

October 13, 1986  
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Introduced By: Bruce Laing

Proposed No.: 86 - 525

MOTION NO. 0850

A MOTION directing the initiation of the process for modification of the Special Permit, authorized by Resolution No. 21696, governing the use of the Cedar Hills Landfill, pursuant to K.C.C. 21.66.010.

WHEREAS, Resolution No. 21696, adopted in 1960, authorized the use of Cedar Hills as a Sanitary Landfill, subject to conditions, and

WHEREAS, the volume of waste disposed at Cedar Hills has increased from about 270,000 tons a year in 1965 to a projected 960,000 tons a year by 1987, and

WHEREAS, the attendant impacts of odor, noise, truck traffic and groundwater contamination have dramatically increased, and

WHEREAS, in the early 1970's, the King County Solid Waste Management Plan recommended a goal of using the Cedar Hills Landfill as an interim facility, significantly reducing usage by 1980, and

WHEREAS, Cedar Hills is now proposed for long term use as a regional landfill, and

WHEREAS, in November, 1972, Cedar Hills was found by the Washington Department of Ecology (DOE) to be causing degradation of Mason Creek by leachate contamination in violation of state water quality standards, and

WHEREAS, in April, 1974, the Cedar Hills Landfill was found by DOE to be continuing its violation of state water quality standards, and

WHEREAS, in June, 1980, Cedars Hills was found by the Seattle-King County health department to be allowing leachate to escape in violation of King County Board of Health rules and regulations, and

1           WHEREAS, in April, 1981, Cedar Hills was found by the health  
2 department to still be in violation of King County Board of  
3 Health rules and regulations, and

4           WHEREAS, in July, 1981, Cedar Hills was found by DOE to be  
5 continuing to contaminate groundwater and other surface water in  
6 violation of Chapter 173-301 WAC, and to be violating state and  
7 federal requirements with regard to daily cover of the waste, and

8           WHEREAS, In September, 1981, Cedar Hills was found by DOE to  
9 be an open dump, in violation of the U.S. Resource Conservation  
10 and Recovery Act, and

11           WHEREAS, In November, 1981, Cedars Hills was found by the  
12 health department to be continuing to violate daily cover and  
13 access requirements of local, state and federal law, and

14           WHEREAS, a recent lawsuit, filed in United States District  
15 Court has found and concluded that the Cedar Hills Landfill had  
16 been in violation of a federal law and regulations and another  
17 suit filed in King County Superior Court awarded damages to  
18 nearby property owners, and

19           WHEREAS, the county is preparing a site development plan and  
20 environmental impact statement and the environmental impact  
21 statement is scheduled to be available in draft in March 1987 and  
22 in final in July 1987, and

23           WHEREAS, the site development impact statement will add  
24 substantial information on which to base an assessment of  
25 preferred methods and manners of developing and operating the  
26 Cedar Hills in the future to accomplish the county's goals of  
27 sound environmental management of solid waste, and

28           WHEREAS, the preferred alternative coming out of the site  
29 development plan may require revision to the current special use  
30 permit, and

1 WHEREAS, K.C.C. 21.66.010 authorizes the council to revoke or  
2 modify an unclassified use permit upon recommendation of the  
3 hearing examiner if the permit is being exercised contrary to its  
4 terms and conditions or in violation of any statute, resolution,  
5 law or regulations; or the use approved by the permit was  
6 exercised so as to be detrimental to the public health or safety,  
7 and

8 WHEREAS, the special permit granted by Resolution No. 21696,  
9 appears to have been exercised contrary to the terms and  
10 conditions of the special permit, in violation of federal, state  
11 and local laws and regulations, and appears to have been  
12 exercised as to be detrimental to the public health and safety:

13 NOW, THEREFORE, BE IT MOVED by the Council of King County:

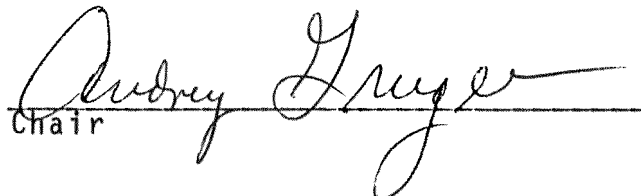
14 The Hearing Examiner is directed to schedule, after the final  
15 environmental impact statement on the site development plan is  
16 available, hearings to determine if the special permit granted by  
17 Resolution No. 21696 should be modified and to recommend any such  
18 modification for adoption by the Council.

19 BE IT FURTHER MOVED,


20 In determining the scope of the environmental impact  
21 statement on the site development plan the lead agency shall use  
22 the expanded scoping process authorized by WAC 197-11-410. The  
23 significant environmental issues to be addressed by the  
24 environmental impact statement shall include, but not be limited  
25 to, the on-site and off-site impacts of the existing and  
26 projected waste streams.

27 PASSED this 13<sup>th</sup> day of October, 1986.

28 KING COUNTY COUNCIL  
29 KING COUNTY, WASHINGTON

30   
31 Chair

32 ATTEST:

33   
Clerk of the Council