

# Chapter 7

## WASTE COLLECTION

### Background

This chapter describes Clark County's collection systems for municipal solid waste (MSW) including recyclable materials and yard waste. The collection of municipal refuse and garbage must be coordinated with the collection of recyclable materials and yard waste. Changes in the quantity and composition of one waste stream can affect the quantity and composition of the other streams. Also, the type and level of collection service provided for one stream may affect the type and service level required for the other.

Coordination of customer billing and collection practices, payment provisions, customer data sharing, and vehicle routing information can help the solid waste management system operate more effectively and efficiently. Rate setting for refuse and garbage collection and recyclable materials collection also needs to be structured to provide incentives to reduce and recycle wastes while fully recovering program costs to the extent allowed by regulatory agencies.

Refer to the other chapters within this Plan for more specific information regarding the type of materials to be collected. Many of the terms used herein are described in *Appendix A*, definitions.

### Assessment of Conditions

#### *Solid Waste Collection*

As Table 7-3 depicts, the following agencies are responsible for the management of solid wastes within Clark County: Washington Utilities and Transportation Commission (WUTC), Clark County, and the cities of Battle Ground, Camas, La Center, Ridgefield, Vancouver, Washougal and the town of Yacolt (see the Administration and Enforcement Chapters). Clark County Public Health issues permits for solid waste storage, collection, transfer and disposal pursuant to RCW 70.95, WAC 173-350 and Clark County Code Chapter 24.12. Clark County Public Health also has jurisdiction over public health and safety with regard to solid waste collection in all of Clark County, including the cities and towns.

State law provides the following three categories under which solid waste collection services (excluding recyclable materials collection) are administratively authorized and controlled:

#### **State-Certificated Collection**

The Washington legislature decided in 1961 that garbage collection service should be available to all residents of the state at rates that were fair, just and reasonable. The legislature passed RCW 81.77, directing the WUTC to supervise and regulate private solid waste collection companies in the State of Washington. RCW 81.77 requires a company to obtain a certificate from the Commission declaring that public convenience and necessity require establishment and operation of a collection service in a specific area. These *Certificates of Public Convenience and Necessity* require proof that a company is fit, willing and able to provide service, and then specify categories of solid waste that can be collected and the geographic area in which a company can operate.

These certificated collection companies provide services under WUTC regulation. As part of its legislative mandate, the Commission audits these companies for fair rates, proof of adequate insurance, operational safety and requires annual reports. Any solid waste collection company, including certificated companies, may also provide service under contract with an incorporated city or town. In that case, the Commission does not regulate. The WUTC's authority covers private collection companies that operate in unincorporated areas of a county and in incorporated municipalities where the city chooses not to regulate through other means. City-contracted collection services are not subject to WUTC control. Collection systems directly operated by city crews and

equipment are also exempted from regulation by the WUTC.

The WUTC establishes collection fees (rates) for certificate holders on the basis of operating costs and revenues. Every certificated collection company is required to file a tariff with the WUTC, showing rates and charges applicable to the collection, transportation, and disposal of solid waste in its service area. The WUTC may approve or modify the requested rates. Certificated companies cannot alter their rates or charges without WUTC approval.

The WUTC requires certificated collection companies to “use rate structures and billing systems consistent with the solid waste management priorities set forth under RCW 70.95” and provide minimum levels of solid waste collection and recycling services pursuant to local solid waste management plans and municipal ordinances. The WUTC has no direct authority or rate-setting responsibility for solid waste transfer or disposal facilities.

Since the early 1900’s, the Commission has regulated the transportation of property (including nonresidential recyclable materials) for hire over public roadways under the authority of RCW 81.80. The regulation was essentially the same as that of solid waste collection companies. Commercial recycling is regulated under RCW 81.80 because it has been designated as property, not solid waste. However, the passage of the *Federal Aviation Administration Authorization Act* (FAAAA) of 1994 pre-empted state or local regulation of transportation of property (including nonresidential recycling), in terms of where a company can operate, how much they can charge, and what kinds of property they can transport. At that time, the legislature moved the Commission’s responsibility for safety inspection for common carriers to the Washington State Patrol. The Commission retains the responsibility to issue permits and verify insurance for common carriers. Common carrier permits provide companies with the authority to transport general commodities including nonresidential recyclable materials.

## City-Controlled Collection

Cities have the authority to make collection mandatory in all or part of its incorporated boundaries. Mandatory collection means that all waste generators must subscribe to and pay a minimum fee for collection even if they do not use the service. The following options are available to cities for managing solid waste collection:

**WUTC-Certificated Collection.** A city can delegate management authority and responsibility to the WUTC. Under this option, collection services within the city are provided by a certificated private company supervised and regulated by the WUTC. WUTC certificates and operating requirements may be supplemented within cities by licenses (or “franchises”). Under a licensed collection system, collection rates charged by city-licensed but WUTC-certificated private companies are set by the WUTC, with any city-imposed licensing tax added on top of, or factored into, rates. It is the collection company’s responsibility to collect fees for services rendered and to remit a licensing fee, franchise tax or fee based on gross receipts to the city. The license therefore benefits the city by generating revenues. However, the WUTC remains the regulatory authority for licensed collection.

**Contracted Collection with a Private Service Provider.** A city can contract with any private collection company for residential and nonresidential collection services within all or part of its incorporated area. Thus, a city can control collection activities without operating its own municipal collection utility. This is the only avenue for non-certificated private collection companies to become involved in collection services in the State of Washington. The service areas for these private collection companies would be limited

to the contracted municipal boundaries and would not be subject to regulation by the WUTC. Under a contracted collection system, management and regulation of the system are the responsibility of the city. The contract would regulate operating conditions, rates, and billing practices. Collection of fees for services could be the responsibility of either the city or the collection company. Typically, a city ordinance would set forth the level of collection service provided, rate structures to be used, and operating requirements.

**Municipal Collection** systems can also be operated by a city as a municipal service with its own equipment and personnel. A city with municipal collection generally determines its own rate structure, operating requirements and levels of service. In addition, the city is usually responsible for customer billing.

## County-Controlled Collection

Statutory restrictions imposed upon counties by [RCW 36.58A](#) limit a county's authority with respect to solid waste collection. A county currently may provide collection services itself or through direct contract only if no qualified private company is willing or able to do so. In addition, a county may not provide service in an existing certificated area unless it acquires rights by purchase or condemnation. Except in the circumstances stated above, the county is prohibited from directly managing or operating solid waste collection systems. It is unlikely that such a combination of circumstances would ever occur within Clark County.

However, a county may exercise limited control of solid waste collection service in unincorporated areas through the adoption of service-level ordinances. Service-level ordinances can establish the types and levels of services to be provided to both residential and nonresidential customers. In addition, such ordinances can encourage rate structures that promote waste reduction and recycling activity.

A county may also exercise some control of collection activities within its unincorporated areas by establishing solid waste collection districts. Within such a district all solid waste generators could be required to subscribe to and pay for collection services; the private service provider and the collection rates would be regulated by the WUTC. Solid waste collection districts are generally limited to unincorporated areas of a county, although with consent from the legislative authority of a city or town, collection districts can include areas within the corporate limits of the city.



If a county were to form such a district, the WUTC would be required to investigate whether the existing certificated collection companies were willing and/or able to provide collection services. If the existing certificated collection company could not or would not provide the service, then the WUTC could issue a certificate to another collection company. A county can directly provide collection services within these districts only after notification by the WUTC that no qualified collection companies are able and/or willing to perform said service. If a collection district is established, a county may be asked to collect fees from delinquent customers should the private collection company be unable to do so.

**Table 7-1 Summary of the differences in solid waste collection systems.**

**Solid Waste Collection System Characteristics**  
(Under State, City, and County Control)

System Type	State-Controlled	City-Controlled			County-Controlled
		State Authority	Contract	Municipal	
Collector	Private	Private	Private	Municipality	Private <sup>b</sup>
Operating conditions and Review authority	WUTC <sup>c</sup>	WUTC <sup>c</sup>	Municipality	Municipality	WUTC <sup>c</sup>
Rate approval authority	WUTC	WUTC <sup>d</sup>	Municipality	Municipality	WUTC
Subscription to collection service	Voluntary	Voluntary or mandatory	Voluntary or mandatory	Voluntary or mandatory	Voluntary
Billing responsibility	Collector	Collector	Municipality or collector	Municipality	Collector <sup>e</sup>

<sup>a</sup> Only in unincorporated areas, or in incorporated areas with consent of the legislative authority of the city or town.

<sup>b</sup> If no certificated hauler can provide service, the county may provide service.

<sup>c</sup> Although municipal governments can adopt service level ordinances, the Washington Utilities and Transportation Commission (WUTC) is the authority charged with enforcing compliance.

<sup>d</sup> City has authority to include licensing tax.

<sup>e</sup> County must collect fees if users are delinquent.

**Current Collection Practices**

Solid waste in Clark County is currently being collected by both private companies and municipal government agencies which are regulated and operating under the authorities previously described. Table 7-2 describes the collection entities in Clark County currently providing MSW collection services.

**Table 7-2 MSW Collection Entities in Clark County**

Service Provider	Parent Company	WUTC Certificate Number	Address
Waste Connections of Washington	WCW	G-253	9411 N.E. 94th Avenue Vancouver, Washington 98662
Waste Control Inc.	None	G-101	P.O. Box 148 Kelso, Washington 98626
City of Camas	None	None	616 N.E. 4th Avenue Camas, Washington 98607
Basin Disposal Inc. (inactive)	None	G-118	PO Box 3850 Pasco, Washington 99302-3850

## Historical Process

Prior to August 1, 1996, most solid waste collection in Clark County was performed by the Clark County Disposal Group (CCDG) under a variety of municipal contracts and WUTC-certificates. On that date Browning-Ferris Industries of Washington, Inc. (BFI) purchased CCDG and subsequently consolidated its WUTC operating authorities under one certificate. In 1997 Waste Connections of Washington (WCW) purchased BFI's holdings in Clark County. WCW then purchased Evergreen Waste Systems in September 1998, and purchased Columbia Resource Company in March 1999. In August 2005, WCW acquired the municipal contracts, accounts, and operating equipment of Waste Management of Vancouver.

The various contracted or permitted collection service areas are described below.

- The City of Vancouver contracts with Waste Connections of Washington, (WCW) to provide collection services throughout the city.
- WCW provides collection services under WUTC authority in the unincorporated areas of Clark County and the Cities of Battle Ground, La Center, and Yacolt. WCW services the City of Ridgefield under municipal contract.
- WCW provides collection services in the northwest corner of Clark County and within the City of Woodland.
- The City of Washougal contracts with WCW to provide residential and nonresidential collection services within the city.
- The City of Camas collects residential and some nonresidential accounts with city equipment and crews. WCW currently provides collection service for other non-residential accounts under contract with the City of Camas.
- Basin Disposal, Inc. has an inactive permitted service area in and near Camas.

Table 7-3 summarizes the current residential and non-residential Municipal Solid Waste (MSW) collection service characteristics in Clark County.

**Table 7-3 MSW Collection Service Characteristics - Residential and Non-residential**

Area and Jurisdiction	Regulatory Authority	Service Provider	Mandatory Collection?	Billing Responsibility
City of Vancouver	City-contracted	WCW	Yes	Service provider
City of Camas	City	City of Camas & WCW	Yes	City and service provider
City of Washougal	City-contracted	WCW	Yes	City
City of Ridgefield	City-contracted	WCW	Yes	Service provider
City of Battle Ground	WUTC	WCW	No	Service provider
City of LaCenter	WUTC	WCW	No	Service provider
Town of Yacolt	WUTC	WCW	No	Service provider
Unincorporated Clark County	WUTC	WCW	No	Service provider

*Note: Waste Control Inc. (subcontractor)*

The unincorporated areas of the County, as well as the cities of Battle Ground and La Center and the town of Yacolt, do not have mandatory collection. Waste generators have the choice of either subscribing to collection services provided by their WUTC-certificated company or self-hauling to a permitted disposal or transfer facility. In addition to the collection service providers described in Tables 7-3, generators can self-haul solid wastes to the CRC transfer stations, or to other processing and disposal facilities out of the region. Large self-haulers in Clark County include Vancouver School District and the Battle Ground School District.

### Minimum Collection Service Levels

Minimum collection service level options include:

- Recycling for all garbage customers in Clark County unincorporated and rural areas.
- Garbage (and recycling) for all customers in urban growth areas.
- Commercial recycling would also make an impact on local jobs.

Requiring residential recycling for existing garbage customers would add an additional 5000 customers in the rural area which would equate to 1-2 new driver jobs. Based on the available data the additional 5,000 rural recycling customers would generate an addition 2000 tons of recycling. 1,000 tons of materials create a net 2.27 additional jobs versus landfilling the same 1,000 tons. This could lead to an additional 4 to 5 jobs (not all of these jobs would be in Clark County). If garbage were made mandatory along with recycling, additional customers would be added. For example, the City of Battle Ground has about 1500 customers that don't subscribe to garbage or recycling service. Note that some recycling would be offset by a reduction of self-hauled drop off recycling. There are about 3000 commercial Waste Connections customers that don't have recycling service (they may drop off or use another service provider).

### Rate Structures

Rates or fees charged for garbage collection in Clark County vary by area and service provider. Because of the way the rates are structured, municipal rates (e.g. the City of Vancouver) often provide more incentive to reduce waste than WUTC service area rates.

### Recyclable Material Collection

The collection of recyclable materials from residential and nonresidential generators is regulated somewhat differently than the collection of general solid wastes in the State of Washington. However the WUTC, Clark County, and cities in Clark County are still involved in the regulatory process. The self-hauling of recyclable materials by generators to recycling centers, transfer stations or other location is not regulated. (Additional information on waste recycling can be found in Chapter 6.)



Recycle bins - Photo source: City of Vancouver, WA

## Residential Collection for Recycling

The collection and transportation of recyclable materials and yard waste from single-family and multifamily residences is regulated under [RCW 81.77](#) and [RCW 36.58](#). Under these statutes, counties have the authority to directly regulate the collection of source separated recyclable materials. Local government jurisdictions, including both counties and cities, have the option to either contract directly with a private collection company to provide residential recyclable materials collection services, or to delegate the responsibility to the WUTC. If the local government contracts directly with a collection company, then it thereby regulates collection activities and the WUTC is not involved. However, if the authority is delegated to the WUTC, then a WUTC-certificated collection company would provide the collection service, with WUTC regulating the activity as previously described in this chapter. In addition to these two options, cities have the option of providing recyclable collection services within their jurisdictional boundaries by using city personnel and equipment.

Currently WCW has contracted with the County and the cities of Battle Ground, La Center, and Yacolt to provide residential recycling collection services (both single family and multifamily) within those cities and also in all of the unincorporated areas of Clark County. The City of Vancouver contracts for residential recycling collection services (both single family and multifamily) with WCW. The cities of Camas, Ridgefield and Washougal have separate contracts with WCW to collect recyclable materials from both single-family and multifamily residences within their jurisdictions.

Since 2009 residential customers in all cities and unincorporated areas of the county are provided with the same style of curbside recycling collection equipment (a roll cart for commingled recyclable paper, metal, and plastic items, with a separate bin for glass bottles), which simplifies public information as well as collection. In Vancouver and in the rural unincorporated areas recycling is collected biweekly; in all other cities and in the urban unincorporated area it is collected weekly. Multifamily residences are provided with weekly or twice-weekly collection as appropriate. 65-gallon roll carts are provided to customers with weekly collection; 95-gallon roll carts are provided to customers with biweekly collection. Smaller roll carts are available to customers upon request. More detail about the residential recycling program is provided in Chapter 6, Waste Diversion, and in Chapter 8, Waste Transfer and Material Recovery.

## Non-residential Collection for Recycling

The collection and transport of recyclable materials from nonresidential generators is regulated by the WUTC under [RCW 81.80](#). Three types of authorities are established in [RCW 81.80](#), including common carriage, contract carriage, and private carriage. Counties have no authority to regulate the collection and transportation of nonresidential recyclable materials. Cities may enter into non-exclusive contracts with providers of non-residential recycling services or may establish a regulatory framework to direct the nature of their activity and services within the jurisdiction. Local businesses, however, may choose to make other collection arrangements.

Common carriers are permitted by the WUTC and can collect a specific commodity (or commodities) within a designated geographic territory. Common carriers do not own the commodity being hauled; they are simply providing a transportation service for the owner. For example: a private company hauling cardboard from nonresidential generators to an independently operated recycling facility would be a common carrier. Common carriers are required to provide collection and transportation service to anyone requesting the service within the collection territory. Fees are negotiated between the carrier and the customer.

Contract carriers are permitted by the WUTC and can collect a specific commodity (or commodities) from a single nonresidential generator. For example: an independent company collecting cardboard from a single manufacturing company would be a contract carrier. Contract carriers negotiate the tariff or fee paid for the service with the waste generator without WUTC involvement.

Private carriers are not subject to regulation by the WUTC. Private carriage involves the collection and transportation of a commodity (or commodities) by either the commodity generator or the commodity user, if the collection and transport activity is incidental to the overall or primary business of the generator or user. For example: a large manufacturing facility that self-hauled small amounts of cardboard to a local recycler would be considered a private carrier. Recycling firms that collect their own materials for further processing and marketing are also considered private carriers.

As summarized in Chapter 6, the City of Vancouver has established a licensing program that pertains to common carriers collecting recyclable materials within the city limits. A key purpose of this requirement is to obtain data on recycling activities within the jurisdiction.

The City of Vancouver regulates commercial recycling haulers. All recycling collectors obtain from the City a license which is renewed annually. Licensed recyclers must comply with the code requirements, and are only to collect source-separated recyclables. An annual report on tons or cubic yards collected is required at the end of each year. Clark County will be developing a similar program for registering commercial recycling haulers.

Table 7-4 below summarizes all off the solid waste collection services all County jurisdictions.

**Table 7-4 Summary of Solid Waste Collection Services**

<b>Municipal Solid Waste (MSW) Collection</b>				
<b>Area and Jurisdiction</b>	<b>Regulatory Authority</b>	<b>Service Provider</b>	<b>Mandatory Collection</b>	<b>Contract Term</b>
City of Vancouver	City-contracted	WCW	Yes	January 31, 2020
City of Camas	City	City of Camas	Yes	n/a
City of Washougal	City-contracted	WCW	Yes	April 1, 2024
City of Ridgefield	City-contracted	WCW	Yes	December 31, 2019
City of Battle Ground	WUTC	WCW	No	n/a
City of La Center	WUTC	WCW	No	n/a
Town of Yacolt	WUTC	WCW	No	n/a
Unincorporated Clark County	WUTC	WCW; Waste Control Inc. (sub-contractor)	No	n/a

*(Table continued on next page)*

Recycling Collection				
City of Vancouver	City – contracted	WCW	Yes	January 31, 2020
City of Camas	City – contracted	WCW	Yes	December 31, 2019
City of Washougal	City – contracted	WCW	Yes	April 1, 2024
City of Ridgefield	City – contracted	WCW	Yes	December 31, 2019
City of Battle Ground	County – contracted	WCW	No	December 31, 2018
City of La Center	County – contracted	WCW	No	December 31, 2018
Town of Yacolt	County – contracted	WCW	No	December 31, 2018
Unincorporated Clark County	County - contracted	WCW; Waste Control Inc. (WCW sub-contractor)	No	December 31, 2018

Yard Waste Collection				
City of Vancouver	City – contracted	WCW	No	January 31, 2020
City of Camas	City – contracted	WCW	No	December 31, 2019
City of Washougal	City – contracted	WCW	No	April 1, 2024
City of Ridgefield	City - contracted	WCW	No	December 31, 2019
City of Battle Ground	County – contracted	WCW	No	July 31, 2023
City of La Center	County – contracted	WCW	No	July 31, 2023
Town of Yacolt	County – contracted	WCW	No	July 31, 2023
Unincorporated Clark County	County - contracted	WCW	No	July 31, 2023

Note: WCW's office is located at 12115 NE 99th St #1830, Vancouver, Washington and City of Camas office is located at 616 NE 4th Avenue, Camas, Washington; Basin Disposal, Inc. has an inactive permitted WUTC service area in and near Camas.

Waste collection systems are able to readily adapt to changes in customers served with additional equipment, manpower and periodic adjustments to route schedules. As most of the collection within the regional area is performed under contract, these contract rates take into consideration increases to the customer base. WUTC also has the ability to review rates for G-certificated hauler which also incorporates review of the customer base. All of the collection contracts have extension provisions. The County's residential recycling collection contract expires in December 31, 2018 and has one 1-year extension. The County will issue a Request For Proposals for this service when the current contract is due to expire.



Collection - Photo source: City of Vancouver, WA

### Project Solid Waste Collection

Population projections for the County (by jurisdiction) are shown in Table 7-5 for the next ten years.

**Table 7-5 Projected Population**

	2012 Estimated	2013 Projected	2014 Projected	2017 Projected	2020 Projected	2025 Projected
City of Vancouver	163,200	164,500	167,400	175,047	183,042	197,189
City of Camas	20,020	20,320	20,880	21,834	22,831	24,596
City of Washougal	14,340	14,580	14,910	15,591	16,303	17,563
City of Ridgefield	5,210	5,545	6,035	6,311	6,599	7,109
City of Battle Ground	17,920	18,130	18,680	19,533	20,426	22,004
City of La Center	2,985	3,015	3,050	3,189	3,335	3,593
Town of Yacolt	1,605	1,615	1,620	1,694	1,771	1,908
Unincorporated Clark County	205,885	207,795	210,225	219,828	229,869	247,634
<b>Total</b>	<b>431,165</b>	<b>435,500</b>	<b>442,800</b>	<b>463,026</b>	<b>484,177</b>	<b>521,596</b>

*Note: 2013 estimated population from the US Census Bureau. State of Washington Office of Financial Management projections - 1.5% increase.*

**Yard Debris Collection**

Separate collection of yard debris is offered by subscription on a bi-weekly, on-call or seasonal basis. It is available to residents of Battle Ground, Camas, La Center, Ridgefield, Vancouver, Washougal, Yacolt, and the southern unincorporated areas of the county which are subject to outdoor burning restrictions. More detail about collection and recovery of yard debris is available in Chapter 13, Organic Wastes.

**Litter Collection**

Littering is solid waste that is thrown, discarded or placed in any manner or amount on any public or private property; other than being placed in appropriate solid waste containers. This includes waste that is thrown by pedestrians and motorists; materials that are blown from vehicles; and large loads of waste that are illegally dumped onto public or private property.

The Washington Department of Ecology provides limited funding to Clark County through the *Community Litter Cleanup Program*. This program helps to cover the costs to local governments to clean up litter and illegal dumps. In Clark County, District Court Corrections administers the CLCP grant funding, using offender crews to perform the work. More information is provided in Chapter 16 Enforcement on these programs in the local jurisdictions.

**Recommendations**

- 1. Adopt a county service level ordinance to provide:** a) minimum collection service levels for residential and nonresidential customers; b) access by the County and cities to collection system information; c) enhanced coordination between WUTC-certified collection companies and County and city contractors. (7-2)
- 2. Support and investigate state legislative efforts** to provide counties with the same options for management of waste collection that cities have to gain greater local control of recycling strategies. (7-3)
- 3. Develop a program for registering commercial recycling haulers and tracking tonnage data in the unincorporated areas.** (7-8)
- 4. Identify strategies for working with the Washington Utilities and Transportation Commission (WUTC) and WUTC-certificated haulers** to develop rate structures that support and encourage waste reduction and recycling. (7-6)

*End of Chapter 7*