

July 7, 2017

To Whom It May Concern:

RE: Comments regarding the proposed changes to Chapter 173-312 WAC

We are writing this correspondence to provide comments on the proposed changes to Washington State Dept. of Ecology's (Ecology) Chapter 173-312 WAC Coordinated Prevention Grants. While many of the changes proposed to this chapter are administrative, we have the following comments regarding sections of the proposed changes:

- We are in support of eliminating the concept of a separate offset grant cycle for newly appropriated funds or re-obligated funds, in favor of an emphasis on the soonest possible distribution of available funds. This allows funding to be available without having to wait for an offset cycle (i.e. 2nd year of biennium.)
- We are in support of revising the 80/20 percent allocation of funds between planning/implementation funding, and enforcement funding, and establish a minimum allocation for funding enforcement grants as proposed in the draft. This will allow for more funding support for enforcement after planning and implementation imposes waste diversion requirements.
- We are in support for adding a population criteria element to the base level funding for solid waste enforcement grant funding, consistent with the approach for planning and implementation grants. As the most populated county in the state of Washington, this will allow us to provide oversight to ensure the plans for permitted and exempt facilities needing additional oversight are being implemented as written.

This funding provides support to local health jurisdictions to address changes and growth in solid waste streams at the local level. With ordinances passing with City of Seattle and King County Solid Waste Division requiring some construction and demolition materials be banned from disposal, exempt facilities are where most of these materials are being diverted if it is already source-separated. Oversight of these facilities is needed to ensure they are accepting only what is approved and meeting performance standards so that the diverted waste from the landfill is handled appropriately and meeting the local solid waste management comprehensive plan.

Over the last year and a half, Public Health-Seattle & King County's solid waste program investigated/and or reached out to 164 exempt solid waste facilities regarding compliance with exemption requirements of applicable sections of Chapter 173-350 WAC, spent 89 hours reviewing compliance related activities for solid waste facilities, and responded to 346 complaints about illegal dumping. The cost to support these activities is estimated to be around \$193,000 for 1,875 hours of service that is not supported by facility permit fees.

As the largest county in the state based on population, half of our exempt facilities are located within the City of Seattle boundaries. With a high density population within Seattle, surrounding communities are closer in proximity and more likely to be affected by solid waste facility operations. If funding was not available to provide oversight to exempt solid waste handling facilities, then we would only be able to respond through a complaint process to see if the investigation revealed issues that could be addressed by other regulatory agencies such as PSCAA or Ecology.

Thank you for your consideration of our comments. We look forward to continuing our work with Ecology through the newly revised Local Solid Waste Assistance program as we (and other LHJ's) face new solid waste enforcement compliance issues and funding challenges.

Sincerely,
Ngozi Oleru
EH Director
Public Health Seattle&King County