

## WMMFA Flex Plan Summary Terms, Rules, & Conditions - 2011

The process for obtaining status as a Flex Plan under the Washington Materials Management and Financing Authority's (WMMFA or Authority) Standard Plan is set forth below. Each Member seeking to establish status under a Flex Plan must submit a complete application to the WMMFA by November 1<sup>st</sup> of the year prior to plan implementation. The WMMFA Board will review all applications for Flex Plan status and will announce its decision with respect to each application in December of the year prior to implementation (approximately 1 month prior to start up). The WMMFA will make all status and accounting changes effective January 1 for all Flex Plan Members.

Flex Plan Members are members of the Standard Plan that shall:

- As a single manufacturer seeking Flex Plan status, comprise at least 2% of the member equivalent share within the state as determined by the Standard Plan.
- As a group of manufacturers, members must collectively comprise at least 2% of the member equivalent share within the state as determined by the Standard Plan.
- Assume all responsibility for payment of all costs associated with the collection, transportation, and processing of their collected items.
- Not use, or make compensation offers to secure pounds from collectors under contract to or currently operating as part of the existing site collection network of the Standard Plan.
- Assume all responsibility for their equivalent share of the Authority's administrative costs.
- Flex plan members may use their flex operations to fulfill a maximum of 25% of their equivalent share pounds obligation.
- Use collectors, transporters, and processors registered with Ecology and currently approved per all requirements of the Standard Plan.
- Must satisfy equivalent share pounds obligations via Flex and General participant operations.
- If a Flex Plan Member's "equivalent share" of the pounds collected is not met invoices will be adjusted to allow the member to reach their obligation. Quarterly invoices to flex members will reflect Flex and Standard Plan obligations reconciling expenses and credits with a net amount due.
- The "base" for determining equivalent share pounds will be that quarter's total pounds collected by all manufacturers including Flex Plan Members.
- May opt out of the Flex Plan by submitting an application to the board to opt out prior to October 1 of the current year for an effective opt-out date in January of the following year.
- Flex member status and participation will be reviewed annually and participation as a flex participant will require annual board approval.
- Report all pounds collected using the WMMFA's bill of lading system. This WMMFA document for recording collections will be used by Flex Plan Members to ensure accuracy and to allow the authority to capture all data necessary to comply with WMMFA legal reporting requirements. Collectors must report data to the WMMFA to allow the WMMFA to input the collection data into its document system prior to transport of Flex Plan collected CEPs to a qualified processor. Each trailer or transported load will require preparation of a separate bill of lading. Reported pounds will be verified by the processor and pounds tendered to a processor are subject to the Standard Plan sampling and audit requirements. Special events, such as mail-back programs, will require a detailed manifest with weights of shipments identified.
- Invoices for administrative and operational expenses (pounds) shortfall will be issued to the Flex Plan as a single entity. The WMMFA will not invoice separate manufacturers within a Flex Plan group.
- Flex Plans must notify the WMMFA of any changes or additions to its list of service providers (e.g., processors, transporters) to insure continued standard plan compliance.

2. Pounds collected in urban areas will be discounted from actual pounds collected. Pounds credited towards a Flex Plan Member's equivalent share will be determined based on the following schedule

<u>WA State County</u>	<u>Population by County (2007 estimate)</u>	Actual Lbs. collected by Flex participant	Credited Lbs. towards meeting share obligation for Flex participant
King	1,861,300	1	0.67
Pierce	790,500	1	0.67
Snohomish	686,300	1	0.67
Spokane	451,200	1	0.67
Clark	415,000	1	0.67
Kitsap	244,800	1	0.67
Thurston	238,000	1	0.67
Yakima	234,200	1	0.67
Whatcom	188,300	1	0.67
Benton	162,900	1	0.67
Skagit	115,300	1	0.67
Cowlitz	97,800	1	0.67
Grant	82,500	1	0.67
Island	78,400	1	0.67
Lewis	74,100	1	0.67
Chelan	71,200	1	0.67
Grays Harbor	70,800	1	0.67
Clallam	68,500	1	0.67
Franklin	67,400	1	0.67
Walla Walla	58,300	1	0.67
Mason	54,600	1	0.67
Stevens	43,000	1	1.00
Whitman	42,700	1	1.00
Okanogan	39,800	1	1.00
Kittitas	38,300	1	1.00
Douglas	36,300	1	1.00
Jefferson	28,600	1	1.00
Pacific	21,600	1	0.67
Asotin	21,300	1	0.67
Klickitat	19,900	1	1.00
Adams	17,600	1	1.00
San Juan	15,900	1	0.67
Pend Oreille	12,600	1	1.00
Skamania	10,700	1	1.00
Lincoln	10,300	1	1.00
Ferry	7,550	1	1.00
Columbia	4,100	1	1.00
Wahkiakum	4,000	1	1.00
Garfield	2,350	1	1.00

