

ORDINANCE NO. 9599

1 AN ORDINANCE relating to solid waste, amending the  
2 definition for demolition wastes and amending Ordinance  
3 8891, Section 3, as amended and K.C.C. 10.04.020, and  
4 declaring an emergency.

5 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

6 SECTION 1. Ordinance 8891, Section 3, as amended and K.C.C.  
7 10.04.020 are hereby amended to read as follows:

8 Definitions. The following definitions shall apply in the  
9 interpretation and enforcement of this title:

10 A. "Agricultural wastes" means non-dangerous wastes on  
11 farms resulting from the production of agricultural products  
12 including but not limited to manures and carcasses of dead  
13 animals weighing each or collectively in excess of fifteen  
14 pounds.

15 B. "Asbestos-containing waste material" means any waste  
16 that contains asbestos. This term includes, but is not limited  
17 to, asbestos waste from control devices, contaminated clothing,  
18 asbestos waste material, materials used to enclose the work area  
19 during an asbestos project, and bags or containers that  
20 previously contained asbestos.

21 C. "Ashes" means the residue including any air pollution  
22 control equipment flue dusts from combustion or incineration of  
23 material including solid wastes.

24 D. "Bulky waste" means large items of refuse, such as  
25 appliances, furniture, and other oversize wastes which would  
26 typically not fit into reusable solid waste containers.

27 E. "Certified hauler" means any person engaged in the  
28 business of solid waste handling having a certificate granted by  
29 the Washington Utilities and Transportation Commission for that  
30 purpose.

31 F. "Clean soils and clean dredge spoils" means soils and  
32 dredge spoils which are not dangerous wastes or problem wastes as  
33 defined in this chapter.

34 G. "Commercial hauler" means any person, firm or  
35 corporation including but not limited to "certified hauler," as

1 defined herein, collecting or transporting solid waste for hire  
2 or consideration.

3 H. "Compacted waste" means any solid waste whose volume is  
4 less than in the loose condition as a result of compression.

5 I. "Controlled solid waste" means all solid waste  
6 generated, collected or disposed within the unincorporated areas  
7 of King County and all solid waste generated, collected or  
8 disposed within any other jurisdiction with which a solid waste  
9 interlocal agreement, as defined herein, exists.

10 J. "Dangerous wastes" means any solid waste designated as  
11 dangerous waste by the Washington State Department of Ecology  
12 under chapter 173-303 WAC.

13 K. "Demolition wastes" means largely inert solid waste,  
14 resulting from the demolition, razing or construction of  
15 buildings, roads, and other man-made structures. Demolition  
16 waste consists of, but is not limited to, concrete, brick,  
17 bituminous concrete, wood and masonry, composition roofing and  
18 roofing paper, steel, and minor amounts of other metals like  
19 copper. Plaster (i.e., sheet rock or plaster board) or any other  
20 material (~~(, other than wood,)~~) that is likely to produce gases  
21 or a leachate during the decomposition process and asbestos  
22 wastes are not considered to be demolition waste for the purposes  
23 of this chapter.

24 L. "Designated interlocal forum" means a group of  
25 representatives of unincorporated King County and of incorporated  
26 cities and towns within King County designated by the council of  
27 King County and by interlocal agreement with the cities in King  
28 County to discuss solid waste issues and facilitate regional  
29 interlocal cooperation in solid waste management.

30 M. "Disposal" means the discharge, deposit, injection,  
31 dumping, leaking, or placing of any solid waste into or on any  
32 land or water.

33 N. "Disposal facility" is a disposal site or interim solid  
34 waste handling facility. This includes, but is not limited to,  
35 transfer stations included as part of the county disposal system,  
36 landfills, incinerators, composting plants, and facilities for

1 the recycling or recovery of resources from solid wastes or the  
2 conversion of the energy from such wastes to more useful forms or  
3 combinations thereof.

4 O. "Disposal site" means a site or sites approved by the  
5 council of King County where any final treatment, utilization,  
6 processing or disposition of solid waste occurs.

7 P. "Disposal system" means the system of disposal  
8 facilities, rules and procedures established pursuant to this  
9 title.

10 Q. "Drop box facility" means a facility used for the  
11 placement of a detachable solid waste container, i.e., drop  
12 boxes, including the area adjacent for necessary entrance and  
13 exit roads, unloading, and turnaround areas. Drop box facilities  
14 normally serve the general public with loose loads and receive  
15 waste from off-site. Drop box facilities may also include  
16 containers for separated recyclables.

17 R. "Division" means the Solid Waste Division of the King  
18 County Public Works Department.

19 S. "Energy resource recovery" means the recovery of energy  
20 in a usable form from mass burning or refuse derived fuel  
21 incineration, pyrolysis or any other means of using the heat of  
22 combustion of solid waste that involves high temperature (above  
23 1200 degrees Fahrenheit) processing.

24 T. "Garbage" means unwanted animal and vegetable wastes and  
25 animal and vegetable wastes resulting from the handling,  
26 preparation, cooking and consumption of food, swill, and  
27 carcasses of dead animals and of such a character and proportion  
28 as to be capable of attracting or providing food for vectors,  
29 except sewage and sewage sludge.

30 U. "Hazardous wastes" means and includes, but is not  
31 limited to explosives, medical wastes, radioactive wastes,  
32 pesticides and chemicals which are potentially harmful to the  
33 public health or the environment. Unless otherwise defined by  
34 the King County board of health, such waste shall have the  
35 meaning as defined by the Washington State Department of Ecology  
36 and the Washington Administrative Code.

1 V. "Hazardous waste management plan" means a plan for  
2 managing moderate risk wastes, pursuant to RCW 70.105.220.

3 W. "Health department" means the Seattle-King County  
4 health department.

5 X. "Health officer" means the King County director of  
6 public health, or his authorized agent.

7 Y. "Industrial solid wastes" means waste by-products from  
8 manufacturing and fabricating operations such as scraps,  
9 trimmings, packing, and other discarded materials not otherwise  
10 designated as dangerous waste under Chapter 173-303 WAC.

11 Z. "Interim solid waste handling facility" means any  
12 interim treatment, utilization or processing site engaged in  
13 solid waste handling which is not the final disposal site.  
14 Transfer stations, drop boxes, baling and compaction sites,  
15 source separation centers, intermediate processing facilities,  
16 mixed waste processing facilities and treatment facilities are  
17 considered interim solid waste handling sites.

18 AA. "Intermediate processing" means sorting of mixed  
19 recyclables from source separation programs to divide them into  
20 individual component recyclable materials or to process them for  
21 marketing.

22 BB. "King County Solid Waste Advisory Committee" means the  
23 committee formed pursuant to King County Ordinance 6862 and RCW  
24 Chapter 70.95 to advise the county on solid waste management  
25 planning, assist in the development of programs and policies  
26 concerning solid waste management, and review and comment on the  
27 plan and other proposed solid waste management rules, policies or  
28 ordinance prior to adoption.

29 CC. "Landclearing wastes" means solid wastes resulting from  
30 the clearing of land for new construction and includes, but is  
31 not limited to, stumps and other vegetation, rocks, mud and other  
32 plant or mineral wastes.

33 DD. "Landfill" means a disposal site or part of a site at  
34 which waste is placed in or on land and which is not a  
35 landspreading disposal facility.

36 EE. "Landspreading disposal facility" means a facility that

1 applies sludge or other solid wastes onto or incorporates solid  
2 waste into the soil surface at greater than vegetative  
3 utilization and soil conditioners/immobilization rates.

4 FF. "Liquid" means a substance that flows readily and  
5 assumes the form of its container but retains its independent  
6 volume.

7 GG. "Littering" means to accumulate, or place, throw,  
8 deposit, put into or in any land or water or otherwise dispose of  
9 refuse including rubbish, ashes, garbage, dead animals,  
10 industrial refuse, commercial waste and all other waste material  
11 of every kind and description in any manner except as authorized  
12 by this chapter.

13 HH. "Manager" means the manager of the Solid Waste Division  
14 of the department of public works of King County.

15 II. "Medical waste" means all waste so defined by the King  
16 County board of health rules and regulations.

17 JJ. "Mixed municipal solid waste" means waste consisting of  
18 solid waste generated by residences, stores, offices, and other  
19 generators of wastes that are not industrial, agricultural, or  
20 demolition wastes.

21 KK. "Mixed waste processing" means sorting of solid waste  
22 after collection from the point of generation in order to remove  
23 recyclables from the solid waste to be disposed.

24 LL. "Mobile yard waste facility" means a yard waste  
25 facility requiring no above-grade construction and established on  
26 a temporary basis. For the purposes of Section 4 of this  
27 ordinance, a mobile yard waste facility shall be considered to be  
28 a disposal site without scales.

29 MM. "Moderate risk waste" means:

30 1. any waste that exhibits any of the properties of  
31 hazardous waste but is exempt from regulation under RCW Chapter  
32 70.105 solely because the waste is generated in quantities below  
33 the threshold for regulation, and

34 2. any household wastes which are generated from the  
35 disposal of substances identified by the department of ecology as  
36 hazardous household substances.

1 NN. " Noncommercial user" means any person not engaged in  
2 the business of solid waste handling.

3 OO. "Operating hours" means those times during which  
4 disposal facilities are normally open and available for the  
5 delivery of solid wastes.

6 PP. "Person" means any individual, association, firm,  
7 corporation, partnership, political subdivision, municipality,  
8 government agency, industry, public or private corporation, or  
9 any other entity.

10 QQ. "Plan" means the coordinated comprehensive solid waste  
11 management plan for the county as required by RCW Chapter 70.95.

12 RR. "Problem wastes" means:

13 1. soils removed during the cleanup of a remedial  
14 action site, or a dangerous waste site closure or other cleanup  
15 efforts and actions and which contain harmful substances but are  
16 not designated dangerous wastes, or

17 2. dredge spoils resulting from the dredging of  
18 surface waters of the state where contaminants are present in the  
19 dredge spoils at concentrations not suitable for open water  
20 disposal and the dredge spoils are not dangerous wastes and are  
21 not regulated by the Federal Clean Water Act.

22 SS. "Procurement policy" means the development and  
23 implementation of a policy which achieves the purchase of  
24 products made from recycled and/or recyclable goods.

25 TT. "Receivers" means persons who will reuse recyclables  
26 and to whom source separated recyclables for which a market does  
27 not presently exist can be delivered at little or no cost in  
28 order to avoid landfilling the materials pending development of  
29 economic markets.

30 UU. "Reclamation site" means a location used for the  
31 processing or the storage of recycled waste.

32 VV. "Recyclables" means any material that can be kept out  
33 of or recovered from solid waste and the resources therein be  
34 transformed and/or reused including, but not limited to, mixed  
35 paper, newsprint, cardboard, aluminum, glass, plastics,  
36 chemicals, oil, wood, compostable organics (food and yard

1 debris), ferrous metal, and inorganics (rubble and inert  
2 material).

3 WW. "Recycling" means either source separation or the  
4 processing of solid waste mechanically or by hand to segregate  
5 materials for sale or reuse. Materials which can be removed  
6 through recycling include but are not limited to mixed paper,  
7 newsprint, cardboard, aluminum, glass, plastics, chemicals, oil,  
8 wood, compostable organics (food and yard debris), ferrous metal,  
9 and inorganics (rubble and inert material). Recycling does not  
10 include combustion of solid waste or preparation of a fuel from  
11 solid waste.

12 XX. "Refuse" means garbage, rubbish, ashes, swill and all  
13 other putrescible and nonputrescible wastes, except sewage, from  
14 all public and private establishments and residences.

15 YY. "Regional approach" means the development and  
16 implementation of a solid waste management program in cooperation  
17 with municipalities in King County and with other counties within  
18 the Puget Sound area.

19 ZZ. "Regional direct" means any solid waste transported to  
20 Cedar Hills disposal site by conventional long haul transfer  
21 vehicles, transporting from solid waste transfer stations solid  
22 waste generated and collected in King County.

23 AAA. "Reuse" means the return of a commodity into the  
24 economic stream for use.

25 BBB. "Rubbish" means all nonputrescible wastes from all  
26 public and private establishments and from all residences.

27 CCC. "Secured load" means a load of solid waste which has  
28 been secured or covered in the vehicle in a manner that will  
29 prevent any part of the solid waste from leaving the vehicle  
30 while the vehicle is moving.

31 DDD. "Solid waste" means all putrescible and nonputrescible  
32 solid and semisolid wastes, except wastes identified in WAC 173-  
33 304-015, including but not limited to garbage, rubbish, ashes,  
34 industrial wastes, swill, demolition and construction wastes,  
35 abandoned vehicles or parts thereof, discarded commodities,  
36 sludge from wastewater treatment plants and septage from septic

1 tanks, woodwaste, dangerous waste, and problem wastes. This  
2 includes all liquid, solid and semisolid materials which are not  
3 the primary products of public, private, industrial, commercial,  
4 mining and agricultural operations. Unrecovered residue from  
5 recycling operations shall be considered solid waste.

6       EEE. "Solid waste interlocal agreement" means an agreement  
7 between a city and the county for use of King County disposal  
8 system for solid waste generated or collected within the city.

9       FFF. "Solid waste management" means the systematic  
10 administration of activities which provide for the reduction in  
11 generated volume, source separation, collection, storage,  
12 transportation, transfer, recycling, processing, treatment and  
13 disposal of solid waste. This includes public education and  
14 marketing activities.

15       GGG. "Source separation" means the process of separating  
16 recyclable materials from material which will become solid waste  
17 at its source.

18       HHH. "Suspect waste" means any waste the manager suspects  
19 may be unauthorized waste.

20       III. "Swill" means every refuse accumulation of animal,  
21 fruit or vegetable matter, liquid or otherwise, that attend the  
22 preparation, use, cooking, dealing in or storing of meat, fish,  
23 fowl, fruit and vegetables, except coffee grounds.

24       JJJ. "Transfer station" means a staffed, fixed,  
25 supplemental collection and transportation facility used by  
26 persons and route collection vehicles to deposit collected solid  
27 waste from off-site into a larger transfer vehicle for transport  
28 to a permanent disposal site. It may also include recycling  
29 facilities.

30       KKK. "Unauthorized waste" means waste which is waste not  
31 acceptable for disposal at any or a specific disposal facility  
32 according to applicable rules and regulations or a determination  
33 of the manager.

34       LLL. "Uncompacted waste" means any solid waste in an  
35 uncompressed or loose condition.

36       MMM. "Waste reduction" means reducing the amount or type of



1 waste generated.

2 NNN. "Woodwaste" means solid waste consisting of wood  
3 pieces or particles generated as a by-product resulting from the  
4 handling and processing of wood, including, but not limited to,  
5 hog fuel, sawdust, shavings, chips, bark, small pieces of wood,  
6 stumps, limbs and any other material composed largely of wood  
7 which has no significant commercial value at the time in  
8 question, (but shall not include slash developed from logging  
9 operations unless disposed of on a different site), and does not  
10 include wood pieces or particles containing chemical  
11 preservatives such as creosote, pentachlorophenol, or copper-  
12 chrome-arsenate.

13 OOO. "Yard waste" means a compostable organic material  
14 generated in yards or gardens, but shall not include landclearing  
15 wastes, demolition wastes, or woodwaste.

16 PPP. "Yard waste facility" means a facility used by county  
17 residents to deposit source separated yard waste.

18 SECTION 2. The Council finds that enactment of this measure  
19 is necessary for the protection of public health, welfare and  
20 safety of the residents of King County and deems it necessary to  
21 enact this ordinance as an emergency effective immediately.

22 INTRODUCED AND READ for the first time this 27<sup>th</sup> day  
23 of August, 19 90.

24 PASSED this 27<sup>th</sup> day of August, 1990.

25 KING COUNTY COUNCIL  
26 KING COUNTY, WASHINGTON

27 Lois North  
28 Chair  
29

30 ATTEST:

31 Guadalupe Peltre  
32 Clerk of the Council

DEEMED ENACTED WITHOUT  
COUNTY EXECUTIVE'S SIGNATURE,

DATED: 9/4/90

33 APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 1990.

34 \_\_\_\_\_  
35 King County Executive  
36