

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE)	ORDINANCE NO. 05-1094
REGIONAL SOLID WASTE MANAGEMENT)	
PLAN TO EXTEND A MORATORIUM UNTIL)	Introduced by Chief Operating Officer
DECEMBER 31, 2007, ON APPLICATIONS FOR)	Michael J. Jordan, with the concurrence of
AND AUTHORIZATIONS OF NEW SOLID)	Council President David Bragdon
WASTE TRANSFER STATIONS WITHIN THE)	
METRO REGION)	
)	

WHEREAS, on June 15, 2000, the Metro Council adopted Metro Ordinance No. 00-865, amending the Regional Solid Waste Management Plan to allow new transfer stations to be authorized where such transfer stations provide a benefit to the regional solid waste system; and

WHEREAS, following adoption of such plan amendment, the Metro Council approved three new transfer station franchises to increase and improve access to such facilities; and

WHEREAS, today approximately twice as much solid waste transfer capacity exists as is needed for the disposal of the region’s municipal solid waste; and

WHEREAS, the Metro Council is concerned with maintaining sufficient levels of tonnage to ensure efficient operations at all transfer stations, including the publicly owned facilities; and

WHEREAS, it is in the public interest to ensure that the regional solid waste system operates efficiently; and

WHEREAS, Metro is updating the Regional Solid Waste Management Plan and such update will involve facility regulation issues including the appropriate tonnage allocation among existing transfer stations, and the addition of new transfer facilities in the region; and

WHEREAS, on August 19, 2004, the Metro Council adopted Ordinance No 04-1056 for the purpose of amending the RSWMP to impose a moratorium until December 31, 2005, on applications for and authorizations of new solid waste transfer stations within the Metro region; and

WHEREAS, Metro’s update of the Regional Solid Waste Management Plan involving facility regulation issues including the appropriate tonnage allocation among existing transfer stations, and the addition of new transfer stations had been delayed pending the outcome of Metro’s Disposal System Planning project; and

WHEREAS, the region is well-served by current solid waste transfer capacity, and accordingly an extension to the moratorium on additions to the number of transfer facilities in the solid waste system should be enacted, and no new transfer facilities considered until after completion the Disposal System Planning project and the Regional Solid Waste Management Plan update; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

SECTION 1. The provisions of amended “Solid Waste Facilities and Services: Transfer and Disposal System,” located on pages 7-25 to 7-27 of the Regional Solid Waste Management Plan, are amended to include the following:

Notwithstanding any other provision in this Plan, Metro shall not accept or grant any application seeking authority to operate any new solid waste transfer station during the period commencing with the effective date of this Ordinance and continuing until December 31, 2007 unless such application was received prior to August 19, 2004.

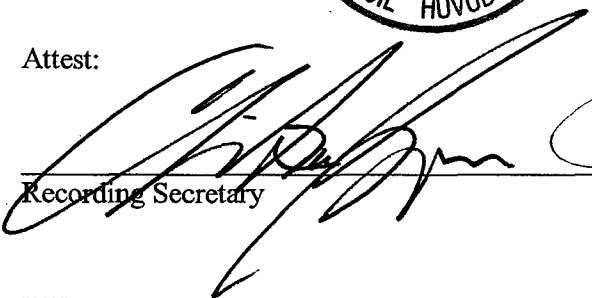
ADOPTED by the Metro Council this 22nd day of September, 2005.






David Bragdon, Council President

Attest:



Recording Secretary

Approved as to Form:



Daniel B. Cooper, Metro Attorney

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STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 05-1094 FOR THE PURPOSE OF AMENDING THE REGIONAL SOLID WASTE MANAGEMENT PLAN TO EXTEND A MORATORIUM UNTIL DECEMBER 31, 2007, ON APPLICATIONS FOR AND AUTHORIZATIONS OF NEW SOLID WASTE TRANSFER STATIONS WITHIN THE METRO REGION

Date: August 17, 2005

Prepared by: Bill Metzler

SUMMARY

This report recommends that the Regional Solid Waste Management Plan (RSWMP) and Chapter 5.01 of the Metro Code be amended to extend the current moratorium on new solid waste transfer stations in the Metro region until December 31, 2007. This two-year extension is intended to assure completion of major projects regarding the future of Metro's solid waste system.

On August 19, 2004 the Metro Council adopted Ordinance No 04-1056 for the purpose of amending the RSWMP to impose a moratorium until December 31, 2005, on applications for and authorizations of new solid waste transfer stations within the Metro region. However, the RSWMP update has been delayed pending the outcome of Metro's Disposal System Planning project.

With the RSWMP currently under review and its policies and practices scheduled to be updated by late 2006, the Council has requested a review of system issues, including: (a) allocating wet waste to facilities and haulers; (b) capping tonnage at all private transfer stations; (c) authorizing new transfer facilities; and (d) implementing host fees at all transfer stations.

The magnitude of this planning effort necessitates deferring consideration of new transfer station capacity until discussions with Metro Council on Disposal System Planning and the RSWMP update process have both concluded.

An extension of the moratorium on new transfer capacity will not negatively impact the region's solid waste system. The region's transfer and disposal needs are well served by six Metro authorized transfer stations, and transfer capacity for wet waste exceeds current need by approximately 1.1 million tons – which will be even greater should Council approve Columbia Environmental's application to operate a new transfer station.

ANALYSIS/INFORMATION

With a total of six solid waste transfer stations located in the Metro region, and a seventh transfer station if approved by the Metro Council scheduled to start up in 2007, a moratorium on new transfer stations will not have adverse system impacts. The region's transfer stations provide sufficient access and more than enough capacity. In April 2004, Metro issued its *Regional Transfer Capacity Analysis* report that addressed the question of how much capacity the region's solid waste facilities have to accept and load waste for transport to disposal sites service the region. The analysis concluded that (a) the region's transfer capacity for wet waste currently exceeds the needed capacity by approximately 1.1 million tons per year; and (b) by 2015, the transfer stations that service the region will still have 841,000 tons of unused capacity.

1. **Known Opposition.** There is no known opposition.
2. **Legal Antecedents.** The Regional Solid Waste Management Plan and Metro Code Chapter 5.01.
3. **Anticipated Effects.** Ordinance No. 05-1094 and Ordinance No. 05-1093, will amend the RSWMP and Chapter 5.01 of the Metro Code to extend a moratorium on new transfer stations in the Metro region until December 31, 2007, when the transfer station service area and associated wet-waste system issues are resolved in conjunction with the RSWMP update.
4. **Budget Impacts.** There are no budget impacts.

RECOMMENDED ACTION

The Chief Operating Officer recommends approval of Ordinances Nos. 05-1094 and 05-1093.

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