

## FISCAL NOTE FOR NON-CAPITAL PROJECTS

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>CBO Analyst/Phone:</b>
Seattle Public Utilities	Hans Van Dusen 684-4657	Karl Stickel 684-8085

**Legislation Title:** AN ORDINANCE relating to the solid waste system of Seattle Public Utilities; prohibiting recyclable material from disposal in construction and demolition garbage containers and railhead intermodal containers, as well as at the City's transfer stations; establishing a construction waste recycling facility certification program; requiring the submittal of waste diversion reports by certain construction and demolition waste generators; and amending Seattle Municipal Code Sections 21.36.089 and 21.36.922.

**Summary of the Legislation:** The proposed ordinance would ban disposal of recyclable metal, cardboard, carpet, plastic film wrap and new construction gypsum scrap as of January 1, 2014 and ban disposal of recyclable wood and asphalt shingles as of January 1, 2015. These disposal bans would be for wastes from construction and demolition projects only. Project jobsite and facility inspections would take place during the first year of the disposal bans with a focus on education followed by enforcement activities in subsequent years which could include civil fines for non-compliance.

The SPU Director would also be required to adopt Administrative Rules to establish criteria for identifying qualified receiving and recycling facilities that these meet Construction and Demolition (C&D) recycling requirements. The criteria would address compliance with solid waste permitting requirements, quarterly reporting on the quantities and types of incoming and outgoing C&D materials and performance standards for the maximum quantities of targeted recyclable material in residuals bound for landfill disposal. SPU would provide lists of qualified facilities to all construction and demolition project operators to help them comply with the new disposal bans.

Finally, construction and demolition projects would be required to submit waste diversion reports of the quantity, type and delivery destination of materials generated within 60 days after the Final Permit has been issued by the Department of Planning and Development.

**Background:** Council Resolution 30990 established new recycling goals for the City and provided direction on recycling programs, including construction and demolition waste recycling. The City reviewed recycling program options with industry stakeholders during the fall of 2010 and again in 2011 as part of its Comprehensive Solid Waste Management planning process. These program options focused on the significant amount of recyclable materials still destined for disposal. Stakeholders were supportive of a facility certification program, identifying qualifying recycling facilities, and phased-in disposal bans for targeted C&D materials. These programs will contribute to a 70 percent recycling level for construction and demolition waste by 2020.

Please check one of the following:

This legislation does not have any financial implications.

This legislation has financial implications.

**Appropriations:**

Fund Name and Number	Department	Budget Control Level*	2012 Appropriation	2013 Anticipated Appropriation
<b>TOTAL</b>				

*\*See budget book to obtain the appropriate Budget Control Level for your department.*

Appropriations Notes:

No new appropriations are needed. Cost associated with this legislation will be covered within SPU's adopted and endorsed budget for the Other Operating Budget Control Level (N-400B-SW BCL) and includes:

- 1) \$17,500 for an anticipated 2013 payment to DPD IT to modify its Hansen Permitting System to link to a new waste diversion report and provide reminders to building permit holders to complete reports within 60 days of final inspection.
- 2) \$47,500 per year anticipated payment to DPD for 2014 and 2015 for the time of an equivalent 0.5 FTE at DPD's Intake Desk for educational purposes regarding the disposal bans, qualified receiving and recycling facilities, and submittal of waste diversion reports within 60 days of final inspection.
- 3) Additional SPU outreach, inspection, and residual sampling activity will be provided with existing program resources.

*SPU will cover all appropriations above without changes to SPU's 2013 proposed rates or aggregate budget.*

**Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact:**

Position Notes:

No SPU positions are created. This legislation creates specific work DPD has agreed to manage in 2013-2014, but now will be delayed until 2014-2015. SPU will work with DPD on formalizing this arrangement through an MOA, which will outline the budget agreement to cover this workload. The result of this agreement may include a future request for position authority within DPD.

The DPD work is expected to sunset at the end of 2015. The workload for the DPD intake desk will focus on educating contractors regarding disposal bans, qualified facilities for the recycling requirements, and the need to submit a Waste Diversion Report. This work will sunset once the

contracting community becomes attuned to these new requirements.

**Other Implications:**

- a) **Does the legislation have indirect financial implications, or long-term implications?**

No

- b) **What is the financial cost of not implementing the legislation?**

None

- c) **Does this legislation affect any departments besides the originating department?**

Yes. Department of Planning and Development (DPD) will provide information to relevant applicants regarding the new recycling requirements, the list of ‘qualified’ receiving facilities, and the required waste diversion form to be complete after final inspection. DPD IT will modify its Hansen Tracking system so that reminders are sent to building permit holders regarding submittal of the waste diversion report. DPD staff will not be responsible for auditing the waste diversion reports or enforcement of the landfill disposal bans. This will be performed by SPU.

- d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**

In developing this legislation, SPU also considered requirements for overall recycling performance of construction projects, recycling reporting approval prior to occupancy, performance thresholds for recycling facilities, and other policy options. Industry stakeholder input, conducted from 2010 to 2012, favors the final legislation over the alternatives. The City adopted similar disposal ban legislation in 2011 for concrete, bricks and asphalt paving from construction and demolition projects.

- e) **Is a public hearing required for this legislation?**

No

- f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**

No

- g) **Does this legislation affect a piece of property?**

No

- h) **Other Issues:**

**List attachments to the fiscal note below:**