



Thurston County Municipal Solid Waste Flow Control

Frequently Asked Questions

November 17, 2020

Thank you for your interest in how Municipal Solid Waste (MSW, often referred to as trash) flow control is managed in Thurston County. The County has adopted and maintains a Comprehensive Solid Waste Management Plan to regulate the County's system of solid waste handling and Chapter 36.58 of the Revised Code of Washington authorizes the County to designate a disposal site or sites for all solid waste generated and collected in the unincorporated areas of the County. This document was created to answer questions that have or may be asked regarding a County Flow Control Ordinance.

Frequently Asked Questions

What is Flow Control?

Flow control is the legal basis for local government to designate the locations where MSW is taken for processing, treatment and disposal. The U.S. Supreme Court ruled in 2007 that municipalities were within their rights to require solid waste haulers to direct waste to municipally-controlled disposal sites. A Flow Control Ordinance safeguards the integrity of the solid waste system to reduce waste, control pollution and protect and promote the public health, safety and general welfare of the residents of Thurston County.

Why Flow Control in Thurston County?

Flow Control helps assure that waste generated in the County is managed responsibly and ensures a steady, sustainable stream of solid waste and associated revenues to fulfill the County's obligations associated with the County's solid waste system. The County has responsibilities to:

- Maintain efficient, reliable and affordable solid waste operations and facilities for residents;
- Supply resources to monitor and maintain the closed landfill to comply with regulatory requirements;
- Provide for facility and infrastructure capital improvements to address the current and future needs of a growing population;
- Align with the objectives and implement the goals for the County's Solid Waste Management Plan (SWMP); and
- Ensure solid waste generated or collected in the County is handled responsibly in accordance with the values of the community.

How is Flow Control Managed Now?

Since 1998, the primary mechanism for managing MSW flow control in Thurston County is the Transfer Station Development and Service Agreement with Republic Services and their subcontractor LeMay. Under this agreement, all MSW generated in the County and cities that the contractor or subcontractor has the authority to collect must be delivered to the Thurston County Waste and Recovery Center (WARC) in Lacey, Washington. This Agreement will expire in May 2023 and upon expiration, MSW flow control through the County-owned facilities, as governed by the contract, will cease. In addition, cities participating in the County's Solid Waste Management Plan, through the execution of interlocal agreements, must direct their collected waste to the County-owned disposal facilities.

What Changes Will Occur if the Flow Control Ordinance is Adopted?

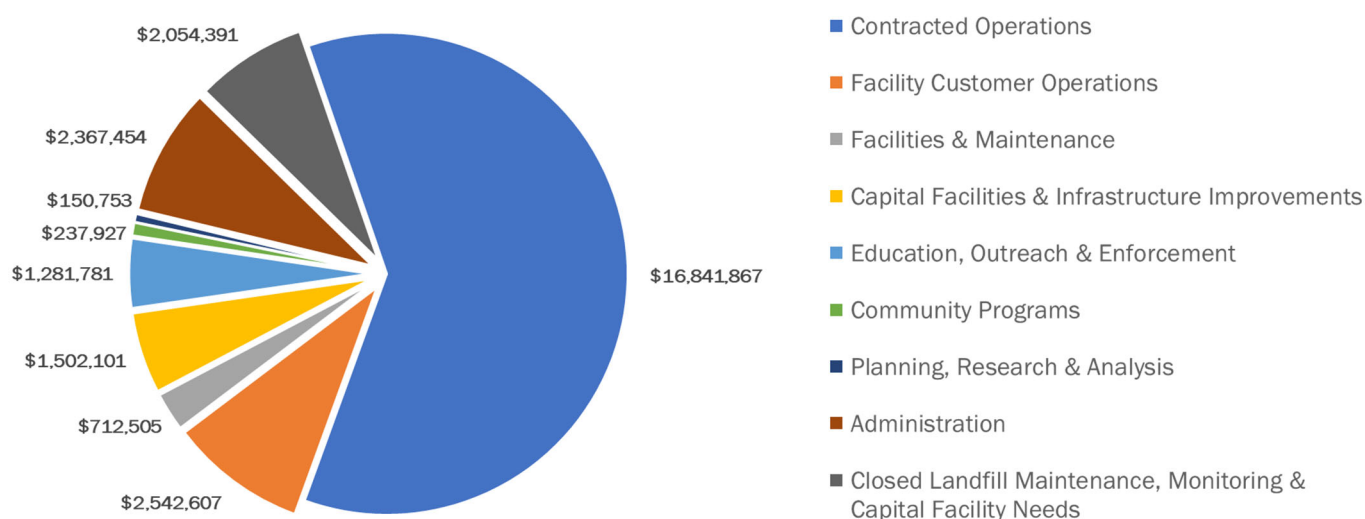
Because MSW flow control is currently managed through a contractual agreement, flow control is binding upon only the parties to the contract. A comprehensive County Flow Control Ordinance will include the following clarifications, changes and expansions to the solid waste system:

- Designates Thurston County Solid Waste Facilities (WARC, Rainier and Rochester Drop-Boxes) as the exclusive disposal sites for all MSW generated in the County, with certain exemptions.
- Regulates MSW commercially transported from the unincorporated areas of the County to County-owned disposal facilities.
- Inert Waste/Construction and Demolition Debris:
 - Exempts inert waste (e.g. concrete, asphalt, brick, stainless steel) collected from disposal at the County-owned disposal facilities.
 - Allows waste loads consisting of 90% or more, by volume, of construction and demolition debris to be transported outside the County-owned disposal facilities.
- Recyclables:
 - Allows any container of solid waste consisting of 90% or more, by volume, of recyclable materials to be transported outside the County-owned disposal facilities.
 - Exempts source-separated recyclables collected from residents in scheduled-routed-curbside programs from disposal at County-owned facilities.
 - Regulates residual waste generated from recycling or reclamation facilities within the County to be transported to the County-owned disposal facilities.
- Enforcement:
 - Allows for compliance inspections.
 - Establishes penalties for violations.
 - Exempts residential self-haul customers from enforcement actions.
- Provides authority for the County to exempt additional MSW materials from disposal at County-owned facilities if unable to process either by source, type or volume.

What Happens if the County Doesn't Have Flow Control?

The Thurston County Public Works Solid Waste Division is in the process of issuing a Request for Proposals for solid waste facility operations and maintenance, waste transport and disposal services. The Flow Control Ordinance was proposed specifically to guarantee waste stream reliability in order to receive the best proposal for continued solid waste operations for a 20-year period and to maintain adequate funding levels for programs and facilities supported by solid waste fees. Without a Flow Control Ordinance, beginning in May 2023, solid waste to the County-owned facilities would not be guaranteed, potentially reducing revenues for solid waste operations, maintenance, waste transport, disposal, capital facility construction, and waste reduction, recycling and enforcement programs.

What Programs are Supported by Flow Control?



2020 Thurston County Solid Waste Budget \$27,691,386