Solid waste
JR Meyer

FOR YOUR INFORMATION

The following action was taken by the Snohomish County Council on 2/16/11:

RE: Document No. D-13 (attached):

✓ APPROVED ____DENIED

____ FINALIZED ____ RECEIVED

____REFERRED OR REMANDED TO:

_____

Please refer to Council Official Proceedings of the date shown above for further detail of action.

ATTEST: Kathryn J. Bratcher

Kathryn J. Bratcher, Clerk of the Council

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

AMENDED ORDINANCE NO. 11-002

RELATING TO SOLID WASTE MANAGEMENT;
AMENDING CHAPTERS 7.35 and 7.41 SCC

NOW, THEREFORE, BE IT ORDAINED:

Section 1. A new section 7.35.015 is added to Chapter 7.35 of the Snohomish County Code to read:

7.35.015 Departmental Rules.

The director of the department of public works may adopt rules providing for the implementation and enforcement of this chapter.

Section 2. Snohomish County Code Section 7.35.020, last amended by Amended Ordinance 92-055 on May 27, 1992, is amended to read:

7.35.020 Definitions.

(1) "Agricultural wastes" means waste resulting from the production of farm or agricultural products including manures;

(2) "Approval" or "approved" by the county executive or authorized designee means an approval given after all other permitting processes have been completed;

(3) "Ashes" means the residue of burning of combustible materials;

(4) "Authorized designee" means the director of the department of public works of Snohomish ((c))County unless by order of the county executive another public official shall be designated to carry out such duties under this chapter;

(5) "Board of health" means the board of health of the Snohomish health district;

(6) "Chapter" shall mean chapter 7.35 SCC and amendments thereto;

(7) "Collecting agent" means any person involved in the collection and disposal of solid waste generated in the unincorporated areas of Snohomish ((c))County;

(8) "Composting" means the controlled microbial degradation of organic waste yielding a nuisance-free product;

(9) "Comprehensive Plan" or "Snohomish County Comprehensive Solid Waste Management Plan" means the plan heretofore adopted by Snohomish ((c))County by Resolution No. 82-004 adopted January 11, 1982 and approved by the department of ecology and any amendments thereto governing, among other things, the disposal of solid waste in Snohomish ((c))County;

(10) "Construction, demolition and land-clearing waste" (CDL wastes) means any recyclable or non-recyclable waste that results from construction, remodeling, repair or demolition of buildings, roads, or other structures, or from land-clearing for development, and that is removed from the site of construction, demolition or land clearing.

(((~~10~~))) (11) "Council" means the county council of Snohomish ((c))County;

(((~~11~~))) (12) "Department of ecology" means the Washington state department of ecology;

(((~~12~~))) (13) "Director" means the director of the ((~~Washington state~~)) department of ((~~ecology~~)) public works of Snohomish County;

(((~~13~~))) (14) "Disposal site" means an approved site or sites where any final treatment, utilization, processing, or deposition of solid waste is permitted and occurs. This includes, but is not limited to, transfer stations and intermodal facilities (included as part of the disposal system of the county), sanitary landfills, incinerators, composting plants, and the location of a facility for the recovery of energy resources from solid wastes or the conversion of the energy in such wastes to more useful forms or combinations thereof;

(((~~14~~))) (15) "Garbage" means and includes all putrescible wastes, except sewage and body wastes, including vegetables, animal offal and carcasses of dead animals, but not including recognized industrial by-products, and shall include all such substances from all public and private establishments and from all residences;

(((~~15~~))) (16) "Hazardous wastes" means and includes, but is not limited to explosives, medical wastes, radioactive wastes, pesticides and chemicals which are potentially harmful to the public health or the environment;

(((~~16~~))) (17) "Health district" means the Snohomish health district;

(((~~17~~))) (18) "Health officer" means the health officer of the Snohomish health district;

(((~~18~~))) (19) "Incineration" means the controlled combustion of solid waste that yields satisfactory nonputrescible residues and air effluents;

(((~~19~~))) (20) "Incinerator" means a furnace and associated building designed to burn solid wastes under controlled conditions of more than 50-pounds-per-hour capacity;

(((~~20~~))) (21) "Industrial wastes" means waste by-products of manufacturing and/or processing operations;

(22) "Inert waste" means material meeting the criteria for inert waste in WAC 173-350-990.

(23) "Intermodal container" means any fully enclosed or open-top container designed and destined for rail shipment that is closed and sealed with a security identification tag and is not opened during transit or at the intermodal facility.

(24) "Intermodal facility" means any facility at which intermodal containers of waste are transferred from trucks for rail shipment and at which the containers are not opened for further treatment, processing or consolidation of the waste prior to final disposal. Any intermodal facility currently in use by Snohomish County or hereafter created or contracted by it, is part of the Snohomish County solid waste disposal system.

(((~~21~~))) (25) "Nuisance" means unlawfully doing an act, or failing to perform an act which act or omission either unreasonably annoys, or injures, or unreasonably endangers the comfort, repose, health or safety of others or unlawfully interferes with, obstructs or could obstruct any navigable waterway or any publicly travelled place or unreasonably renders other persons, acting in good faith, insecure in their actions or the use of their property;

(((~~22~~))) (26) "Open burning" means the burning of solid wastes in an open area, or pile, or in a barrel or furnace with inadequate controls which yields an unsatisfactory residue and an unsatisfactory air effluent;

(((~~23~~))) (27) "Permit" means a solid waste disposal site permit issued by the Snohomish health district at a site consistent with the comprehensive plan and approved as such by the county executive or authorized designee;

(((~~24~~))) (28) "Person" is an individual, firm, association, co-partnership, political subdivision, government agency, municipality, industry, public or private corporation, or any other entity whatsoever;

(((~~25~~))) (29) "Processing" means the conversion of solid waste into a useful product or otherwise prepares solid waste for sale and reuse;

(((~~26~~))) (30) "Putrescible material" means any organic material which will decompose and may give rise to foul-smelling, offensive products;

(((~~27~~))) (31) "Reclamation" means the ((~~disposal~~)) process conducted at a reclamation site ((~~in~~)) which ((~~there is~~)) consists of hand and/or mechanical segregation of source separated recyclable solid waste for sale and reuse ((~~, including source separation~~)). Materials which can be removed through reclamation include but are not limited to paper, metal((~~newsprint, cardboard, aluminum)~~), glass, plastics, aggregates and wood waste processed for feedstock for new products or as hog fuel and used for energy recovery.((~~ferrous metal~~)). Reclamation does not include combustion of solid waste, ((~~or~~)) preparation of a fuel from solid waste (other than hog fuel), use of solid waste as alternative daily cover or use of solid waste as an industrial waste stabilizer;

(((~~28~~))) (32) "Reclamation site" means a ((~~location~~)) facility compliant with local, state and federal regulation used for the processing or the storage of reclaimed material. Reclamation sites do not include locations or facilities where wastes are initially generated, such as businesses, construction sites or demolition sites;

(33) "Recyclable materials" means those solid wastes that are separated from other wastes for anaerobic digestion, composting, recycling or reuse, including but not limited to papers, metals, glass, plastics, aggregates, fabrics, yard debris, food waste, manures, wood waste and other materials that are identified as recyclable material in the Snohomish County comprehensive solid waste management plan, and are recycled. Wood waste processed as hog fuel and used for energy recovery shall be considered a recyclable material for purposes of this chapter.

(((~~29~~))) (34) "Recycling" means ((~~a method of reclamation~~)) the transformation or remanufacturing of recyclable waste materials into usable or marketable materials for use other than landfill disposal, alternative daily cover, industrial waste stabilizer or incineration;

(((~~30~~))) (35) "Resource recovery facility" means a facility for the recovery of energy resources from solid wastes or the conversion or processing of solid waste to a more useful form or a combination thereof;

(((~~31~~))) (36) "Sanitary landfill" means a method of disposing of solid waste on land without creating nuisances or hazards to public health or safety, by utilizing the principles of engineering to confine the solid waste to the smallest practical area, to reduce it to the smallest practical volume, and to cover it with a layer of earth at the conclusion of each day's operation or at such more frequent intervals as may be necessary;

(((~~32~~))) (37) "Solid waste" means all putrescible and non-putrescible wastes, whether in solid or in liquid form, except liquid-carried industrial wastes and sewage, and including garbage, rubbish, ashes, industrial wastes, swill, ((~~demolition and~~))construction, demolition and land-clearing wastes, abandoned vehicles or parts thereof, discarded home and industrial appliances, manure, digested sludge, vegetable or animal solid and semi-solid wastes, dead animals, and other discarded solid and semi-solid materials;

(38) "Solid waste disposal system facility" means a facility owned and operated by the solid waste division or a facility operated under contract with the solid waste division which performs activities identified as being part of the solid waste disposal system in the Snohomish County comprehensive solid waste management plan, which includes, but is not limited to, county owned and operated transfer stations and neighborhood recycling and disposal centers (drop boxes), and the county's contracted intermodal facilities.

(((~~34~~))) (39) "Solid waste handling" means the storage, collection, transportation, treatment, utilization, processing, and final disposal of solid waste;

(40) "Source separation" means the segregation of recyclable materials from other solid waste for the purpose of recycling, conducted by or for the generator of the materials on the premises at which they were generated. Source separation does not require that different types of recyclable materials be separated from each other.

(((~~34~~))) (41) "Special wastes" means those solid wastes which require special handling either due to their posing a potential health hazard, or due to their bulky or abrasive nature which could damage transfer equipment, and which are designated as "special wastes" by the authorized designee;

(((~~35~~))) (42) "Transfer station" means a staffed, fixed, supplemental, collection/transportation/disposal facility, used by collection agents, or other persons or route collection vehicles to deposit solid wastes into a larger transfer vehicle for transport to a disposal site. This does not include a detachable container or solid waste drop box. Any transfer station currently in use by Snohomish ((~~c~~))County or hereafter created by it is part of the Snohomish ((~~c~~))County solid waste disposal system;

(((~~36~~))) (43) ((~~"Woodwaste"~~)) "Wood waste" means a by-product resulting from the handling and processing of wood, including, but not limited to, hog fuel, sawdust, shavings, chips, bark, small pieces of wood, stumps, limbs, or any other material composed largely of wood which has no significant commercial value at the time in question, but shall not include slash developed from logging operations unless disposed of on a different site.

Section 3. Snohomish County Code Section 7.35.040, last amended by Ordinance 08-125 on November 10, 2008, is amended to read:

7.35.040 Operation of solid waste disposal ((~~sites~~)) system facilities by county.

The Snohomish ((~~c~~))County department of public works ((~~department~~)) shall be the operating authority for all solid waste disposal ((~~sites~~)) system facilities owned or operated by Snohomish ((~~c~~))County. The director of the department of public works ((~~department~~)) shall prepare operating rules for such solid waste disposal ((~~sites~~)) system facilities, which rules shall govern days and hours of operation((, ~~the solid waste service fee schedule,~~)) and acceptable solid waste products. The county reserves the right to provide in said operating rules that certain solid wastes, such as special wastes, wood waste, or wastes based on source, type, or volume, shall not be accepted, or only conditionally accepted, at ((~~sites~~)) system facilities owned or operated by the county. These solid waste acceptance rules shall be set forth in the county's waste acceptance policy. Any revisions to the waste acceptance policy shall take effect ten days following publication of the revised waste acceptance policy in the official county newspaper . The department of public works ((~~department~~)) may designate different disposal sites for different types of wastes, for different types of vehicles, for customers authorized or not authorized by the director for credit billing, and/or for customers who do or do not hold valid utilities and transportation commission certificate permits. In making such designations the department, upon adoption of appropriate standards, may exempt charitable organizations, state subdivisions, or other classes of users which would suffer undue hardship without an exemption. The operating rules for such sites shall be consistent with this chapter and with regulations promulgated by the board of health. Operating rules prepared by the director shall comply with all interlocal agreements entered into by the county. Where practicable, the operating rules shall be prepared in consultation with the solid waste advisory committee and with those cities or towns containing solid waste transfer facilities affected by the operating rules. ((~~Rules establishing the solid waste service fee schedule will be effective when approved by motion of the county council.~~))

Section 4. Snohomish County Code Section 7.35.050, last amended by Amended Ordinance 96-065 on September 11, 1996, is amended to read:

7.35.050 - Interlocal operations.

Solid waste disposal ((~~sites~~)) system facilities owned or operated by the county shall be available to accept solid wastes generated and collected in municipal corporations situated within Snohomish ((c))County and solid wastes generated in other counties: PROVIDED, That with the exception of vactor wastes collected from storm water facilities by both private and municipal agencies, the governing bodies of such jurisdictions enter into or maintain interlocal agreements with the county ((~~council~~)) and comply with the conditions contained therein and herein. Nothing in this chapter shall be construed to modify in any way any existing interlocal agreements between Snohomish ((c))County and the incorporated municipalities of Snohomish ((c))County.

Section 5. Snohomish County Code Section 7.35.125, adopted by Ordinance 83-151 on December 28, 1983, is amended to read:

7.35.125 ((~~Unlawful to remove~~))Disposal of solid waste ((~~from county~~)).

(1) Except as permitted by state law or ((~~exempt~~)) as provided by virtue of this chapter, it is unlawful for any collecting agent or other person to deliver or deposit any solid waste generated and collected within the unincorporated areas of the county ((~~outside the borders of Snohomish county. This section shall be effective July 1, 1984~~)) at a facility that is not a solid waste disposal system facility located in Snohomish County.

(2) Except as otherwise specified in this chapter, the collection of solid waste from a generator and the transportation of it in an intermodal container directly to an intermodal facility inside or outside of the Snohomish County solid waste disposal system is prohibited. This subsection does not apply to unacceptable waste types identified in SCC 7.41.050, residuals from industrial combustion processes, and wastes identified in the county's waste acceptance policy as unacceptable for disposal at system facilities owned or operated by the county. Unacceptable wastes and residuals from industrial combustion processes may be directly transported to an intermodal facility in an intermodal container.

(3) The contents of any container marked pursuant to the requirements of SCC 7.35.140 as "solid waste for disposal", "land fill", or "garbage" and the contents of any other container of solid waste consisting of 10% or more, by volume, of non-recyclable materials must be disposed of at a county owned and operated solid waste system facility, except as otherwise permitted by this chapter. The contents of any container consisting of 90% or more, by volume, of

recyclable materials may be delivered to any reclamation site, no matter where it is located, including a site that is not a county solid waste disposal system facility. For containers that do not consist of 90% or more, by volume, of recyclable materials, these containers can be further sorted to reduce the volume of non-recyclable waste, prior to being transported off-site, to qualify as a container of recyclable materials.

(4) Source-separated recyclable materials collected from residents in scheduled-routed-curbside programs may be delivered to any reclamation site, no matter where it is located, including a site that is not a county solid waste disposal system facility.

(5) Inert waste may be delivered to any site, no matter where located, including a site that is not a county solid waste disposal system facility, provided the site meets the following requirements:

(a) The site is subject to a currently valid Washington State department of natural resources mining and reclamation permit.

(b) The site is subject to a currently valid inert waste landfill permit issued by the jurisdictional board of health or health district.

(c) The site is not permitted to operate as any other category of landfill than an inert waste landfill.

(6) Residual waste generated from a reclamation site where the processing of recyclable materials has occurred may be transported directly to an intermodal facility which is part of the Snohomish county solid waste disposal system only if the reclamation site complies with the following requirements:

(a) The reclamation site is compliant with local, state and federal regulations.

(b) The reclamation site operator submits monthly reports to the county solid waste division indicating the quantities of in-bound materials accepted at the facility, the quantities of recyclable materials reclaimed listed by commodity type and the names and addresses of the persons obtaining such recyclable materials, and quantities and disposal site locations of residual waste sent for disposal, utilizing a report format specified by the county.

(c) The reclamation site operator permits the county solid waste division or its agents to conduct audits of its business records related to in-bound and out-bound materials and to conduct unscheduled inspections of the reclamation site during normal business hours.

(d) Residual waste delivered to the intermodal facility is transported in intermodal containers that are sealed with a security identification tag provided by the county solid waste division.

(e) The reclamation site operator pays the county solid waste service fee for disposal of residual waste using an intermodal container delivered to the intermodal yard.

(f) The reclamation site operator maintains a credit account with the solid waste division in accordance with the provisions of Section 7.41.030 for payment of the solid waste service fee. Cash will not be accepted at the intermodal facility.

(7) Residual waste generated from a reclamation site where the processing of recyclable waste has occurred must be disposed of at a county owned and operated solid waste disposal system facility if the reclamation site does not comply with the requirements of subsection (6).

(8) Removal of solid waste from the container in which it was transported into Snohomish County, shall be considered the generation of solid waste within Snohomish County for purposes of this chapter.

Section 6. Snohomish County Code Section 7.35.140, adopted by Ordinance 05-136 on November 30, 2005, is amended to read:

7.35.140 ((~~Unlawful waste~~)) Waste containers – requirements((~~lacking identification~~)).

(1) It shall be unlawful for any person, firm or corporation, other than political subdivisions, municipalities((~~,~~)) or government agencies and departments ((~~or commercial garbage haulers regulated by the Washington state utilities and transportation commission,~~)) to place on property located within the unincorporated portions of Snohomish ((~~c~~))County or on property within a city or town which has, through an interlocal agreement, agreed to impose by ordinance solid waste regulations within its boundaries equivalent to those adopted by the county, a waste container with a capacity of greater than one cubic yard, which is used to store and transport solid waste, including recyclables, unless the container is clearly and conspicuously identified by displaying the owner's name and telephone number on at least two sides of the container in letters and numbers at least four inches high. A container with a capacity of greater than one cubic yard used to store and transport solid waste for disposal shall be clearly and conspicuously marked with the words "solid waste for disposal", "land fill", or "garbage." A container with a capacity of greater than one cubic yard used to store and transport recyclables for recycling shall be clearly and conspicuously marked with the words "recyclables" or "recycling" or display the

universal recycling symbol consisting of three chasing arrows that form an unending loop.

(2) It is unlawful for any person, firm or corporation, other than political subdivisions, municipalities((~~,~~)) or government agencies and departments ((~~or commercial garbage haulers regulated by the Washington state utilities and transportation commission,~~)) to use a motor vehicle to move on public roads a waste container that has been placed on property within the unincorporated portions of Snohomish ((~~c~~))County, or on property within a city or town which has, through an interlocal agreement, agreed to impose by ordinance solid waste regulations within its boundaries equivalent to those adopted by the county, that has a capacity of greater than one cubic yard, and that has been used to store and transport solid waste, including recyclables, unless the ((~~owners~~)) name of the owner of the vehicle used to move the container is clearly and conspicuously visible on both sides of the vehicle in letters and numbers at least four inches high.

(3) At locations where recyclable materials, including recyclable CDL materials, are generated and transported for recycling, a separate, properly marked container for non-recyclable solid waste must be provided using collection practices consistent with WAC 173-345-040 and chapter 173-350 WAC (including WAC 173-350-025, owner responsibilities for solid waste). Generators shall place non-recyclable waste into the container provided for non-recyclable waste. A container of CDL or commercially generated waste that contains more than 10% by volume non-recyclable waste shall be considered a container of solid waste and its contents shall be subject to the disposal requirements applicable to solid waste and not recyclable waste.

Section 7. The chapter title of chapter 7.41 Snohomish County Code, adopted by Ordinance 90-022 on May 14, 1990, is amended to read:

Chapter 7.41

OPERATING RULES AND DISPOSAL FEES FOR SNOHOMISH COUNTY SOLID WASTE DISPOSAL ((~~SITES~~)) SYSTEM FACILITIES

Section 8. Snohomish County Code Section 7.41.010, last amended by Ordinance 08-125 on November 10, 2008, is amended to read:

7.41.010 Definitions.

As used in this chapter unless context requires another meaning:

(1) "Bulky waste" means large items of refuse, such as appliances, furniture, and other oversize wastes which would typically not fit into reusable or disposable containers.

(2) "Clean wood" means dimensional lumber and wood pieces typically resulting from the demolition or construction of buildings, and wood pieces gathered as a by-product or waste from the manufacture of wood products which do not contain laminates or glues, and which have not been painted or treated with stain preservatives.

(3) "Contract hauler" means any person engaged in the business of solid waste handling under the authority of the Washington utilities transportation commission or under contract with any corporate municipality of the state of Washington.

(4) "Commercial" means any solid waste brought to a ((~~Snohomish~~)) county solid waste disposal ((~~site~~)) system facility for disposal by a company, corporation, business, firm, association, sole proprietorship, partnership, municipality, political subdivision, or government entity.

(5) "Compacted waste" means any solid waste whose volume has been reduced through mechanical means by compression from the original state.

(6) "Construction, demolition and land-clearing waste" (CDL wastes) means any recyclable or non-recyclable waste that results from construction, remodeling, repair or demolition of buildings, roads or other structures, or from land-clearing for development, and that is removed from the site of construction, demolition or land clearing.

(7) "Dangerous waste" means any solid waste designated as dangerous waste by the department of ecology under chapter 173-303 WAC.

((~~(7) "Demolition debris" means solid waste, largely inert waste, resulting from the demolition or razing of buildings, roads and other man-made structures. Demolition waste consists of, but is not limited to, concrete, brick, bituminous concrete, wood and masonry, composition roofing and roofing paper, steel, and minor amounts of other metals like copper. Plaster (i.e., sheetrock or plaster board) or any other material, other than wood, that is likely to produce gases or a leachate during the decomposition process and asbestos wastes are not considered to be demolition waste for the purposes of this regulation.~~))

(8) "Director" means the director of the Snohomish ((~~c~~))County department of public works or his/her designated representative.

(9) "Disposal site" means the location where any final treatment, utilization, processing, or deposition of solid waste occurs.

(10) "Green waste" means yard waste which includes, but is not limited to, leaves, grass clippings, branches, brush, flowers, roots, sod and other organic debris commonly thrown away in the course of maintaining yards and gardens, and other biodegradable material approved by the director. It excludes plastics and synthetic fibers, lumber, any wood or tree limbs over 6 inches in diameter or 10 feet long, and petroleum contaminated soil.

(11) "Hard-to-handle waste" means any waste material which is difficult to transfer, transport, or dispose of at county owned and operated solid waste disposal ((~~sites~~)) system facilities without special processing including, but not limited to tires, fly ash, sheetrock, shingles, plywood squares, concrete, boulders, and stumps.

(12) "Hazardous waste" means any waste material defined as hazardous pursuant to Federal Public Law 94-580 (Resource Conservation and Recovery Act) or as later amended and regulations thereunder, including explosives, medical wastes, radioactive wastes, pesticides, chemicals, burning materials, and other materials.

(13) "Health officer" means the health officer or his/her representative of the Snohomish health district.

(14) "Household" means all persons who occupy a housing unit (e.g., house or apartment), whether they are related to each other or not.

(15) "Income" means total gross income of people living in a household. This includes all income received from wages, interest from savings and bonds, annuities, dividends, social security, supplemental social security, retirement benefits, social security disability income, veterans benefits, Labor and Industry benefits, federal and state welfare benefits, IRA withdrawals, capital gains, income from rental property or boarders, and all other sources of income.

(16) "Infectious Waste" means untreated solid waste that may create a significant risk of disease. This includes, but is not limited to, human blood and blood products, cultures and stocks containing wastes infectious to humans, human waste source biopsy material, tissues and anatomical parts from surgery, obstetrical procedures and autopsy, and "sharps waste" such as needles, scalpel blades, and lancets.

(17) "Liquid" means any waste material that is determined to contain "free liquids" as defined by method 9095 (paint filter liquids test) as described in "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods", United States Environmental Protection Agency Publication SW-846.

(18) "Moderate Risk Waste" means:

(a) hazardous waste that is generated in smaller quantities than those regulated by the department of Ecology under the Dangerous Waste Regulations (Chapter 173-303 WAC) less than 2.2 pounds (1 kg.) of extremely hazardous waste per month, and below 220 pounds (100 kg.) of dangerous waste per month, and/or;

(b) any household-generated hazardous waste, such as oil-based paints, solvents, thinners, pesticides, corrosives, cleaners, auto maintenance products and cosmetics.

(19) "Person" means any individual, firm, association, partnership, political subdivision, government agency, municipality, industry, public or private corporation or any other entity.

(20) "Reclamation" means the process conducted at a reclamation site which consists of hand and/or mechanical segregation of source separated recyclable solid waste for sale and reuse. Materials which can be removed through reclamation include but are not limited to paper, metal, glass, plastics, aggregates and wood waste processed for feedstock for new products or as hog fuel and used for energy recovery. Reclamation does not include combustion of solid waste (other than hog fuel), preparation of a fuel from solid waste, use of solid waste as alternative daily cover or use of solid waste as an industrial waste stabilizer

(21) "Reclamation site" means a facility compliant with local, state and federal regulation used for the processing or the storage of reclaimed material. Reclamation sites do not include locations or facilities where wastes are initially generated, such as businesses, construction sites or demolition sites;

(22) "Recycling" means the transformation or remanufacturing of recyclable waste materials into usable or marketable materials for use other than landfill disposal, alternative daily cover, industrial waste stabilizer or incineration

(23) "Recyclable construction demolition and land-clearing waste" means CDL waste material that is source separated at the site of origin and is recycled.

(24) "Salvaging" is a recovery process in which there is hand and/or mechanical segregation of solid waste to recover materials for sale and/or reuse and is done in a controlled and organized manner.

(((~~21~~))) (25) "Scavenging" means the removal of materials at a disposal site, or interim solid waste handling site, without the approval of the owner or operator and the jurisdictional health department.

(((~~22~~))) (26) "Senior citizen" means any permanent resident of Snohomish county who is 60 years of age or older.

(((~~23~~))) (27) "Small quantity generator" means a business which generates less than 220 pounds of hazardous waste or 2.2 pounds of extremely hazardous waste per month and does not accumulate more than 2,200 pounds of hazardous waste.

(((~~24~~))) (28) "Solid waste" means all putrescible and nonputrescible solid and semisolid wastes, including but not limited to garbage, rubbish, ashes, industrial wastes, swill, ((~~demolition and~~))construction, demolition and land-clearing wastes, abandoned vehicles or parts thereof, and discarded commodities. This includes all solid and semisolid, materials which are not the primary products of public, private, industrial, commercial, mining and agricultural operations. Solid waste includes but is not limited to sludge from wastewater treatment plants and septage((~~,~~)) from septic tanks, wood waste, dangerous waste, and problem wastes.

(29) "Solid waste disposal system facility" means a facility owned and operated by the solid waste division or a facility operated under contract with the solid waste division which performs activities identified as being part of the solid waste disposal system in the Snohomish County comprehensive solid waste management plan, which includes but is not limited to, county owned and operated transfer stations and neighborhood recycling and disposal centers (drop boxes), and the county's contracted intermodal facilities.

(30) "Source separation" means the segregation of recyclable materials from other solid waste for the purpose of recycling, conducted by or for the generator of the materials on the premises at which they were generated. Source separation does not require that different types of recyclable materials be separated from each other.

((~~(25) "Source separated recyclable" means solid waste which has been segregated into different types of usable solid waste from a source such as a household or business which can then be processed into marketable materials for sale and/or reuse.~~))

(((~~26~~))) (31) "Vactor wastes/street wastes" include liquid and solid wastes collected during maintenance of stormwater catch basins, detention/retention ponds, and roadside ditches and similar stormwater treatments and conveyance structures and solid wastes collected during street and parking lot sweeping.

(((~~27~~))) (32) "Wood waste" means solid waste consisting of wood pieces or particles generated as a by-product or waste from the manufacturing of wood products, handling and storage of raw materials and trees and stumps. This includes but is not limited to sawdust, chips, shavings, bark, pulp, hog fuel, and

log sort yard waste, but does not include wood pieces or particles containing chemical preservatives such as creosote, pentachlorophenol, or copper-chrome-arsenate.

Section 9. A new section 7.41.015 is added to Chapter 7.41 of the Snohomish County Code to read:

7.41.015 Departmental Rules.

The director of the department of public works may adopt rules providing for the implementation and enforcement of this chapter.

Section 10. Snohomish County Code Section 7.41.020, last amended by Ordinance 08-125 on November 10, 2008, is amended to read:

7.41.020 Solid waste service fee schedule.

(1) All persons using a county owned and operated solid waste disposal ((~~sites~~)) system facility shall pay the service fees set forth in the solid waste service fee schedule. The solid waste service fee schedule and any revisions to the service fee schedule shall be prepared by the director and submitted to the county council for approval by motion. The solid waste service fee schedule will be based on full cost recovery standards. Listed fees are subject to applicable taxes. The director shall, at the time of payment, round the total service fees and taxes owing up to the nearest whole dollar when any fraction of a dollar owing is $.50 or greater, and round the total service fees and taxes owing down to the nearest whole dollar when any fraction of a dollar owing is less than $.50.

(2) Service fees for solid waste disposal shall be based upon measured weights whenever possible. In the absence of weight information, service fees shall be based upon the cubic yard or as otherwise defined in the solid waste service fee schedule. All vehicles shall be charged at least a minimum fee regardless of weight or volume, as established in the solid waste service fee schedule.

(3) In the absence of exact measurements of weight or quantity, the estimate of the director shall be final and binding on the user.

(4) Service fees do not apply to specific source separated recyclable materials accepted by county owned and operated solid waste disposal ((~~sites~~)) system facilities for recycling, except for those materials for which specific fees have been designated in the established solid waste service fee schedule.

(5) All users of the vactor decant facility will establish a credit account with the solid waste management division in accordance with the provisions of Section 7.41.030. Cash will not be accepted at this facility.

(6) There is no service fee for the disposal of household generated hazardous waste from Snohomish county residents.

(7) Service fees for certified scale weights will be as established in the solid waste service fee schedule.

(8) Operators of reclamation sites that qualify to directly ship residual waste to an intermodal facility under the provisions of SCC 7.35.125 shall pay the service fees set forth in the solid waste service fee schedule.

Section 11. A new section 7.41.021 is added to Chapter 7.41 of the Snohomish County Code to read:

7.41.021 Reporting requirements.

(1) Any reclamation site operating within the county and accepting recyclable CDL wastes for processing shall report monthly to the Snohomish county solid waste division the quantities, by tons, and types of materials accepted at the facility for each month the facility is in operation.

(2) Any reclamation site operating within the county and accepting recyclable CDL wastes for processing shall report monthly to the Snohomish county solid waste division the quantities, by tons, types of materials and the names and addresses of the recipients of materials leaving the facility for each month the facility is in operation.

(3) Any reclamation site operating within the county and accepting recyclable CDL wastes for processing is subject to inspection at all reasonable times by the Snohomish county solid waste division, or its agent, to ensure solid waste disposal and reporting requirements are being met.

(4) Reclamation sites which are permitted by the Snohomish health district to compost organic materials are exempt from the reporting requirements of subsections (1) and (2) with regard to the materials that are composted.

Section 12. Snohomish County Code Section 7.41.040, last amended by Ordinance 08-125 on November 10, 2008, is amended to read:

7.41.040 - Special fee provisions — Senior citizens.

(1) Any senior citizen (60 or older) who is a resident of Snohomish county and whose previous year's gross annual household income does not exceed 150%, or 200% for households with disabled seniors, of the federally established poverty guidelines published annually by the United States Department of Health and Human Services, may make application for a senior citizen solid waste disposal fee card on forms established by the director.

(2) An application shall be accompanied by proof of age, residency, household income, and disability if applicable. Documentation acceptable to establish proof of age includes a valid Washington state drivers license, a valid Washington state identification card, a birth certificate, or a passport. Documentation acceptable to establish residency includes a Snohomish county real property tax statement, a property tax receipt, or a current utility bill with service address. Documentation acceptable for income verification includes federal tax returns, an annual Social Security income statement, or other documentation approved by the director or his/her designee. Documents acceptable for proof of disability include; certification of an applicant's condition in writing on official letterhead by the agency or doctor who declared the disability, applicant's disability parking permit identification card issued by the Washington State Department of Licensing, or other documentation approved by the director or his/her designee.

(3) Upon approval of the application, the senior citizen shall receive a senior citizen solid waste disposal fee card. The card shall be non-transferable and its use shall be restricted to those named on the card for individual use. Each card shall be valid for a calendar year and applications may be reviewed annually to determine continued program eligibility.

(4) The card shall authorize 20 uses in any calendar year or remainder thereof and shall allow senior citizens holding a valid card to use any <u>county owned and operated</u> solid waste disposal ((~~site~~)) <u>system facility</u> in accordance with operating rules developed by the director. The card shall be restricted to a per use volume of up to four covered containers not exceeding 32 gallons each or the equivalent thereof at a per use cost of $2.00.

(5) At any time, the director or his/her designee may require proof of identity for any individual using a card. Any use of a card by an unauthorized individual or for waste other than that generated by the holder shall be sufficient cause for revocation and any card so used may be immediately seized by the director.

Section 13. Snohomish County Code Section 7.41.050, last amended by Ordinance 08-125 on November 10, 2008, is amended to read:

7.41.050 – ((~~Types of~~)) Restrictions on acceptance of wastes ((~~that are unacceptable~~)).

The following restrictions shall apply to acceptance of wastes at county owned and operated solid waste disposal system facilities:

(1) No more than five whole or split tires shall be accepted per load, unless prior arrangements have been made with the director.

(2) Any load of waste deemed to be dangerous or potentially dangerous by the director or the health officer shall not be accepted ((~~at any disposal site~~)) without prior approval of the health officer and the director.

(3) Septic tank pumpings, sludges and liquid waste shall not be accepted ((~~at any solid waste disposal site~~)) except in emergency circumstances and with the prior approval of the health officer and the director.

(4) Loads greater than five cubic yards shall not be accepted at drop box facilities without the prior approval of the director.

(5) Moderate risk and ((~~H~~))hazardous waste disposal ((~~at county solid waste facilities~~)) shall be limited to those wastes, facilities, or specific portions of facilities so designated by the director.

(6) Infectious wastes are not acceptable ((~~at any solid waste disposal sites~~)).

(7) Pharmaceutical wastes including expired, unused or contaminated drugs and vaccines are not acceptable ((~~at any solid waste disposal sites~~)).

(8) Animal carcasses are not acceptable ((~~at any solid waste disposal sites~~)).

Section 14. Snohomish County Code Section 7.41.060, last amended by Ordinance 08-135 on November 30, 2005, is amended to read:

7.41.060 - Violations.

(1) It shall be unlawful for any person to enter into any county owned and operated solid waste disposal ((~~site~~)) system facility, without authority of the director, during non-operating hours.

(2) It shall be unlawful for any person to dispose of solid waste within a county solid waste disposal system facility without paying the applicable fees as established by this chapter.

(3) Any person violating any provision of this chapter shall be guilty of a misdemeanor and upon conviction, shall be punished as provided in SCC 1.01.100.

(4) In addition to, or as an alternative to, any other penalty provided herein or by law, any person who violates this chapter shall incur a civil penalty as provided in chapter 7.35 SCC.

Section 15. Snohomish County Code Section 7.41.070, adopted by Ordinance 90-022 on May 14, 1990, is amended to read:

7.41.070 - Unlawful to scavenge.

(1) Scavenging by any persons at any Snohomish county solid waste disposal ((~~site~~)) system facility is forbidden. Any violation of this provision shall be considered a violation of RCW 36.58.020 and any persons found guilty of a misdemeanor.

(2) Salvaging at any Snohomish county solid waste disposal ((~~site~~)) system facility shall be allowed only when the person conducting such operation has, by formal contractual agreement, received permission from the director.

PASSED this 16th day of February, 2011.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Chairperson

ATTEST:

Sheila McAllister

Asst. Clerk of the Council

(✓) APPROVED
( ) EMERGENCY
( ) VETOED

DATE: 2/22/11

County Executive
GARY HAAKENSON
Deputy County Executive

D-13

ATTEST: