

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING) METRO ORDINANCE NO. 00-868
METRO CODE CHAPTER 5.02)
TO AMEND THE DEFINITION OF)
RECOVERABLE SOLID WASTE TO) Introduced by:
INCLUDE COMPOSTABLE ORGANIC) Executive Officer Mike Burton
WASTE AND DECLARING AN)
EMERGENCY)

WHEREAS, The Regional Solid Waste Management Plan identifies the recovery of organic materials as a primary area for focused and intensive waste reduction and recovery program initiatives; and

WHEREAS, The Metro Council approved an Organic Waste Management Work Plan in Resolution No. 99-2856; and

WHEREAS, Key elements of the Organic Waste Management Work Plan would be realized if compostable organic wastes could be accepted at Metro Central Transfer Station, separated from other municipal solid waste; and

WHEREAS, Metro Code section 5.02.015(t) establishes a definition for Recoverable Solid Waste that includes yard debris and wood waste but not other types of recoverable or compostable organic wastes, and Metro Code section 5.02.029 establishes a user charge at Metro transfer stations for Recoverable Solid Waste; and

WHEREAS, Compostable organic materials could be kept separated from other municipal solid waste if delivered to Metro Central Transfer Station as, and managed as, a Recoverable Solid Waste; and,

WHEREAS, The purpose of this Ordinance is to allow compostable organic wastes to be accepted at Metro Central Transfer Station separated from other municipal solid waste, the Council finds that it is necessary for the welfare of the Metro area that this ordinance take effect immediately, pursuant to Sections 37(2) and 39(1) of the Metro Charter, because delay would prevent the recovery of organic materials, and no benefit would be derived by delaying the effective date of this ordinance; and

WHEREAS, This ordinance was submitted to the Executive Officer for consideration and was forwarded to the Council for approval; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

SECTION 1. Section 2 is added to and made a part of Metro Code Chapter 5.02.015.

SECTION 2(a).

“Compost” shall have the meaning assigned thereto in Metro Code section 5.01.010.

SECTION 2(b).

“Compostable Organic Waste” means organic wastes delivered in a single transaction at Metro Central Station or at Metro South Station in a form suitable for making Compost, notwithstanding the presence of incidental amounts or types of non-compostable materials.

SECTION 3. Metro Code Section 5.02.015(t) is amended to read:

“Recoverable Solid Waste” means wood waste, yard debris, compostable organic waste, or tires, whether Source-Separated or commingled, and delivered in a single transaction at Metro Central Station or at Metro South Station in a form suitable for mechanical extraction or biological recovery of useful materials, notwithstanding the presence of incidental amounts or types of other contaminants.

SECTION 4.

This Ordinance being necessary for the preservation of public welfare, an emergency is therefore declared to exist for the reasons set forth in the recitals above, and this Ordinance shall take effect immediately upon its passage, pursuant to Metro Charter Sections 37(2) and 39(1).

ADOPTED by the Metro Council this _____ day of _____, 2000.

WITHDRAWN

David Bragdon, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

EXECUTIVE SUMMARY
AMENDING METRO CODE CHAPTER 5.02 TO INCLUDE COMPOSTABLE
ORGANIC WASTE IN RECOVERABLE SOLID WASTE DEFINITION
Ordinance No. 00-868

PROPOSED ACTION

- Recommend that Metro Council pass Ordinance No. 00-868, which amends the definition of “Recoverable Solid Waste” in Metro Code Chapter 5.02 to include compostable organic waste.

WHY NECESSARY/DESCRIPTION

- Allows for a rate to be posted at the transfer station for such materials and allows them to be accepted and managed separately from other solid wastes.
- Helps to implement the Organic Waste Management Work Plan adopted by Metro Council as Resolution No. 99-2856, by increasing the region’s ability to accept, stage and recover such materials.

ISSUES

- In order for the transfer stations to fill a critical role in organic waste recovery, they must be able to accept source-separated organic waste from third party haulers.
- The Metro Code currently has provisions for special user charges for Recoverable Solid Waste. Organic materials already covered by these provisions include yard debris and wood waste.
- Expanding the definition of Recoverable Solid Waste to include all organics allows REM to establish rates for the delivery of organic waste to Metro’s transfer stations and allows REM to utilize the rate structure for Recoverable Solid Waste that is already established.

BUDGET/FINANCIAL IMPACTS

- None. The rate for Recoverable Solid Waste covers all Metro costs of managing such waste at the transfer stations. Any additional management, such as for processing, testing and marketing, are encompassed by the Organic Waste Management Work Plan. Both the Organics Plan and its budget have already been approved by Metro Council, so there is no additional fiscal impact.

STAFF REPORT

Ordinance No. 00-868, FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 5.02 TO AMEND THE DEFINITION OF RECOVERABLE SOLID WASTE TO INCLUDE COMPOSTABLE ORGANIC WASTE AND DECLARING AN EMERGENCY.

July 5, 2000

Presenter: Terry Petersen

BRIEF DESCRIPTION OF ORDINANCE

This Ordinance amends the definition of "Recoverable Solid Waste" in Metro Code Chapter 5.02 to include compostable organic waste. This allows a rate to be posted at the transfer station for such materials, and allows them to be accepted and managed separately from other solid wastes. This ordinance helps to implement the Organic Waste Management Work Plan, adopted by Metro Council as Resolution No. 99-2856, by increasing the region's needed ability to accept, stage and recover such materials.

EXISTING LAW

Expansion of the definition of Recoverable Solid Waste requires an amendment of Metro Code section 5.02.015(t). Any amendment of Metro Code requires an ordinance approved by Metro Council, pursuant to Metro Charter section 39(1).

BACKGROUND

In December 1999, a three-year Organic Waste Management Work Plan developed by an intergovernmental team was adopted by the Metro Council (Resolution No. 99-2856). This plan provides for a three-track approach to the recovery and diversion of the region's organic wastes. The plan emphasizes waste prevention, recovery of food for human use, diversion of food for animal feed and the development of processing infrastructure for organic materials not suitable for other uses.

Pilot projects for the collection and processing of organics and the development of infrastructure to handle such materials are key elements of the Organics Plan. The Metro transfer stations will play a critical role in the development of the region's ability to recover and manage organic wastes.

In the approach to recovery of organics that REM employed prior to adoption of Resolution No. 99-2856, haulers of organic materials were under contract to Metro. In this arrangement, there was no need for a special fee for organics. However, in implementing the new Organics Plan, it becomes necessary to accept organic material from "third-party" haulers. This requires that Metro post a fee and manage organics separately from mixed solid waste at the transfer stations. The Metro Code currently has provisions for special user charges for Recoverable Solid Waste. Organics already covered by these provisions include yard debris and wood waste. By expanding this definition to include all organics, this ordinance: (1) allows REM to establish fair and equitable rates for delivery of organic waste to Metro's transfer stations, and thereby (2) allows REM to utilize the rate structure for recoverable materials that is already established in Metro Code. The definitional changes in this ordinance were brought before, and accepted by, the Rate Review Committee on August 4, 1999

BUDGET IMPACT

None. The rate for Recoverable Solid Waste covers all Metro costs of managing such waste at the transfer stations. Any additional management, such as for processing, testing and marketing, are encompassed by the Organic Waste Management Work Plan. Metro Council has already approved both the Organics Plan and its budget, so there is no additional fiscal impact.

OUTSTANDING QUESTIONS

- Market prices for this material are difficult to establish at this time due to developing nature of the industry. The closest fully permitted processing facility charges a \$47.50 per ton tip fee.
- Adjustments to the rate charged may fluctuate until such time as the processing market solidifies. The current rate structure for Recoverable Solid Waste is designed to deal with this market issue. The City of Portland and Metro are actively working to establish stable local processing options.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Ordinance 00-868.

JE:mca

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