

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING METRO CODE)
CHAPTER 5.05 TO ADD RIVERBEND LANDFILL)
AND DELETE THE MSW COMPOST FACILITY)
AND THE ST JOHNS LANDFILL FROM THE LIST)
OF DESIGNATED FACILITIES)
ORDINANCE NO. 99- 828
Introduced by Mike Burton
Executive Officer

WHEREAS, Section 5.05.030(b) of Metro Code authorizes the Council to add and delete facilities from the list of designated facilities set forth in Section 030(a) of Metro Code Chapter 5.05; and

WHEREAS, The owner of Riverbend Landfill has made application to metro requesting designated facility status for Riverbend Landfill, located in Yamhill County Oregon; and

WHEREAS, Based on information in the staff report accompanying this Ordinance, the Metro Council finds that the nine criteria set forth in Metro Code Chapter 5.05.030(b) for determining whether to add a designated facility have been met; and

WHEREAS, the Ordinance was submitted to the Executive Officer for consideration and was forwarded to the Council for approval; and

WHEREAS, the MSW Compost Facility and St. Johns Landfill, listed as Designated Facilities in Section 030(a) of Chapter 5.05 are no longer functioning as solid waste disposal sites; and

WHEREAS, the Council finds therefore that the nine criteria set forth in Metro Code Chapter 5.05.030(b) for removing the MSW Compost Facility and St. Johns Landfill as designated facilities have been met; and

WHEREAS, the Executive Officer recommends approval of this Ordinance; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

SECTION 3. Metro Code Section 5.05.030(a) is amended to read:

5.05.030 Use of Designated Facilities

(a) Designated Facilities. The following described facilities shall constitute the designated facilities of the ~~System to which Metro may direct solid waste pursuant to a required use order:~~

- (1) Metro South Station. The Metro South Station located at 2001 Washington, Oregon City, Oregon 97045.

- ~~(2) MSW (Municipal Solid Waste) Compost Facility. The MSW Compost Facility located at 5611 N.E. Columbia Boulevard, Portland, Oregon 97217.~~
- (32) Metro Central Station. The Metro Central Station located at 6161 N.W. 61st Avenue, Portland, Oregon 97210.
- ~~(4) St. Johns Landfill. The St. Johns Landfill located at 9363 N. Columbia Boulevard, Portland, Oregon 97203.~~
- (53) Exempt, Certified, Licensed and Franchised Facilities. All disposal sites, transfer stations, processing facilities and resource recovery and solid waste facilities within the district which are exempt or operate pursuant to a Metro certificate, license or franchise under chapter 5.01 of the Metro Code.
- (64) Grabhorn Lakeside Reclamation (limited purpose landfill). The Lakeside Reclamation limited purpose landfill, Route 1, Box 849, Beaverton, Oregon 97005, subject to the terms of an agreement between Metro and the owner of Grabhorn Lakeside Reclamation, Inc. authorizing receipt of solid waste generated within the service area.
- (75) Hillsboro Landfill (limited purpose landfill). The Hillsboro Landfill, 3205 S.E. Minter Bridge Road, Hillsboro, Oregon 97123, subject to the terms of an agreement between Metro and the owner of Hillsboro Landfill, Inc. authorizing receipt of solid waste generated within the service area.
- (86) Columbia Ridge Landfill. The Columbia Ridge Landfill in Gilliam County, Oregon owned and operated by Oregon Waste Systems, Inc. subject to the terms of the agreements in existence on November 14, 1989 between Metro and Oregon Waste Systems and between Metro and ~~Jaek Gray Transport~~ STS, Inc. In addition, Columbia Ridge Landfill may accept special waste generated within the sService aArea:
- (A) As specified in an agreement entered into between Metro and ~~Oregon Waste Systems~~ the owner of Columbia Ridge Landfill authorizing receipt of such waste; or
- (B) Subject to a non-system license issued to a person transporting to the facility special waste not specified in the agreement.
- (97) Roosevelt Regional Landfill. The Roosevelt Regional Landfill, ~~owned and operated by Regional Disposal Company of Seattle and~~ located in Klickitat County, Washington. Roosevelt Regional Landfill may accept special waste generated within the sService aArea only as follows:
- (A) As specified in an agreement entered into between Metro and ~~Regional Disposal Company~~ the owner of Roosevelt Regional Landfill authorizing receipt of such waste; or
- (B) Subject to a non-system license issued to a person transporting to the facility special waste not specified in the agreement.

(408) ~~Finley Buttes Regional Landfill. The Finley Buttes Regional Landfill owned and operated by Finley Buttes Landfill Company of Vancouver, Washington, and located in Morrow County, Oregon. Finley Buttes Regional Landfill may accept special waste generated within the sService aArea only as follows:~~

(A) ~~As specified in an agreement entered into between Metro and the owner of Finley Buttes Regional Landfill Company authorizing receipt of such waste; or~~

(B) ~~Subject to a non-system license issued to a person transporting to the facility special waste not specified in the agreement.~~

(9) Riverbend Landfill. The Riverbend Landfill located in Yamhill County, Oregon. Riverbend Landfill may accept solid waste generated within the Service Area only as follows:

(A) As specified in an agreement entered into between Metro and the owner of Riverbend Landfill authorizing receipt of such waste; or

(B) Subject to a non-system license issued to a person transporting to the facility solid waste not specified in the agreement.

ADOPTED by the Metro Council this _____ day of _____, 1999

Rod Monroe, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

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STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 99-828 FOR THE PURPOSE OF AMENDING CODE CHAPTER 5.05 TO ADD RIVERBEND LANDFILL AND DELETE THE MSW COMPOST FACILITY AND THE ST. JOHNS LANDFILL FROM THE LIST OF DESIGNATED FACILITIES AND TO MAKE OTHER MINOR AMENDMENTS

Date: October 06, 1999

Presented by: Terry Petersen
Leann Linson

The current list of designated facilities set forth in section 5.05.030(a) of the Metro Code was established in 1993. Since that time, two of the designated facilities; the MSW Compost Facility and the St. Johns Landfill, have closed and, more recently, USA Waste Services has applied to have Riverbend Landfill granted designated facility status. That application has been recommended for approval in Resolution No. 99-2854 which is being presented to the Council concurrently with Ordinance No. 99-828 which is the subject of this report.

In addition to updating the list through the above described deletions and addition, two other minor changes are proposed. In order to make the list consistent with recent amendments to Code Chapter 5.01. The name of the owner of each non-Metro facility has been generalized in order to prevent this section of the Code from needing an amendment each time a facility changes ownership.

The other change is the deletion of the essential description of designated facilities as facilities "to which Metro may direct solid waste pursuant to a required use order." Though the Code allows Metro to direct waste to designated facilities, the Designated Facility Agreements, in fact, allow designated facilities to accept authorized wastes at will and not solely under the authority of a required use order.

EXECUTIVE OFFICER RECOMMENDATION:

The Executive Officer recommends the amendment of Code Chapter 5.05 to make the above-recommended addition to and deletions from the list of Designated Facilities.

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