

BEFORE THE METRO COUNCIL

AMENDING METRO CODE CHAPTER) ORDINANCE NO. 07-1135
5.02.027 TO MODIFY CHARGES FOR)
MANAGEMENT OF CERTAIN HOUSEHOLD) Introduced by Chief Operating Officer
HAZARDOUS WASTES) Michael J. Jordan, with the concurrence of
) Council President David Bragdon

WHEREAS, in 2001 Metro Council adopted Metro Ordinance No. 01-907A and thereby determined that for a period of three years there should be no charge for household hazardous waste accepted at Metro facilities or hazardous waste collection events in a container of less than 10 gallons in capacity, to reduce barriers to safe management of such hazardous products from residences in the Metro region; and

WHEREAS, in 2004 the Metro Council adopted Metro Ordinance No. 04-1057 and thereby extended the hazardous waste fee exemption for an additional two years; and

WHEREAS, the hazardous waste fee exemption adopted in Ordinance No. 01-907A and extended in Ordinance No. 04-1057 is scheduled to expire on December 31, 2006; and

WHEREAS, Metro staff will evaluate a permanent HHW fee exemption and report back to the Metro Council on the issues, merits, economics, disposal options and potential effects of such an action, so that the Metro Council may implement either a permanent HHW fee exemption or a fee-based program to be effective October 2007; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

SECTION 1. Metro Code Section 5.02.027 is amended as follows:

5.02.027 Charges for Management of Household Hazardous Wastes

(a) There is hereby established a Household Hazardous Waste Management Charge that shall be collected on all household hazardous waste accepted at Metro Hazardous Waste Facilities and at household hazardous waste collection events. Such Household Hazardous Waste Management Charge shall be in lieu of all other base disposal charges, user fees, regional transfer charges, rehabilitation and enhancement fees, and certification non-compliance fees that may be required by this chapter.

(b) The Household Hazardous Waste Management Charge shall be \$5.00 for the first 35 gallons of household hazardous waste that is delivered in a single transaction in containers of 10 gallons capacity or less and \$5.00 for each additional 35 gallons (or portion thereof) of household hazardous waste that is delivered in the same transaction in containers of 10 gallons capacity or less.

(c) The Household Hazardous Waste Management Charge shall be \$5.00 for a quantity of household hazardous waste that is delivered in a single transaction in containers greater than 10 gallons capacity, together with an additional charge for the contents of each container as follows:

- (1) \$5.00 for up to 25 gallons of household hazardous waste;
- (2) \$10.00 for more than 25 gallons of household hazardous waste.

(d) Each of the above charges may be waived by the Director of the Solid Waste & Recycling Department.

(e) Notwithstanding subsections (b) and (c) of this section, there, shall be no charge for household hazardous waste accepted at Metro Hazardous Waste Facilities or household hazardous waste collection events in a container of less than 10 gallons capacity. The provisions of this sub-section (e) are repealed September 30, 2007.

ADOPTED by the Metro Council this 11th day of January 2007.



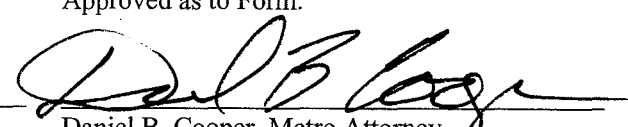
David Bragdon, Council President

Attest:



Council Clerk Recording Secretary

Approved as to Form:



Daniel B. Cooper, Metro Attorney

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WHEREAS, Metro staff will evaluate a permanent HHW fee exemption and report back to the Metro Council on the issues, merits, economics, disposal options and potential effects of such an action, so that the Metro Council may implement either a permanent HHW fee exemption or a fee-based program to be effective October 2007; now, therefore,

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(b) The Household Hazardous Waste Management Charge shall be \$5.00 for the first 35 gallons of household hazardous waste that is delivered in a single transaction in containers of 10 gallons capacity or less and \$5.00 for each additional 35 gallons (or portion thereof) of household hazardous waste that is delivered in the same transaction in containers of 10 gallons capacity or less.

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- (1) \$5.00 for up to 25 gallons of household hazardous waste;
- (2) \$10.00 for more than 25 gallons of household hazardous waste.

(d) Each of the above charges may be waived by the Director of the ~~Regional Environmental Management~~ Solid Waste & Recycling Department.

(e) Notwithstanding subsections (b) and (c) of this section, there shall be no charge for household hazardous waste accepted at Metro Hazardous Waste Facilities or household hazardous waste collection events in a container of less than 10 gallons capacity. The provisions of this sub-section (e) are repealed ~~December 31, 2006~~ September 30, 2007.

ADOPTED by the Metro Council this _____ day of _____ 2007.

David Bragdon, Council President

Attest:

Approved as to Form:

Council Clerk Recording Secretary

Daniel B. Cooper, Metro Attorney

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STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 07-1135 FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 5.02.027 TO MODIFY CHARGES FOR MANAGEMENT OF CERTAIN HOUSEHOLD HAZARDOUS WASTES

January 4, 2007

Prepared by: Jim Quinn

BACKGROUND

Between 1993 and 2001, Metro collected a fee of \$5 for each 35 gallons of household hazardous waste (HHW) brought to our permanent collection facilities. No fee was collected from customers bringing waste to our one-day HHW collection events. In addition, customers who brought MSW to the transfer stations for disposal at the same time as bringing in an HHW load were not charged the fee. The revenue collected this way amounted to about 1% of the hazardous waste program's total operating costs.

In 2001 Metro Council adopted Metro Ordinance No. 01-907A, which established that for a period of three years there would be no charge for household hazardous waste accepted at Metro's Hazardous Waste Facilities and collection events, except for containers greater than 10 gallons capacity. This fee waiver was intended to help reduce stockpiles of HHW still held by residents of the Metro region, in order to reduce the risks to the environment and public health.

The household hazardous waste fee exemption adopted was originally scheduled to expire on December 31, 2004. Metro Ordinance No. 04-1057 extended this deadline to December 31, 2006, so that the issue of fees for HHW could be examined as part of developing the Regional Solid Waste Management Plan (RSWMP).

The primary argument against charging fees in an HHW program is that they may provide a disincentive to bringing hazardous waste in, and residents may be more likely to dispose of it improperly. The benefit of the revenue obtained must be balanced against this risk. In lieu of a fee, all funding for the hazardous waste program comes from the regional system fee. Each household in region pays approximately \$0.25 each month as part of their garbage bill.

During the course of developing the recent RSWMP revision, some analysis of the HHW fee question was conducted. A survey was done of customers bringing waste in to Metro's HHW facilities, and stakeholders were asked about the issue during the RSWMP public involvement process. In addition, a survey of leading HHW programs around the country was completed, including a look at whether or not they charge fees.

This ordinance extends the HHW fee waiver for an additional 9 months, so that Metro staff may evaluate a permanent HHW fee exemption and report back to the Metro Council on the issues, merits, economics, disposal options, and potential effects of such a program, versus a fee-based program. The Metro Council may then choose to implement either a permanent fee exemption program or a fee-based program to be effective October 2007.

ANALYSIS/INFORMATION

1. Known Opposition

None

2. Legal Antecedents

Metro Ordinance No. 01-907A, which waived the HHW fee for containers less than 10 gallons in size through December 31, 2004, and Metro Ordinance No. 04-1057, which extended the waiver through December 31, 2006.

Anticipated Effects

Adoption of Ordinance No. 07-1135 is not expected to have a substantial impact on HHW customers or loads.

Budget Impacts

Prior to the 2001 HHW fee waiver, Metro's HHW program was collecting about \$40,000 annually from household customer at the facilities. Passage of this ordinance would eliminate this revenue from the hazardous waste program budget for an additional nine months.

RECOMMENDED ACTION

The Chief Operating Officer recommends approval of Ordinance No. 07-1135.

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