection is mandatory within each city.



The City of Hoquiam contracts with locally-owned and operated Hometown Sanitation, LLC. Hometown Sanitation provides both residential and commercial pick up services, including optional co-mingled recycling. Residential collection is mandatory within Hoquiam.



Unincorporated and Tribal Collection Programs

Lemay Enterprises, Inc. provides collection services throughout most of the unincorporated areas of the county under the Washington Utilities and Transportation Commission (WUTC) Certificate G000098. Subscribing to residential curbside collection is voluntary within the unincorporated areas of the county.

On the Quinault Indian Reservation, the Quinault Indian Nation provides collection service for its tribal members within the villages of Taholah in Grays Harbor County and Queets in Jefferson County. LeMay Enterprises, Inc. services most of the remaining part of the reservation. Two small areas along the northern boundary of the county on the reservation are within WUTC Certificate G000009 belonging to Murrey's Disposal Co. Inc. However, aerial photographs show no residences or businesses within these two areas.

The Confederated Tribes of the Chehalis Reservation relies on LeMay Enterprises, Inc. of Centralia for curbside collection service in Chehalis Village under WUTC established rates. However, solid waste and recyclables collected on the reservation by LeMay Enterprises, Inc. go to the Thurston County Waste and Recovery Center in Lacey.

4.2 Active Solid Waste Handling Facilities

Grays Harbor County Transfer Station

The Grays Harbor County Transfer Station is the primary disposal site for solid waste collected in the county. Newly constructed in 2019, this is a full-service facility accepting deliveries from private collection services and self-hauling residential and commercial customers.

The facility is located on 20 acres north of the Clemmons Road-Highway 12 junction. The site sets above the Wynoochee Valley floor to the east, is outside of the tsunami inundation zone, and has no nearby streams or wetlands. A newly installed traffic light at the intersection of Clemmons Road and Highway 12 will facilitate significantly safer access to the facility than the current facility.

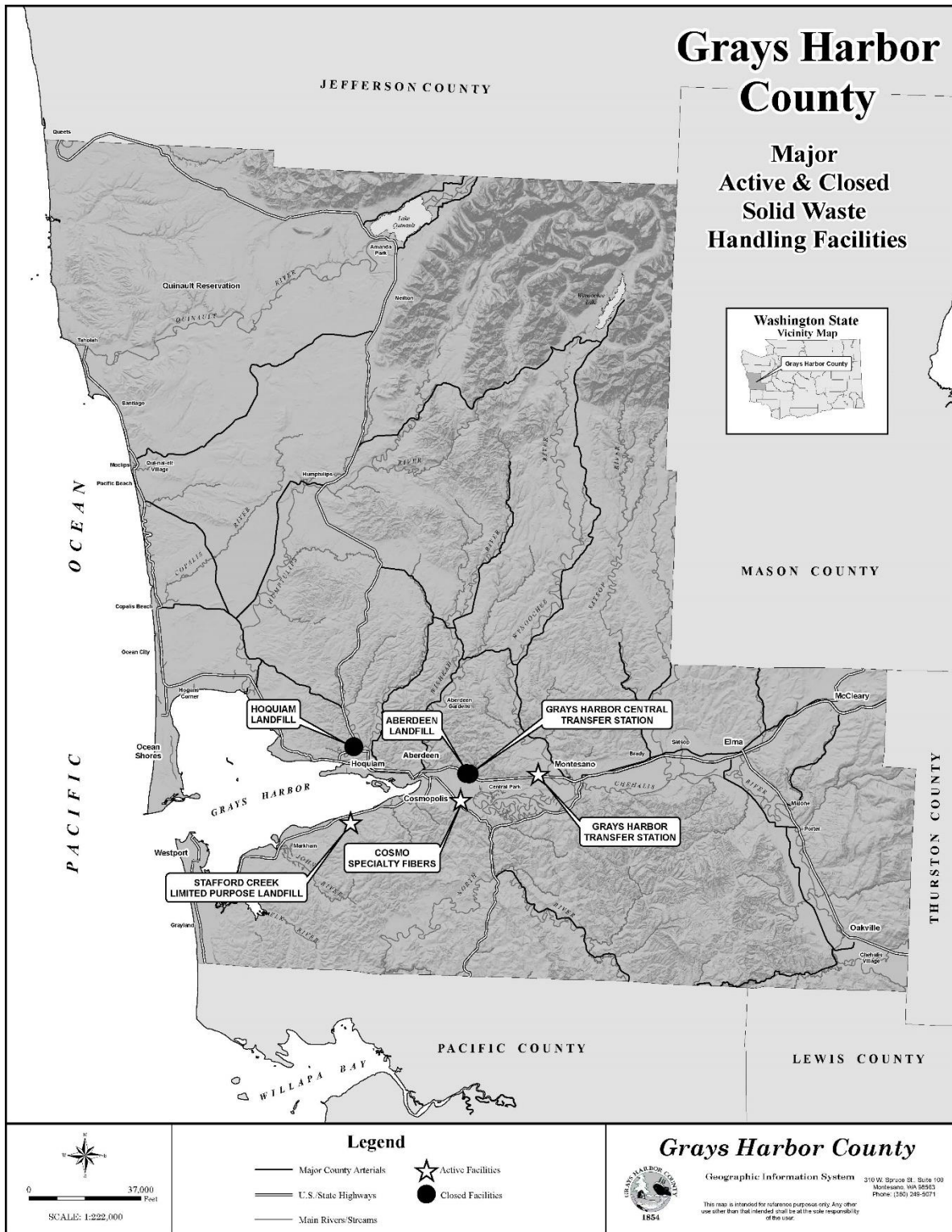
The station is a covered facility with a tipping floor for direct refuse unloading. A wheel-loader breaks down and places wastes into top-loading, 150-cubic-yard opossum belly trailers. A waste compaction, or tamping, arm compacts wastes to an average density of about 550 pounds per cubic yard once in the containers. 150 cubic-yard transfer trailers typically weigh about 32 tons. The facility has a single transfer trailer and container loading position, with multiple delivery vehicle unloading stalls. The tipping floor area provides some in-station waste storage. The station also has a Household Hazardous Waste Collection Facility and an on-site recycling drop-off station.

The station primarily accepts unsegregated refuse, asbestos, refrigerators, tires, and rims. Drop-off containers are available to the public at no charge for cardboard, newspaper, mixed paper, glass, plastic bottles, cans, and used motor oil.

The Grays Harbor County Transfer Station operates under a permit issued annually through the county's Environmental Health Division. This permit specifies general facility requirements that govern operation, recordkeeping, reporting, inspection, storage piles, moderate risk waste, and future closure.

LeMay Enterprises, Inc. owns and operates the transfer station through an operations agreement with the county. The agreement designates the privately-owned facility as the main transfer point for the county. In return, the county retains rate control authority, LeMay, Inc. agrees to operate the facility for a minimum of 20 years, and

Figure 4: Major Active and Closed Solid Waste Handling Facilities



guarantees access to the self-haul public, private businesses, and commercial haulers, and the loading of wastes for long-haul transport.

The station is open Monday through Saturday and closed on Sundays, Thanksgiving, Christmas, and New Year's Day.

Waste Connections retains responsibility for the original transfer station located at 4201 Olympic Highway that closed in 2019.

Stafford Creek Limited Purpose Landfill

The Stafford Creek Limited Purpose Landfill owned by Northwest Rock, Inc. accepts only inert materials, primarily wood wastes and lumber and plywood demolition debris. It is located immediately east of the Stafford Creek Prison off State Route 105. The county permits the site as a solid waste disposal site under [Chapter 173-350 WAC](#). The standards for operating the facility fall under [Chapter 173-304 WAC](#).

The original design of the Stafford Creek Limited Purpose Landfill was to have 11 cells, each one being five acres in area. The estimated volume for each cell is 481,000 cubic yards. None of the cells have linings and a series of ditches collect leachates that empty into settling basins. Closed cells have a final cap and are seeded for revegetation.

Northwest Rock is considering plans to expand the site by another five cells. With this expansion, the site has adequate capacity to accept approved wastes for another 30+ years. The expansion will need to meet recently updated design and performance standards.

Cosmo Specialty Fibers, Inc. Solid Waste Disposal Site

The county also permits Cosmo Specialty Fibers, Inc. under [WAC 173-350-490](#) to operate a solid waste disposal site for disposing of sludge material dredged from its wastewater treatment lagoons. The site is approximately 13.8 acres in area.

Other Active Solid Waste Handling Facilities

There are several, smaller exempt active solid waste handling facilities within the county. Table 14 lists these facilities by type and location.

Table 14: Other Exempt Active Solid Waste Handling Facilities

Facility	Facility-Type	Location
C&A Recycle	Inert waste	1831 SR105 Charlie Creek, Aberdeen
C&A Recycle	Recycling	1831 SR105 Charlie Creek, Aberdeen
Oil Drop Box (Cut Rate Auto Parts)	Limited MRW	216 E. Martin Street, Elma
Green Freedom	Compost	1087 Monte Elma Rd, Elma
HD Recycling	Material recovery	201 W Wynoochee Road, Elma
Oil Drop Box (Mahoney's Chevron)	Limited MRW	600 Simpson Avenue, Hoquiam
Hoquiam Demo Site	Inert waste landfill	400 Blk. S. Adams Street, Hoquiam
Jim Wells Rock, LLC	Recycling	171 Humptulips Road, Hoquiam
Lakeside Industries	Recycling	2400 Sargent Road, Aberdeen
Lakeside Industries	Inert waste	US 12 & Clemmons Road, Montesano
Oil Drop Box (Bowling Alley)	Limited MRW	222 E. Wynoochee Avenue, Montesano
Oil Drop Box (Municipal Court)	Limited MRW	710 Pt Brown Avenue NE, Ocean Shores
Oil Drop Box (City Barn)	Limited MRW	303 E. Pine, Oakville
Oil Re-Refining Company	Material recovery	418 S Adams, Hoquiam
Pay More Recycle & Salvage, Inc.	Material recovery	1813 Westport Road, Aberdeen
Oil Drop Box (Port of Grays Harbor)	Limited MRW	326 Lamb Street, Westport
Schoch Farms	Compost	55 Wynoochee Road, Montesano
Stafford Creek Corrections Center	Compost	191 Constantine Way, Aberdeen
Oil Drop Box (Treatment Plant)	Limited MRW	3194 Ocean Beach Road, Pacific Beach
Universal Refiner Corp	Recycling	217 W Pioneer, Montesano
Weyerhaeuser Bio-Remediation	Pile – storage/treatment	215 H Street, Cosmopolis

4.3 Closed Solid Waste Handling Facilities

Aberdeen Sanitary Landfill

The closed Aberdeen Sanitary Landfill is a LeMay Enterprises, Inc. facility located at 4201 Olympic Highway east of the City of Aberdeen. Originally built on wetlands, the total landfill area encompasses 31 acres and was the largest landfill in the county. The landfill accepted approximately 430,700 tons of waste for 25 years until it closed in 1994 in accordance with [WAC 173-304-490](#).

The closure design for the landfill includes a perimeter leachate toe seep collection system and a system of perimeter surface water drainage ditches that collect 57,000 to 138,000 gallons per day. Collected leachate flows through underground lines to the City of Aberdeen Sewage Treatment Plant. The leachate gas collection system relies on a primary treatment system for burning combustible emissions.

The landfill currently is in a post-closure stage that requires groundwater monitoring, surface water monitoring, gas monitoring, and maintenance of the facility, its structures, and monitoring systems. Post-closure continues for a period of twenty years or until such

time that the site stabilizes. Annual reports prepared by a licensed hydrogeologist is a requirement.

The Grays Harbor County Environmental Health Division supervises the post-closure of the Aberdeen Sanitary Landfill until the owners complete the requirements of the post-closure plan. As part of the post-closure compliance procedure, the division annually must issue a post-closure permit that reviews monitoring results and determines if changes in monitoring is necessary to protect public health and safety. They also conduct site inspections to ensure appropriate maintenance and monitoring of the physical facility, as well as compliance with other permit conditions.

Hoquiam Landfill

The City of Hoquiam operated a municipal solid waste landfill until 1989, with closure completed in 1990 in accordance with [WAC 173-304](#). The city retains Parametrix to conduct annual post-closure monitoring of landfill gas, leachate, groundwater, and surface water.

Post-closure activities will continue until the city is able to demonstrate that the landfill is in a stable state to protect environmental and human health. The 2017 landfill permit issued by the county requires a two-year work plan to gather information to determine at what point monitoring may end. For termination to occur, monitoring must confirm that the landfill produces little to no gas and leachate, and that there is minimal settlement of the waste body. As a listed remedial action or “cleanup” site (see Section 8.2), additional monitoring of groundwater is necessary above the base or toe of the landfill in an area where documentation indicates the presence of disposed industrial waste.

The closure plan obligates the city to continue collecting and treating all future leachate through its the sanitary sewer treatment system, even after the termination of post-closure monitoring.

4.4 Waste Export

Waste Connections exports solid waste collected at the Grays Harbor County Transfer Station directly to its Wasco County Landfill located five miles southeast of The Dalles, Oregon. The site is a Subtitle D Regional landfill 337 acres in area, with 213 acres designated by the State of Oregon for active landfilling. The landfill accepts wastes from other counties in Washington and Oregon and likely will not achieve capacity until around 2085.

Waste Connections currently hauls waste to the landfill by trucks outfitted with opossum belly trailers. The company retains the option to rely on an intermodal system in the

future if trucking alone no longer is feasible. If the Wasco County Landfill becomes unavailable to receive wastes from Grays Harbor County, Waste Connections will rely on its affiliate Finley Buttes Landfill near Boardman, Oregon.

4.5 Key Trends

- The new Grays Harbor County Transfer Station will accommodate future solid waste volumes over the 20-year planning period. The new site also has plenty of room to expand, if necessary.

4.6 Waste Collection & Disposal Management Actions

Residential and Commercial Collection Services

- A. Continue to monitor the contractual and management provisions in existing operating agreements and permits with all solid waste handling facility operators in the county.
- B. The county will monitor solid waste collection programs in the county to evaluate success in meeting the plan objectives.
- C. Continue to evaluate the solid waste service needs of growing areas of the county.

Grays Harbor County Transfer Station

- D. The Solid Waste Program and the contracted service provider will monitor the long-term transfer capacity of the system.
- E. Operate the transfer station as a self-supporting enterprise in accordance with 173-350 WAC. Continue to structure user fees at the existing transfer station to cover all costs.

Active Solid Waste Handling Facilities

- F. The Environmental Health Division will continue to permit, inventory, assess solid waste handling facilities regarding their operations, and long-term capacity.
- G. The Solid Waste Advisory Committee and the Solid Waste Program will monitor county or regional discussions or proposals regarding the study and, or siting of all solid waste handling facilities.

Closed Solid Waste Handling Facilities

- H. The Environmental Health Division will continue to identify and track existing and past sites; inventory and assess for public health threats.
- I. The Solid Waste Division will continue to adequately provide financial assurance for post-closure activities at the Aberdeen landfill to protect public and environmental health.

Section 5. Waste Diversion

Waste diversion in Grays Harbor County seeks to minimize the amount of waste entering the landfill through recycling, composting, energy production, reuse, and waste reduction programs. The SWMP provides the same level of access to waste diversion programs within urban and rural areas of the county.



Determining how much material annually gets diverted from the waste stream in the county is becoming harder to quantify; the private sector continuously finds new uses for once discarded materials. For instance, food and wood wastes that at one time went into the waste stream now become new products through recycling or reuse. Materials once considered solid waste are no longer today.

5.1 Recycling

Recycling is the process of collecting and processing materials from the waste stream and turning them into new products. It reduces the amount of wastes that enter landfills, conserves natural resources, and creates jobs that reuse these materials.

Designated Recyclables

Over the past five years, recycling diverted an average of ten percent of the waste stream entering the Grays Harbor County Transfer Station. Table 15 provides a list of designated recyclables identified as a priority by the Solid Waste Advisory Committee given current market conditions.

Table 15: List of Designated Recyclables and Collection Method as of January 2020

Recyclable	Collection Method
Cardboard (corrugated boxes, paper towel tubes)	Comingle curbside, drop-off containers
Chipboard food and shoe boxes	Comingle curbside, drop-off containers
Glass	Drop-off containers
Magazines, phone books, brochures & catalogs	Comingle curbside, drop-off containers
Moderate risk waste	Moderate Risk Waste Facility
Newspaper and office paper	Comingle curbside, drop-off containers
Plastic #1PET and #2 HDPE	Comingle curbside, drop-off containers
Steel (tin) and aluminum cans	Comingle curbside, drop-off containers
Used motor oil	Drop-off containers

The SWMP recognizes that market rates for recyclables can change frequently. To keep costs down for consumers, recycling managers need flexible strategies and the freedom to determine when and when not to recycle certain items due to their low market value. Regular communication between the SWAC, Solid Waste Program staff,

and recycling managers will be essential for finding an appropriate balance between recycling costs, costs to consumers, and environmental protection when designating recyclables and their collection methods.

Curbside Recycling

Both LeMay Enterprises, Inc. and Hometown Sanitation offer a curbside single-cart, comingled recycling collection service for residential and commercial accounts. This service currently accepts the following designated recyclables:

- ▶ Cardboard (corrugated boxes)
- ▶ Plastic #1PET and #2 HDPE
- ▶ Newspaper and office paper
- ▶ Magazines, phone books, brochures & catalogs
- ▶ Chipboard food and shoe boxes
- ▶ Steel (tin) and aluminum cans



Both curbside recycling programs no longer includes glass and yard waste.

LeMay Enterprises reports that approximately 90 percent of their customer base subscribes to curbside recycling services, although the number of accounts that utilize the service is unknown. Co-mingled commercial recycling also is available for commercial accounts, but most businesses only access cardboard and office/mixed-paper collection services. In 2018, commercial accounts made up 30% of all recyclables collected.

The Grays Harbor County Transfer Station accumulates and stores comingled recyclables and transports them to commercial recycling facilities, such as Pioneer Recycling Services, LLC's in Tacoma facility.

Grays Harbor County Transfer Station

The Grays Harbor Transfer Station has drop-off containers for the following designated recyclables:

- ▶ Cardboard (corrugated boxes)
- ▶ Plastic #1PET and #2 HDPE
- ▶ Newspaper and office paper
- ▶ Magazines, phone books, brochures & catalogs
- ▶ Chipboard food and shoe boxes

- ▶ Steel (tin) and aluminum cans
- ▶ Glass

There is no fee for the public to access drop-off containers.

The station also has a designated E-Cycle recycling program that accepts televisions, computer monitors and towers every Tuesday.

Self-Haul Glass Recycling Containers

Self-haul glass recycling containers are available throughout in the county. LeMay Enterprises, Inc. services all containers except for the one served by Hometown Sanitation in Hoquiam.

Table 16: Glass Drop-Off Container Locations

Location	Address
City of Aberdeen	South Side Swanson's, corner of Curtis & Boone
City of Cosmopolis	City Shop, 1800 1st St.
City of Elma	LeMay Recycle Center, 41 Marion Rd.
City of Hoquiam	Police Station, corner of 10th & Simpson
City of McCleary	Park and Ride, by City Hall
City of Montesano	Park & Ride, Behind Thriftway
City of Oakville	City Barn, corner of Alan & Pine
City of Ocean Shores	Animal Impound Facility, 675 Minard Ave. NW
City of Westport	City Street Shop, Corner of 1st & Sprague
Pacific Beach	Sewage Treatment Plant, 3194 Ocean Beach Rd.

Commercial Recycling Efforts

Private businesses in the county provide a wide-range of recycling/salvage services. These include such items as scrap metal, auto salvage, tires, and vehicle batteries. Because there are no reporting requirements for these businesses regarding the quantities of materials they recycle, their impact on the countywide recycling remains unknown.

Ocean Protein, LLC in Hoquiam takes fish offal that normally would go into the waste stream and recycles it into a fish meal used in aquaculture, livestock feed, and pet food. It produces annually approximately 4,000 metric tons (MT) of fish meal, 670 MT of oil, and 80 MT of bone annually since its opening in 2005.

County Recycling Trends

Recycling is becoming more problematic for the county due to a reduced number of available markets, increased quality requirements, lower prices for materials, consumer

trends, and operational costs. These impacts will significantly affect the financial support needed to continue recycling programs.

A major contributor to this trend is due to the Northwest's loss of its major export market for recycled materials in China. The Chinese government has implemented specific restrictions on the type and quality of imported recyclables that its companies can now accept. China has taken this approach to both support its own growing recycling industry and to reduce the acceptance of contaminated materials handled within the country.

The consequence of this new policy has particularly limited the importation of low-grade plastics and unsorted paper. China's regulations aim to increase the quality of recyclable materials entering the country by placing limitations on the amount of contamination within these materials. Materials exported to China for recycling need to be almost completely free of contaminants. In some cases, China is rejecting loads that contain more than 0.5 percent contamination.

Current comingled recycling practices within Washington State and elsewhere do not meet this threshold. Recent estimates of recycled material collected regionally contain approximately 10 percent or more in contaminants. Recycling programs either need to reduce their contamination levels or search for new markets in other less restrictive countries. In the meantime, local recycling efforts will need increased public education as well as further subsidization. For the time being, sporadic landfilling of recyclable materials will happen whenever accumulations become too large.

Consumer choices and packaging changes are creating a secondary impact to recycling. A decline in the use of cans and bottles to package beverages and vegetables, and an increase in the use of multi-layered aseptic packaging is reducing the supply of aluminum, steel, and glass for recycling.⁷ In addition, the supply of newsprint for recycling has dropped dramatically over the last 10 years as people shift to on-line sources for news. Also, flexible plastic packages are increasingly being used instead of cardboard boxes to ship consumer products. These accelerating trends have lowered the overall value of the paper collected for recycling in the county.

Finally, serving a large rural county is costly. Providing curbside recycling services to the more remote areas of the county is uneconomic due to labor and fuel costs.

⁷ Aseptic packaging is a specialized manufacturing process in which food, pharmaceutical, or other contents undergo sterilization separately from packaging. The process then insert contents into containers within a sterile environment. Food examples include milk, fruit juices, cream, yogurt, and salad dressings.

5.2 Composting

Composting is a form of recycling, transforming waste materials into usable or marketable materials for use other than landfill disposal or incineration.⁸ Composting can be an effective tool in managing certain waste materials because it offers a means to generate a useful product, such as soil amendments, while diverting significant amounts of organic materials away from landfills. Composting programs can handle yard wastes or the organic portion of municipal solid wastes, such as food and wood waste, or even paper.

Local Composting Efforts

There are few large composting operations in Grays Harbor County. The cities of Ocean Shores and Westport Sewage Treatment Plants do compost their biosolids. The only other active composting occurring in the county is through the individual efforts of farmers and homeowners.

The county and LeMay Enterprises currently are examining the economic feasibility of restarting the collection of yard waste and clean wood waste program within incorporated areas. Silver Springs Organics, another Waste Connections company located near Rainier in Thurston County, is a commercial composting facility. Silver Springs Organics also accepts food and farm wastes. The county and LeMay Enterprises have no specific timetable for deciding on this program.

Markets for composted material are scarce in rural areas. Only large-scale compost operations would be able to develop a distribution system that exceeded the county boundaries. It is unlikely that Grays Harbor County could efficiently handle enough feedstock to support a largescale operation that would result in a balanced formula for marketable compost.

5.3 Energy Recovery

Energy recovery from waste is the conversion of non-recyclable waste materials into usable heat, electricity, or fuel through a variety of processes, including combustion, gasification, pyrolyzation, anaerobic digestion and landfill gas recovery.

Currently there are two energy recovery the Sierra Pacific Industries (SPI) sawmill in Junction City and another at Cosmo Specialty Fibers Inc. in Cosmopolis. SPI burns bark, sawdust, and other low-grade byproducts of the manufacturing process to fuel a steam boiler assembly that provides 30 megawatts of power for the plant. Cosmo Specialty

⁸ [RCW 70.95.030\(3\)](#)

Fibers Inc. uses on average 95% biomass and deconstructed biomass from their cooking process to produce energy.

Until recently, collected yard waste and clean lumber was chipped and used as hogged fuel. However, with the implementation of new emission standards, markets for this material have decreased significantly. As a result, the county and LeMay Enterprises have discontinued collection of these materials.

5.4 Waste Reduction

Waste reduction, also known as pollution prevention, is any practice that reduces, eliminates, or prevents wastes or pollution at its source of origination. Waste reduction programs may be as broad and diverse as manufacturing earth-friendly products or encouraging selective purchasing and reuse patterns among consumers. Waste reduction differs from recycling because no material processing is necessary.

Effective waste reduction programs result in broad-ranging benefits, such as natural resource conservation, reduced energy consumption, and reduced air, water, and land pollution.

Reuse Activities

Waste reduction is a common practice in the county, especially in relation to the reuse of durable goods. Private, public, and charitable entities successfully encourage waste reduction through a variety of methods.

Stores operated by private individuals and nonprofit organizations are the most commonly associated reuse outlets. While some specialize in certain products, such as clothing or automobile parts, others cater to anything and everything. Individual, short-term garage sales also fall within this category of reuse.

The internet has become another important resource for reuse transactions. Grays Harbor County supports the Reusable Materials Exchange website as part of the 2 Good 2 Toss program. This site allows individuals to list items for free or sale. Currently, over 25,567 exchanges have taken place through the program. Other internet sites specialize in exchanging specific products, such as industrial wastes and building materials.

Waste reduction programs in the county also focus on classroom education as well as technical assistance to businesses and industries. Strategies for waste reduction focus on reducing initial consumption, reusing durable products, retrieving materials from

disposal, reducing the toxicity of the waste stream, or combination of all these approaches.⁹

5.6 Key Trends

- Glass is now costing \$30 to \$45 a ton to recycle. Recycling glass has become problematic due to transportation costs (weight) and contamination with other materials. Lighter-weight packaging materials are replacing glass and the markets for glass collected for recycling are declining in the Northwest.
- Public education about recycling contamination is critical to improving the reuse of materials and lowering overall recycling costs. Too much material is entering the recycling stream that has no current market; it requires labor intensive separation and eventually enters the landfill anyway. These items can include beverage cartons, shredded paper and #3-7 plastics.
- Communities around the country that have effective recycling programs have intensive outreach and public education programs. Flexibility in programs also help to ensure that only those products that have markets enter the recycling stream.
- Rural areas experience a difficult time making composting of organics affordable due to the relatively small volumes generated and the cost of transportation to approved, out-of-county facilities.

5.7 Waste Diversion Management Actions

Recycling

- A. The SWAC will regularly review recycling market conditions and update its list of designated recyclables collected through comingled or drop-box programs.
- B. The Solid Waste Advisory Committee will continue to explore new ways to expand sustainable recycling opportunities and programs for the public. The SWAC will hold a solid waste review every April that will include an analysis of recycling activities over the past year and potential changes and improvements.
- C. The county encourages recycling and reuse through the educational component of the waste reduction and recycling plan.

⁹ Section 7 on Moderate Risk Wastes discusses reducing the toxicity of the waste stream.

- D. The county will provide information through its website about the recycling and reuse of white goods and e-wastes.
- E. Incorporate flexibility in curbside recycling programs to accommodate changes in the recycling market to determine which materials to collect or discontinue.

Organics

- F. The county will continue to work in cooperation with the WSU Extension, Master Gardener Program to promote backyard composter training, and education to the public and school districts.
- G. The county will explore the possibility of adding a yard waste program.
- H. Encourage the use of economically sustainable organics in energy facilities.

Energy Recovery

- I. The SWAC and the Solid Waste Program will monitor county or regional discussions or proposals regarding the study and, or siting of a waste-to-energy facility for municipal solid waste and/or organics.

Waste Reduction

- J. The county may request technical assistance from local interested parties, the construction industry, and the Washington State Department of Ecology to learn about practices for construction, demolition, and land clearing (CDL) waste reduction and reuse.
- K. Request technical assistance from Ecology to explore strategies for use by governments, institutions, businesses, and industry that encourage the use and purchase of products containing pre- and post-consumer recycled material, content in the workplace.
- L. Incorporate appropriate waste reduction strategies identified by the Solid Waste Advisory Committee, including product stewardship programs, into existing educational outreach efforts.
- M. Support the transfer of common household items through exchanges, websites, and local businesses.

Section 6. Special Wastes

Special wastes require special handling and separate collection, recycling, or disposal from other wastes. Grays Harbor County, the cities, and private entities in the county address the safe disposal of special wastes.

6.1 Biomedical wastes

Medical waste includes all the infectious and injurious waste originating from medical, veterinary, or intermediate care facilities. This includes infectious and biohazardous wastes, such as blood, sharps, and identifiable body parts.



Waste Management currently is the only commercial medical waste treatment and disposal company operating within the county. The company collects medical wastes from public and private customers and processes the material out of county. This material does not pass through the Grays Harbor County Transfer Station. Grays Harbor Community Hospital uses its autoclave to process some materials.

6.2 Pharmaceutical wastes

Pharmaceutical wastes are discarded prescription drugs that individuals or entities no longer need. The improper disposal of unused medications has become a significant concern in recent years due to their potential environmental and health risk as well as contributing to prescription drug abuse.

Drug Take-Back Program Legislation

The State Legislature recently adopted the Drug Take-Back Program, [Chapter 69.48 RCW](#) in July 2018. This law places responsibility on manufactures selling prescription drugs, referred to a “program operators,” in the state to work with authorized collectors to create a drug take-back program. A manufacturer or group of manufacturers may designate an organization to act on their behalf as the “program operator.”

Potential authorized collectors may include:

- An entity registered with the US Drug Enforcement Agency (DEA) to collect controlled substances;
- A law enforcement agency; or
- An entity authorized by the Washington State Department of Health (DOH) to collect non-controlled substances.

Program operators must individually, or through an organization, prepare a plan for implementing a collection program and submit it to DOH by July 1, 2019. The law also expects program operators to solicit and negotiate with authorized collectors to establish programs that meet state requirements.

The law requires program operators to include as an authorized collector any retail pharmacy, hospital or clinic with an on-site pharmacy, or law enforcement agency that offers to participate in the collection program without compensation. Program operators must also give preference to these sites as receptacle collection centers. Collection sites must be regularly open to the public.

Collection sites must use secure collection receptacles that meet state and federal law. Program operators must provide a service schedule for emptying the receptacles, including supplemental pick-ups when necessary. Authorized collectors must comply with state rules and DEA standards for collecting and transporting covered drugs.

Each city in the county must have at least one collection site. In areas outside of the cities, the program operator must seek in good faith to find authorized collectors regularly open to the public willing to participate in the program.

DOH currently is engaged in preparing rules under the Washington Administrative Code (WAC) relating to program implementation. It is unclear at this time when they will adopt these rules and what role county solid waste management programs will have in the program.

Current Local Efforts

Present options available for residents to dispose of no longer needed medications are drug take-back boxes located at the Aberdeen, Hoquiam, and Montesano police departments. Each department accepts controlled, legal substances as well as any outdated or unused prescriptions. The departments routinely transfer these medications to a licensed incineration facility for safe disposal. The Grays Harbor County Sheriff's Department has accepted medications in the past.



6.3 Wood wastes

Wood waste is a solid waste that is a by-product of manufacturing wood products. This may include sawdust, shavings, stumps, wood chunks, hog fuel, pulp, and log sort waste. It does not include painted or chemically treated wood. Wood waste likely constitutes the largest volume of special wastes in Grays Harbor County, although there is no information on the exact quantities generated.

The primary types of wood waste generated in the county are waste bark, shake and shingle waste, and slash. In earlier years, this type of waste was burned but the adoption of air pollution regulations in the early 1970's stopped most open burning at mills and log sort yards. Waste generators then relied on landfills as the least expensive alternative. Slash burning continues but is receiving more scrutiny as air pollution control continues to improve.

Log yard waste consists mainly of Douglas fir and hemlock debris mixed with mud and crushed rock. Moisture and soil contamination prevent economical reuse or recycling of the material and it requires landfilling. The privately-owned Stafford Creek Limited Purpose Landfill currently accepts these wastes.

Shake and shingle waste comes from the manufacturing of cedar building materials. Unlike most wood species that will biodegrade within a few years when left in outdoor piles, cedar contains natural preservative oils that prevent decay for decades.

[WAC 173-350-020 \(2\) \(b\) and \(c\)](#), Solid Waste Handling Standards, exempts wood waste

- Used for ornamental, animal bedding, mulch and plant bedding, or road building; and
- Resulting from the harvesting of timber and left at the point of generation.

To date, there are 117 known wood waste sites in Grays Harbor County inventoried by the Environmental Health Division. The division believes there remain many more undetected sites throughout the county. As resources become available, they will continue their inventory efforts.

6.4 Tire Wastes

Improper disposal of used tires is a significant environmental and health concern. Tires can harbor mosquitos, leach toxic substances, and present a considerable fire hazard.

Tires no longer suitable for their original use because of wear, damage, or defect are waste tires under state law.¹⁰ The Department of Ecology has the responsibility for licensing businesses engaged in the storage, transportation, and disposal of waste tires.

Grays Harbor County does not have a permitted tire storage facility although historic waste tire piles still exist. Waste tire disposal is available through local retailers and at the Grays Harbor County Transfer Station. Private tire disposal and recycling firms collect waste tires and recycle them into a variety of products, such as aggregates, tire derived fuels, building materials, playground surfacing, and rubber modified asphalt.

¹⁰ [RCW 70.95.500](#)

Funding is available from the Department of Ecology's Waste Tire Removal Account for the county to hold temporary amnesty and targeted clean-up events. The county's Environmental Health Division last received funding through the program in 2013.

6.5 Industrial Wastes and Sludges

Industrial wastes within the scope of this plan consist of non-hazardous by-products of manufacturing processes. These wastes typically are chemically inert and insoluble substances. The Grays Harbor County Transfer Station and approved landfills may accept disposal of these wastes. The disposal of hazardous industrial wastes is not within the scope of this plan.

Biosolids, also known as sewage sludge, from sewage treatment plants that are suitable for land application, is not a solid waste under [WAC 173-308-060](#). Biosolids that cannot meet land application standards, however, are classified as solid waste. Regardless of the quality, such biosolids may enter the waste stream if land application opportunities are not available. At present, none of the sewage treatment plants are using the Grays Harbor County Transfer Station to dispose of their biosolids.

Cosmo Specialty Fibers in Cosmopolis operates a dissolving wood pulp sulfite mill that processes wastewater through a treatment plant. Solids from the process form a sludge stored in a series of settling ponds in South Aberdeen. Cosmo periodically dredges the ponds and disposes of the sludge in the west spoils landfill site near the ponds.

No industries are using the Grays Harbor County Transfer Station for disposal of industrial wastes or sludges.

6.6 Contaminated Soils

Contaminated soils have one or more contaminants intentionally or unintentionally introduced to the ground because of a spill, leak, disposal, or application. Examples of uses and activities that contaminated soils in the past were service stations, industrial/manufacturing sites, junkyards, waste disposal sites, dry cleaners, intense agrochemical storage and application, and road sweepings.

Petroleum contaminated soils are generally the most prevalent of the contaminated soils occurring in the county. Petroleum products commonly found in these soils are gasoline, diesel fuel, and fuel oil. Remediation of contaminated soils typically is through a private contractor who will transport directly to a landfill if on-site treatment is not possible.

6.7 Disaster Debris

Floods, earthquakes, tsunamis, and severe weather events create the potential for significant quantities of disaster debris, including disruption of solid waste services.

The waste agreement between Grays Harbor County and LeMay Enterprises, Inc. facilitates the ability of both parties to expedite clean-up and recovery assistance to communities affected by disaster events. The agreement describes how to initiate disaster recovery service and reimbursement.

In the event the Grays Harbor County Transfer Station becomes inaccessible or overwhelmed by a disaster event, the Grays Harbor County [2018 Multi-Jurisdiction Hazard Mitigation Plan](#) has identified the need to determine alternate locations in the county as disaster debris management sites. There is no set date to move forward with this project.

6.8 Animal Carcasses

[Chapter 16-25 WAC](#) regulates animal carcass burial, composting, natural decomposition, incineration, and landfilling within specific limitations. These regulations set standards for where and how these disposal procedures take place.

The Grays Harbor County Transfer Station accepts disposal of domestic and wild animal carcasses. There are also private firms servicing the county that specialize in dead animal removal.

Marine mammal and fish carcasses that occasionally wash ashore along the ocean beaches within the state's Seashore Conservation Area are the responsibility of the Washington State Parks and Recreation Commission. The state may choose to bury or allow the carcass to decompose naturally. It is illegal for the public to harvest all or any part of a decomposing marine mammal carcass.

6.9 Key Trends

- There are no approved tire storage facilities in the county, although there are waste tire piles present in the county that predate current legislation or result from illegal dumping. Addressing these piles is a complaint driven process. While grants are available for addressing waste tire storage in the county, funds cover only disposal costs – the coordination and collection process remains a county cost.
- Planning for disaster debris is a major concern for the county and it needs to focus on identifying appropriate locations for temporary collection and storage.

6.10 Special Wastes Management Actions

Biomedical Wastes

- A. Support private haulers of medical waste collection by maintaining updated lists of firms on its Solid Waste Program website.

Pharmaceutical Wastes

- B. Encourage public participation in the Drug Take-Back Program for pharmaceuticals as required under state law.

Wood Wastes

- C. The Solid Waste Advisory Committee and the Solid Waste Program will monitor county or regional discussions or proposals regarding the study and/or siting of wood waste landfills.
- D. The SWAC may request technical assistance from the Department of Ecology to learn about opportunities for wood waste reduction and reuse.
- E. Encourage the use of wood waste in cogeneration and renewable energy for fuels.
- F. The Environmental Health Division will continue to identify, track, and monitor existing and past wood waste sites.

Tire Wastes

- G. The county encourages the use of the Waste Tire Removal Account for sites that contain more than 800 waste tires.
- H. The county will allow the piling of waste tires only under permit per WAC 173-350-350. The county may require financial assurances to ensure post-closure clean-up.

Industrial Wastes and Sludges

- I. The Environmental Health Division will review annually with designated industrial entities their waste and sludge disposal programs (check with Jeff).
- J. The Environmental Health Division will continue to monitor and regulate industrial facility activities through the Environmental Health Division (check with Jeff).

Contaminated Soils

- K. The Environmental Health Division will request technical assistance from the Department of Ecology for removal of contaminated soils (check with Jeff).

Disaster Debris

- L. The county's contract with LeMay contractually obligates them to provide a backup system for the transfer and disposal of wastes after a disaster event, such as an earthquake or flood. If a disaster creates waste that becomes a public health hazard, the BOCC may, by resolution, reimburse LeMay for tipping fees incurred at the Grays Harbor Transfer Station.
- M. The county may make free disposal options available to the public during periods of a declared emergency to ensure public health.
- N. Initiate planning efforts for identifying strategic sites for interim solid waste storage in the event of a disaster occurrence that prevents access to the Grays Harbor Transfer Station.

Animal Carcasses

- O. Work with the agricultural community to develop an environmentally safe livestock disposal program in the event of major losses occurring from a natural disaster.

Section 7. Moderate Risk Wastes

7.1 Regulatory Framework

The definition of "moderate risk waste" (MRW) under [RCW 70.105.010 \(13\)](#) means

- Any waste that exhibits any of the properties of hazardous waste generated at quantities below the threshold for regulation; and
- Wastes disposed by household that the Department of Ecology identifies as hazardous household substances.

Although moderate risk waste is exempt from regulation under Chapter 70.105 RCW, Hazardous Waste Management, this chapter does require local governments to plan for and carry out programs to manage MRW to protect both the environment and public health.

MRW is a combination of hazardous household wastes (HHW) and wastes from conditionally exempt small quantity generators (CESQG). HHW is waste created in the home, while CESQG consist of small quantities generated by businesses or non-household waste.

CESQG produce MRW at a rate of less than 220 pounds per month or per batch (or 2.2 pounds per month or per batch of extremely hazardous waste) and accumulate less than 2,200 pounds of hazardous waste onsite (or 22 pounds of extremely hazardous waste). There are approximately 250 possible SQG in Grays Harbor County registered with ECY. These businesses pay a Hazardous Waste Generation Fee.

The six most common MRWs in Washington State include non-contaminated used motor oil, antifreeze, paint-related material, latex paint, oil-based paint, and flammable liquids.¹¹

7.2 Moderate Risk Waste Facility

The Grays Harbor County Transfer Station operates the Moderate Risk Waste Facility to collect hazardous materials from households and CESQG generators. While LeMay Enterprises, Inc. owns the physical facility, the Solid Waste Division and its staff operates the collection program.

This facility, operating since 1998, collects MRW free of charge from county residents on the first Wednesday and the first Saturday of each month. Residents may drop-off up to 15 gallons each visit. There were 3,241 such drop-off visits in 2017. The facility also

¹¹ Solid Waste in Washington State, Publication #17-07-007, December 2015.

accepts wastes from CESQG generators for a fee and by appointment only when it is not open to residential collection. Approximately 50 business drop-offs occurred at the facility in 2017. While use of the facility has been growing annually, an unknown quantity of moderate risk waste likely continues to enter the solid waste stream through curbside collection or self-haulers. Table 17 summarizes the type and quantity of MRW collected from 2015 through 2017.

Table 17: Collected MRW, 2015 -2017

Waste Type	2015				2016				2017			
	SQG		HHW		SQG		HHW		SQG		HHW	
	Disp.	lbs.	Disp.	lbs.	Disp.	lbs.	Disp.	lbs.	Disp.	lbs.	Disp.	lbs.
Antifreeze	R	79	R	3,397	R	13	R	3,068	R	9	R	3,625
Oil non-contaminated			R	3,552								
Aerosols	E	430	E	4,870	E	673	E	4,440	E	281	E	4,698
Acids	T	218	T	1,774	T	349	T	2,064	T	27	T	3,625
Bases	T	1,287	T	2,302	T	540	T	4,807	T	311	T	4,102
Batteries (Auto Lead Acid)			R	720								
Batteries (Nicad/NIMH/Lithium)	R	376	R	454	R	179	R	1,337	R	85	R	1,302
Batteries (Household Dry Cell)	H	341	H	1,895	H	569	H	1,733	H	121	H	2,545
Flammable Solids					O	18	O	76			O	25
Flammable Liquids	E	1,193	E	12,370	E	1,606	E	20,017	E	1,053	E	1,639
Flammable Liquid – Poison	O	250									O	
Mercury – Fluorescent Tubes/CFLs	R		R	2,989	R	1,042	R	1,905	R	986	R	1,940
Mercury Thermometers, Thermostats					R	2						
Non-Regulated Liquids					T	234						
Oil with PCBs (Ballasts)	H	155	H	403	T				H	18		
Organic Peroxides			O	11								
Oxidizers	T		T	156	T	128	T	152	T	2	T	
Paint – latex	T	6,060	T	56,822	T	4,461	T	50,030	T	2,616	T	48,533
Paint – oil based	E	2,535	E	28,534	E	2036	E	30,482	E	2,526	E	30,593
Pesticide/Poison Liquid	O		O	2,900	O	298	O	4,493	O	345	O	5,455
Pesticide/Poison Solids	O		O	2,323	O	235	O	1,986	O	48	O	2,264
Photo/Silver Fixer	R		T	45	R	148	R		R	193	T	
Reactives	T		T	71								
Propane tanks	R		R	112 ea.	R	2 ea.	R	97			R	75 ea.
Petroleum soaked pads & brooms	T	263	T	723	R	271			T	150	T	130

Key for disposal methods:

U – Reused R – Recycled E – Energy Recovery T – Treated/Landfill
W – Wastewater O – Incineration S – Landfill Untreated H – Hazardous Waste Facility

The Stericycle facility in Auburn processes MRW collected at the Grays Harbor Transfer Station.

7.3 Used Motor Oil Collection Facilities

Used motor oil is a designated recyclable that the county coordinates as a self-service program using motor oil collection tanks. Residents can find these tanks located throughout the county for easy collection opportunities. The tanks are accessible 24 hours a day and are available to the public at no cost.

The county's Solid Waste Division coordinates collection from the containers and transports their contents to the Grays Harbor County Transfer Station for storage. The county pays Emerald, a Seattle recycling firm, to collect the oil. Emerald recycles the oil to produce low-sulphur marine diesel oil and other industrial fuels at its Seattle plant.

Private businesses in the county collect used motor oil as well and arrange their own disposal efforts.

Table 18: County-Supported Used Motor Oil Collection Facilities, 2018

Location	Address
Aberdeen	Household Hazardous Waste Facility - Grays Harbor County Transfer Station, 4201 Olympic Highway E.
Elma	216 E. Martin St. - Behind Cut-Rate Auto Parts in the Alley
Montesano	222 E. Wynoochee Ave. - Behind Bowling Alley in the Parking Lot
Oakville	303 E. Pine Street - Next to City Barn
Ocean Shores	679 Minard Ave NE – Parking Lot Next to Skate Park
Pacific Beach	3194 Ocean Beach Rd. - Sewer Treatment Plant

The Port of Grays Harbor assumed ownership of the oil collection facility at its location in 2017. Collection at the Pacific Beach location began in 2017.

As with household hazardous waste, community support for used motor oil recycling efforts continues to grow. Used motor oil recycling increased by 13,690 pounds between 2016 and 2017. This does not include used motor oil collected at non-county supported sites.

Table 19: Used Motor Oil Collection at Public Facilities

Collection Facility	Pounds	
	2016	2017
Aberdeen	37,666	39,220
Montesano	23,754	26,344
Elma	24,198	25,160
Oakville	8,436	11,692

Collection Facility	Pounds	
	2016	2017
Ocean Shores	6,216	9,101
Pacific Beach	0	2,442
Port of Grays Harbor	17,612	0
Total	117,882	113,960

As the price oil recyclers charge for collecting used-oil continues to climb, the county will need to increase its subsidy of the program from its budget. Recyclers also are pushing for required testing of bulk used-oil pickups to ensure no contaminants, such as PCBs, are present.

7.4 Other MRW Programs

Electronics Disposal

Collection points in the Grays Harbor area currently available to the public for safely disposing of used electronic equipment such as computers, monitors, and televisions include Aberdeen Goodwill, Staples, the Grays Harbor County Transfer Station, and Pay More Recycle and Salvage Inc. The latter two sites are registered with the Department of Ecology's Recycle Database.¹²

Materials-Exchange Program

The materials-exchange program is a reuse center for residents of the county at the Household Hazardous Waste Facility. Many items that enter the facility are in good condition; the facility staff designates these items for reuse and stocks them in the material exchange locker. Residents may browse the locker and take items at no charge; however, residents must sign a release form for the items taken. The materials-exchange locker is open to residents on collection days. Latex paint, pesticides, fertilizers, and cleansers are the most commonly reused items.

Training, Health, and Safety

According to OSHA 29 CFR 1910.120(e), all employees working with hazardous waste shall have a minimum of 40 hours training in hazardous waste operations and emergency response, including an annual eight-hour refresher course. All technician-level positions require additional training for packaging and shipping in accordance with US Department of Transportation standards. Health and safety training and equipment are available to all employees that work in the Household Hazardous Waste Facility. The county requires respirator testing semi-annually and testing records to be logged according to the facility operations plan. All technician-level employees

¹² <https://fortress.wa.gov/ecy/recycle/UISearch/ServiceSearch.aspx>

receive medical monitoring. The employer provides all health and safety training and protective equipment.

7.5 Key Trends

- The county currently has limited hours at the Household Hazardous Waste (HHW) Facility, due to budget constraints for staffing. However, it is unclear if this impacts public access to the facility. If more grant funding through state programs become available, the county may consider keeping the facility open longer.
- Latex paint is the single largest volume item deposited by the public at the facility. In 2019, state legislation was passed that requires the paint industry to establish sites for the public to drop off their unused paint for recycling. These sites should be available by the end of 2020. After they open, the county's MRW program costs should drop, and this may affect how the county manages their MRW Facility.
- Used motor oil is a significant concern for the county solid waste program. Potential contamination of non-oil product in unattended holding tanks could present significant liability to the county. The program is also costly for the county to operate since it must pay a private contractor to collect and dispose of each gallon. If the state requires permitting of oil collection facilities, or the private contractor who collects the motor oil requires contamination testing, the program would become prohibitively expensive to operate. In either case, cessation of the program likely would create a used motor oil disposal problem for the public.
- As the potential for solar panels to enter the waste stream grows in the future, their disposal could become problematic for the county due to the heavy metals used in their construction.

7.6 Moderate Risk Waste Management Actions

- A. Encourage increases in state funding through the Local Solid Waste Financial Assistance to support expanded hours for the Moderate Risk Waste Facility at the Grays Harbor Transfer Station.
- B. Explore management options for preventing contaminants from entering oil collection facilities.
- C. Continue accepting asbestos wastes at the Grays Harbor Transfer Station in accordance with state regulations.

Section 8. Dangerous Waste Generators

Counties must include an inventory of dangerous waste generators and facilities, remedial action sites, and list of hazardous waste transporters which service businesses within the jurisdiction.

8.1 Dangerous Waste Generators

Dangerous waste generators are businesses in the county that have an EPA/State identification number issued under Chapter 173-303 WAC.

- Large quantity generators (LQG) generate more than 2,200 lbs. of hazardous wastes and/or 2.2 lbs. of acute hazardous waste each month, and/or accumulate more than 2,200 lbs. of hazardous wastes at any one time.
- Medium quantity generators (MQG) generate between 220 lbs. and 2,200 lbs. of hazardous wastes each month and/or accumulates less than 2,200 lbs. at any one time.
- Small quantity generators (SQG) generate less than 220 lbs. each month and/or accumulate less than 2,200 lbs. at any one time.
- Facilities that have an EPA or state identification number but did not generate hazardous wastes within the reporting year have an XQG status

ECY records show that the following number of registered businesses and institutions in Grays Harbor County that are hazardous waste generators as of December 2016 include:

Entity	Status	Location
Little Green LLC	LQG	Hoquiam
Vertellus Performance Chemicals LLC	LQG	Elma
Westport Shipyard, Inc.	LQG	Westport
Westway Terminal Co LLC	LQG	Hoquiam
WSDOT Simpson Ave Hoquiam	LQG	Hoquiam
Cosmo Specialty Fibers Inc	MQG	Cosmopolis
Home Depot 8964	MQG	Aberdeen
INDUSTRIAL ELECTRIC SERVICE CO INC	MQG	Aberdeen
Ovalstrapping Inc Hoquiam	MQG	Hoquiam
REG GRAYS HARBOR	MQG	Hoquiam
Simpson Door Co	MQG	McCleary
Vaughan Co Inc	MQG	Montesano
WA Stafford Creek Corrections CTR	MQG	Aberdeen
Wal Mart Store 2037	MQG	Aberdeen
Aberdeen City Equip Rental Maintenance Shop	SQG	Aberdeen

Entity	Status	Location
Aberdeen School District Maintenance	SQG	Aberdeen
Economy Cleaners	SQG	Hoquiam
Grays Harbor Community Hosp	SQG	Aberdeen
Grays Harbor Port	SQG	Aberdeen
Hoquiam School Dist. 28 Transportation Coop	SQG	Hoquiam
Kenworth NW Aberdeen	SQG	Aberdeen
Little Hoquiam Boat Shop 2	SQG	Hoquiam
Ocean Spray Markham	SQG	Aberdeen
RITE AID #5282	SQG	Aberdeen
Rite Aid #5283	SQG	Hoquiam
SAFEWAY STORE 1546	SQG	Aberdeen
Sears Unit 2299/6111	SQG	Aberdeen
Tacoma Public Utilities Wynoochee Dam	SQG	Montesano
United Parcel Service Elma	SQG	Elma
USCG Station Grays Harbor	SQG	Westport
Westport LLC Hoquiam	SQG	Hoquiam
Whitney's Chev Inc	SQG	Montesano
16th and B St	XQG	Hoquiam
Apex Environmental	XQG	Hoquiam
BMT-NW Acquisition LLC	XQG	Elma
Chevron 81740	XQG	Westport
Grays Harbor Energy LLC	XQG	Elma
Little Hoquiam Boat Shop 1	XQG	Hoquiam
McCleary City Light Power	XQG	McCleary
Pasha Automotive Services Aberdeen	XQG	Aberdeen
Port of Grays Harbor	XQG	Elma
Qwest Corporation W00998	XQG	Aberdeen
The Shipyard LLC	XQG	Hoquiam
WA AGR Grayland	XQG	Grayland
WA AGR Grays Harbor 1	XQG	Aberdeen
WA AGR Grays Harbor 2	XQG	Elma
WA Parks Twin Harbors State Park	XQG	Westport

In summary, there were:

- Five Large Quantity Generators (LQG) in Elma, Hoquiam, and Westport
- Nine Medium Quantity Generators (MQG) in Aberdeen, Cosmopolis, Hoquiam, McCleary, and Montesano
- Eighteen Small Quantity Generators (SQG) in Aberdeen, Elma, Hoquiam, Montesano, and Westport

- Fifteen businesses and institutions with XQG status in Aberdeen, Elma, Grayland, Hoquiam, McCleary, and Westport

None of these facilities had an on-site treatment, storage, or disposal permit nor did they receive hazardous wastes from off-site sources.

8.2 Remedial Action Sites

The Department of Ecology conducts Site Hazard Assessments for suspected contaminated properties and includes those confirmed as a potential threat on its Hazardous Sites List. This list also ranks each property in relation to the level of threat present at other sites in the state. A rank of one represents the highest level of concern and a rank of five the lowest. Currently there are 61 such sites within Grays Harbor County on the Hazardous Sites List.

Table 20: County Hazardous Sites List, September 2017

FS ID	Site Name	Location	Rank	Status
45142528	Bay City Shop Aberdeen	Aberdeen	1	Cleanup Started
62154192	Grays Harbor County PUD 1 Maint Yard	Aberdeen	1	Cleanup Started
2472930	Pakonen Boatyard	Aberdeen	1	Cleanup Started
77165487	Gasamat Oil Corp	Aberdeen	2	Cleanup Started
13492255	Texaco Wishkah Aberdeen	Aberdeen	2	Awaiting Cleanup
81441978	Aberdeen Police Dept City Hall	Aberdeen	3	Cleanup Started
8888315	Ade Natural Gas Corp District Ofc	Aberdeen	3	Cleanup Started
1138	Chevron Station 91102	Aberdeen	3	Cleanup Started
82757276	Entus Log Road Construction Co Inc	Aberdeen	3	Awaiting Cleanup
74116865	Harbor Tool Rental	Aberdeen	3	Awaiting Cleanup
55483231	Hubb's Muffler	Aberdeen	3	Awaiting Cleanup
32277166	Kaman Bearing & Supply Corp	Aberdeen	3	Cleanup Started
17523493	Krasowski Estate Property	Aberdeen	3	Cleanup Started
11477124	Maki Garage	Aberdeen	3	Awaiting Cleanup
8655483	Mini Mart	Aberdeen	3	Cleanup Started
44714997	R & G Electronics	Aberdeen	3	Awaiting Cleanup
9999535	Sears Automotive Center Aberdeen	Aberdeen	3	Awaiting Cleanup
61846758	Southland Corp 22478	Aberdeen	3	Cleanup Started
75887849	Superior Auto Body & Towing	Aberdeen	3	Awaiting Cleanup
34659643	US West Aberdeen	Aberdeen	3	Cleanup Started
88894421	Chevron 9-6708	Aberdeen	5	Awaiting Cleanup
1141	Crystal Steam Baths	Aberdeen	5	Awaiting Cleanup
5988174	Grays Harbor Equipment	Aberdeen	5	Cleanup Started
9401122	Sherman Property	Aberdeen	5	Awaiting Cleanup
49931569	Sunshine Deli	Aberdeen	5	Cleanup Started
17952115	Western Timber Salvage	Aberdeen	5	Cleanup Started
8396916	Stajcar Property	Copalis Beach	1	Awaiting Cleanup

FS ID	Site Name	Location	Rank	Status
55626589	Copalis Crossing Texaco	Copalis Crossing	3	Cleanup Started
37135584	Maxi Mini Mart (Cosmopolis)	Cosmopolis	3	Cleanup Started
22586116	Chevron 93843	Elma	2	Cleanup Started
69672675	Trus Joist Macmillan	Elma	2	Cleanup Started
28206	Butchers Scrap Metal Inc	Hoquiam	1	Awaiting Cleanup
97672932	Lamb Grays Harbor Co	Hoquiam	1	Awaiting Cleanup
1117	Most Western Laundry	Hoquiam	1	Cleanup Started
87399456	Pettit Oil 640 700 or 720 Myrtle St	Hoquiam	1	Cleanup Started
1121	Bergs Marine Construction & Repair	Hoquiam	2	Awaiting Cleanup
76293784	15 Minute Lube	Hoquiam	3	Cleanup Started
56149154	7 Eleven Store22261	Hoquiam	3	Cleanup Started
33548485	BNSF Hoquiam Site	Hoquiam	3	Cleanup Started
1137	Chevron Station 1125	Hoquiam	3	Cleanup Started
64241737	Gull Hoquiam	Hoquiam	3	Cleanup Started
31771524	Hoquiam City of Lincoln St Shop	Hoquiam	3	Cleanup Started
1130	Howard Moe Enterprises	Hoquiam	3	Awaiting Cleanup
21142429	Texaco Ken Harrison	Hoquiam	3	Cleanup Started
1115	Hoquiam Municipal Landfill	Hoquiam	4	Awaiting Cleanup
33315723	Anderson & Middleton Co	Hoquiam	5	Awaiting Cleanup
33541272	Apex Environmental	Hoquiam	5	Awaiting Cleanup
4061791	Roderick Timber Co	Junction City	1	CC-Perf. Monitoring
58141852	McCleary Transit Center	McCleary	3	Cleanup Started
8840748	Ikan Auto Wrecking	Montesano	1	Awaiting Cleanup
6508672	Pederson Property Montesano	Montesano	1	Cleanup Started
1128	Virgil Foster	Montesano	1	Awaiting Cleanup
29685123	Montesano City of City Shop	Montesano	2	Cleanup Started
26655668	Montesano Fire Dept	Montesano	2	Cleanup Started
97193494	Tony's Short Stop	Montesano	3	Cleanup Started
36813164	Whitney's Chev Inc	Montesano	3	Cleanup Started
86125878	You & I Market	Pacific Beach	1	Cleanup Started
4619393	WA DOT Weyerhaeuser Ponds	Quinalt	1	Awaiting Cleanup
88269183	Lake Quinalt Garage	Quinalt	2	Awaiting Cleanup
58253768	CENEX	Satsop	2	Cleanup Started
92421271	Chevron Bulk Plant	Westport	2	Cleanup Started
1127	Hungry Whale Grocery	Westport	2	Cleanup Started

8.3 Hazardous Waste Transporters & Facilities

There are four primary Transportation, Storage, Disposal and Recycling (TSDR) companies that service businesses in Grays Harbor County. Table 21 lists each company operating in the county along with its TSDR identification number.

Table 21: TSDR companies servicing Grays Harbor County

TSDR ID #	Company Name
WAD981769110	Emerald Services Incorporated
WAD988482089	Stericycle of Washington
KSD980633259	Systech Environmental Corporation
UTD991301748	Safety Kleen Systems Inc. 7-148

Section 9. Enforcement

9.1 Regulating Agencies

Grays Harbor County

Chapter 8.28, Solid Waste Collection and Disposal, of the Grays Harbor County Code (GHCC) directs a range of solid waste enforcement activities. These include:

- Responding to complaints involving illegal dumping or improper handling of solid waste by the public;
- Providing technical assistance consultations for review or issue of solid waste permits;
- Conducting inspections of permitted facilities; and
- Locating and identifying closed and abandoned landfills in the County.

While county staff focus only on illegal dumping within the unincorporated areas, they are involved in other solid waste enforcement activities countywide.

Chapter 8.12 GHCC specifically address litter control. Community Litter Cleanup Program (CLCP) grants have been especially important in maintaining an active program in the county. During the 2017-2019 biennium funding cycle, the county expanded the program by purchasing a new litter van.

Municipalities

Each of the nine cities in the county manage illegal dumping and litter control through local ordinances and enforcement activities.

State of Washington

The Washington Department of Ecology oversees a statewide litter collection program funded through a 0.015 percent tax on the retail sale of wrappers, bottles, and other items typically found in roadside litter. Along with providing funding through the Community Litter Cleanup Program, the agency is active in roadside litter cleanup using the [Ecology Youth Corps](#).

The [Correctional Camps Program](#) is a joint effort of the Washington Department of Natural Resources, the Department of Corrections, and the Juvenile Rehabilitation Administration that uses juvenile and adult offenders to do illegal dump site cleanups on state and other public lands.

The Department of Transportation offers the [Adopt-a-Highway](#) roadside cleanup program. The program relies on volunteers from community groups and business sponsors to help pickup roadside litter along state highways.



9.2 Enforcement Management Actions

- A. Continue enforcement to reduce dumping on public and private property.
- B. Grays Harbor County and the municipalities will continue to earmark funding within their annual budget for abatements and illegal dumping enforcement within their jurisdictions.
- C. Support volunteer litter control programs.
- D. The county may provide assistance for the removal of abandoned vehicles through the Junk Vehicle Verification, Notification, and Affidavit (Hulk Slip) program.
- E. Strengthen and review countywide litter control activities.

Section 10. Education and Outreach

Education and outreach to Grays Harbor County citizens on solid waste, recycling, and hazardous waste management is critical to ensuring public and environmental health from improper use and disposal methods. RCW 70.95 acknowledges this need by requiring both state and local governments to provide public information about recycling and waste reduction.

10.1 Grays Harbor County Education & Outreach

Small rural programs like those operated in Grays Harbor County are heavily dependent on state grant funds to provide financial assistance in order to keep disposal and recycling rates affordable. Historically the county depended on Coordinated Prevention Grants, now renamed as [Local Solid Waste Financial Assistance](#), to fund education and outreach programs.

Funding for this financial assistance program is from the Local Toxics Control Accounts (LTCA), established under chapter 70.105D RCW, the Model Toxics Control Act (MTCA). This law, passed by voter initiative in 1988, set a tax on first possession of hazardous substances in the state, RCW 82.21.030. The amount available each biennium depends on the legislative appropriation from the account or alternative funding identified by the legislature.

For the past number of fiscal years, the legislature has decreased the amount of money available to counties under this program, resulting in a significant decrease in funding to provide education and outreach by Grays Harbor County.

Despite budget restraints, the county continues to provide a minimal level of education and outreach support through its county website. The Department of Public Services webpage provides basic information on the following topics:

- [Garbage services](#)
- [Transfer Station](#)
- [Rates](#)
- [Special wastes](#)
- [Hazardous materials](#)
- [Household hazardous waste](#)
- [Small Quantity Generators](#)
- [Recycle/reduce](#)
- [Used motor oil disposal](#)
- [Yard waste, composting](#)
- [Illegal dumping](#)
- [Information for teachers](#)
- Solid Waste Management Plan

The website also provides external links to other web resources such as the [Grays Harbor Reusable Materials Exchange](#), which is affiliated with the 2Good2Toss program.

10.2 Other Outreach & Education Resources

LeMay Grays Harbor

[LeMay Grays Harbor](#) also provides a basic informational website that includes links to other web-based information resources.

Washington State Department of Ecology

The Washington State Department of Ecology (ECY) provides a [Waste & Toxics](#) webpage focusing extensively on:

- [Household Waste & Toxics](#)
- [Business Waste](#)
- [Nuclear Waste](#)
- [Reducing & Recycling Waste](#)
- [Reducing Toxic Chemicals](#)
- [Solid Waste & Litter](#)

A particularly useful tool provided by ECY for the public is the [Washington's 1 800 Recycle Database](#). This site provides commercial and residential recyclers by county for a wide range of materials that include: appliances, automotive products, batteries, building materials, business hazardous waste, electronics, glass, household hazardous waste, light bulbs, metals, paper, plastics, food and yard wastes, and other miscellaneous items.

11.3 Key Trends

- If the state returns to previous levels of funding for solid waste grants, Grays Harbor County will be in position to resume a more active education and outreach program.
- Recycling education and outreach will be especially important for county citizens in the future to address changing markets for products and avoiding product contamination. Programs need to be fresh, active, and flexible to respond to the changes within the recycling environment.
- There are a multitude of sites on the web that provide information about waste diversion. These sites provide a valuable resource for developing more locally oriented information resources.

11.4 Education and Outreach Management Actions

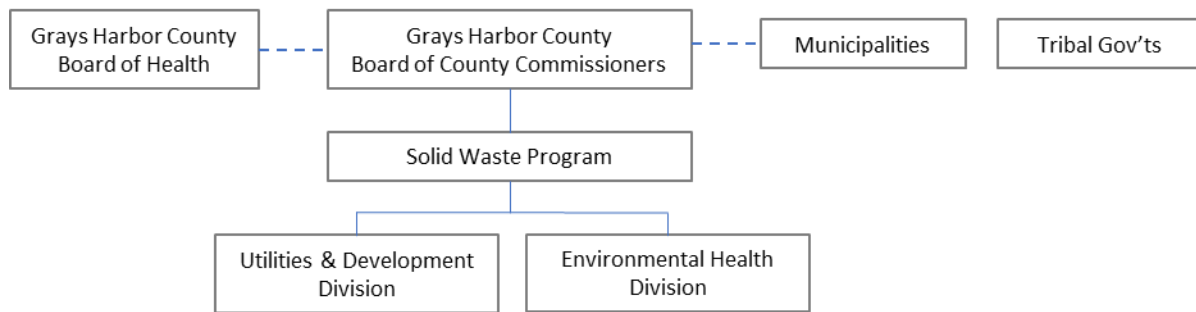
- A. As funding becomes available, provide staff to implement and provide outreach and education programs.

- B. The Solid Waste Program will continue to promote recycling public education and information programs. The program will also explore new partnerships and techniques to deliver programs throughout the county.
- C. The SWAC will support an outreach program aimed at educating the public about proper disposal of prescription medications.
- D. The county will incorporate proper waste tire handling into the waste reduction and recycling educational program.
- E. The SWAC and the Solid Waste Program will explore and implement partnerships with other local agencies and organizations for delivering of outreach and education programs.
- F. The county will continue to encourage the reuse, conversion, and proper disposal of CDL waste through the educational component of the waste reduction and recycling plan.
- G. The county will maintain updated lists on its Solid Waste Program website of private firms that recycle or reuse white goods.
- H. Emphasize the importance of avoiding potential contamination of recyclables through education and outreach programs.
- I. Improve public awareness of moderate risk wastes in homes and businesses and educate on less toxic alternatives.
- J. Monitor the latest recycling opportunities and update the county's solid waste management website.
- K. Collaborate with other agencies, organizations, and the faith community to increase education and outreach resources.
- L. Include recycling, reuse, and MRW education and outreach materials and programs in Spanish.
- M. Share information with visitors about which products are recycled locally and their proper disposal.
- N. Develop and implement a Contamination Reduction and Outreach Plan (CROP) as required under the state's 2019 Sustainable Recycling Act for inclusion in the county's solid waste management plan. The CROP should be completed and adopted by the county by July 1, 2021 as required under [RCW 70.95.090\(10\)](#).

Section 11. Administration

Solid waste management programs in the county is a public-private partnership shared by Grays Harbor County, the municipalities, and the private sector.

Grays Harbor County Solid Waste Management Programs



11.1 Grays Harbor County

Board of County Commissioners

The Board of County Commissioners (BoCC) are responsible for adopting ordinances, plans, and policies as well as executing contracts with private entities regarding solid waste services within the county's jurisdiction.

The BoCC also acts as the county's Board of Health under [RCW 70.05.030](#). In this capacity, the board is responsible for protecting public health from the potential dangers of inappropriate management of solid waste through the local health officer's authority to enforce state and local public health statutes, rules and regulations. The board adopts and enforces local solid waste handling requirements through the authority of the local health officer.

Department of Public Services

The Department of Public Services oversees administrative and planning aspects of solid waste under the county's purview. The Utilities and Development Division provides:

- Coordination of solid waste management planning with the municipalities and the Solid Waste Advisory Committee (SWAC);
- Preparation of the Solid Waste Management Plan;
- Supervision of the contractual relationship with LeMay Enterprises, Inc.;

- Management of county solid waste facilities at the Grays Harbor County Transfer Station, including the Household Hazardous Waste Facility and used-oil collection facilities;
- Preparation and oversight of solid waste budget and funds;
- Promotes solid waste information, education, and technical assistance to the public and businesses; and
- Enforcement of county solid waste regulations not under the authority of local health officer.

The Environmental Health Division is the “regulatory arm” for solid waste management by providing annual permitting and enforcement of the solid waste handling standards through the authority of the local health officer. Division staff also provide technical assistance to the Solid Waste Advisory Committee.

Together, both divisions serve as co-managers for the Solid Waste Program.

Solid Waste Advisory Committee

The Grays Harbor County Solid Waste Advisory Committee (SWAC) is a requirement under RCW 70.95.165 (3). The purpose of this committee is to:

- Assist in the development of programs and policies concerning solid waste handling and disposal; and
- Comment upon proposed rules, policies, or ordinances before their adoption by the BoCC.

The SWAC by state law must have a minimum of nine members appointed by the BoCC and must have a wide representation interests including, but not limited to, citizens, public interest groups, business, the waste management industry, agriculture, and local elected public officials.

The SWAC meets regularly to discuss current solid waste issues and to periodically amend, update, or revise the Solid Waste Management Plan.

11.2 Municipalities

RCW 70.95.080 assigns solid waste planning authority to each county in cooperation with the cities in that county. The nine cities in Grays Harbor County continue to participate in the development and adoption of a county-wide plan for solid waste management.

Each city also administers its own solid waste program by contracting for private collection services for solid waste and recyclables. All collected solid waste and recyclables go to the Grays Harbor County Transfer Station for disposal. Enforcement of solid waste regulations, such as provisions for mandatory collection, litter control, and illegal dumping, are the responsibility of each municipality.

The Cities of Aberdeen, Cosmopolis, McCleary, Ocean Shores, and Westport offer their residents annual one- or two-day spring clean-up days at no charge. McCleary relies on containers within the city while the other communities have their residents self-haul to the Grays Harbor County Transfer Station.

11.3 Tribal Governments

Both the Quinault Indian Nation (QIN) and the Confederated Tribes of the Chehalis Reservation are responsible for solid waste management programs on their reservations. QIN maintains its own solid waste collection service within the villages of Taholah and Queets but relies on the Grays Harbor County Transfer Station for disposal. Solid waste collected by LeMay Enterprises on the Chehalis Reservation goes to the Lewis County Transfer Station in Centralia.

Both tribal governments receive financial and technical assistance from the US Environmental Protection Agency and the Indian Health Service for solid waste management on their reservations.

While both tribal governments may cooperate with Grays Harbor County in solid waste management programs, they are self-governing and operate independent of the Solid Waste Management Plan.

11.4 Administration Management Actions

- A. Maintain staffing for the Solid Waste Program through the Department of Public Services to plan, administer contracts, manage, and enforce the solid waste and recycling systems.
- B. The Solid Waste Advisory Committee and the Solid Waste Program annually will evaluate its compliance with planning requirements under state law.
- C. Recruit membership to the Solid Waste Advisory Committee from the municipalities, citizens, agriculture, business, and solid waste and recycling industries.
- D. Review and amend, if necessary, the Solid Waste Advisory Committee by-laws.

- E. Municipalities shall monitor their solid waste programs to ensure compliance with the Solid Waste Management Plan.

Section 12. Solid Waste Funding

Washington State law, Grays Harbor County, the nine cities, the Washington State Utilities and Transportation, Commission (WUTC), the Washington Department of Ecology, and private collection contractors collectively play a vital role in funding facets of solid waste management within the county.

12.1 State Law

State law provides the legal framework for funding solid waste in counties and cities. Table 22 summarizes the state statutes used by Grays Harbor County and the cities to fund solid waste management within their jurisdictions. These laws allow for the setting of rates and charges for collection and use of the Grays Harbor County Transfer Station by the public and private contractors. For the nine municipalities in the county, it also allows them to set collection rates for residential and commercial services.

Table 22: State Statutes

Statute	Description
RCW 36.58.040	<ul style="list-style-type: none"> • Gives the county jurisdiction to: <ul style="list-style-type: none"> ▪ Construct, purchase, or contract for the solid waste systems or facilities ▪ Establish rates and charges, ▪ Award contracts for solid waste handling that include collection of county fees
RCW 36.58.045	<ul style="list-style-type: none"> • Allows the county to levy fees on the collection of solid waste in unincorporated areas of the to fund solid waste administration and planning expenses
RCW 70.95.180	<ul style="list-style-type: none"> • Give the county authority to collect permit fees on solid waste facility permits
RCW 35.211.130	<ul style="list-style-type: none"> • Allows each city to: <ul style="list-style-type: none"> ▪ Require property owners and occupants to use the solid waste collection ▪ Set rates for solid waste collection

The WUTC, under the authority of RCW 81.77.030, also plays an important role in setting collection rates in certificate issued areas. This statute only affects collection rates paid by unincorporated residents subscribing to collection services through LeMay Enterprises, Inc.

12.2 Grays Harbor County

Grays Harbor County's primary functions in solid waste management focuses on providing countywide planning and coordination, contracting with LeMay Enterprises, Inc. to provide the Grays Harbor County Transfer Station, operating recycling and moderate risk programs, and providing education and outreach to community.

Revenues for these county efforts come from two primary sources: tipping fees collected through the Grays Harbor County Transfer Station and grants from the Washington State Department of Ecology. County financial management for these programs is through the Solid Waste Plan Fund 401.

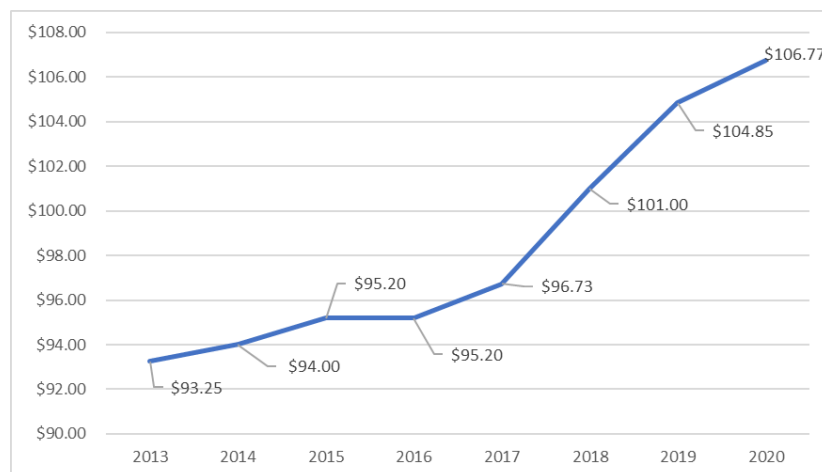
Tipping Fees

LeMay Enterprises, Inc. owns, operates, and maintains the Grays Harbor County Transfer Station through a contract with Grays Harbor County. This contract established a base per-tonnage tipping fee that covers the cost of LeMay Enterprises operation of the Grays Harbor County Transfer Station, recycling programs at the station, and exporting and disposing of wastes at Waste Connection's Oregon landfills. The contract allows for annual rate adjustments keyed to the Consumer Price Index and other considerations, such as the rise or fall in fuel prices.

As of January 2020, the total tipping fee at the Grays Harbor County Transfer Station is \$106.77 per ton for municipal solid waste. Operation, transfer, and disposal costs constitute 81% or \$86.83 of the total tipping fee. The tipping fee also covers the county's administrative solid waste management responsibilities. These include salaries and program expenses in both the Solid Waste and Environmental Health Divisions. The county's administrative costs comprise approximately 19% or \$19.94 of the total fee.

From 2013 to 2017, tipping fees increased by an average of only 0.9% annually. The county maintained this low rate artificially by absorbing increased costs within its share of the budget. By 2018, however, the county recognized that it was failing to keep up with growing expenses. These included matching increases in the Consumer Price Index, covering the jump in fuel prices, and replenishing the Aberdeen Landfill closure fund to continue treating leachate and making costly repairs.

Figure 5: Grays Harbor County Transfer Station Tipping Fees, 2013-2019



After 2017, annual increases in tipping fees have been 4.4% in 2018, 3.8% in 2019, and 1.8% in 2020, or an annual average of 3.4% during this period. If tipping fees continue to rise by 3.4% annually, the per tonnage rate will reach approximately \$126.20 by January 2025.

Table 23: Projected Tipping Fees, 2020 - 2025

	2020 Actual	2021	2022	2023	2024	2025
Tipping Fee	\$106.77	\$110.40	\$114.15	\$118.04	\$122.05	\$126.20

Special wastes, such as white goods, tires, and asbestos, also have assigned rates per unit.

Table 24: Transfer Station Rates for Special Wastes, 2020

Description	Rate	Charged by	Minimum
Asbestos	\$95.31	Cubic Yard	\$95.31
Refrigerator	\$33.85	Each	\$33.85
Garbage	\$106.77	Tons	\$10.68*
Rims	\$1.70	Each	\$1.70
Tires -Large	\$11.85	Each	\$11.85
Tires-Regular	\$2.82	Each	\$2.82

Grants

There are two grant programs through the Washington Department of Ecology that play a vital role in funding solid waste programs in rural Grays Harbor County. The [Local Solid Waste Financial Assistance](#)¹³ and the [Community Litter Cleanup Programs](#) provide a significant financial resource for maintaining a variety of local programs and educational and outreach efforts.

The purpose of the Local Solid Waste Financial Assistance (LSWFA) program is to:

- Provide financial assistance for local solid and hazardous waste planning.
- Promote regional solutions and intergovernmental cooperation for eligible projects.
- Promote efficient implementation of programs contained in local solid and hazardous waste management plans.
- Help local governments prevent or minimize environmental contamination through compliance with state and local solid and hazardous waste laws and rules. Compliance includes the enforcement of rules and regulations promulgated under chapter 70.95 Revised Code of Washington (RCW)

¹³ The title for this program in previous years was "Coordinated Prevention Grants."

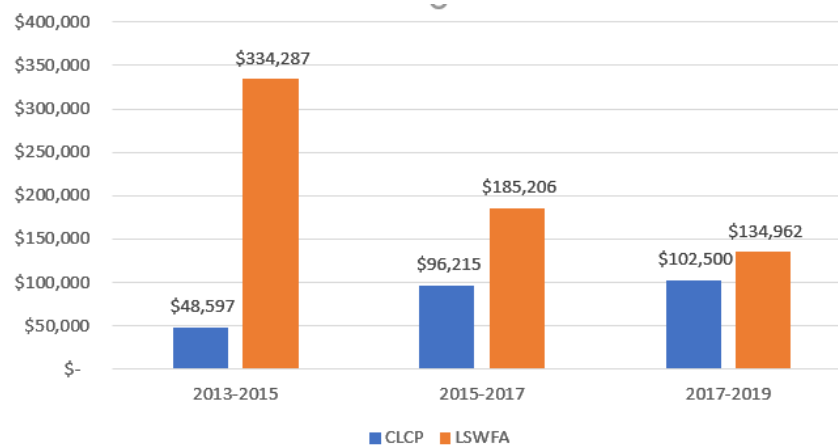
Ecology awards LSWFA funding to counties under this program on a biennial basis, which runs from July 1 to June 30 over a two-year span. The program is not entirely a grant; the county must cover 25% of the reimbursable costs submitted under an Ecology-approved contract. The Washington State Legislature sets the total amount of funds available for the program. The 2017 – 2019 allocation to the county was \$70,327.

Community Litter Cleanup Program (CLCP) grants cover a wide range of costs related to litter control, disposal, and education and outreach. Ecology awards funds to counties on a funding formula based on geographic and demographic factors as well as an efficiency and effectiveness criteria. Like the LSWFA program, CLCP awards are on a biennial basis.

These grants are particularly important for all of Grays Harbor County residents; they cover expenses associated for programs beyond operating the Grays Harbor County Transfer Station, such as solid waste planning, the Household Hazardous Waste Facility, oil recycling, reuse programs, and education and outreach.

In recent years, while available funding for CLCP grants have increased, it has declined for the LSWFA program. Figure 6 compares Ecology awards to Grays Harbor County for the CLCP and LSWFA programs over the last three biennia.

Figure 6: CLCP and LSWFA Funding to Grays Harbor County Over Last Three Biennium



Beginning with the 2015-2017, the state legislature slashed LSWFA funding amounts for counties and directed these funds to other programs. Awards decreased even further the following biennium. To date, there has been no substantive increase in LSWFA funding.

The reduced budgets under LSWFA has significantly affected county programs by forcing a reduction in services. This has been most noticeable in reduced hours for keeping the HHW Facility open and cutbacks in outreach and education programs.

Aberdeen Post Closure Fund

When the Aberdeen Landfill closed in 1994, there was a \$3 million post closure fund established to cover closure, monitoring, and maintenance costs anticipated for a 30-year period. The county controls this funding through a dedicated fund, the Aberdeen Landfill Post Closure Fund #117. As of January 2020, this fund has a balance of approximately \$892,000.

However, site conditions at the closed landfill necessitate continued monitoring and maintenance into the foreseeable future. Annual costs associated with leachate management and other general maintenance will require preservation of the post closure fund.

Although currently there are no anticipated major capital expenses associated with the landfill, the county aims to maintain a fund balance of \$1 million in the event of future needs. Investments aid in sustaining the fund, but during those times when interest rates are low, the county will need to periodically subsidize the fund through its 15% administrative share of the tipping fee.

Projected 20-Year Fiscal Goals for Capital Facilities and Programs

The current structure of the county solid waste program primarily relies on the private sector to own and finance major capital facilities. However, the county's primary focus will be to ensure adequate reserve funding is available for capital expenditures and operational costs related to the closed Aberdeen landfill.

If state grant funding increases over the next 20 years, the county also will pursue expanding its education and outreach program and expanding the operation of its Moderate Risk Waste Facility.

12.3 Municipalities

Solid waste management in the county's nine cities primarily center on commercial and residential collection services, litter control, and occasionally other special collection events.

Each city independently funds its own solid waste management program by setting collection rates within their jurisdiction. Their rates reflect the cost of contracting LeMay Enterprises, Inc. or Hometown Sanitation LLC for collection and recycling services, and disposal at the Grays Harbor County Transfer Station as well as covering associated administrative and supplemental program costs.

12.4 Washington Utilities and Transportation Commission (WUTC)

Within unincorporated Grays Harbor County, the WUTC sets rates for LeMay Enterprises, Inc. to provide residential and commercial collection services. The WUTC relies on the Lurito-Gallagher Methodology to determine rate structures. This methodology examines a company's rate structure to ensure it is "fair, just, reasonable, and sufficient."¹⁴ The model uses the test period adjusted expenses and average investment to calculate the revenue required to recover these expenses and allow a return on invested capital. The return component is an operating ratio.

12.5 Six-Year Capital Improvement Plan

Disposal-Related Capital Facilities

Solid waste management in Grays Harbor County relies on the private sector to fund and finance large capital improvements, such as the newly constructed Grays Harbor Transfer Station owned and operated by LeMay Enterprises. The rate structure built within the solid waste agreement between LeMay Enterprises, Inc. and the county covers the cost of building, operating, and maintaining the facility.

The Grays Harbor County Solid Waste Department does own a limited number of containers and equipment related to used motor oil-recycling and operation of the Household Hazardous Waste Facility. Currently, the county's only anticipated capital expenditure is to replace two of the used motor oil-recycling containers within the next six years at cost of around \$5,000.

Collection-Related Capital Facilities

The municipalities have negotiated collection contracts with LeMay Enterprises and Hometown Sanitation. Each contractor owns, operates, and maintains their own capital equipment and facilities associated with their collection contracts. Similarly, LeMay Enterprises serve residents in the unincorporated areas of the county under WUTC Certificate G000098.

The rate structures incorporated within each municipal contract and the WUTC certificate allows these contractors to adequately fund their capital costs.

¹⁴ [Cost Assessment Guidelines for Local Solid Waste Management Planning, 2001](#)

12.6 Key Trends

- To keep tipping fees at the Grays Harbor County Transfer Station affordable for county residents and businesses, grants will be an important factor in funding public outreach and education programs.
- Tip fees at the Grays Harbor County Transfer Station need to reflect the actual costs of operating the solid waste management program, including maintaining closed facilities such as the former Aberdeen Landfill.

12.7 Solid Waste Funding Management Actions

- A. Continue to rely on the private sector to fund and finance large capital projects for the county solid waste system.
- B. Inform state legislators of the importance of increasing Local Solid Waste Financial Assistance funding for rural counties.
- C. Pursue grant funding from governmental and non-governmental entities for projects that implement the solid waste management plan.

Section 13. Five-Year Implementation Program

The Grays Harbor County Solid Waste Program will implement a series of Management Actions within the Solid Waste Management Plan during the county's fiscal years of January 2020 through December 2024.

Most of the Management Actions in the plan are either on-going actions implemented by the Solid Waste Program or associated with the annual review by the Solid Waste Advisory Committee (see below). However, there are a few Management Actions in the plan slated for future implementation, if staffing resources and funding become available. Table 25 on the next page provides a comprehensive chapter list of the Management Actions within the plan.

13.1 Ongoing Program Delivery Evaluation

The Solid Waste Program staff in the Utilities & Development and Environmental Health Divisions have the responsibility to track and evaluate some Management Actions on a continuous basis. They will serve as the “first stop” in identifying and resolving program issues as they arrive. They will consult monthly with the Solid Waste Advisory Committee on any potential issues that require substantive changes to the Solid Waste Program or deviation from the Solid Waste Management Plan.

13.2 Annual SWAC Review

The Solid Waste Advisory Committee (SWAC) plays a key leadership role in the implementation process by regularly assessing the performance of the solid waste program in relation to the plan, developing recommendations for increasing its effectiveness, and serving as a communication channel with the municipalities and all county citizens.

While the SWAC meets monthly to discuss ongoing program matters and to stay abreast of current local, state, and nation solid waste management topics, they will devote their September and October meetings to conducting an annual evaluation of the Solid Waste Management Plan. Table 25 identifies those Management Actions the SWAC specifically will rely upon to evaluate plan progress.

As part of their annual review, SWAC members will:

- ▶ Evaluate whether the plan is functioning as intended by examining specific Management Actions;
- ▶ Consider and make recommendations for changes to increase program effectiveness;

- ▶ Identify emerging issues that they intend to review over the following year; and
- ▶ Work with Solid Waste Program staff to amend the plan as needed.

13.3 New Program Efforts

The SWAC has identified several new programs they would like to pursue in the future if funding and resources become available. Because of current funding uncertainties with the Local Solid Waste Financial Assistance (LSWFA), these are optional efforts that may or may not occur over the five-year planning cycle. However, these new programs remain a priority for the Solid Waste Program and will remain on their agenda just in case a change in funding occurs or new resources become available.

13.4 Implementation Actions and Schedule

Table 25: Implementation Schedule for SWMP Management Actions

Management Actions	Implementation Timeframe		
	On-going Program Delivery	Annual SWAC Evaluation	New Program Year(s)
Section 3. Waste Generation			
A. The Solid Waste Advisory Committee will review solid waste tonnage from the Grays Harbor Transfer Station annually to analyze impacts to planning and management.		✓	
Section 4. Waste Collection and Disposal			
A. Continue to monitor the contractual and management provisions in existing operating agreements and permits with all solid waste handling facility operators in the county.		✓	
B. The county will monitor solid waste collection programs in the county to evaluate success in meeting the plan objectives.		✓	
C. Continue to evaluate the solid waste service needs of growing areas of the county.		✓	
D. The Solid Waste Program and the contracted service provider will monitor the long-term transfer capacity of the system.	✓		
E. Operate the transfer station as a self-supporting enterprise in accordance with 173-350 WAC. Continue to structure user fees at the existing transfer station to cover all costs.	✓		
F. The Environmental Health Division will continue to permit, inventory, assess solid waste handling facilities regarding their operations and long-term capacity.	✓		

Management Actions	Implementation Timeframe		
	On-going Program Delivery	Annual SWAC Evaluation	New Program Year(s)
G. The Solid Waste Advisory Committee and the Solid Waste Program will monitor county or regional discussions or proposals regarding the study and, or siting of all solid waste handling facilities.		✓	
H. The Environmental Health Division will continue to identify and track existing and past sites; inventory and assess for public health threats.	✓		
I. The Solid Waste Division will continue to adequately provide financial assurance for post-closure activities at the Aberdeen landfill to protect public and environmental health.	✓		
Section 5. Waste Diversion			
A. The SWAC will regularly review recycling market conditions and update its list of designated recyclables collected through comingled or drop-box programs.	✓		
B. The Solid Waste Advisory Committee will continue to explore new ways to expand sustainable recycling opportunities and programs for the public.	✓		
C. The county encourages recycling and reuse through the educational component of the waste reduction and recycling plan.	✓		
D. The county will provide information through its website about the recycling and reuse of white goods and e-wastes.	✓		
E. Incorporate flexibility in curbside recycling programs to accommodate changes in the recycling market to determine which materials to collect or discontinue.	✓		
F. The county will continue to work in cooperation with the WSU Extension, Master Gardener Program to promote backyard composter training, and education to the public and school districts.	✓		
G. The county will explore the possibility of adding a yard waste program.		✓	
H. Encourage the use of economically sustainable organics in energy facilities.			2020-2022
Section 6. Special Wastes			
A. Support private haulers of medical waste collection by maintaining updated lists of firms on its Solid Waste Program website.	✓		
B. Encourage public participation in the Drug Take-Back Program for pharmaceuticals as required under state law.	✓		
C. The Solid Waste Advisory Committee and the Solid Waste Program will monitor county or regional discussions or proposals regarding the study and/or siting of wood waste landfills.		✓	

Management Actions	Implementation Timeframe		
	On-going Program Delivery	Annual SWAC Evaluation	New Program Year(s)
D. The SWAC may request technical assistance from the Department of Ecology to learn about opportunities for wood waste reduction and reuse.			2021-2024
E. Encourage the use of wood waste in cogeneration and renewable energy for fuels.			2021-2024
F. The Environmental Health Division will continue to identify, track, and monitor existing and past wood waste sites.		✓	
G. The county encourages the use of the Waste Tire Removal Account for sites that contain more than 800 waste tires.	✓		
H. The county will allow the piling of waste tires only under permit per WAC 173-350-350. The county may require financial assurances to ensure post-closure clean-up.	✓		
I. The Environmental Health Division will review annually with designated industrial entities their waste and sludge disposal programs.	✓		
J. The Environmental Health Division will continue to monitor and regulate industrial facility activities through the Environmental Health Division	✓		
K. The Environmental Health Division will request technical assistance from the Department of Ecology for removal of contaminated soils.	✓		
L. LeMay is contractually obligated to provide a backup system for transfer and disposal should there be a disaster, i.e., earthquake or flood. In the past, if a disaster has caused waste that could be classified as a health hazard, the BOCC may pass a resolution on a case-by-case basis, paying the tipping fees at the Grays Harbor Transfer Station. LeMay would be reimbursed for cost of services provided.	✓		
M. The county may make free disposal options available to the public during periods of a declared emergency to ensure public health.	✓		
N. Initiate planning efforts for identifying strategic sites for interim solid waste storage in the event of a disaster occurrence that prevents access to the Grays Harbor Transfer Station.			2020-2024
O. Work with the agricultural community to develop an environmentally safe livestock disposal program in the event of major losses occurring from a natural disaster.			2020-2024
Section 7. Moderate Risk Wastes			
A. Encourage increases in state funding through the Local Solid Waste Financial Assistance to support expanded hours for the Moderate Risk Waste Facility at the Grays Harbor Transfer Station.		✓	

Management Actions	Implementation Timeframe		
	On-going Program Delivery	Annual SWAC Evaluation	New Program Year(s)
B. Explore management options for preventing contaminants from entering oil collection facilities.			2020-2024
C. Continue accepting asbestos wastes at the Grays Harbor Transfer Station in accordance with state regulations.	✓		
Section 9. Enforcement			
A. Continue enforcement to reduce dumping on public and private property.	✓		
B. Grays Harbor County and the municipalities will continue to earmark funding within their annual budget for abatements and illegal dumping enforcement within their jurisdictions.	✓		
C. Support volunteer litter control programs.	✓		
D. The county may provide assistance for the removal of abandoned vehicles through the Junk Vehicle Verification, Notification, and Affidavit (Hulk Slip) program.	✓		
E. Strengthen and review countywide litter control activities		✓	
Section 10. Education & Outreach			
A. As funding becomes available, provide staff to implement and provide outreach and education programs.			2021-2024
B. The Solid Waste Program will continue to promote recycling public education and information programs. The program will also explore new partnerships and techniques to deliver programs throughout the county.	✓		
C. The SWAC will support an outreach program aimed at educating the public about proper disposal of prescription medications.			2020-2024
D. The county will incorporate proper waste tire handling into the waste reduction and recycling educational program.			2020-2024
E. The SWAC and the Solid Waste Program will explore and implement partnerships with other local agencies and organizations for delivering of outreach and education programs.			2020-2024
F. The county will continue to encourage the reuse, conversion, and proper disposal of CDL waste through the educational component of the waste reduction and recycling plan.	✓		
G. The county will maintain updated lists on its Solid Waste Program website of private firms that recycle or reuse white goods.			2020-2024
H. Include recycling, reuse, and MRW education and outreach materials and programs in Spanish.			2020-2024

Management Actions	Implementation Timeframe		
	On-going Program Delivery	Annual SWAC Evaluation	New Program Year(s)
I. Emphasize the importance of avoiding potential contamination of recyclables through education and outreach programs.	✓		
J. Improve public awareness of moderate risk wastes in homes and businesses and educate on less toxic alternatives.	✓		
K. Monitor the latest recycling opportunities and update the county's solid waste management website.	✓		
L. Collaborate with other agencies, organizations, and the faith community to increase education and outreach resources.			2021-2024
M. Develop and implement a Contamination Reduction and Outreach Plan as required under the state's 2019 Sustainable Recycling Act for inclusion in the county's solid waste management plan. The CROP should be completed and adopted by the county by July 1, 2021 as required under RCW 70.95.090(10).			2021
Section 11. Administration			
A. Maintain staffing for the Solid Waste Program through the Department of Public Services to plan, administer contracts, manage, and enforce the solid waste and recycling systems.	✓		
B. The Solid Waste Advisory Committee and the Solid Waste Program annually will evaluate its compliance with planning requirements under state law.		✓	
C. Recruit membership to the Solid Waste Advisory Committee from the municipalities, citizens, agriculture, business, and solid waste and recycling industries.		✓	
D. Review and amend, if necessary, the Solid Waste Advisory Committee by-laws.		✓	
E. Municipalities shall monitor their solid waste programs to ensure compliance with the Solid Waste Management Plan.	✓		
Section 11. Administration			
A. Continue to rely on the private sector to fund and finance large capital projects for the county solid waste system.	✓		
B. Inform state legislators of the importance of increasing Local Solid Waste Financial Assistance funding for rural counties.		✓	
C. Pursue grant funding from governmental and non-governmental entities for projects that implement the solid waste management plan.	✓		

Section 14. SWMP Amendments, Updates, & Revisions

Keeping the SWMP up-to-date is essential for effective program delivery, informed policy decisions, and grant eligibility. The Department of Ecology planning guidelines for solid waste management plans specify three procedures for plan maintenance: amendments, updates, and revisions.

14.1 SWMP Amendments

Amendments are changes made to the SWMP within the six-year planning cycle. Typically, these are minor adjustments to the plan such updating planning information, changing the list of designated recycled commodities, or adding emphasis to an existing management action to target grant funding.

Amendments do not create major structural changes to the county's solid waste program. Furthermore, a plan amendment does not alter the five-year requirement for review and update. The following procedures guide the amendment process:

1. Proposed amendments to the plan may originate from either the Solid Waste Program co-managers or the SWAC.
2. The SWAC will be responsible for reviewing all proposed amendments and forwarding a recommendation to the BoCC.
3. Upon receiving the SWAC recommendation, the BoCC may approve, approve with changes, disapprove, or remand it back to the SWAC for further consideration.
4. The county shall forward all approved amendments to the Department of Ecology within 45 days of adoption.

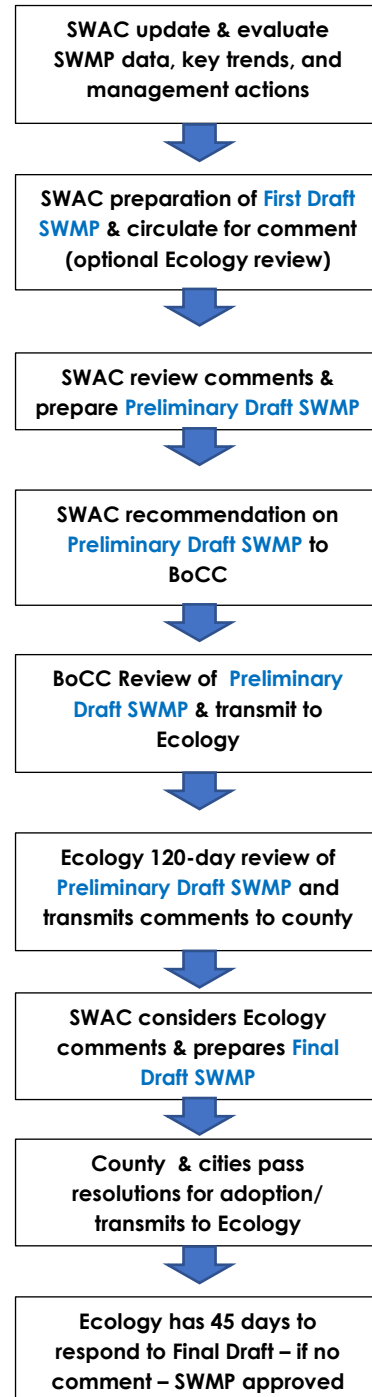
14.2 SWMP Updates

[RCW 70.95.110](#) requires solid waste management plans to undergo review and update every five years. This review process should begin far enough in advance to ensure an updated plan is in place at the beginning of year 6. For the next planning cycle, the county must adopt the updated SWMP by January 1, 2026.

The update process provides the county an opportunity to review the entire solid waste program holistically. This may include reviewing data on county waste generation, collection and diversion; evaluating progress in achieving SWMP management actions; analyzing changes in county social and economic conditions; and integrating changes related to new local and state laws.

The following planning process steps described below is a general guide for updating the SWMP.

1. Solid Waste Program staff and the Solid Waste Advisory Committee (SWAC) will:
 - a. Update or include new data critical for evaluating the program;
 - b. Identify past, current, and future key trends in county, state, and regional solid waste management; and
 - c. Develop management actions that respond to trends and achieve the program's mission statement.
2. County Solid Waste Program staff will prepare a first draft SWMP with a Washington Utilities and Transportation (WUTC) Cost Assessment Form for review by the SWAC, the cities, and the public.
3. An optional informal review of the first draft SWMP by staff at the Department of Ecology (ECY) Solid Waste Management Program is beneficial for identifying and resolving potential issues before submittal of the preliminary draft.
4. County Solid Waste Program staff will incorporate appropriate changes based on the comments received on the first draft. This version of the document now becomes the preliminary draft.
5. The SWAC must prepare a recommendation on the preliminary draft SWMP for consideration by the Board of County Commissioners (BoCC).
6. The BoCC will consider the SWAC recommendation and the preliminary draft SWMP. The BoCC may approve, approve with changes, or send it back to the SWAC for further consideration. Once the BoCC is satisfied with the preliminary draft SWMP, the county then forwards it to the Department of Ecology to initiate their formal review.



7. A preliminary draft SWMP package to submit to the Department of Ecology minimally must include the following additional items:
 - a. Transmittal letter requesting review of the preliminary draft;
 - b. Washington Utilities and Transportation (WUTC) Cost Assessment Questionnaire;
 - c. The interlocal agreement agreeing to joint solid waste planning through the SWMP;
 - d. SEPA checklist and threshold decision;
 - e. Minutes from the SWAC meeting recommending the preliminary draft SWMP to the BoCC for their consideration;
 - f. SWAC bylaws and list of participants.
8. Upon receipt, the Department of Ecology, the WUTC, and the Washington State Department of Agriculture have 120 days to review and provide comments on the preliminary draft.
9. The Department of Ecology will forward its comments on the preliminary draft to the county. The county will then consider the comments (there is no time limit imposed on the county) and prepare a final draft and a submittal package that includes all items in Step 8, with the addition of the following items:
 - a. Minutes from the meeting approving the final draft SWMP;
 - b. Resolutions by the county and the cities adopting the SWMP; and
 - c. A response summary to the comments to the preliminary draft.
10. There is a 45-comment period for the Department of Ecology to review the final draft SWMP and send notice to the county that it approves or denies the final draft. If the Department of Ecology does not respond, the final draft is approved.
11. If approved, there is no further action required of the county.

14.3 SWMP Revisions

A SWMP revision is necessary if there are unanticipated or significant changes in the operation and financial structure of the solid waste program at any time within the five-year planning cycle. The revision process mirrors the plan update process.

14.4 Update Management Action

- A. Initiate the SWMP update process in January 2025 to ensure adoption by January 1, 2026.

Appendix A. Definitions

[A](#) | [B](#) | [C](#) | [D](#) | [E](#) | [F](#) | [G](#) | [H](#) | [I](#) | [L](#) | [M](#) | [O](#) | [P](#) | [R](#) | [S](#) | [T](#) | [U](#) | [W](#) | [Y](#) |

A

[TOP](#)

Agricultural wastes

Wastes on farms resulting from the raising or growing of plants and animals including, but not limited to, crop residue, manure and animal bedding, and carcasses of dead animals weighing each or collectively in excess of fifteen pounds.

B

[TOP](#)

Best management practices (BMP)

Best management practices are effective, practical, structural or nonstructural methods that prevent or reduce the movement of sediment, nutrients, pesticides and other pollutants from the land to surface or ground water, or which otherwise protect water quality from potential adverse effects of land use activities.

Biomedical waste

Waste that contains infectious material or material that's potentially infectious. This definition includes waste generated by healthcare facilities like physician's offices, hospitals, dental practices, laboratories, medical research facilities, and veterinary clinics.

Biosolids

Municipal sewage sludge that is a primarily organic, semisolid product resulting from the wastewater treatment process, that can be beneficially recycled and meets all applicable requirements under chapter 173-308 WAC, Biosolids management. Biosolids includes a material derived from biosolids and septic tank sludge, also known as septage, that can be beneficially recycled and meets all applicable requirements under chapter 173-308 WAC, Biosolids management.

Board of County Commissioners (BoCC)

The three elected officials that govern Grays Harbor County. Each commissioner is elected to a four-year term.

C

[TOP](#)

Capital improvement plan (CIP)

A capital improvement plan (CIP), or capital improvement program, is a short-range plan, usually four to ten years, which identifies capital projects and equipment purchases, provides a planning schedule, and identifies options for financing the plan.

Closure

Those actions taken by the owner or operator of a solid waste handling

facility to cease disposal operations or other solid waste handling activities, to ensure that all such facilities are closed in conformance with applicable regulations at the time of such closures and to prepare the site for the post-closure period.

Closure plan

A written plan developed by an owner or operator of a facility detailing how a facility is to close at the end of its active life.

Comingled-recycling

Comingled-recycling refers to a system in which all paper fibers, plastics, metals, and other containers are mixed in a collection truck, instead of being sorted by the depositor into separate commodities, such as newspaper, paperboard, corrugated fiberboard, plastic, glass, etc., and handled separately throughout the collection process.

Compost

The controlled biological decomposition of organic material or the product resulting from such a process.

Conditionally exempt small quantity generator (CESQG)

A dangerous waste generator whose dangerous wastes are not subject to regulation under chapter 70.105 RCW, Hazardous waste management, solely because the waste is generated or accumulated in quantities below the

threshold for regulation and meets the conditions prescribed in WAC 173-303-070 (8)(b).

Conditionally exempt small quantity generator (CESQG) waste

Dangerous waste generated by a conditionally exempt small quantity generator.

Construction, demolition, & land-clearing debris (CDL)

Waste that is generated from construction related activities and may include organic and non-organic materials, some of which may be reclaimed, reused or recycled.

Consumer Price Index (CPI)

A measure of the average change over time in the prices paid by urban consumers for a market basket of consumer goods and services.

Container

A portable device used for the collection, storage, and/or transportation of solid waste including, but not limited to, reusable containers, disposable containers, and detachable containers.

Contaminant

Any chemical, physical, biological, or radiological substance that does not occur naturally in the environment or that occurs at concentrations greater than natural background levels.

Contaminate

The release of solid waste, leachate, or gases emitted by solid waste, such that contaminants enter the environment at concentrations that pose a threat to human health or the environment or cause a violation of any applicable environmental regulation.

Contaminated soils

Soils removed during the cleanup of a hazardous waste site, or a dangerous waste facility closure, corrective actions or other clean-up activities and which contain harmful substances but are not designated dangerous wastes.

D[TOP](#)**Dangerous wastes**

Any solid waste designated as dangerous waste by the department under chapter 173-303 WAC, Dangerous waste regulations.

Designated recyclable

Materials identified by the Solid Waste Advisory Committee for recycling.

Disaster debris management site

A location for the county will temporarily store, reduce, segregate, and/or process debris after a disaster before it is hauled to its final disposition.

Disposable containers

Containers that are used once to handle solid waste, such as plastic bags, cardboard boxes and paper bags.

E[TOP](#)**Electronic waste (E-waste)**

electronics that contain hazardous materials, such as cathode ray tubes, computer monitors, televisions.

Emergency Management Plan

An emergency management plan is a course of action developed to mitigate the damage of potential events that could endanger an organization's ability to function. Such a plan includes measures that provide for the safety of personnel and, if possible, property and facilities.

Energy recovery

The recovery of energy in a useable form from mass burning or refuse-derived fuel incineration, pyrolysis or any other of using the heat of combustion of solid waste that involves high temperature (above twelve hundred degrees Fahrenheit) processing.

F[TOP](#)**Facility**

All contiguous land (including buffers and setbacks) and structures, other appurtenances, and improvements on the land used for solid waste handling.

G[TOP](#)**Garbage**

Animal and vegetable waste resulting from the handling, storage, sale, preparation, cooking, and serving of foods.

Grays Harbor County Code (GHCC)

Codified ordinances and regulations adopted by the Grays Harbor County Board of County Commissioners that govern how the county government works.

Ground water

That part of the subsurface water that is in the zone of saturation.

I[TOP](#)**Incineration**

Reducing the volume of solid wastes by use of an enclosed device using controlled flame combustion.

Industrial solid wastes

Solid waste generated from manufacturing operations, food processing, or other industrial processes.

Inert waste

Solid wastes that meet the criteria for inert waste in WAC 173-350-990.

Inert waste landfill

A landfill that receives only inert wastes.

Intermodal facility

Any facility operated for the purpose of transporting closed containers of waste and the containers are not opened for further treatment, processing or consolidation of the waste.

L[TOP](#)**Land application site**

A contiguous area of land under the same ownership or operational control on which solid wastes are beneficially utilized for their agronomic or soil-amending capability.

Landfill

A disposal facility or part of a facility at which solid waste is permanently placed in or on land including facilities that use solid waste as a component of fill.

Leachate

Water or other liquid within a solid waste handling unit that has been contaminated by dissolved or suspended materials due to contact with solid waste or gases.

Limited purpose landfill

A landfill which is not regulated or permitted by other state or federal environmental regulations that receives solid wastes limited by type or source. Limited purpose landfills include, but are not limited to, landfills that receive segregated industrial solid waste, construction, demolition and land clearing debris, wood waste, ash (other

than special incinerator ash), and dredged material. Limited purpose landfills do not include inert waste landfills, municipal solid waste landfills regulated under chapter 173-351 WAC, Criteria for municipal solid waste landfills, landfills disposing of special incinerator ash regulated under chapter 173-306 WAC, Special incinerator ash management standards, landfills regulated under chapter 173-303 WAC, Dangerous waste regulations, or chemical waste landfills used for the disposal of polychlorinated biphenyls (PCBs) regulated under Title 40 CFR Part 761, Polychlorinated Biphenyls (PCBs) Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions.

Liquid

A substance that flows readily and assumes the form of its container but retains its independent volume.

Liquid waste

Any solid waste which is deemed to contain free liquids as determined by the Paint Filter Liquids Test, Method 9095, in Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, EPA Publication SW-846.

M

[TOP](#)

Materials and waste exchange program

Materials and waste exchange programs are systems for distributing, buying, or selling reusable and recyclable commodities. Some programs include warehouses that

advertise available commodities through printed catalogs, while others are simply Web sites that connect buyers and sellers. State and local governments coordinated some programs while others are wholly private, for-profit businesses. The exchanges also vary in terms of area of service and the types of commodities exchanged. In general, waste exchanges tend to handle hazardous materials and industrial process waste while materials exchanges handle nonhazardous items.

Municipal solid waste (MSW)

A subset of solid waste which includes unsegregated garbage, refuse and similar solid waste material discarded from residential, commercial, institutional and industrial sources and community activities, including residue after recyclables have been separated. Solid waste that has been segregated by source and characteristic may qualify for management as a non-MSW solid waste, at a facility designed and operated to address the waste's characteristics and potential environmental impacts. The term MSW does not include:

Dangerous wastes other than wastes excluded from the requirements of chapter 173-303 WAC, Dangerous waste regulations, in WAC 173-303-071 such as household hazardous wastes;

Any solid waste, including contaminated soil and debris, resulting from response action taken under

section 104 or 106 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. 9601), chapter 70.105D RCW, Hazardous waste cleanup – Model Toxics Control Act, chapter 173-340 WAC, the Model Toxics Control Act cleanup regulation or a remedial action taken under those rules; nor

Mixed or segregated recyclable material that has been source-separated from garbage, refuse and similar solid waste. The residual from source separated recyclables is MSW. Open burning the burning of solid waste materials in an open fire or an outdoor container without providing for the control of combustion or the control of emissions from the combustion.

Material recovery facility

Any facility that collects, compacts, repackages, sorts, or processes for transport source separated solid waste for the purpose of recycling.

Moderate risk waste (MRW)

Hazardous waste generated in small quantities, by households or businesses.

MRW facility

A solid waste handling unit that is used to collect, treat, recycle, exchange, store, consolidate, and/or transfer moderate risk waste. This does not include mobile systems and collection events or limited MRW facilities that

meet the applicable terms and conditions of WAC 173-350-360 (2) or (3).

[O](#)

[TOP](#)

Organics

Yard debris, land clearing and food waste material.

[P](#)

[TOP](#)

Permit

An authorization issued by the jurisdictional health department which allows a person to perform solid waste activities at a specific location and which includes specific conditions for such facility operations.

Pharmaceutical waste

Pharmaceutical waste includes expired, unused, spilt, and contaminated pharmaceutical products, drugs, vaccines, and sera that are no longer required and need to be disposed of appropriately. The category also includes discarded items used in the handling of pharmaceuticals, such as bottles or boxes with residues, gloves, masks, connecting tubing, and drug vials.

Pile

Any noncontainerized accumulation of solid waste that is used for treatment or storage.

Plan of operation

The written plan developed by an owner or operator of a facility detailing how a facility is to be operated during its active life.

Post-closure

The requirements placed upon disposal facilities after closure to ensure their environmental safety for at least a twenty-year period or until the site becomes stabilized (i.e., little or no settlement, gas production, or leachate generation).

Post-closure plan

A written plan developed by an owner or operator of a facility detailing how a facility is to meet the post-closure requirements for the facility.

Product stewardship

A policy which ensures that all those involved in the lifecycle of a product share responsibility for reducing its health and environmental impacts, with producers bearing the primary financial responsibility.

R[TOP](#)**Recyclable materials**

Those solid wastes separated for recycling or reuse, including, but not limited to, papers, metals, and glass, and identified as recyclable material pursuant to a local comprehensive solid waste plan.

Recycling

Transforming or remanufacturing waste materials into usable or marketable materials for use other than landfill disposal or incineration. Recycling does not include collection, compacting, repackaging, and sorting for the purpose of transport.

Reusable containers

Containers that are used more than once to handle solid waste, such as garbage cans.

Reuse

The return of a commodity into the economic stream for use in the same kind of application as before without a change to its identity.

Revised Code of Washington (RCW)

The compilation of all permanent Washington state laws now in force.

Rural areas

Areas within Grays Harbor County that lie outside of municipal boundaries. The term "unincorporated" also refers to rural areas

S[TOP](#)**Sludge**

Sludge is a semi-solid slurry that can be produced from a range of industrial processes, from water treatment,

wastewater treatment or on-site sanitation systems.

Solid waste or wastes

All putrescible and nonputrescible solid and semisolid wastes including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, sewage sludge, demolition and construction wastes, abandoned vehicles or parts thereof, contaminated soils and contaminated dredged material, and recyclable materials.

Solid Waste Advisory Committee (SWAC)

A Grays Harbor County appointed advisory group comprising nine volunteer members to review information and policy related to solid waste issues that provides feedback to staff and recommendations to the BOCC.

Source separation

The separation of different kinds of solid waste at the place where the waste originates.

Solid Waste Management Plan (SWMP)

A county document that identifies goals and policies for implementing, evaluating and modifying existing and future solid waste management programs as required by Washington State Public Health and Safety RCW 70.95.

T

[TOP](#)

Tipping fee

A charge levied upon a given quantity of solid waste received at the Grays Harbor Transfer Facility. The purpose of the fee is to offset the cost of receiving, transporting, and disposing of solid waste, including maintaining and eventually closing the facility.

Transfer station

A permanent, fixed, supplemental collection and transportation facility, used by persons and route collection vehicles to deposit collected solid waste from off-site into a larger transfer vehicle for transport to a solid waste handling facility.

Treatment

The physical, chemical, or biological processing of solid waste to make such solid wastes safer for storage or disposal, amenable for recycling or energy recovery, or reduced in volume.

U

[TOP](#)

Urban areas

Areas within the incorporated boundaries of the nine cities within Grays Harbor County.

Used motor oil

Used motor oil is oil that has been drained from the engine of a truck or vehicle, and then stored for reuse, recycling, or shipping offsite.

US Environmental Protection Agency (EPA)

An agency of the federal government that protects human health and the environment nationwide.

W

[TOP](#)

Washington Administrative Code

Administratively adopted, formally codified rules that define how state agencies implement the requirements of state laws (Revised Code of Washington).

Washington State Department of Ecology (ECY)

A department in the State of Washington that is tasked to protect, preserve and enhance Washington's environment, and promote the wise management of (the) air, land and water for the benefit of current and future generations.

Washington Utilities & Transportation Commission (WUTC)

A state agency that regulates the rates and services of private or investor-owned utility and transportation companies, including garbage haulers that have exclusive rights within defined areas of service.

Waste tires

Any tires that are no longer suitable for their original intended purpose because of wear, damage or defect. Used tires, which were originally intended for use

on public highways that are considered unsafe in accordance with RCW 46.37.425, are waste tires. Waste tires also include quantities of used tires that may be suitable for their original intended purpose when mixed with tires considered unsafe per RCW 46.37.425.

White goods

Discarded household appliances such as refrigerators, freezers, air conditioners, heat pumps, ovens, ranges, washing machines, clothes dryers and water heaters. Many white goods contain ozone-depleting refrigerants, mercury or compressor oils.

Wood waste

Solid waste consisting of wood pieces or particles generated as a by-product or waste from the manufacturing of wood products, construction, demolition, handling and storage of raw materials, trees and stumps. This includes, but is not limited to, sawdust, chips, shavings, bark, pulp, hogged fuel, and log sort yard waste, but does not include wood pieces or particles containing paint, laminates, bonding agents or chemical preservatives such as creosote, pentachlorophenol, or copper-chrome-arsenate.

Y

[TOP](#)

Yard debris

Plant material commonly created in the course of maintaining yards and gardens and through horticulture, gardening, landscaping or similar

activities. Yard debris includes, but is not limited to, grass clippings, leaves, branches, brush, weeds, flowers, roots, windfall fruit, and vegetable garden debris.

Appendix B. WUTC Cost Assessment

Plan prepared for the county of: Grays Harbor

Prepared by: Mark Cox, Director, Utilities and Development Division

Contact telephone: (360) 249-4222 Date: October 31, 2019

Definitions

Throughout this document:

- YR.1 shall refer to: 2020
- YR.3 shall refer to: 2023
- YR.6 shall refer to: 2026
- “Years” refer to calendar year (Jan 01 – Dec 31)

1. Demographics

1.1. Population

1.1.1. Total population of Grays Harbor County

Year 1: 74,160	Year 3: 74,368	Year 6: 74,681
----------------	----------------	----------------

1.1.2. Total unincorporated population under jurisdiction:

Year 1: 74,160	Year 3: 74,368	Year 6: 74,681
----------------	----------------	----------------

1.2. References and Assumptions

1.2.1. Medium series 2017 GMA projections by one-year intervals, OFM (average annual increase of 0.14%, applied to the 2019 OFM estimate)

1.2.2. All county municipalities are parties to the SWMP

2. Waste Stream Generation

2.1. Tonnage Recycled

2.1.1. Total tonnage recycled in the base year and projections for years 3 and 6

Year 1: 6,190	Year 3: 6,567	Year 6: 7,176
---------------	---------------	---------------

2.2. Tonnage Disposed

2.2.1. Total tonnage disposed in the base year and projections for years 3 and 6

Year 1: 60,407

Year 3: 64,960

Year 6: 72,441

2.3. References and Assumptions

2.3.1. Recycling projections based on annual average increase of 3.0% (see Table 8, p 16)

2.3.2. Disposal projection based on annual average increase of 3.7% (see Table 8, p 16)

3. System Component Costs

3.1. Waste Reduction Programs

3.1.1. Implemented and proposed programs (includes reuse programs):

Implemented programs:

- Reuse programs (website, 2Good2Toss), p 32
- Moderate Risk Waste Facility operation and programs (MRW collection, used motor oil, materials-exchange, electronics disposal), p 42

Proposed programs:

- The county may request technical assistance from local interested parties, the construction industry, and the Washington State Department of Ecology to learn about practices for construction, demolition, and land clearing (CDL) waste reduction and reuse, p33.
- Request technical assistance from Ecology to explore strategies for use by governments, institutions, businesses, and industry that encourage the use and purchase of products containing pre- and post-consumer recycled material, content in the workplace, p33.
- Incorporate appropriate waste reduction strategies identified by the Solid Waste Advisory Committee, including product stewardship programs, into existing educational outreach efforts, p33.
- Support the transfer of common household items through exchanges, websites, and local businesses, p33.

- Encourage increases in state funding through the Local Solid Waste Financial Assistance to support expanded hours for the Moderate Risk Waste Facility at the Grays Harbor Transfer Station, p46.

3.1.2. Capital and operating costs for implemented and proposed programs

Note: GH County only provides staffing and disposal costs for the MRW facility; funding for the operation of the MRW and 2Good2Toss programs is through LSWFA and CLCP grants and the county share of tip fees.

LeMay, Inc. owns the MRW facility structure, which integrates all capital costs for the facility into the tip fee structure.

Implemented programs:

Year 1: \$114,863 Year 3: \$118,802 Year 6: \$124,964

Implemented program cost is the total budget for the GH County Solid Waste Program. Projection calculated from Year 1 using the median YOY inflation rate of (1.7%) for years 2010 through 2018.

Proposed programs:

Note: Funding for all proposed programs dependent entirely upon the State of Washington increasing current funding levels for LSWFA.

Year 1: NA Year 3: NA Year 6: NA

3.1.3. Funding mechanism(s) for waste reduction programs

Implemented programs:

Year 1: Grants, tip fees Year 3: Grants, tip fees Year 6: Grants, tip fees

Proposed programs:

Note: Funding for all proposed programs dependent entirely upon the State of Washington increasing current funding levels for LSWFA.

Year 1: Grants, tip fees Year 3: Grants, tip fees Year 6: Grants, tip fees

3.2. Recycling Program

3.2.1. Implemented and proposed programs:

Implemented programs:

- Curbside recycling, p 28
- Glass drop boxes, p 29
- Education and outreach, p 53

Proposed programs:

- The Solid Waste Program will continue to promote recycling public education and information programs. The program will also explore new partnerships and techniques to deliver programs throughout the county, p55.
- The county will incorporate proper waste tire handling into the waste reduction and recycling educational program, p55.
- The county will maintain updated lists on its Solid Waste Program website of private firms that recycle or reuse white goods, p55.
- Emphasize the importance of avoiding potential contamination of recyclables through education and outreach programs, p55.
- Monitor the latest recycling opportunities and update the county's solid waste management website, p55.
- Collaborate with other agencies, organizations, and the faith community to increase education and outreach resources, p55.
- Include recycling, reuse, and MRW education and outreach materials and programs in Spanish, p55.
- Share information with visitors about which products are recycled locally and their proper disposal, p55.

3.2.2. Capital and operating costs for implemented and proposed programs

Note: GH County has no capital or operating costs associated with the recycling program within its Solid Waste Program. LeMay, Inc. operates the program and owns all capital facilities. LeMay, Inc. integrates these costs collected through its tip fee.

Implemented programs:

Year 1: \$ NA

Year 3: \$ NA

Year 6: \$ NA

Proposed programs:

Note: Funding for all proposed programs dependent entirely upon the State of Washington increasing current funding levels for LSWFA.

Year 1: \$ NA

Year 3: \$ NA

Year 6: \$ NA

3.2.3. Funding mechanism(s) for waste recycling programs

Implemented programs:

Year 1: Grants, tip fees Year 3: Grants, tip fees Year 6: Grants, tip fees

Proposed programs:

Note: Funding for all proposed programs dependent entirely upon the State of Washington increasing current funding levels for LSWFA.

Year 1: Grants, tip fees Year 3: Grants, tip fees Year 6: Grants, tip fees

3.3. Solid Waste Collection Program

3.3.1. Regulated Solid Waste Collection Program

WUTC Regulated Hauler: LeMay Enterprises, Inc.

G-Permit #000098

	YR 1	YR 3	YR 6
<u>Residential</u>			
- Number of customers	11,314	11,362	11,433
- Tonnage collected	6,496	6,523	6,564
<u>Commercial</u>			
- Number of customers	786	789	794
- Tonnage collected	2,236	2,245	2,260

3.3.2. Non-regulated Solid Waste Collection Programs

City of Aberdeen

Hauler Name: LeMay Enterprises, Inc.

	YR 1	YR 3	YR 6
Number of customers	5,544	5543	5541
Tonnage collected	8,632	8630	8628

City of Cosmopolis

Hauler Name: LeMay Enterprises, Inc.

	YR 1	YR 3	YR 6
Number of customers	669	672	676
Tonnage collected	915	919	925

City of Elma

Hauler Name: LeMay Enterprises, Inc.

	YR 1	YR 3	YR 6
Number of customers	1,045	1,065	1,095
Tonnage collected	1,100	1,121	1,153

City of McCleary

Hauler Name: LeMay Enterprises, Inc.

	YR 1	YR 3	YR 6
Number of customers	1,359	1,384	1,421
Tonnage collected	683	695	714

City of Montesano

Hauler Name: LeMay Enterprises, Inc.

	YR 1	YR 3	YR 6
Number of customers	2,794	2,824	2,870
Tonnage collected	1,234	1,247	1,268

City of Oakville

Hauler Name: LeMay Enterprises, Inc.

	YR 1	YR 3	YR 6
Number of customers	251	252	254
Tonnage collected	225	226	227

City of Ocean Shores

Hauler Name: LeMay Enterprises, Inc.

	YR 1	YR 3	YR 6
Number of customers	3,207	3,318	3,492
Tonnage collected	3,268	3,383	3,564

City of Westport

Hauler Name: LeMay Enterprises, Inc.

	YR 1	YR 3	YR 6
Number of customers	1,042	1,045	1,049
Tonnage collected	1,648	1,653	1,660

City of Hoquiam

Hauler Name: Hometown Sanitation, LLC.

	YR 1	YR 3	YR 6
Number of customers	3,065	3,034	3,028
Tonnage collected	4,699	4,700	4,700

Note: Projections based on average annual increase for years 2010 through 2019, see Table 1: Grays Harbor County Population, 2010 - 2019.

3.4. Energy Recovery & Incineration Programs – Not Applicable

3.5. Land Disposal Program – Not Applicable

3.6. Administration Program

3.6.1. Costs for administering the solid waste and recycling program

Note: Revenues for administering the GH County solid waste program is based on 15% of the tip fee collected by LeMay, Inc. at the Transfer Station. Since the county does not specifically separate costs by program in this manner, the Budgeted Cost below is the same as in Section 3.1.2, which covers all Solid Waste Program costs.

Budgeted Cost:

Year 1: \$114,863 Year 3: \$118,802 Year 6: \$124,964

Funding Source:

Year 1: Tip fees, grants Year 3: Tip fees, grants Year 6: Tip fees, grants

3.6.2. Cost components included in estimate:

- Staff salaries, wages, and benefits; supplies; professional services; permits; and other services and charges

3.6.3. Funding mechanism(s) for recovering cost of each component

- Revenue generated through tipping fees is the primary source; LSWFA and CLCP grants provide a much smaller amount.

3.7. Other Programs – None

4. Funding Mechanisms

4.1.1. Facility Inventory: *Note - The Grays Harbor County Transfer Station is a private facility owned by LeMay Enterprises and funded entirely through tipping fees.*

- Type of facility: transfer station
- Tip fee per ton: \$104.85 (2019)
- Operation, transfer, and disposal : \$89.12
- County administration: \$15.73
- Transfer station location: North of Clemmons Rd-SR 12
- Final disposal location: Wasco County Landfill
- Total tons disposed: 55,037 (2018)
- Total revenue generated: Estimated at \$ 5,770,629 (tip fee X tons)

4.1.2. Tip Fee Components

- Tip fee by facility: 100%
- Surcharge: 0.0%
- City tax: 0.0%
- County tax: 0.0%
- Operational and Transportation costs: 85%
- Administration cost: 15%
- Closure cost: 0.0%

4.1.3. Funding Mechanism

Program	Grant	Tip Fee
Education & outreach	ECY-LSWFA	X
Moderate Risk Waste Operation	ECY-LSWFA	X
Recycling	NA	X
Administration/planning	ECY-LSWFA	X

4.1.4. Tip Fee Forecast

	YR 1	YR 2	YR 3	YR 4	YR 5	YR 6
GHC Transfer Station	\$106.77	\$110.40	\$114.15	\$118.04	\$122.05	\$126.20

Note: Estimate assumes a 3.4% increase annually; however, the fuel surcharge component of the GH County-LeMay, Inc. contract may increase if fuel prices rise.

4.2. Funding Mechanism by percentage

4.2.1. Funding Mechanism by Percentage – Year 1

Program	Grant	Tip Fee	Total
Education & outreach	75%	25%	100%
Moderate risk waste	75%	25%	100%
Recycling		100%	100%
Administration/planning	85%	15%	100%

4.2.2. Funding Mechanism by Percentage – Year 3

Program	Grant	Tip Fee	Total
Education & outreach	75%	25%	100%
Moderate risk waste	75%	25%	100%
Recycling		100%	100%
Administration/planning	85%	15%	100%

4.2.3. Funding Mechanism by Percentage – Year 6

Program	Grant	Tip Fee	Total
Education & outreach	75%	25%	100%
Moderate risk waste	75%	25%	100%
Recycling		100%	100%
Administration/planning	85%	15%	100%

4.3. References and Assumptions – 2020 Budget

401 Solid Waste Plan 2020 Budget**Revenues**

Beginning cash & investments	\$ 741,326
WSDOE LSWFA	\$ 50,000
WSDOE Litter Grant	\$ 30,000
Budget & accounting services	\$ 90,000
Consulting services	\$ 680,000
Tipping Fee – Operations	\$ 950,000
Investment interest	\$ 5,000
Miscellaneous revenue	\$ 500
Department Revenue Total	\$ 2,553,826

Expenditures

Ending cash reserves & investments	\$ 425,564
Salaries and wages	\$ 867,524
Personnel benefits	\$ 375,014
Supplies	\$ 84,000
Household hazardous waste facility	\$ 20,000
Services	\$ 2,066,887
Transfers out	\$ 21375
Transfer out – landfill	\$20,000
Department Expenditure Total	\$2,553,826

117 Aberdeen Landfill Post Closure Fund

Revenues

Beginning cash & investments	\$ 956,272
Investment interest	\$ 5,000
I/F Interest – fair	\$ 6,000
Transfer in	\$ 20,000
Department Revenue Total	\$ 987,272

Expenditures

Ending cash & investments	\$ 750,272
Landfill post closure care	\$ 14,000
Professional services	\$ 140,000
I/F professional services	\$ 40,000
Maintenance	\$ 50,000
Services	\$ 230,000
Department Expenditure Total	\$987,272

4.4. Surplus Funds - NA

Appendix C. Interlocal Agreement

Department of Public Services
Phone: 360-249-4222
Fax: 360-249-3203



100 West Broadway; Suite 31
Montesano, Washington 98563
www.co.grays-harbor.wa.us

GRAYS HARBOR COUNTY STATE OF WASHINGTON

September 10, 2009

TO: BOARD OF COUNTY COMMISSIONERS
FROM: KEVIN VARNES, DIRECTOR OF UTILITIES & DEV. DIV.
SUBJECT: INTER-LOCAL AGREEMENT SOLID WASTE PLANNING

The attached Inter-Local Agreement has been prepared to document authorization by our cities for the County to lead the current update of our Local Solid Waste Plan and their participation.

The Agreement was prepared with the assistance of the Prosecutor's office along with the review by the City Attorney's. It has been executed by all the cities and awaits the Board's signature.

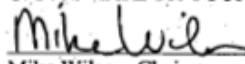
We recommend approval and request signature of the Agreement by the Board. The Agreement is a condition of plan approval by the State Department of Ecology.

Respectfully,


Kevin Varnes
Director of Utilities & Development Division

ACCEPTED and APPROVED this 14th day of September, 2009.

BOARD OF COUNTY COMMISSIONERS
GRAYS HARBOR COUNTY, WASHINGTON


Mike Wilson, Chairman


Albert A. Carter, Commissioner


Terry Willis, Commissioner

ATTEST:

Clerk of the Board Date
G:\PS\Utilities\Kevin VBOCC 09-10-09

**INTERLOCAL AGREEMENT
BETWEEN GRAYS HARBOR COUNTY
AND THE CITIES OF ABERDEEN, COSMOPOLIS, ELMA, HOQUIAM,
MCCLEARY, MONTESANO, OAKVILLE, OCEAN SHORES AND
WESTPORT**

REGARDING COMPREHENSIVE SOLID WASTE MANAGEMENT PLAN

THIS AGREEMENT, made on the last date written below, by and among GRAYS HARBOR COUNTY, a political subdivision of the State of Washington, and THE CITIES OF ABERDEEN, COSMOPOLIS, ELMA, HOQUIAM, MCCLEARY, MONTESANO, OAKVILLE, OCEAN SHORES and WESTPORT, all municipal corporations organized and existing under the laws of the State of Washington.

1. RECITALS/PURPOSE

- 1.1. The parties hereto, being duly organized and existing governmental units acting pursuant to their authority under RCW Chapter 39.34 agree to participate in a joint effort to prepare and implement a Comprehensive Solid Waste Management Plan as authorized by RCW 70.95.080.
- 1.2. Grays Harbor County ("the County") prepared a Comprehensive Solid Waste Management Plan approved by the Washington State Department of Ecology and adopted by the Grays Harbor County Board of Commissioners through Resolution 01-150 on December 3, 2001. The parties hereto agree that this Agreement will authorize the County to update the Plan for consideration and adoption by the Cities as provided herein.

2. DEFINITIONS

- 2.1 "City" means an incorporated City located in Grays Harbor County, Washington.
- 2.2 "Comprehensive Solid Waste Management Plan" means the Grays Harbor County Comprehensive Solid Waste Management Plan, as adopted by Grays Harbor County Resolution 01-150 on December 3, 2001, and as amended thereafter.
- 2.3 "County" means Grays Harbor County, Washington.
- 2.4 "Solid Waste" means solid waste as defined by RCW 70.95.030, as now in effect or as may be hereafter amended.
- 2.5 "Solid waste handling" means the management, storage, collection, transportation, treatment, utilization, processing and final disposal of solid wastes, including the recovery and recycling of materials from solid wastes, the recovery

of energy resources from such wastes, or the conversion of the energy in such wastes to more useful forms or combinations thereof, and including such modification of the term as may be made by subsequent amendment to RCW 70.95.030(17).

3. COMPREHENSIVE SOLID WASTE MANAGEMENT PLAN

- 3.1 During the term of this Agreement, each City shall participate with the County in preparing an updated Comprehensive Solid Waste Management Plan for adoption by the parties consistent with the requirements of Chapter 70.95 RCW.
- 3.2 During the term of this Agreement, each City authorizes the County to include information in the Comprehensive Solid Waste Management Plan regarding the management of solid waste generated in each City. The Cities agree to provide information on solid waste programs and applicable data pertaining to their individual jurisdiction to the County as needed for solid waste planning purposes.

4. TERM

- 4.1 This Agreement shall continue in full force and effect during the Plan update process and will expire on the latter date of adoption of the updated Plan by the County and approval by the Washington State Department of Ecology, unless earlier terminated as provided in Paragraph 8.

5. NO SEPARATE LEGAL OR ADMINISTRATIVE AGENCY FORMED

- 5.1 No separate legal or administrative agency is created by this Agreement.

6. REPRESENTATIVES

- 6.1 Each party shall appoint one person as its representative for all matters concerning the administration and implementation of this Agreement.

7. MODIFICATION AND TERMINATION

- 7.1 Modification of this Agreement may be accomplished by written agreement of all the parties hereto and no oral understandings or agreements shall suffice to alter the terms of this Agreement.

7.2 Termination of or withdrawal from this Agreement by any party may be accomplished upon thirty (30) days written notice to the other parties stating the reason for said termination or withdrawal.

8. MISCELLANEOUS

8.1 No waiver by any party of any term or condition of this Agreement shall be deemed or construed to constitute a waiver of any other term or condition or of any subsequent breach whether of the same or of a different provision of this Agreement.

8.2 No other person or entity shall be entitled to be treated as a third party beneficiary of this Agreement.

8.3 The effective date of this Agreement is the date the last agreeing party affixes its signature. As provided by RCW 39.34.040, this Agreement shall be filed prior to its entry in force.

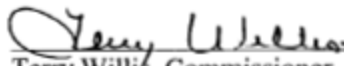
IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as duly indicated below.

ADOPTED this 14th day of Sept., 2009.

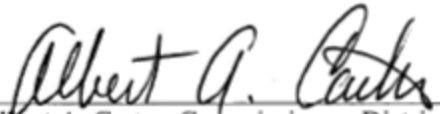
GRAYS HARBOR COUNTY
BOARD OF COMMISSIONERS



Mike Wilson, Chair, Commissioner, District 2



Terry Willis, Commissioner, District 1



Albert A. Carter, Commissioner, District 3

ADOPTED this 20th day of July, 2009.

CITY OF ELMA

David Osgood
David Osgood, Mayor

Attest:

Diana Carlson
City Clerk

Approved as to form:

Dan Glenn
Daniel Glenn, City Attorney

ADOPTED this 14th day of July, 2009.

CITY OF MONTESANO

Ronald W. Schillinger
Ron Schillinger, Mayor

Attest:

Kristy Powell
City Clerk

Approved as to form:

Daniel O. Glenn
Daniel O. Glenn, City Attorney

ADOPTED this 27th day of JUNE, 2009.

CITY OF HOQUIAM

Jack Durney
Jack Durney, Mayor

Attest:

Mike Folkers
Mike Folkers, Finance Director

Approved as to form:

Steve Johnson
Steve Johnson, City Attorney

ADOPTED this 13 day of JULY, 2009.

CITY OF OAKVILLE

Mitchell Smith, Mayor
Mitchell Smith
mayor BKO tem

Attest:

City Clerk
[Signature]

Approved as to form:

Daniel O. Glenn, City Attorney
Dan Glenn

ADOPTED this 13th day of July, 2009.

CITY OF OCEAN SHORES

Dean Bunkers, Mayor
Dean Bunkers

Attest:

City Clerk
[Signature]

Approved as to form:

Art Blauvelt, City Attorney
[Signature]

ADOPTED this ___ day of _____, 2009.

CITY OF ABERDEEN

Bill Simpson, Mayor
Bill Simpson

Attest:

City Clerk
[Signature]

Approved as to form:

Eric Nelson, Corporation Counsel
Eric Nelson 6.29.2009

ADOPTED this 14th day of July, 2009.

CITY OF WESTPORT



Michael Bruce, Mayor

Attest:

Marge R. Jackson
City Clerk

Approved as to form:

Wayne D. Hagen, Jr.
Wayne D. Hagen, Jr., City Attorney

ADOPTED this 8 day of June, 2009.

CITY OF COSMOPOLIS



Vickie L. Raines, Mayor

Attest:

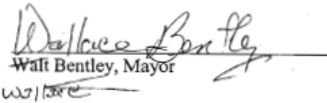
Kathy Walcz
City Clerk

Approved as to form:

Steve Hyde
Steve Hyde, City Attorney
WSB # 5204

ADOPTED this 30th day of June, 2009.

CITY OF MCCLEARY



Walt Bentley, Mayor

Attest:

City Clerk

Approved as to form:

Daniel Glenn, City Attorney

Appendix D. WSDA and WUTC Review Letters



STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
Division of Plant Protection
P.O. Box 42560 • Olympia, Washington 98504-2560 • (360) 902-1800

March 4th, 2020

Mr. Mark Cox
Utilities & Community Development
Grays Harbor County
100 West Broadway; Suite 31
Montesano, Washington 98563

Mr. Peter Guttchen
Solid Waste Management Program
Ecology SW Regional Office
300 Desmond Drive SE
Lacey, WA 98506

Dear Mr. Cox and Mr. Guttchen,

After reviewing the preliminary draft of the *Grays Harbor County Solid and Hazardous Waste Management Plan*, our agency does not see any current conflicting compliance issues related to the apple maggot quarantine, as prescribed in Chapter 16-470-124 WAC.

Thank you for providing our agency with the opportunity to comment on the Grays Harbor County solid waste management plan. RCW 70.95.095 requires the Washington State Department of Agriculture to review preliminary draft solid waste management plans for any increased risks of introducing a quarantine plant pest or disease into a pest free area.

Regards,

Amy Clow
Municipal Waste Specialist
WSDA Pest Program

cc:
Greg Haubrich, WSDA Pest Program Manager



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

621 Woodland Square Loop S.E. • Lacey, Washington 98503

P.O. Box 47250 • Olympia, Washington 98504-7250

(360) 664-1160 • TTY 1-800-833-6384 or 711

March 26, 2020

Mark Cox, Director
Utilities and Community Development
100 West Broadway Suite 31
Montesano, WA 98563

**RE: Grays Harbor County Solid Waste and Moderate Risk Waste Management Plan
For Years 2020 to 2025
Supplement TG-200113**

Dear Mr. Cox:

The Washington Utilities and Transportation Commission (Commission) has completed its review of the preliminary draft of the Grays Harbor County 2020 Solid Waste and Moderate Waste Management Plan (Plan).

The Plan proposes to increase tip fees for municipal solid waste (MSW) each year during the Plan period, 2020-2025. As a result of the current forecasted tip fees, there will be a rate impact to ratepayers served by regulated solid waste collection companies in Grays Harbor County. The table below illustrates projected disposal fees and rate increases between 2020 and 2025 based on forecasted tip fees.

	2020	2021	2022	2023	2024	2025	Total
Projected Disposal Fees							
Per Ton Disposal Cost	\$106.77	\$110.40	\$114.15	\$118.04	\$124.45	\$128.68	
Per Ton Increase	\$1.92	\$3.63	\$3.75	\$3.89	\$4.01	\$4.15	\$21.35
Projected Rate Increases							
<i>Residential</i>							
Monthly rate for one 32-gallon can per week service	\$0.14	\$0.27	\$0.28	\$0.29	\$0.30	\$0.31	\$1.59
<i>Commercial</i>							
Monthly rate for one-yard per pick up service	\$0.73	\$1.38	\$1.42	\$1.47	\$1.52	\$1.57	\$8.09

Letter to Mark Cox
 Docket TG-200113
 Page 2 of 2

Existing collection services for recyclable materials consists of drop-off stations (in the cities of Aberdeen, Cosmopolis, Elma, Hoquiam, McCleary, Montesano, Oakville, Ocean Shores, Westport, and Pacific Beach). These sites accept newspaper, cardboard, magazines, tin cans, aluminum cans, plastic bottles, plastic milk jugs, and glass bottles. Single-stream curbside collection is provided by Harold LeMay Enterprises Inc., d/b/a Harbor Disposal and Eastern Grays Harbor Disposal, (LeMay) on an every-other-week basis throughout its Commission-regulated area and contracted cities. Hometown Sanitation, LLC, provides service to the City of Hoquiam. Private and commercial recycling providers also operate within the County. The materials collected curbside consist of newspaper, cardboard, magazines, tin cans, aluminum cans, PETE (#1 plastic), and HDPE (#2 plastic). Glass is not accepted curbside, but is collected at drop-off sites.

Washington State law requires curbside recycling services to be provided in urban areas unless an alternative plan is approved by the Department of Ecology (Ecology). The requirements of the law appear to be met because curbside recycling is offered countywide by the certificated hauler or is covered in cities contracts for service.

The following list includes some of the recommendations the County has made for improving its recycling programs:

- The SWAC will regularly review recycling market conditions and update its list of designated recyclables collected through comingled or drop-box programs.
- The SWAC will continue to explore new ways to expand sustainable recycling opportunities and programs for the public. The SWAC will hold a solid waste review every April that will include an analysis of recycling activities over the past year and potential changes and improvements.
- The County encourages recycling and reuse through the educational component of the waste reduction and recycling plan.
- The County will provide information through its website about the recycling and reuse of white goods and e-wastes.
- Incorporate flexibility in curbside recycling programs to accommodate changes in the recycling market to determine which materials to collect or discontinue.

Staff has no further comments. Please direct questions or comments to Scott Sevall at 360-664-1230 or by email at scott.sevall@utc.wa.gov.

Sincerely,

/s/ Mark L. Johnson

Mark L. Johnson
 Executive Director and Secretary

cc: Peter Guttchen, Department of Ecology, Regional Planner

TAB - A

CITY OF MCCLEARY
City Council Meeting
Wednesday, July 8, 2020

FLAG SALUTE	Mayor Orffer Called the Council Meeting to order at 6:30 PM.
ROLL CALL	Councilmembers present were, Amsbury (by phone), Huff, Heller, Blankenship and Iversen. The meeting was held at the McCleary Community Center.
ABSENT	None.
STAFF PRESENT	Present at the meeting were Clerk-Treasurer Wendy Collins and Director of Public Works Todd Baun with City Attorney Chris Coker and Police Chief Steve Blumer attending via Webex.
PRESENTATION	Josh Martin from Summit Pacific Medical Center gave an update on the Blue Zones Project, which is postponed until spring or summer of 2021. He announced on September 19th there will be a new bike ride event. The City will post the flier on the front door of city hall.
PUBLIC HEARING	The public hearing for the six year street plan opened at 6:46 pm. With no comments from the public, the hearing closed at 6:48 pm.
MAYOR'S COMMENTS	<p>The city had two fire calls on July 4th. The fireworks stand sold everything in their stand this year.</p> <p>Mayor Orffer is excited to participate in the Summit Pacific hosted bike ride event.</p>
PUBLIC COMMENT	None.
MINUTES APPROVED	It was moved by Councilmember Iversen, seconded by Councilmember Huff to approve the minutes from the June 24, 2020 meeting. Motion Carried 5-0.
APPROVAL OF VOUCHERS	<p>Vouchers/Checks approved were 47923 - 47965, including EFT's in the amount of \$39,192.48.</p> <p>It was moved by Councilmember Blankenship, seconded by Councilmember Iversen to approve the vouchers. Motion Carried 5-0.</p>
COVID EXPENDITURES REPORT	A report of all covid fund expenditures was provided for the council to review. Wendy ran a comparison of the county tax revenue from January through June for the years 2019 and 2020 and the revenue is right on track. The county extended the property tax deadline to June 1st. The city appears to be in good shape and we are being mindful of expenditures. The city chose to not hire summer help, which will be a savings to the budget.
STAFF REPORTS	Staff reports were provided by the public works department and the finance department. Councilmember Amsbury requested an update on the building, nuisance, and planning activities for the next meeting.
CITY ATTORNEY REPORT	Chris Coker is available for any questions regarding agenda items.

COVID-19 UPDATE

The governor paused phase movement so Grays Harbor County is on hold in phase 3. Facial coverings are now mandated state-wide and the governor is requiring businesses to enforce the rule of face masks. Mayor Orffer emailed his office because she is upset over this decision. Emergency operations are extended through September.

CITY LOANS/BOND REFINANCE

Banner Bank came in with the lowest interest rates for two of the three loans. Councilmember Iversen was happy there is no requirement to move the city's banking to Banner Bank so they can stay with their current bank, Umpqua Bank. The bond council fee and the loan fees will be added to the loans. Mayor Orffer thanked both Wendy and Todd for their work on refinancing the city loans. **It was moved by Councilmember Iversen, seconded by Councilmember Blankenship to authorize staff to move forward with Banner Bank on refinancing the sewer loan, water loans, and the fire station property loan. Motion Carried 5-0.**

COMPUTER LEASE

It was moved by Councilmember Blankenship, seconded by Councilmember Heller to authorize the Mayor to sign the Dell three-year lease to purchase 33 city computers for all city employees and certain vehicles in the amount of \$36,935.24. Motion Carried 4-1 with Councilmember Amsbury voting against.

2019 ANNUAL FINANCIAL REPORT

Wendy Collins completed the annual report in May and it is officially submitted to the State Auditor's website. She worked in partnership with a representative from BIAS on the preparation so there was adequate cross-checking. **It was moved by Councilmember Iversen, seconded by Councilmember Huff to approve the 2019 Annual Financial Report. Motion Carried 5-0.**

RESOLUTION 731 - SIX-YEAR STREET PLAN

It was moved by Councilmember Huff, seconded by Councilmember Iversen to adopt Resolution 731 A RESOLUTION ADOPTING A SIX-YEAR STREET PLAN FOR THE CITY OF MCCLEARY. Resolution Adopted 5-0.

PUBLIC COMMENT

Councilmember Iversen has been appointed to the Grays Harbor Hospital District Board. She spoke to the City Attorney and the Hospital Attorney to make sure there is no conflict with her being on the City Council and she was assured there was not a conflict. From here forward, when any hospital decisions come in front of the city council, she will recuse herself. The Mayor, City Council, and staff congratulated her.

Councilmember Iversen received her AWC CML Certification. Again, she was congratulated for her hard work and achievement.

Councilmember Huff asked if the city could take down the banner sign in the park for who murdered Lindsey Baum. With the Council in agreeance, Mayor Orffer will have staff remove it and contact the County Sheriff's Office on where to return it.

EXECUTIVE SESSION

At 7:25 pm, Mayor Orffer called for a 15 minute executive session to discuss collective bargaining per RCW 42.30.140(4)(b). No action will be taken when the council meeting resumes. The executive session ended at 7:40 pm and the Council requested an additional 15 minutes. The executive session began at 7:41 pm and ended at 7:56 pm.

ADJOURNED MEETING

It was moved by Councilmember Huff, seconded by Councilmember Blankenship to adjourn the meeting at 7:56 PM. The next meeting will be on August 12, 2020 at 6:30 PM. Motion Carried 5-0.

Mayor Brenda Orffer:

Clerk-Treasurer Wendy Collins: _____

TAB - B

TAB - C

TAB - D

To: Mayor and City Council
 From: Josh Cooper
 Date: August 6, 2020
 Re: Building and Planning Department Activity.

New Permit Activities from April - August 2020

234 East Cedar St	New SFR	Total Fee - \$11,521.69
1538 North 4 th St	New SFR	Total Fee - \$10,462.57
1589 North 5 th St	New SFR	Total Fee - \$11,777.59
366 South Birch St	New Deck	Total Fee - \$185.50
216 East Cedar St	New Garage	Total Fee - \$481.70
221 East Pine St	New Accessory Structure	Total Fee - \$284.50
322 South Birch St	Excavation Permit	Total Fee - \$171.00
415 South Main St	Placement Permit	Total Fee - \$99.00
407 South Main St	Placement Permit	Total Fee - \$99.00
514 South 2 nd St	Plumbing Permit	Total Fee - \$70.39
221 East Pine St	Plumbing Permit	Total Fee - \$67.23
Building Department Related Revenues & Valuation	Total fees charged from April - August	Total fees collected from April - August
Total Valuation for 2020: \$2,384,947.20	\$36,787.32	\$18,020.82

Permit Activity Totals

New Homes Permitted for 2020 9	All Permits Issued for 2020 87	Total Fees Charged for 2020 \$106,847.15
--	--	--

New Homes Permitted for 2019 28	All Permits Issued for 2019 269	Total Fees Charged for 2019 \$378,456.40
New Homes Permitted for 2018 17	All Permits Issued for 2018 57	Total Fees Charged for 2018 \$212,089.41
New Homes Permitted for 2017 11	All Permits Issued for 2017 104	Total Fees Charged for 2017 \$124,686.92

Nuisances from April - July:

- 560 North Summit (8.16.020) - Complied
- 115 South 5th Street (8.16.020) - Complied
- 509 West Simpson Ave (8.16.020) - Complied
- 515 West Simpson Ave (8.16.020) - Complied
- 1575 North Summit Rd (8.16.020) - Complied
- 411 West Pine Street – Solid waste compliance - Complied
- 1060 North Summit Rd (10.20.010 & 10.25.020) – Complied
- 221 East Pine Street (10.20.020) – Complied

City of McCleary
STAFF REPORT



To:	Mayor Orffer and City Councilmembers
From:	Wendy Collins, Clerk-Treasurer
Date:	August 12, 2020
Department:	Finance & Administration

Mayor and City Council,

The Finance Department continues working at full staff and everyone is healthy, with one employee working from home on Tuesdays and Thursdays.

The quarterly reports were completed in July for the Federal 941, L&I, Employment Security, PFML, and the State portion of court revenues.

The State Auditor's Office has begun the 2018-2019 audit. I have been working closely with the assigned auditor and I have been responding to information and document requests. It has been a unique challenge with the pandemic restrictions, but we are making it work.

Budget requests were sent out to the department heads for the 2021 budget.

City Hall offices are still open from 8:00 am to 12:00 noon each day and we assist with other city business by appointment.

City of McCleary

STAFF REPORT



To:	Mayor Orffer and Council
From:	Paul Nott
Date:	8/5/2020
Department:	Light and Power

Hello All,

I am happy to report at this time all L&P staff is still healthy and reporting to work as assigned. At the present time we have all L&P staff reporting to work. We are doing our best to practice social distancing as a crew.

The crew has been working on the Third Street Project and we are almost complete. Next week we have a scheduled outage for just the McCleary Grade School to cut them over to the new underground and then the only remaining customer will be the lift station at Third and Moxie. We are awaiting a custom vault and lid to finish the lift station and once we receive it (end of the month) we will cut it over as well. Our projection is to be in wreck out of the overhead lines and poles by mid-September.

The crew has been working on line maintenance while members were on vacation.

The crew also assisted in the completion of office space for the Public Works Crew Foreman.

Customer service work has slowed slightly but we anticipate a rise as new construction increases.

If you have any questions or concerns feel free to contact us.

Stay safe....

Paul



McCleary Police Department

Law Total Incident Report, by Nature of Incident

<u>Nature of Incident</u>	<u>Total Incidents</u>
911 Hang-Up Call	4
AGENCY ASSIST	12
NON-INJURY ACCIDENT BLOCKING	1
NON-INJURY VEH ACC NON-BLOCKIN	3
ANIMAL PROBLEM	4
ASSAULT	1
CITIZEN ASSIST	7
Civil Matter	4
REPORT OF A DEAD BODY	1
DISORDERLY CONDUCT	6
DOMESTIC VIOLENCE ACT	1
DOMESTIC VIOLENCE ACT IN PROGR	1
FIREWORK COMPLAINT	4
FOUND PROPERTY	2
REPORT OF FRAUD/BLACKMAIL	1
FIRE OR AID RESPONDING TO INC	30
HARASSMENT REPORT	2
JUVENILE PROBLEM	3
LOST PROPERTY	2
MISSING PERSON	1
MOTORIST ASSIST	2
NOISE PROBLEM OR COMPLAINT	3
ROLLOVER ACCIDENT	1
PARKING PROBLEM COMPLAINT	1
POLICE INFORMATION MESSAGE	9
RECKLESS ACT OR DRIVING	4
CIVIL PAPER SERVICE	2
SUBJECT STOP	8
SUSPICIOUS CIRCUMSTANCES	2
SUSPICIOUS PERSON	1
SUSPICIOUS VEHICLE	4
TRAFFIC STOP	224
Theft	1
TRAFFIC OFFENSE	3
TRAFFIC HAZARD	6
TRESPASS	2
VEHICLE THEFT	1
VIO UNIFORM CNTRL SUB ACT	2
WEAPONS VIOLATION	2
CHECK WELFARE	6
Warrant Service or Confirm	3

Total reported: 377

Report Includes:

All dates between `00:00:00 07/01/20` and `23:59:59 07/31/20`, All agencies matching `MCPD`, All natures, All locations, All responsible officers, All dispositions, All clearance codes, All observed offenses, All reported offenses, All offense codes, All circumstance codes

City of McCleary
STAFF REPORT



To:	Mayor Orffer and Council Members
From:	Steve Randich
Date:	July 14, 2020
Department:	Public Works

Mayor and Council,

I am happy to report that all personnel within the Public Works department are healthy and practicing safe social distancing at this time.

As it stands, the Public Works Dept is back to full staff practicing social distancing. Our weekly routine consists of all personnel reporting at 0700 a.m. until 1530p.m. All personnel are aware that priority tasks are currently on an "as needed" basis. Meaning, any job that may come up will be evaluated for personnel required and only the amount required will respond to complete each task.

We have also created a schedule to clean and organize the department. Each day prior to going home we spend 45 minutes disinfecting the city vehicles and any equipment that has been used, along with wiping down all computers and cleaning our office. Currently we are working on the park project which includes installing new catch basins and storm lines, new waterlines along with new sidewalks. Also trying to keep up with the mowing and day to day issues that may arise.

It is my hope that by taking these precautions we will be able to keep our crew safe and healthy. If you have any questions, comments or concerns please let me know.

Thank you,
Steve

TAB - E

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Discussion item only.

TAB - F

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Discussion item only.

TAB - G

**CITY OF MCCLEARY,
WASHINGTON**

LIMITED TAX GENERAL OBLIGATION BOND, 2020

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MCCLEARY, WASHINGTON, PROVIDING FOR THE ISSUANCE AND SALE OF A LIMITED TAX GENERAL OBLIGATION BOND IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$50,000 TO PROVIDE FINANCING FOR ACQUIRING OF LAND FOR CITY PURPOSES AND TO PAY FOR COSTS OF ISSUANCE OF THE BOND; AND DELEGATING CERTAIN AUTHORITY TO THE DESIGNATED REPRESENTATIVE TO APPROVE THE FINAL TERMS RELATING TO THE DATE, FORM AND REPAYMENT TERMS OF THE BOND.

PASSED: AUGUST ___, 2020

Prepared by:

**K&L GATES LLP
Seattle, Washington**

CITY OF MCCLEARY, WASHINGTON
ORDINANCE NO. _____
TABLE OF CONTENTS*

	Page
Section 1. Definitions.....	2
Section 2. Authorization of Project, Authorization of Bond and Bond Details.....	5
Section 3. Registration, Transfer and Payments	6
Section 4. Prepayment	7
Section 5. Form of Bond.....	8
Section 6. Execution of Bond	10
Section 7. Application of Bond Proceeds	11
Section 8. Tax Covenants; Special Designation	11
Section 9. Bond Fund and Provision for Tax Levy Payments.....	14
Section 10. Defeasance	15
Section 11. Sale of the Bond.....	15
Section 12. No Undertaking to Provide Ongoing Disclosure	17
Section 13. Ratification; General Authorization.....	17
Section 14. Lost, Stolen or Destroyed Bond.....	17
Section 15. Severability	17
Section 16. Effective Date	18

* This Table of Contents and the cover page are not a part of this ordinance; they are included for convenience of the reader only.

**CITY OF MCCLEARY,
WASHINGTON**

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MCCLEARY, WASHINGTON, PROVIDING FOR THE ISSUANCE AND SALE OF A LIMITED TAX GENERAL OBLIGATION BOND IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$50,000 TO PROVIDE FINANCING FOR ACQUIRING OF LAND FOR CITY PURPOSES AND TO PAY FOR COSTS OF ISSUANCE OF THE BOND; AND DELEGATING CERTAIN AUTHORITY TO THE DESIGNATED REPRESENTATIVE TO APPROVE THE FINAL TERMS RELATING TO THE DATE, FORM AND REPAYMENT TERMS OF THE BOND.

WHEREAS, the City of McCleary, Washington (the “City”) has deemed it in the best interest of the City and its citizens that the City undertake acquiring certain parcels of land for the City’s use (the “Project”); and

WHEREAS, the City is authorized, pursuant to RCW 35.37.040 and Chapter 39.36, to incur indebtedness and issue a limited tax general obligation bond for capital purposes; and

WHEREAS, it is deemed necessary and advisable that the City now issue and sell its limited tax general obligation bond in the principal amount of not to exceed \$50,000 (the “Bond”) to pay the costs of the Project and the costs of issuance of the Bond; and

WHEREAS, the Council wishes to delegate authority to the Designated Representative to solicit proposals for purchase of the Bond and to select the purchasing entity or bank from those proposals, to approve the final principal amount of the Bond, interest rate, principal maturities and prepayment provisions of the Bond to be fixed under such terms and conditions as are approved by this ordinance;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MCCLEARY,
WASHINGTON, DOES ORDAIN, AS FOLLOWS:**

Section 1. Definitions. As used in this ordinance, unless a different meaning clearly appears from the context:

Bank means Banner Bank as the initial purchasing entity or bank(s) of the Bonds, and any business successor thereto.

Bond means the City of McCleary, Washington Limited Tax General Obligation Bond, 2020, issued pursuant to this ordinance.

Bond Fund means the Limited Tax General Obligation Bond Redemption Fund, 2020, created pursuant to Section 9 of this ordinance.

Bond Register means the registration books maintained by the Bond Registrar showing the name, address and tax identification number of the Registered Owner of the Bond, maintained pursuant to Section 149(a) of the Code.

Bond Registrar means the Clerk-Treasurer of the City. The term ***Bond Registrar*** shall include any successor to that function, if any, hereinafter appointed by the Designated Representative.

Bond Year means each one-year period that ends on the date selected by the City. The first and last Bond Years may be short periods. If no day is selected by the City before the earlier of the final maturity date of the Bond or the date that is five years after the date of issuance of the Bond, Bond Years end on each anniversary of the date of issue and on the final maturity date of the Bond.

City means the City of McCleary, Washington, a municipal corporation duly organized and existing under the laws of the State of Washington.

City Clerk/Treasurer means the City's Clerk-Treasurer or the successor officer.

Code means the Internal Revenue Code of 1986, as amended, and shall include all applicable regulations and rulings relating thereto.

Council means the City Council as the general legislative authority of the City, as the same shall be duly and regularly constituted from time to time.

Designated Representative means the Mayor or Clerk-Treasurer of the City.

Final Maturity Date means that final maturity date of the amortization schedule for the Bond, determined in accordance with the Purchase Offer as approved by the Designated Representative pursuant to Section 11 of this ordinance.

First Interest Payment Date means the date of the first interest payment on the Bond, determined in accordance with the Purchase Offer as approved by the Designated Representative pursuant to Section 11 of this ordinance.

Government Obligations means obligations defined as such in Chapter 39.53 RCW as now or hereafter amended.

Interest Rate means that final rate or rates determined in accordance with the Purchase Offer as approved by the Designated Representative pursuant to Section 11 of this ordinance.

Net Proceeds, when used with reference with the Bond, mean the principal amount of the Bond, plus accrued interest and original issue premium, if any, and less original issue discount, if any.

Principal Payment Dates mean the dates on which principal of the Bond is payable in accordance with the Purchase Offer pursuant to Section 11 of this ordinance.

Private Person means any natural person engaged in a trade or business or any trust, estate, partnership, association, company or corporation.

Private Person Use means the use of property in a trade or business by a Private Person if such use is other than as a member of the general public. Private Person Use includes ownership of the property by the Private Person as well as other arrangements that transfer to the Private Person the actual or beneficial use of the property (such as a lease, management or incentive payment contract or other special arrangement) in such a manner as to set the Private Person apart from the general public. Use of property as a member of the general public includes attendance by the Private Person at municipal meetings or business rental of property to the Private Person on a day-to-day basis if the rental paid by such Private Person is the same as the rental paid by any Private Person who desires to rent the property. Use of property by nonprofit community groups or community recreational groups is not treated as Private Person Use if such use is incidental to the governmental uses of property, the property is made available for such use by all such community groups on an equal basis and such community groups are charged only a *de minimis* fee to cover custodial expenses.

Project means the acquisition of certain parcels of land, as provided in Section 2 of this ordinance.

Project Fund means the special fund of the City designated pursuant to Section 7 of this ordinance.

Purchase Offer means the Purchase Offer relating to the Bonds as approved by the Designated Representative pursuant to Section 11 of this ordinance

Registered Owner means the person named as the registered owner of the Bond in the Bond Register.

Interpretation. In this ordinance, unless the context otherwise requires:

(a) The terms “hereby,” “hereof,” “hereto,” “herein,” “hereunder” and any similar terms, as used in this ordinance, refer to this ordinance as a whole and not to any particular article, section, subdivision or clause hereof, and the term “hereafter” shall mean after, and the term “heretofore” shall mean before, the date of this ordinance;

(b) Words of the masculine gender shall mean and include correlative words of the feminine and neuter genders and words importing the singular number shall mean and include the plural number and vice versa;

(c) Words importing persons shall include firms, associations, partnerships (including limited partnerships), trusts, corporations and other legal entities, including public bodies, as well as natural persons;

(d) Any headings preceding the text of the several articles and sections of this ordinance, and any table of contents or marginal notes appended to copies hereof, shall be solely for convenience of reference and shall not constitute a part of this ordinance, nor shall they affect its meaning, construction or effect; and

(e) All references herein to “articles,” “sections” and other subdivisions or clauses are to the corresponding articles, sections, subdivisions or clauses hereof.

Section 2. Authorization of Project, Authorization of Bond and Bond Details. For the purpose of paying or refinancing the costs of acquiring certain parcels of land for City use, including parcel numbers 618051114033, 618051114034, 618051114036, and 61805111403 (the “Project”), the City shall issue its limited tax general obligation bond in the aggregate principal amount of not to exceed \$50,000 (the “Bond”). The Bond shall be designated as the “City of McCleary, Washington, Limited Tax General Obligation Bond, 2020”; shall be dated as of the

date of its issuance and delivery to the Bank, shall be fully registered as to both principal and interest, shall be issued as a single fully registered bond, and shall be numbered in such manner and with any additional designation as the Bond Registrar deems necessary for purposes of identification.

The Council hereby authorizes the Designated Representative to approve the final principal amount of the Bond, not to exceed \$50,000, the amortization schedule and Interest Rate in accordance with the Purchase Offer approved by the Designated Representative. The principal and interest amounts of the Bond shall be paid in installments with interest payable commencing on the First Interest Payment Date and principal payable on Principal Payment Dates, with the final payments due on the Final Maturity Date. Interest shall be calculated as provided in the Purchase Offer.

The interest rate or rates, and the First Interest Payment Date and Principal Payment Dates shall be as set forth in the Purchase Offer, as approved by the Designated Representative pursuant to Section 11 of this ordinance.

Section 3. Registration, Transfer and Payments.

(a) *Registrar/Bond Register.* The Treasurer shall act as the initial Bond Registrar. The duties of the Bond Registrar hereunder shall be limited to authenticating the Bond and to remitting money to the Bank on the payment dates as provided therein. The Treasurer may determine at any time that he or she no longer wishes to act as Bond Registrar and thereupon may appoint a successor Bond Registrar, which may or may not be the fiscal agent of the State of Washington. The Bond Registrar is authorized, on behalf of the City to authenticate and deliver the Bond and to carry out all of the Bond Registrar's powers and duties under this ordinance.

Principal of and interest on the Bond shall be payable in lawful money of the United

States of America. Installments of principal of and interest on the Bond shall be paid by check, wire, or electronic transfer on the date due to the Bank and shall be applied first to interest and then to principal as of the date actually received by the Bank; *provided, however*, that upon payment of the final installment of principal on the Bond, the Bank shall present and surrender the Bond at the principal office of the Bond Registrar for cancellation and surrender.

The Bond is not transferable, except in whole to a successor financial institution or another financial institution or qualified institutional buyer or otherwise as provided in the Purchase Offer. In the event that the Bond is transferred, then following such transfer, the duties and options ascribed to the Bank in this ordinance shall be transferred to such qualified institution.

Section 4. Prepayment. The Bond may include provision for optional prepayment on the dates, at the prices and under the terms set forth in the Purchase Offer and in the Bond.

This bond is subject to prepayment as stated in the Purchase Offer.

This bond is not a “private activity bond” as such term is defined in the Internal Revenue Code of 1986, as amended (the “Code”). The City has designated this bond as a “qualified tax-exempt obligation” under Section 265(b) of the Code for investment by financial institutions.

This bond is not transferable, except (i) to a successor in interest (through merger, corporate reorganization or purchase of the Bank) or (ii) to a “qualified institutional buyer” as such term is defined in Rule 144A of the Securities Act of 1933.

The City hereby irrevocably covenants and agrees with the owner of this bond that it will include in its annual budget and levy taxes annually, within and as a part of the tax levy permitted to the City without a vote of the electorate, upon all the property subject to taxation in amounts sufficient, together with other money legally available therefor, to pay the principal of and interest on this bond as the same shall become due. The full faith, credit and resources of the City are hereby irrevocably pledged for the annual levy and collection of such taxes and the prompt payment of such principal and interest.

This bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Bond Ordinance until the Certificate of Authentication hereon shall have been manually signed by or on behalf of the Bond Registrar or its duly designated agent.

It is hereby certified that all acts, conditions and things required by the Constitution and statutes of the State of Washington to exist, to have happened, been done and performed precedent to and in the issuance of this bond have happened, been done and performed and that the issuance of this bond does not violate any constitutional, statutory or other limitation upon the amount of bonded indebtedness that the City may incur.

IN WITNESS WHEREOF, the City of McCleary, Washington, has caused this bond to be signed on behalf of the City with the manual or facsimile signature of the Mayor, to be attested by the manual or facsimile signature of the City Clerk/Treasurer of the City, and a facsimile of the seal of the City to be impressed, imprinted or otherwise reproduced hereon, as of this ____ day of _____, 2020.

[SEAL]

CITY OF MCCLEARY,
WASHINGTON

By /s/ manual or facsimile signature
Mayor

ATTEST:

 /s/ manual or facsimile signature
City Clerk/Treasurer

The Certificate of Authentication for the Bond shall be in substantially the following form:

CERTIFICATE OF AUTHENTICATION

Date of Authentication: _____

This is the City of McCleary, Washington Limited Tax General Obligation Bond, 2020, dated _____, 2020.

CLERK/TREASURER OF THE CITY OF MCCLEARY, as Bond Registrar

By _____

EXHIBIT A
[AMORTIZATION SCHEDULE]

<u>Date</u>	<u>Principal Amount</u>	<u>Interest Amount</u>	<u>Total</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Section 6. Execution of Bond. The Bond shall be executed on behalf of the City with the manual or facsimile signatures of the Mayor and City Clerk/Treasurer, and the seal of the City shall be impressed, imprinted or otherwise reproduced thereon.

The Bond shall be valid only if the Certificate of Authentication in the form hereinbefore recited has been manually executed by or on behalf of the Bond Registrar. Such Certificate of Authentication shall be conclusive evidence that the Bond as authenticated has been duly executed, authenticated and delivered hereunder and is entitled to the benefits of this ordinance.

In case either of the officers who shall have executed the Bond shall cease to be an officer or officers of the City before the Bond so signed shall have been authenticated or delivered by the Bond Registrar, or issued by the City, such Bond may nevertheless be

authenticated, delivered and issued and upon such authentication, delivery and issuance, shall be as binding upon the City as though those who signed the same had continued to be such officers of the City. The Bond may also be signed and attested on behalf of the City by such persons who at the date of the actual execution of such Bond, are the proper officers of the City, although at the original date of such Bond any such person shall not have been such officer of the City.

Section 7. Application of Bond Proceeds. The City Clerk/Treasurer is hereby authorized and directed to establish an account or fund for the purpose of accounting for the expenditure of Bond proceeds (the “Project Fund”). The proceeds of sale of the Bond shall be deposited in the City’s Project Fund and shall be expended solely to pay the costs of the Project and the costs of issuing and selling the Bond, as authorized herein. If there are funds remaining following completion of the Project, the City may utilize remaining balances for other approved capital purposes.

Section 8. Tax Covenants; Special Designation. The City covenants that it will not take or permit to be taken on its behalf any action that would adversely affect the exemption from federal income taxation of the interest on the Bond and will take or require to be taken such acts as may reasonably be within its ability and as may from time to time be required under applicable law to continue the exemption from federal income taxation of the interest on the Bond.

(a) *Arbitrage Covenant.* Without limiting the generality of the foregoing, the City covenants that it will not take any action or fail to take any action with respect to the proceeds of sale of the Bond or any other funds of the City which may be deemed to be proceeds of the Bond pursuant to Section 148 of the Code and the regulations promulgated thereunder which, if such use had been reasonably expected on the date of delivery of the Bond to the Bank, would have

caused the Bond to be treated as an “arbitrage bond” within the meaning of such term as used in Section 148 of the Code.

The City represents that it has not been notified of any listing or proposed listing by the Internal Revenue Service to the effect that it is an issuer whose arbitrage certifications may not be relied upon. The City will comply with the requirements of Section 148 of the Code and the applicable regulations thereunder throughout the term of the Bond.

(b) *Private Person Use Limitation for Bond.* The City covenants that for as long as the Bond is outstanding, it will not permit:

(1) More than 10% of the Net Proceeds of the Bond to be allocated to any Private Person Use; and

(2) More than 10% of the principal or interest payments on the Bond in a Bond Year to be directly or indirectly: (A) secured by any interest in property used or to be used for any Private Person Use or secured by payments in respect of property used or to be used for any Private Person Use, or (B) derived from payments (whether or not made to the City) in respect of property, or borrowed money, used or to be used for any Private Person Use.

The City further covenants that, if:

(3) More than five percent of the Net Proceeds of the Bond are allocable to any Private Person Use; and

(4) More than five percent of the principal or interest payments on the Bond in a Bond Year are (under the terms of this ordinance or any underlying arrangement) directly or indirectly:

(A) secured by any interest in property used or to be used for any Private Person Use or secured by payments in respect of property used or to be used for any Private Person Use, or

(B) derived from payments (whether or not made to the City) in respect of property, or borrowed money, used or to be used for any Private Person Use, then, (i) any Private Person Use of the project being financed by the Bond or Private Person Use payments described in subsection (4) hereof that is in excess of the five percent limitations described in such subsections (3) or (4) will be for a Private Person Use that is related to the state or local governmental use of the project financed with the proceeds of the Bond, and (ii) any Private Person Use will not exceed the amount of Net Proceeds of the Bond allocable to the state or local governmental use portion of the project(s) to which the Private Person Use of such portion of the project financed with the proceeds of the Bond relate. The City further covenants that it will comply with any limitations on the use of the project financed with the proceeds of the Bond by other than state and local governmental users that are necessary, in the opinion of its bond counsel, to preserve the tax exemption of the interest on the Bond. The covenants of this section are specified solely to assure the continued exemption from regular income taxation of the interest on the Bond.

(c) *Modification of Tax Covenants.* The covenants of this section are specified solely to assure the continued exemption from regular income taxation of the interest on the Bond. To that end, the provisions of this section may be modified or eliminated without any requirement for formal amendment thereof upon receipt of an opinion of the City's bond counsel that such modification or elimination will not adversely affect the tax exemption of interest on the Bond.

(d) *Designation.* The City hereby designates the Bond as a “qualified tax-exempt obligation” for investment by financial institutions under Section 265(b)(3) of the Code. The City does not anticipate that it will issue more than \$10,000,000 in qualified tax-exempt obligations during 2020 (excluding obligations permitted by the Code to be excluded for purposes of the City’s qualification as a qualified small issuer).

Section 9. Bond Fund and Provision for Tax Levy Payments. A special fund of the City known as the “Limited Tax General Obligation Bond Redemption Fund, 2020,” which fund or account may be designated or re-designated in accordance with the practices of the City from time to time (the “Bond Fund”), is hereby authorized to be established and maintained by the City. The taxes hereafter levied for the purpose of paying principal of and interest on the Bond and other funds to be used to pay the Bond shall be deposited in the Bond Fund no later than the date such funds are required for the payment of principal of and interest on the Bond. Money in the Bond Fund not needed to pay the interest or principal next coming due may temporarily be deposited in such institutions or invested in such obligations as may be lawful for the investment of City funds.

The City hereby irrevocably covenants and agrees for as long as the Bond is outstanding and unpaid that each year it will include in its budget and levy an *ad valorem* tax upon all the property within the City subject to taxation in an amount that will be sufficient, together with all other revenues and money of the City legally available for such purposes, to pay the principal of and interest on the Bond as the same shall become due.

The City hereby irrevocably pledges that the annual tax provided for herein to be levied for the payment of such principal and interest shall be within and as a part of the tax levy permitted to cities without a vote of the people, and that a sufficient portion of each annual levy

to be levied and collected by the City prior to the full payment of the principal of and interest on the Bond will be and is hereby irrevocably set aside, pledged and appropriated for the payment of the principal of and interest on the Bond. The full faith, credit and resources of the City are hereby irrevocably pledged for the annual levy and collection of said taxes and for the prompt payment of the principal of and interest on the Bond as the same shall become due.

Section 10. Defeasance. In the event that money and/or noncallable Government Obligations that are direct obligations of the United States or obligations unconditionally guaranteed by the United States, maturing at such time or times and bearing interest to be earned thereon in amounts (together with such money, if necessary) sufficient to redeem and retire part or all of the Bond in accordance with its terms, are set aside in a special account of the City to effect such redemption and retirement, and such money and the principal of and interest on such Government Obligations are irrevocably set aside and pledged for such purpose, then no further payments need be made into the Bond Fund for the payment of the principal of and interest on the Bond so provided for, and such Bond or portion thereof shall cease to be entitled to any lien, benefit or security of this ordinance except the right to receive the money so set aside and pledged, and such Bond shall be deemed not to be outstanding hereunder.

Section 11. Sale of the Bond. The City Council has determined that it would be in the best interest of the City to delegate to the Designated Representative for a limited time the authority to solicit proposals from financial institutions and review and select a financial institution as the Bank. The actions of the Designated Representative in reviewing and approving a term sheet distributed to financial institutions is hereby ratified and approved. The Designated Representative is further authorized to approve the final interest rate or rates, maturity dates, including the Final Maturity Date, the Principal Payment Dates and the First

Interest Payment Date, prepayment provisions and other terms and conditions of the Bond so long as (i) the aggregate principal amount of the Bond does not exceed \$50,000; (ii) the Bond is prepayable no later than ten years from date of issue; (iii) the maximum true interest cost of the Bond does not exceed five percent (5.00%); and (iv) the maximum term of the Bond does not exceed twenty years from the date of issue.

The authority granted to the Designated Representative by this section shall remain in effect until December 31, 2020. If the sale for the Bond has not been completed by December 31, 2020, the authorization for the issuance of the Bond shall be rescinded, and the Bond shall not be issued nor its sale approved unless the Bond shall have been re-authorized by ordinance of the City. The ordinance reauthorizing the issuance and sale of the Bond may be in the form of a new ordinance repealing this ordinance in whole or in part or may be in the form of an amendatory ordinance establishing terms and conditions for the authority delegated under this section.

Upon the adoption of this ordinance, the proper officials of the City including the Designated Representative, are authorized and directed to undertake all other actions necessary for the prompt sale, execution and delivery of the Bond and further to execute all closing certificates and documents required to effect the closing and delivery of the Bond in accordance with the terms of the Purchase Offer. In furtherance of the foregoing, the Designated Representative is authorized to approve and enter into agreements for the payment of costs of issuance, including the fees and expenses specified in the Purchase Offer, including fees and expenses of the Bank and other retained services, including Bond Counsel, and other expenses customarily incurred in connection with issuance and sale of the Bond.

Section 12. No Undertaking to Provide Ongoing Disclosure. The Bond is not subject to Rule 15c2-12 of the Securities and Exchange Commission under the Securities Exchange Act of 1934, and the City makes no undertaking regarding ongoing disclosure with respect to the Bond.

As long as the Bond is outstanding, the City will provide to the Bank the information specified in the Purchase Offer as approved by the Designated Representative.

Section 13. Ratification; General Authorization. The Mayor and the City Clerk/Treasurer and other appropriate officers of the City are authorized to take any actions and to execute documents as in their judgment may be necessary or desirable in order to carry out the terms of, and complete the transactions contemplated by, this ordinance. All acts taken pursuant to the authority of this ordinance but prior to its effective date are hereby ratified.

Section 14. Lost, Stolen or Destroyed Bond. In case the Bond shall be lost, stolen or destroyed, the Bond Registrar may execute and deliver a new Bond of like date, number and tenor to the Bank thereof upon the Bank's paying the expenses and charges of the City and the Bond Registrar in connection therewith and upon its filing with the City evidence satisfactory to the City and the Bond Registrar that such Bond was actually lost, stolen or destroyed and of its ownership thereof, and upon furnishing the City and Bond Registrar with indemnity satisfactory to the City.

Section 15. Severability. If one or more of the covenants or agreements provided in this ordinance to be performed on the part of the City shall be declared by any court of competent jurisdiction to be contrary to law, then such covenant or covenants, agreement or agreements, shall be null and void and shall be deemed separable from the remaining covenants

and agreements in this ordinance and shall in no way affect the validity of the other provisions of this ordinance or of the Bond.

Section 16. Effective Date. This ordinance shall take effect from and after its passage and publication as required by law.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF MCCLEARY, WASHINGTON, AT A REGULAR MEETING HELD ON THE _____ DAY OF _____, 2020.

CITY OF MCCLEARY, WASHINGTON

BRENDA ORFFER, Mayor

ATTEST:

WENDY COLLINS, Clerk-Treasurer

CERTIFICATE

I, the undersigned, City Clerk of the City of McCleary, Washington (the “City”) and keeper of the records of the City Council (the “Council”), DO HEREBY CERTIFY:

1. That the attached ordinance is a true and correct copy of Ordinance No. _____ of the Council (the “Ordinance”), duly passed at a regular meeting thereof held on the _____ day of _____, 2020.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the Council voted in the proper manner for the adoption of the Ordinance; that all other requirements and proceedings incident to the proper adoption of the Ordinance have been duly fulfilled, carried out and otherwise observed; and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2020.

City Clerk

TAB - H

CITY OF MCCLEARY, WASHINGTON

WATER AND SEWER REVENUE REFUNDING BONDS, 2020

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCCLEARY, WASHINGTON, COMBINING THE WATER AND SEWER SYSTEMS SOLELY FOR THE PURPOSES OF SECURING REVENUE BONDS; AUTHORIZING THE ISSUANCE OF WATER AND SEWER REVENUE REFUNDING BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$2,430,000 FOR THE PURPOSE OF REFUNDING OUTSTANDING BONDS OF THE CITY'S WATER AND SEWER SYSTEMS AND DELEGATING AUTHORITY TO THE CITY MANAGER TO APPROVE THE FINAL TERMS OF SALE.

PASSED: AUGUST ___, 2020

Prepared by:

K&L GATES LLP
Seattle, Washington

CITY OF MCCLEARY, WASHINGTON
ORDINANCE NO. _____
TABLE OF CONTENTS*

	Page
Section 1. Definitions.....	2
Section 2. The System.....	11
Section 3. Plan of Finance	12
Section 4. Authorization and Description of the Bond	12
Section 5. Registration, Exchange and Payments	12
Section 6. Redemption Prior to Maturity.....	13
Section 7. Revenue Fund and Priority of Application of Revenue.....	13
Section 8. Bond Fund.....	15
Section 9. Specific Covenants.....	16
Section 10. Tax Covenants	19
Section 11. Issuance of Future Parity Bonds	21
Section 12. Form of Bonds	24
Section 13. Execution and Authentication of the Bonds	27
Section 14. Delegation of Authority; Sale of Bonds.....	28
Section 15. Application of Bond Proceeds; Refunding Plan	29
Section 16. Defeasance	29
Section 17. Event of Bond Being Lost, Stolen or Destroyed.....	30
Section 18. No Undertaking to Provide Ongoing Disclosure and Information to Bank	30
Section 19. Ordinance and Laws a Contract with the Bank	31
Section 20. Severability	31
Section 21. General Authorization.....	31
Section 22. Prior Acts	31
Section 23. Effective Date	32

* This Table of Contents and the cover page are provided for convenience only and is not a part of this ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCCLEARY, WASHINGTON, COMBINING THE WATER AND SEWER SYSTEMS SOLELY FOR THE PURPOSES OF SECURING REVENUE BONDS; AUTHORIZING THE ISSUANCE OF WATER AND SEWER REVENUE REFUNDING BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$2,430,000 FOR THE PURPOSE OF REFUNDING OUTSTANDING BONDS OF THE CITY'S WATER AND SEWER SYSTEMS AND DELEGATING AUTHORITY TO THE CITY MANAGER TO APPROVE THE FINAL TERMS OF SALE.

WHEREAS, the City of McCleary, Washington (the "City") now owns and operates a waterworks utility system for the purpose of furnishing the City and its inhabitants and other persons with an ample supply of water for all purposes; and

WHEREAS, the City also maintains a sanitary sewer system and wastewater treatment facility; and

WHEREAS, cities are permitted by RCW 35.92.100 to combine their water and sewer systems for the purpose of paying and securing the payment of revenue bonds; and

WHEREAS, it appears to be in the best interests of the City and its ratepayers that the City's water and sewer systems be combined (the "System"); and

WHEREAS, the City by Ordinance No. 961, adopted by the City Council (the "Council") on March 9, 2005, has issued its Sewer Revenue Bond, 2005 (the "2005 Bond"), in the original principal amount of \$2,700,000, and currently outstanding in the principal amount of \$2,205,430; and

WHEREAS, the 2005 Bond is subject to redemption at the option of the City on any date with 30 days notice to the United States of America, acting through the United States Department

of Agriculture (the “USDA”), at a price of 100% of the principal amount thereof plus accrued interest to the date of redemption; and

WHEREAS, the City, by Ordinance No. 766, adopted by the Council on February 10, 2010, has issued its Water Revenue Bond, 2010A and Water Revenue Bond, 2010B (together, the “2010 Bonds,” and collectively with the 2005 Bond, the “Refunded Bonds”), in the original aggregate principal amount of \$334,000, and currently outstanding in the aggregate principal amount of \$202,962; and

WHEREAS, the 2010 Bonds are subject to redemption at the option of the City on any date with 30 days notice to the USDA, at a price of 100% of the principal amount thereof plus accrued interest to the date of redemption; and

WHEREAS, after due consideration it appears to the Council that the Refunded Bonds may be refunded by the issuance of refunding revenue bonds (the “Bonds”), thereby realizing a savings on debt service; and

WHEREAS, this Council has determined to delegate authority to the Designated Representative to select a financial institution as the purchaser of the Bonds, approve the series, final principal amounts, interest rate or rates, maturity date or dates, redemption rights, interest payment dates, and the principal redemption schedule for a limited time;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MCCLEARY, WASHINGTON, DOES ORDAIN, as follows:

Section 1. Definitions. As used in this ordinance, the following words shall have the following meanings, unless a different meaning clearly appears from the context:

Accreted Value means (1) with respect to any Capital Appreciation Bonds, as of any date of calculation, the sum of the amount set forth in the ordinance authorizing their issuance as the

amount representing the initial principal amount of such Capital Appreciation Bonds plus the interest accumulated, compounded and unpaid thereon as of the most recent compounding date, or (2) with respect to Original Issue Discount Bonds, as of the date of calculation, the amount representing the initial public offering price of such Original Issue Discount Bonds plus the amount of discounted principal which has accreted since the date of issue. In each case, the Accreted Value shall be determined in accordance with the provisions of the ordinance authorizing the issuance of such Balloon Maturity Bonds.

Annual Debt Service means the total amount of Debt Service for any Parity Bond or series of Parity Bonds or other evidences of indebtedness payable from Revenue of the System in any fiscal year or Base Period.

Bank means Banner Bank as the initial purchasing entity or bank(s) of the Bonds, and any successor thereto.

Balloon Maturity Bonds means any evidences of indebtedness of the City payable from Revenue of the System that are so designated in the ordinance pursuant to which such indebtedness is incurred.

Base Period means any consecutive 12-month period selected by the City out of the 30-month period next preceding the date of issuance of an additional series of Future Parity Bonds.

Bonds means the City of McCleary, Washington, Water and Sewer Revenue Refunding Bond, 2020, with appropriate series designations, issued as authorized by this ordinance.

Bond Fund means the City's Revenue Bond - Debt Service Fund, established pursuant to Section 8 of this ordinance.

Bond Register means the registration books showing the name, address and tax identification number of each Registered Owner of the Bond of a series, maintained pursuant to Section 149(a) of the Code.

Bond Registrar means the Clerk-Treasurer of the City. The term **Bond Registrar** shall include any successor to that function, if any, hereinafter appointed by the Designated Representative.

Bond Year means each one-year period that ends on the date selected by the City. The first and last Bond Years may be short periods. If no day is selected by the City before the earlier of the final maturity date of a Bond of a series or the date that is five years after the date of issuance of such Bond, Bond Years end on each anniversary of the date of issue and on the final maturity date of such Bond.

Call Date means each date determined by the Designated Representative as the date of redemption for the Refunded Bonds.

Capital Appreciation Bonds means any Future Parity Bonds all or a portion of the interest on which is compounded, accumulated and payable only upon redemption or on the maturity date of such Capital Appreciation Bonds. If so provided in the ordinance authorizing their issuance, Future Parity Bonds may be deemed to be Capital Appreciation Bonds for only a portion of their term. On the date on which Future Parity Bonds no longer are Capital Appreciation Bonds, they shall be deemed outstanding in a principal amount equal to their Accreted Value.

City means the City of McCleary, Washington, a municipal corporation duly organized and existing under the laws of the State of Washington.

Clerk-Treasurer means the City's Clerk-Treasurer or the successor officer.

Code means the Internal Revenue Code of 1986, as amended, and shall include all applicable regulations and rulings relating thereto.

Consultant means at any time an independent municipal financial consultant appointed by the City to perform the duties of the Consultant as required by this ordinance. For the purposes of delivering any certificate required by Section 11 of this ordinance and making the calculation required by Section 11 of this ordinance, the term Consultant shall also include any independent public accounting firm appointed by the City to make such calculation or to provide such certificate.

Costs of Maintenance and Operation means all reasonable expenses incurred by the City in causing the System of the City to be operated and maintained in good repair, working order and condition, but shall not include any payments for debt service or into reserve funds, depreciation or taxes levied or imposed by the City or payments to the City in lieu of taxes, or capital additions or capital replacements to the System.

Council means the City Council as the general legislative authority of the City as the same shall be duly and regularly constituted from time to time.

Date of Issue means the date of issuance and delivery of the Bonds to the Bank.

Debt Service means, for any period of time,

(a) with respect to any outstanding Original Issue Discount Bonds or Capital Appreciation Bonds which are not designated as Balloon Maturity Bonds in the ordinance authorizing their issuance, the principal amount thereof shall be equal to the Accreted Value thereof maturing or scheduled for redemption in such period, and the interest payable during such period;

(b) with respect to any outstanding Fixed Rate Bonds, an amount equal to (1) the principal amount of such Fixed Rate Bonds due or subject to mandatory redemption during such period and for which no sinking fund installments have been established, (2) the amount of any payments required to be made during such period into any sinking fund established for the payment of any such Fixed Rate Bonds, plus (3) all interest payable during such period on any such outstanding Fixed Rate Bonds and with respect to Fixed Rate Bonds with mandatory sinking fund requirements, calculated on the assumption that mandatory sinking fund installments will be applied to the redemption or retirement of such Fixed Rate Bonds on the date specified in the ordinance authorizing such Fixed Rate Bonds; and

(c) with respect to all other series of Parity Bonds, other than Fixed Rate Bonds, Original Issue Discount Bonds or Capital Appreciation Bonds, specifically including but not limited to Balloon Maturity Bonds and Parity Bonds bearing variable rates of interest, an amount for any period equal to the amount which would have been payable for principal and interest on such Parity Bonds during such period computed on the assumption that the amount of Parity Bonds as of the date of such computation would be amortized (1) in accordance with the mandatory redemption provisions, if any, set forth in the ordinance authorizing the issuance of such Parity Bonds, or if mandatory redemption provisions are not provided, during a period commencing on the date of computation and ending on the date 30 years after the date of issuance (2) at an interest rate equal to the yield to maturity set forth in the 40-Bond Index published in the edition of *The Bond Buyer* (or comparable publication or such other similar index selected by the City) and published within ten days prior to the date of calculation or, if such calculation is being made in connection with the certificate required by Section 11 of this ordinance, then within ten days of such certificate, (3) to provide for essentially level annual debt service of principal and interest

over such period. Debt Service shall be net of any interest funded out of Bond proceeds. Debt Service shall include reimbursement obligations to providers of Credit Facilities to the extent authorized by ordinance.

Designated Representative means the Mayor or Clerk-Treasurer of the City.

Fixed Rate Bonds means those Parity Bonds other than Capital Appreciation Bonds, Original Issue Discount Bonds or Balloon Maturity Bonds issued under an ordinance in which the rate of interest on such Parity Bonds is fixed and determinable through their final maturity or for a specified period of time. If so provided in the ordinance authorizing their issuance, Parity Bonds may be deemed to be Fixed Rate Bonds for only a portion of their term.

Future Parity Bonds means any water and sewer revenue bonds which the City may hereafter issue having a lien upon the Revenue of the System for the payment of the principal thereof and interest thereon equal to the lien upon the Revenue of the System of the Bonds.

Government Obligations means those obligations now or hereafter defined as such in chapter 39.53 RCW.

Maximum Annual Debt Service means highest dollar amount of Annual Debt Service in any fiscal year or Base Period for all outstanding Parity Bonds and the Bonds and/or for all subordinate lien evidences of indebtedness secured by Revenue of the System, as the context requires. The Maximum Annual Debt Service shall be calculated net of any federal subsidy legally available to pay the principal of or interest on Parity Bonds in the year of calculation.

Net Revenue means Revenue of the System less Costs of Maintenance and Operation.

Original Issue Discount Bonds means Parity Bonds which are sold at an initial public offering price of less than 95% of their face value and which are specifically designated as Original Issue Discount Bonds in the ordinance authorizing their issuance.

Parity Bonds means the Bonds and any Future Parity Bonds.

Parity Requirement means Net Revenues equal to or greater than 120% of Maximum Annual Debt Service for all Parity Bonds.

Private Person means any natural person engaged in a trade or business or any trust, estate, partnership, association, company or corporation.

Private Person Use means the use of property in a trade or business by a Private Person if such use is other than as a member of the general public. Private Person Use includes ownership of the property by the Private Person as well as other arrangements that transfer to the Private Person the actual or beneficial use of the property (such as a lease, management or incentive payment contract or other special arrangement) in such a manner as to set the Private Person apart from the general public. Use of property as a member of the general public includes attendance by the Private Person at municipal meetings or business rental of property to the Private Person on a day-to-day basis if the rental paid by such Private Person is the same as the rental paid by any Private Person who desires to rent the property. Use of property by nonprofit community groups or community recreational groups is not treated as Private Person Use if such use is incidental to the governmental uses of property, the property is made available for such use by all such community groups on an equal basis and such community groups are charged only a *de minimis* fee to cover custodial expenses.

Purchase Offer means the Purchase Offer relating to the Bonds as approved by the Designated Representative pursuant to Section 14 of this ordinance and may include an additional purchase agreement if agreed upon between the Bank and the Designated Representative.

Rate Covenant has the meaning given such term in Section 9(a) of this ordinance.

Rating Agency means Moody's or S&P.

Rating Category means the generic rating categories of the Rating Agency, without regard to any refinement or gradation of such rating category by a numerical modifier or otherwise.

Refunded Bonds mean the 2005 Bond and the 2010 Bonds.

Revenue Fund means the accounts of the City previously established into which Gross Revenue of the System is deposited, all as described in Section 7 of this ordinance.

Revenue of the System or Revenue means all of the earnings and revenues received by the City from the maintenance and operation of the System and all earnings from the investment of money in the Bond Fund which earnings are deposited in the Bond Fund, and connection and capital improvement charges collected for the purpose of defraying the cost of capital facilities of the System, but excluding government grants, proceeds from the sale of System property, City taxes collected by or through the System, principal proceeds of bonds and earnings or proceeds from any investments in a trust, defeasance or escrow fund created to defease or refund System obligations (until commingled with other earnings and revenues of the System) or held in a special account for the purpose of paying a rebate to the United States Government under the Code.

Revenue of the System shall also include any federal or state reimbursements of operating expenses to the extent such expenses are included as **Costs of Maintenance and Operation**. The term **Revenue of the System** shall not include any federal subsidy legally available to pay the principal of or interest on Parity Bonds.

System means the City's combined system of water supply and distribution and sanitary sewage disposal, as the same may be added to, improved and extended for as long as any Parity Bonds are outstanding. The term **System** also shall include any other utility that may in the future be combined with the System.

Treasurer means the Clerk-Treasurer of the City, or any successor to the functions of the Treasurer.

2005 Bond Ordinance means Ordinance No. 719, passed on March 9, 2005, authorizing the issuance of the 2005 Bonds.

2005 Bond means the “City of McCleary, Washington, Sewer Revenue Bond, 2005,” issued under date of March 21, 2005, pursuant to the 2005 Bond Ordinance and which remains outstanding in the principal amount of \$2,205,430.

2010 Bond Ordinance means Ordinance No. 766, passed on February 10, 2010, authorizing the issuance of the 2010 Bonds.

2010 Bonds mean the “City of McCleary, Washington, Water Revenue Bonds, 2010,” issued under date of March 1, 2010, pursuant to the 2010 Bond Ordinance and which remain outstanding in the principal amount of \$202,962.

Variable Interest Rate means a variable interest rate or rates to be borne by a series of Future Parity Bonds or any one or more maturities within a series of Future Parity Bonds. The method of computing a variable interest rate shall be specified in the ordinance authorizing such Future Parity Bonds, which ordinance also shall specify either (a) the particular period or periods of time or manner of determining such period or periods of time for which each value of such variable interest rate shall remain in effect or (b) the time or times upon which any change in such variable interest rate shall become effective.

Variable Interest Rate Bonds means, for any period of time, Future Parity Bonds which bear a Variable Interest Rate during that period, except that Future Parity Bonds the interest rate or rates on which shall have been fixed for the remainder of the term thereof no longer shall be deemed to be Variable Interest Rate Bonds.

Rules of Interpretation. In this ordinance, unless the context otherwise requires:

(a) The terms “hereby,” “hereof,” “hereto,” “herein, “hereunder” and any similar terms, as used in this ordinance, refer to this ordinance as a whole and not to any particular article, section, subdivision or clause hereof, and the term “hereafter” shall mean after, and the term “heretofore” shall mean before, the date of this ordinance;

(b) Words of the masculine gender shall mean and include correlative words of the feminine and neuter genders and words importing the singular number shall mean and include the plural number and vice versa;

(c) Words importing persons shall include firms, associations, partnerships (including limited partnerships), trusts, corporations and other legal entities, including public bodies, as well as natural persons;

(d) Any headings preceding the text of the several articles and sections of this ordinance, and any table of contents or marginal notes appended to copies hereof, shall be solely for convenience of reference and shall not constitute a part of this ordinance, nor shall they affect its meaning, construction or effect;

(e) All references herein to “articles,” “sections” and other subdivisions or clauses are to the corresponding articles, sections, subdivisions or clauses hereof; and

(f) Words importing the singular number include the plural number and vice versa.

Section 2. **The System.** The City Council hereby combines the water supply and distribution system with the sanitary sewage disposal system of the City, as permitted by RCW 35.92.100, for purposes of paying and securing revenue bonds of said water supply and distribution system and the sewer system and the word ***System*** hereinafter shall mean the combined water system and sewer system of the City, together with all additions thereto and betterments and

extensions thereof heretofore or hereafter made and also shall include any other utility of the City that is hereafter combined with the System.

Section 3. Plan of Finance. In order to achieve debt service savings for the benefit of the System's ratepayers, the Council hereby authorizes the issuance the Bonds in the aggregate principal amount of not to exceed \$2,430,000 for the purpose of refunding the Refunded Bonds and costs of issuance of the Bonds.

Section 4. Authorization and Description of the Bond. The Council hereby authorizes the issuance of water and sewer revenue refunding bonds (the "Bonds"). The Bonds shall be designated as the City of McCleary, Washington, Water and Sewer Revenue Refunding Bond, 2020, with appropriate series designations as determined by the Designated Representative and as described in the Purchase Offer, shall be dated as of their date of its issuance and delivery ("Date of Issue"); shall be fully registered as to both principal and interest; shall be issued as a single Bond for each series; shall bear interest on outstanding principal from the Date of Issue payable on the dates and at the rates and be payable in principal installments set forth in the Purchase Offer as approved by the Designated Representative pursuant to Section 13.

The Bonds shall be an obligation only of the Bond Fund and shall be payable and secured as provided herein. The Bonds do not constitute an indebtedness or general obligation of the City within the meaning of the constitutional provisions and limitations of the State of Washington.

Section 5. Registration, Exchange and Payments.

(a) *Registrar/Bond Register.* The Treasurer shall act as the initial Bond Registrar. The duties of the Bond Registrar hereunder shall be limited to authenticating the Bonds and to remitting money to the Bank on the payment dates as provided therein. The Treasurer may determine at any time that he or she no longer wishes to act as Bond Registrar and thereupon may appoint a

successor Bond Registrar, which may or may not be the fiscal agent of the State of Washington. The Bond Registrar is authorized, on behalf of the City to authenticate and deliver the Bonds and to carry out all of the Bond Registrar's powers and duties under this ordinance.

Principal of and interest on the Bonds shall be payable in lawful money of the United States of America. Installments of principal of and interest on the Bonds shall be paid by check, wire, or electronic transfer on the date due to the Bank and shall be applied first to interest and then to principal as of the date actually received by the Bank; *provided, however*, that upon payment of the final installment of principal on the Bonds, the Bank shall present and surrender the Bonds at the principal office of the Bond Registrar for cancellation and surrender.

The Bonds are not transferable, except in whole to a successor financial institution or another financial institution or qualified institutional buyer or otherwise as provided in the Purchase Offer. In the event that a Bond is transferred, then following such transfer, the duties and options ascribed to the Bank in this ordinance shall be transferred to such qualified institution.

Section 6. Redemption Prior to Maturity. The Bonds shall be subject to prepayment in accordance with the terms approved in the Purchase Offer.

Section 7. Revenue Fund and Priority of Application of Revenue. There has heretofore been created by the City special funds of the City known as Water Fund and Sewer Fund, each maintained by the Designated Representative of the City, and shall also include any other fund of the City into which the Revenue of the System is deposited (collectively, the "Revenue Fund"). The Revenue Fund shall be considered a combined fund for purposes of measuring compliance with the Rate Covenant and the Parity Requirement. Notwithstanding the foregoing, the Designated Representative may maintain such separate funds and accounts in such names and under such additional designations as shall be required to comply with the uniform

system of accounting established by the State Auditor from time to time. The Revenue Fund shall be held separate and apart from all other funds and accounts of the City and the Revenue of the System deposited in such Fund shall be used only for the following purposes and in the following order of priority:

First, to pay the Costs of Maintenance and Operation of the System;

Second, to pay the interest on any Parity Bonds;

Third, to pay the principal of any Parity Bonds;

Fourth, to make all payments required to be made into any sinking fund or bond retirement account heretofore or hereafter created for the payment of the principal of Parity Bonds;

Fifth, to make all payments required to be made into a reserve account if one is created in the future;

Sixth, to make all payments required to be made into any revenue bond redemption fund or reserve account created to pay and secure the payment of the principal of and interest on any other revenue bonds or revenue warrants of the City having a lien upon the Revenue of the System junior and inferior to the lien thereon for the payment of the principal of and interest on Parity Bonds; and

Seventh, to retire by redemption or purchase any outstanding revenue bonds or revenue warrants of the City, to make necessary additions, betterments, improvements and repairs to or extensions and replacements of the System, or for any other lawful City purposes.

The City may transfer any money from any funds or accounts of the System legally available therefor, except bond redemption funds, refunding escrow funds or defeasance funds, to meet the required payments to be made into the Bond Fund.

Section 8. Bond Fund. The City has created and shall maintain one or more special funds in accordance with approved accounting principles applicable to the City known (collectively, the “Bond Fund”). The Bond Fund shall be maintained for the purpose of paying the principal of and interest on all Parity Bonds. As long as any Parity Bond remains outstanding, the City hereby irrevocably obligates and binds itself to set aside and pay from the Revenue Fund into the Bond Fund those amounts necessary, together with such other funds as are on hand and available in the Bond Fund, to pay the interest or principal and interest next coming due on outstanding Parity Bonds. Such payments from the Revenue Fund to the Bond Fund shall be made in a fixed amount without regard to any fixed proportion following the closing and delivery of the Bonds on or before each date on which an installment of interest or principal and interest falls due on Parity Bonds equal to the installment of interest or principal and interest.

The City shall not maintain a reserve account for the repayment of the Bond; however, the City may elect in the future to create a reserve account for a series of Future Parity Bonds.

(b) *Priority of Lien of Payments into Bond Fund.* The amounts so pledged to be paid into the Bond Fund from the Revenue Fund are hereby declared to be a prior lien and charge upon the Revenue of the System superior to all other charges of any kind or nature whatsoever except the Costs of Maintenance and Operation of the System, and except that the amounts so pledged are of equal lien to the charges upon such Revenue and for the payment of the principal of and interest on any Future Parity Bonds.

(c) *Application and Investment of Moneys.* Money in the Revenue Fund and the Bond Fund may be kept in cash or invested as permitted by law. Investments in the Bond Fund shall mature prior to the date on which such money shall be needed for required interest or principal payments (for investments in the Bond Fund) or having a guaranteed redemption price prior to

maturity. All interest earned and income derived by virtue of such investments shall remain in the Revenue Fund and the Bond Fund, respectively.

(d) *Sufficiency of Revenues.* The City Council hereby finds that in fixing the amounts to be paid into the Bond Fund out of the Revenue of the System, it has exercised due regard for the Costs of Maintenance and Operation and has not obligated the City to set aside and pay into the Bond Fund a greater amount of such Revenue than in its judgment will be available over and above the Costs of Maintenance and Operation.

Section 9. Specific Covenants.

(a) *Rate Covenant.* The City will establish, maintain and collect such rates and charges for service of its System for so long as any Parity Bonds are outstanding as will provide Net Revenues in each fiscal year at least equal to 120% of the amounts required in such fiscal year to be paid as scheduled debt service (principal and interest) on all Parity Bonds.

(b) *System Maintenance.* The City will at all times maintain and keep the System in good repair, working order and condition, and also will at all times operate such utility and the business in connection therewith in an efficient manner and at a reasonable cost.

(c) *Disposal of Properties.* The City will not mortgage, sell, lease, or in any manner encumber or dispose of all or substantially all the property of the System (voluntarily or involuntarily), unless provision is made for payment into the Bond Fund of a sum sufficient to pay the principal of, premium, if any, and interest on all outstanding bonds payable therefrom, nor will it mortgage, sell, lease, or in any manner encumber or dispose of (including but not limited to a disposition by transfer to another public or private organization) voluntarily or involuntarily any part of the System that is used, useful and material to the operation of the System unless

(1) the City certifies, based upon reasonable expectations, that the remaining assets of the System shall be sufficient to continue regular operations of the City on a financially sound basis for a period of at least five years and

(2) provision is made for replacement thereof or for payment into the Bond Fund of the total amount of revenue received which shall not be less than an amount which shall bear the same ratio to the amount of outstanding Parity Bonds as the greater of

(A) the Net Revenue available for debt service for such outstanding Parity Bonds for the 12 months preceding such sale, lease, encumbrance or disposal from the portion of the System sold, leased, encumbered or disposed of bears to the Net Revenue available for debt service for such Parity Bonds from the entire System for the same period;

(B) the Revenue of the System for the 12 months preceding such sale, lease, encumbrance or disposal from the portion of the System sold, leased, encumbered or disposed of bears to the Revenue of the System for the same period;

(C) the proportion of assets (on a depreciated basis) allocable to the assets being sold, leased, encumbered or disposed of bears to the total assets of the System; or

(D) the proportion of customers of the City allocable to the assets being sold, leased, encumbered or disposed of bears to the total number of customers of the System, *provided, however,* that the City may dispose of any portion of the facilities of the System up to an aggregate of five percent of the book value of the total assets of the System without the requirement for any deposit to the Bond Fund as hereinabove provided.

Any such moneys so paid into the Bond Fund shall be used to retire such outstanding Parity Bonds at the earliest possible date. Any money received by the City as condemnation awards,

insurance proceeds or the proceeds of sale, if not deposited to the Bond Fund, shall be used for the replacement of facilities of the System.

(d) *Books and Records.* The City will, while the Bond remains outstanding, keep proper and separate accounts and records in which complete and separate entries shall be made of all transactions relating to the System, and it will furnish the original purchaser or purchasers of the Bonds or any subsequent owner or owners thereof with its audited financial statements promptly upon receipt thereof and such other information as is requested by the Bank.

(e) *No Free Service.* The City will not furnish water or sanitary sewerage disposal service to any customer whatsoever free of charge (except to aid the poor or infirm, to provide for resource conservation or to provide for the proper handling of hazardous materials) and will promptly take legal action to enforce collection of all delinquent accounts.

(f) *Property Insurance.* The City will at all times carry fire and extended coverage and such other forms of insurance on the buildings, equipment, facilities and properties of the System, if such insurance is obtainable at reasonable rates and upon reasonable conditions, against such risks, in such amounts, and with such deductibles as the Council shall deem necessary for the protection of the System and the owners of all outstanding Parity Bonds.

(g) *Liability Insurance.* The City will at all times keep and arrange to keep in full force and effect policies of public liability and property damage insurance which will protect the City against anyone claiming damages of any kind or nature arising out of the operation of the System, if such insurance is obtainable at reasonable rates and upon reasonable conditions, in such amounts and with such deductibles as the Council shall deem necessary for the protection of the City and the owners of the outstanding Parity Bonds.

(h) *Delinquencies of Accounts.* The City will, on or before June 1 of each calendar year, determine all accounts that are delinquent and will take all necessary action to enforce payment of any such delinquencies.

Section 10. Tax Covenants. The City covenants that it will not take or permit to be taken on its behalf any action that would adversely affect the exemption from federal income taxation of the interest on the Bonds and will take or require to be taken such acts as may reasonably be within its ability and as may from time to time be required under applicable law to continue the exemption from federal income taxation of the interest on the Bonds.

(a) *Arbitrage Covenant.* The City hereby covenants that it will not make any use of the proceeds of sale of the Bond of a series or any other funds of the City which may be deemed to be proceeds of such Bonds pursuant to Section 148 of the Code which will cause a Bond to be an “arbitrage bond” within the meaning of said section and said Regulations. The City will comply with the requirements of Section 148 of the Code (or any successor provision thereof applicable to the Bonds) and the applicable Regulations thereunder throughout the term of the Bonds.

(b) *Private Person Use Limitation for Bonds.* The City covenants that for as long as the Bonds are outstanding, it will not permit:

(1) More than 10% of the Net Proceeds of the Bond of a series to be used for any Private Person Use; and

(2) More than 10% of the principal or interest payments on the Bond of a series in a Bond Year to be directly or indirectly: (A) secured by any interest in property used or to be used for any Private Person Use or secured by payments in respect of property used or to be used for any Private Person Use, or (B) derived from payments (whether or not made to the City) in respect of property, or borrowed money, used or to be used for any Private Person Use.

The City further covenants that, if:

(3) More than five percent of the Net Proceeds of the Bond of a series is to be used for any Private Person Use; and

(4) More than five percent of the principal or interest payments on the Bond of that series in a Bond Year are (under the terms of this ordinance or any underlying arrangement) directly or indirectly:

(A) secured by any interest in property used or to be used for any Private Person Use or secured by payments in respect of property refinanced with the proceeds of the Bond of that series and used or to be used for any Private Person Use, or

(B) derived from payments (whether or not made to the City) in respect of property financed or refinanced with the proceeds of the Bond of that series and, or borrowed money, used or to be used for any Private Person Use,

then, (i) any Private Person Use of the Improvements described in subsection (3) hereof or Private Person Use payments described in subsection (4) hereof that is in excess of the five percent limitations described in such subsections (3) or (4) will be for a Private Person Use that is related to the state or local governmental use of the refinanced Improvements, and (ii) any Private Person Use will not exceed the amount of Net Proceeds of the Bond of a series used for the state or local governmental use portion of such refinanced Improvements to which the Private Person Use of such portion of the financed or refinanced Improvements relates. The City further covenants that it will comply with any limitations on the use of the financed or refinanced Improvements by other than state and local governmental users that are necessary, in the opinion of its bond counsel, to preserve the tax exemption of the interest on the Bonds. The covenants of this section are specified solely to assure the continued exemption from regular income taxation of the interest on the Bonds.

(c) *Designation under Section 265(b) of the Code.* The City hereby designates the Bonds as “qualified tax-exempt obligations” for investment by financial institutions under Section 265(b)(3) of the Code. The City does not anticipate that it will issue more than \$10,000,000 in qualified tax-exempt obligations during 2020 (excluding obligations permitted by the Code to be excluded for purposes of the City’s qualification as a qualified small issuer).

Section 11. Issuance of Future Parity Bonds.

(a) *Conditions upon the Issuance of Future Parity Bonds.* As long as the Bonds remain outstanding, the City hereby further covenants and agrees that it will not issue obligations having a lien on the Revenue of the System superior to the lien thereon of Parity Bonds. The City hereby reserves the right to issue additional water and sewer revenue bonds, which shall constitute a charge and lien upon the Revenue of the System equal to the lien thereon of the Bonds. Except as provided in subsection (b) below, the City shall not issue any series of Future Parity Bonds or incur any additional indebtedness with a parity lien or charge on Net Revenues (*i.e.*, on a parity of lien with Parity Bonds at the time outstanding) unless:

(1) the City shall not have been in default of its Rate Covenant for the immediately preceding fiscal year, and

(2) there shall have been filed a certificate (prepared as described in subsection (c) or (d) below) demonstrating fulfillment of the Parity Requirement, commencing with the first full fiscal year following the date on which any portion of interest on the series of Future Parity Bonds then being issued no longer will be paid from the proceeds of such series of Future Parity Bonds.

(b) *No Certificate Required.* The certificate described in the foregoing subsection (a)(2) shall not be required as a condition to the issuance of Future Parity Bonds:

(1) if the Future Parity Bonds being issued are for the purpose of refunding outstanding Parity Bonds; or

(2) if the Future Parity Bonds are being issued to pay costs of construction of facilities of the System for which Future Parity Bonds have been issued previously and the principal amount of such Future Parity Bonds being issued for completion purposes does not exceed an amount equal to an aggregate of 15% of the principal amount of Future Parity Bonds theretofore issued for such facilities and reasonably allocable to the facilities to be completed as shown in a written certificate of the Designated Representative, and there is delivered a Consultant's certificate stating that the nature and purpose of such facilities has not materially changed.

(c) *Certificate of the City Without A Consultant.* If required pursuant to the foregoing subsection (a)(2), a certificate may be delivered by the City (executed by the Designated Representative) without a Consultant if Net Revenues for the Base Period (confirmed by an independent auditor) conclusively demonstrate that the Parity Requirement will be fulfilled.

(d) *Certificate of a Consultant.* Unless compliance with the requirements of subsection (a)(2) have been otherwise satisfied (as provided in (b) or (c) above), compliance with the Parity Requirement shall be demonstrated conclusively by a certificate of a Consultant.

In making the computations of Net Revenues for the purpose of certifying compliance with the Parity Requirement, the Consultant shall use as a basis the Net Revenues (which may be based upon unaudited financial statements of the City if the audit has not yet been completed) for the Base Period. Such Net Revenues shall be determined by adding the following:

(1) The historical net revenue of the System for any 12 consecutive months out of the 30 months immediately preceding the month of delivery of the Future Parity Bonds being issued as determined by a Consultant.

(2) The net revenue derived from those customers of the City that have become customers during such 12-month period or thereafter and prior to the date of such certificate, adjusted to reflect a full year's net revenue from each such customer to the extent such net revenue was not included in (1) above.

(3) The estimated annual net revenue to be derived from any person, firm, association, private or municipal corporation under any executed contract for service, which net revenue was not included in any of the sources of net revenue described in this subsection (d).

(4) The estimated annual net revenue to be derived from the operation of any additions or improvements to or extensions of the City under construction but not completed at the time of such certificate and not being paid for out of the proceeds of sale of such Future Parity Bonds being issued, and which net revenue is not otherwise included in any of the sources of net revenue described in this subsection (d).

(5) The estimated annual net revenue to be derived from the operation of any additions and improvements to or extensions of the City being paid for out of the proceeds of sale of such Bonds being issued.

In the event the City will not derive any revenue as a result of the construction of the additions, improvements or extensions being made or to be made to the System within the provisions of subparagraphs (4) and (5) immediately above, the estimated normal Costs of Maintenance and Operation (excluding any transfer of money to other funds of the City and

license fees, taxes and payments in lieu of taxes payable to the City) of such additions, improvements and extensions shall be deducted from estimated annual net revenue.

The words “historical net revenue” or “net revenue” as used in this subsection (d) shall mean the Revenue or any part or parts thereof less the normal expenses of maintenance and operation of the System or any part or parts thereof, but before depreciation.

Such “historical net revenue” or “net revenue” shall be adjusted to reflect the rates and charges effective on the date of such certificate if there has been any change in such rates and charges during or after such 12-consecutive-month period.

(e) *Subordinate Lien Obligations.* Nothing herein contained shall prevent the City from issuing revenue bonds or other obligations which are a charge upon the Revenue of the System junior or inferior to the payments required by this ordinance to be made out of such Revenue to pay and secure the payment of any outstanding Parity Bonds.

(f) *Refunding Obligations.* Nothing herein contained shall prevent the City from issuing revenue bonds to refund maturing Parity Bonds for the payment of which moneys are not otherwise available.

Section 12. Form of Bonds. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA

NO. R-1 \$ _____

STATE OF WASHINGTON
CITY OF MCCLEARY
WATER AND SEWER REVENUE REFUNDING BOND, 2020[A][B]

INTEREST RATE: _____ %
MATURITY DATE: _____

REGISTERED OWNER: _____

TAX IDENTIFICATION #: _____

PRINCIPAL AMOUNT: _____ and No/100 Dollars

The City of McCleary, Washington, a municipal corporation organized and existing under and by virtue of the laws of the State of Washington (herein called the "City") hereby acknowledges itself to owe and for value received promises to pay, but only from the sources and as hereinafter provided, to the Registered Owner identified above, or registered assigns, the Principal Amount specified above, together with interest thereon, at the Interest Rate specified above, calculated on the basis of a 360-day year consisting of twelve 30-day months. Principal and interest shall be repaid in installments set forth below:

AMORTIZATION SCHEDULE

<u>Payment Date</u>	<u>Principal Amount</u>	<u>Interest</u>	<u>Total</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Both principal of and interest on this bond are payable in lawful money of the United States of America. Payments shall be first applied to interest and then principal as of the date such payment is actually received by the Registered Owner. This bond shall bear interest on unpaid principal from its date or the most recent date to which interest has been paid. The City Clerk-Treasurer is acting as the initial authenticating agent, paying agent and registrar for this bond (the "Registrar"). The final payment of principal of and interest on this bond shall be paid to the Registered Owner hereof upon presentation and surrender of this bond to the Bond Registrar.

Capitalized terms used in this bond that are not specifically defined have the meanings given such terms in Ordinance No. _____ of the City (the "Bond Ordinance"). Reference is made to the Bond Ordinance and any and all modifications and amendments thereto for a description of the nature and extent of the security for the bond, the funds or revenues pledged, and the terms and conditions upon which such bond is issued. This bond is authorized by the Bond Ordinance for the purposes of providing money to pay part of the cost of refunding certain outstanding water and sewer revenue bonds of the City, undertaking improvements to the System and paying costs of issuance, all in conformity with the laws of the State of Washington and ordinances of the City.

This bond may be prepaid as provided in the Bond Ordinance and the Purchase Offer.

This bond is not transferable, except in whole to a successor financial institution or another financial institution or qualified institutional buyer.

This bond is payable solely from the special fund of the City defined as the Bond Fund in the Bond Ordinance. The City has irrevocably obligated and bound itself to pay into the Bond Fund out of the Revenue of the System or from such other moneys as may be provided therefor certain amounts necessary to pay and secure the payment of the principal and interest on such bond. This bond is not a general obligation of the City.

This bond is not a “private activity bond” as such term is defined in the Internal Revenue Code of 1986, as amended (the “Code”). The City has designated this bond as a “qualified tax-exempt obligation” under Section 265(b) of the Code for investment by financial institutions.

This bond is issued under and in accordance with the provisions of the Constitution and applicable statutes of the State of Washington and duly adopted ordinances of the City. The City hereby covenants and agrees with the owner of this bond that it will keep and perform all the covenants of this bond and of the Bond Ordinance to be by it kept and performed, and reference is hereby made to the Bond Ordinance for a complete statement of such covenants.

The City does hereby pledge and bind itself to set aside from the Revenue Fund out of the revenue of the System and to pay into the Bond Fund the various amounts required by the Bond Ordinance to be paid into and maintained in such Funds, all within the times provided by the Bond Ordinance. To the extent more particularly provided by the Bond Ordinance, the amounts so pledged to be paid from the Revenue Fund out of the Revenue of the System into the Bond Fund with respect to this bond shall be a lien and charge thereon equal in rank to the lien and charge upon said Revenue of the System of the amounts required to pay and secure the payment of any revenue bonds of the City hereafter issued on a parity with this bond and superior to all other liens and charges of any kind or nature except the Costs of Maintenance and Operation of the System.

The pledge of Revenue of the System and other obligations of the City under the Bond Ordinance may be discharged at or prior to the maturity or redemption of this bond upon the making of provision for the payment thereof on the terms and conditions set forth in the Bond Ordinance and the Bond Purchase Letter.

This bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Bond Ordinance until the Certificate of Authentication hereon shall have been manually signed by or on behalf of the Bond Registrar.

It is hereby certified that all acts, conditions and things required by the Constitution and statutes of the State of Washington to exist, to have happened, been done and performed precedent to and in the issuance of this bond have happened, been done and performed and that the issuance of this bond does not violate any constitutional, statutory or other limitation upon the amount of indebtedness that the City may incur.

IN WITNESS WHEREOF, the City of McCleary, Washington, signed with the facsimile or manual signature of the Mayor, to be attested by the facsimile or manual signature of the City Clerk, and the corporate seal of the City to be impressed, imprinted or otherwise reproduced hereon, all as of this ____ day of _____, 2020.

[SEAL]

CITY OF MCCLEARY, WASHINGTON

By _____
/s/ manual or facsimile
Mayor

ATTEST:

/s/ manual or facsimile
Clerk

The Bond Registrar’s Certificate of Authentication on the Bond shall be in substantially the following form:

CERTIFICATE OF AUTHENTICATION

Date of Authentication: _____, 2020

This bond is described in the within-mentioned Bond Ordinance and is the Water and Sewer Revenue Refunding Bond, 2020[A][B] of the City of McCleary, Washington, dated _____, 2020.

CITY OF MCCLEARY TREASURER,
Bond Registrar

By _____
Treasurer

Section 13. Execution and Authentication of the Bonds. The Bonds shall be executed on behalf of the City with the manual or facsimile signature of the Mayor, shall be attested by the manual or facsimile signature of the Clerk thereof and the seal of the City shall be impressed, imprinted or otherwise reproduced thereon. The Bonds shall not be valid or obligatory for any purpose or entitled to the benefits of this ordinance until the Certificate of Authentication in the

form set forth in Section 12 hereof has been manually executed by the Bond Registrar. Such Certificate of Authentication shall be conclusive evidence that the Bond so authenticated has been duly executed, authenticated and delivered and are entitled to the benefits of this ordinance.

Section 14. Delegation of Authority; Sale of Bonds. The Council has determined that it would be in the best interest of the City to delegate to the Designated Representative, the authority to select a financial institution, negotiate terms for the purchase of the Bonds, approve a Purchase Offer, approve the final series designations, interest rate or rates, maturity date or dates, aggregate principal amounts, principal payment schedules, prepayment provisions and other terms and conditions of the Bonds, with such terms as are approved by the Designated Representative pursuant to this section and consistent with this ordinance. The Designated Representative is hereby authorized to negotiate terms for the purchase of the Bonds and to approve the Purchase Offers, the final series designations, interest rate or rates, maturity date or dates, aggregate principal amounts, principal payment dates, prepayment provisions and other terms and conditions of the Bonds, so long as the aggregate principal amount of the Bonds does not exceed \$2,430,000.

In approving a Purchase Offer, determining the interest rate or rates, maturity date or dates, aggregate principal amount, principal payment dates, prepayment provisions and other terms and conditions of the Bonds, the Designated Representative shall take into account those factors that, in his or her judgment, will result in the most favorable result to the City taking into consideration all proposed terms.

Following the sale of the Bonds, the Designated Representative shall provide a report to the Council, describing the final terms of the Bonds approved pursuant to the authority delegated in this section.

The authority granted to the Designated Representative by this section shall remain in effect until December 31, 2020. If the issuance of the Bonds has not been completed by December 31, 2020, the authorization for the issuance of the Bonds shall be rescinded, and the Bonds shall not be issued nor its sale approved unless the Bonds shall have been re-authorized by ordinance of the City. The ordinance reauthorizing the issuance and sale of the Bonds may be in the form of a new ordinance repealing this ordinance in whole or in part or may be in the form of an amendatory ordinance establishing terms and conditions for the authority delegated under this section.

Upon the adoption of this ordinance, the proper officials of the City including the Designated Representative, are authorized and directed to undertake all other actions necessary for the prompt sale, execution and delivery of the Bonds and further to execute all closing certificates and documents required to effect the closing and delivery of the Bonds in accordance with the terms of the Purchase Offer. In furtherance of the foregoing, the Designated Representative is authorized to approve and enter into agreements for the payment of costs of issuance, including the fees and expenses specified in each Purchase Offer, fees and expenses of the Bank and other retained services, the Bond Counsel fee, and other expenses customarily incurred in connection with issuance and sale of bonds.

Section 15. Application of Bond Proceeds; Refunding Plan. The proceeds of the Bonds, together with other funds, if any, provided by the City shall be used at issuance to pay and redeem the Refunded Bonds pursuant to the 2005 Bond Ordinance and the 2010 Bond Ordinance, respectively, and to pay related costs of issuance.

Section 16. Defeasance. In the event that money and/or noncallable Government Obligations that are direct or indirect obligations of the United States or obligations

unconditionally guaranteed by the United States maturing at such time or times and bearing interest to be earned thereon in amounts (together with such money, if necessary) sufficient to redeem and retire part or all of the Bond of a series in accordance with its terms, are set aside in a special account of the City to effect such redemption and retirement, and such moneys and the principal of and interest on such obligations are irrevocably set aside and pledged for such purpose, then no further payments need be made into the Bond Fund of the City for the payment of the principal of and interest on the Bond so provided for, and that Bond or portion thereof shall cease to be entitled to any lien, benefit or security of this ordinance except the right to receive the moneys so set aside and pledged, and except the right to receive the moneys so set aside and pledged, that Bond or such portion thereof shall be deemed not to be outstanding hereunder.

Section 17. Event of Bond Being Lost, Stolen or Destroyed. In case a Bond shall be lost, stolen or destroyed, the City may execute and the Bond Registrar may deliver a new Bond of like date and tenor to the holder thereof upon the owner paying the expenses and charges of the Bond Registrar and the City in connection therewith and upon his or her filing with the Bond Registrar and the City evidence satisfactory to both that the Bond was actually lost, stolen or destroyed.

Section 18. No Undertaking to Provide Ongoing Disclosure and Information to Bank. The Bonds are not subject to Rule 15c2-12 of the Securities and Exchange Commission under the Securities Exchange Act of 1934, and the City makes no undertaking regarding ongoing disclosure with respect to the Bonds.

As long as the Bonds are outstanding, the City will provide to the Bank the information specified in the respective Purchase Offer.

Section 19. Ordinance and Laws a Contract with the Bank. This ordinance is adopted under the authority of and in full compliance with the Constitution and laws of the State of Washington. In consideration of the loan made by the Bank, evidenced by the Bond, the provisions of this ordinance and of said laws shall constitute a contract with the Bank, and the obligations of the City and its Council under said laws and under this ordinance shall be enforceable by any court of competent jurisdiction; and the covenants and agreements herein and in the Bond set forth shall be for the equal benefit of the Bank and any permitted transferee or assignee.

Section 20. Severability. If any provision in this ordinance is declared by any court of competent jurisdiction to be contrary to law, then such provision shall be null and void and shall be deemed separable from the remaining provisions of this ordinance and shall in no way affect the validity of the other provisions of this ordinance or of the Bonds.

Section 21. General Authorization. The Mayor and the Clerk-Treasurer and all other appropriate officers of the City are each hereby authorized and directed to take such steps, to do such other acts and things, and to execute such letters, certificates, agreements, papers, financing statements, assignments, or instruments as in their judgment may be necessary, appropriate, or desirable in order to carry out the terms and provisions of, and complete the transactions contemplated by this ordinance.

Section 22. Prior Acts. All acts taken pursuant to the authority of this ordinance but prior to its effective date are hereby ratified and confirmed.

Section 23. Effective Date. This ordinance shall take effect from and after its passage and publication as required by law.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF MCCLEARY, WASHINGTON, AT A REGULAR MEETING HELD ON THE _____ DAY OF _____, 2020.

CITY OF MCCLEARY, WASHINGTON

BRENDA ORFFER, Mayor

ATTEST:

WENDY COLLINS, Clerk-Treasurer

CERTIFICATE

I, the undersigned, City Clerk of the City of McCleary, Washington (the “City”) and keeper of the records of the City Council (the “Council”), DO HEREBY CERTIFY:

1. That the attached ordinance is a true and correct copy of Ordinance No. _____ of the Council (the “Ordinance”), duly passed at a regular meeting thereof held on the _____ day of _____, 2020.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the Council voted in the proper manner for the adoption of the Ordinance; that all other requirements and proceedings incident to the proper adoption of the Ordinance have been duly fulfilled, carried out and otherwise observed; and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2020.

City Clerk

TAB - I

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF MCCLEARY ADOPTING THE GRAYS HARBOR
COUNTY SOLID & HAZARDOUS WASTE MANAGEMENT
PLAN FOR YEARS 2020 TO 2025.**

R E C I T A L S:

WHEREAS, RCW 70.95 requires local governments to prepare local solid waste plans based upon state guidelines, and to update those plans on a regular basis; and

WHEREAS, the cities and the county have previously resolved to jointly plan with Grays Harbor County for future solid waste management; and

WHEREAS, the cities and the county have had the opportunity to review and provide input to the draft updated Grays Harbor County Solid & Hazardous Waste Management Plan for Years 2020 to 2025; and

WHEREAS, the Washington State Department of Ecology, the Washington Utilities and Transportation Commission, and the Washington State Department of Agriculture have reviewed and approved the draft Plan to form and content; and

WHEREAS, final adoption of the Grays Harbor County Solid & Hazardous Waste Management Plan for Years 2020 to 2025 by the Grays Harbor County Board of Commissioners and the Washington State Department of Ecology is contingent upon adoption of the Plan by the participating cities in Grays Harbor County; and

WHEREAS, it appears to be in the best public interest to adopt and implement the Grays Harbor County Solid & Hazardous Waste Management Plan for Years 2020 to 2025.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY, THE MAYOR SIGNING IN AUTHENTICATION THEREOF:

SECTION I: The City of McCleary hereby adopts the attached Grays Harbor County Comprehensive Solid Waste Management Plan for Years 2020 to 2025.

PASSED THIS ____ DAY OF _____, 2020, by the City Council of the City of McCleary, and signed in authentication thereof this ____ day of _____, 2020.

CITY OF McCLEARY:

BRENDA ORFFER, Mayor

ATTEST:

WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:

CHRISTOPHER JOHN COKER, City Attorney