

Your Local Solid Waste Advisory Committee (SWAC)



The role of the SWAC is to provide informed advice to the legislative and administrative body of the county or city regarding waste management issues.

The local solid waste advisory committee, mandated by Chapter 70.95.165 RCW, is an on-going committee. Initially established to help prepare a solid waste management plan, the law defines duties that are much broader, "to assist in the development of programs and policies

concerning solid waste handling and disposal and to review and comment upon proposed rules, policies, or ordinances prior to their adoption." The committee is an advisory body only. It makes recommendations to the local governing body, which will then make final decisions after considering those recommendations and other available information.

Requirements of a SWAC (Chapter 70.95.165(3) RCW)

The Washington State Department of Ecology requires that a SWAC:

- Is an on-going committee of at least nine appointed members who represent a balance of interests
- Assists in the development of programs and policies involving solid waste reduction, handling, and disposition
- As advisory body, reviews proposed solid waste related rules, policies, or ordinances and develops recommendations prior to their adoption
- Actively assists and participates in the review, revision or amendment of both a comprehensive solid waste (CSWMP) and hazardous waste management plan (HWMP)
- Also follows RCW 70.95.167 to conduct specific stakeholder and review meetings during the development of the waste reduction and recycling element of the CSWMP.

RCW 70.95.165 (3)

Each county shall establish a local solid waste advisory committee to assist in the development of programs and policies concerning solid waste handling and disposal and to review and comment upon proposed rules, policies, or ordinances prior to their adoption. Such committees shall consist of a minimum of nine members and shall represent a balance of interests including, but not limited to, citizens, public interest groups, business, the waste management industry, and local elected public officials. The members shall be appointed by the county legislative authority. A county or city shall not apply for funds from the state and local improvements revolving account, Waste Disposal Facilities, 1980, under chapter 43.99F RCW, for the preparation, update, or major amendment of a comprehensive solid waste management plan unless the plan or revision has been prepared with the active assistance and participation of a local solid waste advisory committee.

The Benefits of a Strong SWAC

A strong SWAC is a partner of its local government, representing local stakeholder interests, community interests, and providing review and insight. This public participation is vital for the following reasons:

- Allows informed decision-making by policy makers.
- Empowers local citizenry and allows for creative synergies and greater cooperation
- Supports accountability that the Comprehensive Solid Waste Management Plan is kept current.
- Helps ensure compliance with Chapters 70.95 RCW and 173-312 WAC.
- Helps to avoid litigation and Coordinated Prevention Grant funding ineligibility.

A strong SWAC is at minimum “active” and “balanced.”

FAQs

Q: What is an “active” SWAC?

A: “Active” means members keep abreast of current issues and are actively researching and giving input to current topics. An “active” SWAC meets as often as is necessary “to assist in the development of programs and policies concerning solid waste handling and disposal and to review and comment upon proposed rules, policies, or ordinances prior to their adoption.” This includes work on the Comprehensive Solid Waste Management Plan.

Q: What is a “balanced” SWAC?

A: “Balanced” SWACs have at least nine members, representing a wide range of interests including, but not limited to citizens, public interest groups, business, the waste management industry, and local elected public officials. When a person could potentially represent more than one interest, the appointing county must consider all potential interests. For example, a member of the waste management industry who is also a member of a local environmental group could potentially speak for either group during a meeting. As such, the county legislative and appointing authority must consider SWAC representation as a whole, and appoint as necessary to ensure as equal representation as possible.

For example, “Acme” County has a well-balanced SWAC consisting of 9 members. Membership includes a citizen representative from each of three Board of Commissioner jurisdictions, two from the solid waste industry, one from Navy Region Northwest, one representative of the Sierra Club, one businessperson, and one City Commissioner.

Q: Will Ecology accept a CSWMP without SWAC review?

A: No. As stated above, per RCW 70.95.165 (3), a role of the local SWAC is “to review and comment upon proposed rules, policies, or ordinances prior to their adoption.” Furthermore, WAC 173-304-011 states that, “...Each local plan shall be prepared in accordance with RCW 70.95.080, 70.95.090, 70.95.100, and 70.95.110. Additionally, the department has available “Guidelines for the development of local or regional solid waste management plans and plan revisions” to be followed by local government. RCW 70.95.165 also requires counties to establish a local solid waste advisory committee to assist in the development of programs and policies concerning solid waste handling and disposal and to review and comment upon proposed rules, policies, or ordinances prior to their adoption...”

Q: What authority does SWAC have?

A: A Solid Waste Advisory Committee has the authority to offer advice or input on solid waste issues to local staff and elected officials. The SWAC may also reasonably seek information related to solid waste from local staff. In the end, all policy decisions are made by either the elected officials or at the administrative level of the local government. Additional SWAC authorities or duties may be outlined in the individual SWAC's bylaws.

Q: What should local government provide for SWAC?

A: The suggested responsibilities of the local solid waste staff are to:

1. **Provide technical assistance, reports, data, maps, local ordinances, and other documents to SWAC members as requested or required within budgetary and time constraints.** Solid Waste staff should provide your SWAC with adequate information upon which to make informed and reliable recommendations to the local legislative authority.
2. **Provide administrative support for the SWAC.** Facilitate review and revision or amendment of the CSWMP or HWMP, coordinate facilities for meetings, prepare and distribute agendas and minutes, and comply with the Open Public Meetings Act.
3. **Attend SWAC meetings and present data as requested.**

Q: Are all SWACs the same statewide?

A: No. Each local legislative authority has the power to organize a SWAC within the instruction of the law to meet local needs. For example, several county commissioners have elected to include equal division of commissioner districts as one of the representation criteria. A few counties include tribal seats to address the balanced representation requirement.

Further Information:

SWAC information is found on pages 5-7 of "Guidelines for the Development of Local Solid Waste Management Plans and Plan Revisions," Ecology publication No. 99.502. You may also contact your regional Ecology solid waste planner for technical assistance and examples of bylaws, work plans, agendas, memorandums of understanding and more.

Suggestions for a Strong, Functioning SWAC

Because the situation in each jurisdiction may be different, the relationship of each SWAC to its local governing authority and to local solid waste staff will vary. There are several tasks, however, that the committee can implement to make itself more efficient and effective.

1. Develop and adopt bylaws and procedures, and abide by them. Committee meetings are most effective when a few rules of business are observed. Rules should be designed to facilitate fair and productive meetings.
2. Refer to the local comprehensive solid waste (CSWMP) and hazardous waste management plans (HWMP), and assist in their implementation by making recommendations that are consistent with each plan. Use them as your guiding documents. Participate in both the maintenance of the current CSWMP and HWMP and the development of updated plans as needed.
3. SWACs are intended to represent community interests. Actively seek public input to find out how things are going and what people want done (if anything).
4. Develop a constructive working relationship with the local legislative authority, assess your mutual objectives and exchange ideas. Provide them with regular updates on the committee's work.
5. Work closely with elected officials. Meet periodically with the city council or county board or invite them to meetings to share information and promote communication and support. Appoint a committee representative to appear before the governing body when it is necessary to explain or promote a recommendation. This is especially important when the committee's advice differs from local solid waste staff. After conferring with staff, make your recommendations directly to the local legislative authority.
6. Develop and maintain relationships with other SWACs. Share ideas and experiences. On occasion attend another SWAC's meeting, tour other county facilities, and talk with other SWAC members.
7. Become as knowledgeable as possible on waste management issues. Attend conferences and other training opportunities. Ask questions.
8. Educate the public on the committee's work and the purpose for planning. Let the people you represent know what you are doing. Make information, data, and maps available to them when requested. If possible, include a link from the county's website to a SWAC webpage to facilitate public accessibility and information exchange.
9. Take time to orient new committee members to the job. Help new members out by introducing them to critical players, planning documents, county facilities, terminology, policies, etc. Develop an orientation packet that includes enabling ordinance, SWAC charter, SWAC operating norms, CSWMP, HWMP, SWAC roles and responsibilities, etc. Provide each member with a reference notebook to be updated at each meeting. This includes meeting schedules, minutes, contact information, etc.
10. Annually re-examine committee work, evaluate whether tasks are being accomplished progress, and how the process can be improved. Devote one meeting each year to evaluate the previous year and plan for the next. The chairperson should work with local solid waste staff to develop an annual work plan.

References: "The Job of the Solid Waste Advisory Committee, Fourteen Ways to Build a Better SWAC" (adapted from "The Job of the Planning Commissioner" by Albert Solnit), "The Role, Responsibilities, and Relationships of the Local Solid Waste Advisory Committee," by WA State Dept. of Ecology, March 23, 1994, "Pierce County Solid Waste Advisory Committee Reinvigoration," Prepared for Pierce County Department of Public Works and Utilities by EnviroIssues, October 2005.

THE JOB OF THE SOLID WASTE ADVISORY COMMITTEE

Fourteen Ways to Build a Better SWAC

1. Develop and adopt bylaws and procedures, and stick to them.
2. Develop and make available to anyone who wants them good and reliable information, data, and maps.
3. Prepare and maintain an adequate solid waste management plan, refer to it, and make decisions that are consistent with its policies and also implement them.
4. Annually reexamine what you are doing as a committee, how well you are doing it, and how to do it better. *Develop an annual work plan.*
5. Outline a year's work on active planning and stick to it. Don't confuse development permit processing (reactive planning or plan review) with real planning.
6. Ask to participate in preparing the solid waste budget
7. Meet periodically with your city council or county board to exchange ideas and to assess your mutual objectives.
8. Consider a public forum every year or so. Ask people (your "clients") how things are going and what they want done (if anything).
9. Tell your staff what you want, how you want material presented to you, etc. Don't be a passive committee that waits for "the experts" to tell you what to do next.
10. Attend some short courses on new solid waste management techniques or the latest in solid waste law, and expect your staff to do the same.
11. Tour about as a committee to see what others are doing. Sometimes you will be uplifted to find out how many light years ahead of your neighbors you really are, and sometimes you'll get some ideas worth borrowing.
12. Appoint a committee representative to appear before the elected body when it is necessary to explain or sell an action. Don't expect staff to do your job.
13. Lobby for good planning. If you don't, who will?
14. Take time to orient new committee members to the job. (Remember how tough it was to get the hang of it when you were a new member of your committee.)

(adapted from The Job of the Planning Commissioner by Albert Solnit) 1984

(See RCW that mandates a SWAC on next page)

RCW 70.95.165

Solid waste disposal facility siting — Site review — Local solid waste advisory committees — Membership.

(1) Each county or city siting a solid waste disposal facility shall review each potential site for conformance with the standards as set by the department for:

- (a) Geology;
- (b) Groundwater;
- (c) Soil;
- (d) Flooding;
- (e) Surface water;
- (f) Slope;
- (g) Cover material;
- (h) Capacity;
- (i) Climatic factors;
- (j) Land use;
- (k) Toxic air emissions; and
- (l) Other factors as determined by the department.

(2) The standards in subsection (1) of this section shall be designed to use the best available technology to protect the environment and human health, and shall be revised periodically to reflect new technology and information.

(3) Each county shall establish a local solid waste advisory committee to assist in the development of programs and policies concerning solid waste handling and disposal and to review and comment upon proposed rules, policies, or ordinances prior to their adoption. Such committees shall consist of a minimum of nine members and shall represent a balance of interests including, but not limited to, citizens, public interest groups, business, the waste management industry, and local elected public officials. The members shall be appointed by the county legislative authority. A county or city shall not apply for funds from the state and local improvements revolving account, Waste Disposal Facilities, 1980, under chapter 43.99F RCW, for the preparation, update, or major amendment of a comprehensive solid waste management plan unless the plan or revision has been prepared with the active assistance and participation of a local solid waste advisory committee.

[1989 c 431 § 11; 1984 c 123 § 4.]

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3. Prepare and maintain an adequate solid waste management plan, refer to it, and make decisions that are consistent with its policies and also implement them.
4. Annually reexamine what you are doing as a committee, how well you are doing it, and how to do it better.
5. Outline a year's work on active planning and stick to it. Don't confuse development permit processing (reactive planning or plan review) with real planning.
6. Ask to participate in preparing the solid waste budget.
7. Meet periodically with your city council or county board to exchange ideas and to assess your mutual objectives.
8. Consider a public forum every year or so. Ask people (your "clients") how things are going and what they want done (if anything).
9. Tell your staff what you want, how you want material presented to you, etc. Don't be a passive committee that waits for "the experts" to tell you what to do next.
10. Attend some short courses on new solid waste management techniques or the latest in solid waste law, and expect your staff to do the same.
11. Tour about as a committee to see what others are doing. Sometimes you will be uplifted to find out how many light years ahead of your neighbors your really are, and sometimes you'll get some ideas worth borrowing.
12. Appoint a committee representative to appear before the elected body when it is necessary to explain or sell an action. Don't expect staff to do your job.
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(Adapted from The Job of the Planning Commissioner by Albert Solnit)

RCW 70.95.165 Solid waste disposal facility siting—Site review—Local solid waste advisory committees—Membership.

(3) Each county shall establish a local solid waste advisory committee to assist in the development of programs and policies concerning solid waste handling and disposal and to review and comment upon proposed rules, policies, or ordinances prior to their adoption. Such committees shall consist of a minimum of nine members and shall represent a balance of interests including, but not limited to, citizens, public interest groups, business, the waste management industry, and local elected public officials. The members shall be appointed by the county legislative authority. A county or city shall not apply for funds from the state and local improvements revolving account, Waste Disposal Facilities, 1980, under chapter 43.99F RCW, for the preparation, update, or major amendment of a comprehensive solid waste management plan unless the plan or revision has been prepared with the active assistance and participation of a local solid waste advisory committee. [1989 c 431 § 11; 1984 c 123 § 4.]

THE ROLE, RESPONSIBILITIES, AND RELATIONSHIPS OF THE LOCAL SOLID WASTE ADVISORY COMMITTEE

Prepared by:
Washington State Department of Ecology
Solid Waste Services Program
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The role of the Solid Waste Advisory Committee (SWAC) cannot be fully described without also describing the role of the various entities that a SWAC must work with and through. These other entities include local staff, local legislative bodies, whether they be a board of commissioners or a county or city council, and Ecology staff.

There is a delicate balance between the role of the SWAC, the local staff, and the local legislative body. The SWAC is an advisory board with authority to make recommendations to the county commission or council. It must act in the interests of the community it serves to research, review, and advise on solid waste issues. Although it may not agree with the local staff, working cooperatively with them helps everyone accomplish the mission of better solid waste management. Both the local staff and the SWAC, whether jointly or independently, may offer recommendations to the local legislative body. The legislative body (either the county commissioners or the city and/or county council) is the local entity with authority to make solid waste decisions. Although county government is required to receive the recommendations of the SWAC, they are not obligated to accept the recommendations of the SWAC or the staff.

THE SOLID WASTE ADVISORY COMMITTEE

RCW 70.95.165

Solid waste disposal facility siting — Site review — Local solid waste advisory committees — Membership

(3) Each county shall establish a local solid waste advisory committee to assist in the development of programs and policies concerning solid waste handling and disposal and to review and comment upon proposed rules, policies, or ordinances prior to their adoption. Such committees shall consist of a minimum of nine members and shall represent a balance of interests including, but not limited to, citizens, public interest groups, business, the waste management industry, and local elected public officials. The members shall be appointed by the county legislative authority. A county or city shall not apply for funds from the state and local improvements revolving account, Waste Disposal Facilities, 1980, under chapter 43.99F RCW, for the preparation, update, or major amendment of a comprehensive solid waste management plan unless the plan or revision has been prepared with the active assistance and participation of a local solid waste advisory committee.

[1989 c 431 § 11; 1984 c 123 § 4.]

The SWAC should reflect the community it serves. As stated above, the SWAC “shall consist of a minimum of nine members and shall represent a balance of interests including, but not limited to, citizens, public interest groups, business, the waste management industry, and local elected officials.” Ideally, the SWAC will represent the concerns and desires of the community and should be considered the staff’s principal client.

Some counties have developed interlocal governmental boards, whose membership is made up of policy makers, to advise the legislative body. Interlocal advisory boards are not restricted by state law, however, they do not meet the state legislative intent or requirement of a Solid Waste Advisory Committee.

The job of the SWAC is also described above in RCW 70.95.165. The RCW states that the SWAC will "assist in the development of programs and policies concerning solid waste handling and disposal and to review and comment upon proposed rules, policies, or ordinances prior to their adoption."

The role of the SWAC, then, is to provide informal advice to the legislative and administrative body of the county or city regarding waste management issues.

The suggested responsibilities of the SWAC are many:

1. **Develop rules and by-laws by which business is conducted and abide by those rules and by-laws.** Committee meetings are most effective when a few rules of business are observed. Rules should be designed to facilitate fair and productive meetings.
2. **Develop an annual work schedule.** *Actively* choose the issues that will be addressed and resolved during the year. This differs from reviewing policies and documents or passively *reacting* to issues that come up throughout the year.
3. **Determine which issues should be discussed at your SWAC meetings.** The chairperson should work with local government staff to develop the agenda. Take ownership as a committee for your work.
4. **Conduct effective public meetings.** This is largely the responsibility of the chairperson. The following are suggested as eight elements of a successful meeting: Define the purpose, give adequate notice/invitation, be adequately prepared for the meeting, have an agenda, encourage participants to participate, ensure a comfortable meeting place, state the results of the meeting, and keep adequate records. (Winholtz, 1968 through Solnit, 1982).
5. **Set deadlines for internal resolution of issues and stick to them.** Research and discuss an issue as thoroughly as possible, but be prepared to make a decision in a timely fashion, recognizing that there will be times when a decision must be made based on the facts at hand, and that the outcome of decisions cannot be known with absolute certainty.
6. **Seek public input on which to base the committee's advice to the legislative body.** The SWAC is intended to represent the interests of the community. Keep in touch with your community by holding public forums, attending community functions, and seeking input from that particular part of the community for which you have been selected as a representative on the SWAC. Ask them how you are doing and what they want done.
7. **Make recommendations to the legislative body and support them with facts.** Particularly in cases where the committee's advice differs from that of the staff, make the recommendation directly. Do not force the staff into a role where they must appear to advocate two different alternatives.
8. **Participate in the preparation and maintenance of the Comprehensive Solid Waste Management Plan.** Make recommendations that are consistent with the plan. Use it as your guiding document. (Refer to page 15 of Ecology Document 90-11, Guidelines for the Development of Local Solid Waste Management Plans and Plan Revisions.)

9. **Tell your staff what you want, how you want material presented to you, etc.** Don't be a passive committee that waits for the "experts" to tell you what to do next. Be aware, however, that all projects have a budgetary and time limit associated with them. Do not over burden the staff with limitless requests for materials and staff time.
10. **Ask staff to allow the SWAC to participate in developing the county's solid waste budget.** The feasibility of various alternatives often depends on the availability of funds to implement them. A greater understanding, by members of the committee, of these constraints will help to better ground your recommendations. The SWAC may also represent a potentially different viewpoint than that of the staff which may be valuable in developing the budget.
11. **Meet on occasion with your city council or county board.** Develop a constructive working relationship with the legislative body. Assess your mutual objectives and exchange ideas. Provide them with regular updates on the committee's work.
12. **Educate the public on the committee's work and the purpose/need for planning.** Let the people you represent know what you are doing. Make available to them information, data, and maps as requested.
13. **Attend conferences and other training opportunities.** Ask questions. Become a more effective participant/member of the SWAC by making yourself as knowledgeable as possible on waste management issues.
14. **Develop and maintain relationships with other SWACs.** On occasion attend another SWAC's meeting, tour other county facilities, and talk with other SWAC members. Share ideas and experiences. Sometimes you will be pleased to find out how far ahead of others your committee is. Other times you may find ideas worth borrowing.
15. **Orient new members to the job.** Remember how overwhelming it was when you started as a new member of the SWAC? Help new members out by introducing them to critical players, planning documents, county facilities, terminology, policies, etc.
16. **Annually reexamine the SWAC's purpose and effectiveness and make changes accordingly.** Devote one meeting each year to evaluating the previous year and planning the next.

THE STAFF

The role of the staff is as local solid waste expert(s).

The suggested responsibilities of the staff are to:

1. **Provide technical assistance, reports, data, maps, local ordinances, and other documents to SWAC members as requested or required within budgetary and time constraints.** Provide your SWAC with adequate information upon which to make informed and reliable recommendations to the legislative body.
2. **Provide administrative support for the SWAC.** Actually write the comprehensive plan, coordinate facilities for meetings and public notices, and prepare and distribute agendas and minute.
3. **Attend SWAC meetings and present data as requested.**

ECOLOGY STAFF

The role of Ecology staff is to facilitate solid waste and moderate risk waste comprehensive plan development and implementation.

The suggested responsibilities of Ecology staff are to:

1. **Provide technical assistance, guidelines, data, maps, state regulations and rules, and other documents as requested or required.** Provide adequate information for the SWAC to make informed and reliable recommendations to the local council or board.
2. **Attend SWAC meetings and present information as requested.**
3. **Facilitate communications and information transfer between SWAC members and staff from different jurisdictions.**
4. **Review, comment, and approve or deny the comprehensive solid waste management plan.** Review ensures consistency with state statutes and guideline, that content is adequate to guide future decision, and that planning protocol has been met.
5. **Review permits issued by the local health district.** Permit review ensures consistency with the comprehensive plan. Ecology has the authority to appeal permit issuance based on state regulations and plan consistency.

THE LEGISLATIVE BODY

The role of the County Board or City Council is to make decisions on waste management issues.

The suggested responsibilities of the Legislative Body are to:

1. **Hear the recommendations of the SWAC.** The body is not obligated to accept the recommendations and may decide differently than suggested by the SWAC or the staff. That's ok. You've done your job! On to the next issue.
2. **Ask for review and advice from the SWAC prior to making a decision on waste management issues.**

The Solid Waste Advisory Committee is a valuable component of the planning process. The members on the committee ensure that the community that it serves is adequately heard and represented when waste management decisions are made. The individuals who serve on these committees should be highly regarded and are duly thanked for their participation in the local planning process.

Thank you from Department of Ecology staff.

Bibliography:

Washington State Department of Ecology. *Guidelines for the Development of Local Solid Waste Management Plans and Plan Revisions*, Department of Ecology, Olympia, WA, 1990.

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Chapter 70.95 RCW, Solid Waste Management: Reduction and Recycling.