

A G E N D A

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**METRO**

**Agenda**

MEETING: METRO COUNCIL REGULAR MEETING  
DATE: April 10, 1997  
DAY: Thursday  
TIME: 2:00 PM  
PLACE: Council Chamber

<u>Approx. Time*</u>		<u>Presenter</u>
2:00 PM	<b>CALL TO ORDER AND ROLL CALL</b>	
(5 min.)	1. <b>INTRODUCTIONS</b>	
(5 min.)	2. <b>CITIZEN COMMUNICATIONS</b>	
(5 min.)	3. <b>EXECUTIVE OFFICER COMMUNICATIONS</b>	
(10 min.)	4. <b>POTENTIAL ISSUES REGARDING STATE LEGISLATION</b>	Naito
(30 min.)	5. <b>GROWTH SURVEY PRESENTATION</b>	Fregonese
	6. <b>CONSENT AGENDA</b>	
2:55 PM (5 min.)	6.1 Consideration of Minutes for the March 27, 1997 Metro Council Regular Meeting	
	7. <b>ORDINANCES - FIRST READING</b>	
3:00 PM (5 min.)	7.1 <b>Ordinance No. 97-673</b> , For the Purpose of Adopting the Regional Disaster Debris Management Plan and incorporating Part 2 into the Regional Solid Waste Management Plan.	
3:05 PM (5 min.)	7.2 <b>Ordinance No. 97-686</b> , An Ordinance Amending the FY 1996-97 Budget and Appropriations Schedule By transferring \$233,718 from Contingency to Personal Services and Capital Outlay of the Zoo Operating Fund, and Declaring an Emergency.	

3:10 PM  
(5 min.)

- 7.3 **Ordinance No. 97-687**, Amending the FY 1996-97 Budget and Appropriations Schedule for the Purpose of Reflecting Funding increases due to Costs Associated with Disaster Disposal in Excess of Budget Expectations, Transferring Appropriations within the Solid Waste Revenue Fund, and Declaring an Emergency.

8. **ORDINANCES - SECOND READING**

3:15 PM  
(5 min.)

- 8.1 **Ordinance No. 97-681B**, For the Purpose of Amending Metro Code 5.02; reducing disposal fees charged at Regional Solid Waste Facilities and Making Certain Form and Style Adjustments and Increasing Excise Tax on Users of Solid Waste Facilities. (*Consideration of Veto Override*)

McLain

9. **RESOLUTIONS**

3:20 PM  
(5 min.)

- 9.1 **Resolution No. 97-2488**, For the Purpose of Making Citizen Appointments to the Transportation Policy Alternatives Committee (TPAC).

Transportation

3:25 PM  
(10 min.)

10. **COUNCILOR COMMUNICATION**

**ADJOURN**

**CABLE VIEWERS:** Council Meetings, the second and fourth Thursdays of the month are shown on City Net 30 (Paragon and TCI Cablevision) the first Sunday after the meeting at 8:30 p.m. The entire meeting is also shown again on the second Monday after the meeting at 2:00 p.m. on City Net 30. The meeting is also shown on Channel 11 (Community Access Network) the first Monday after the meeting at 4:00 p.m.

All times listed on the agenda are approximate; items may not be considered in the exact order.  
For questions about the agenda, call Clerk of the Council, Chris Billington, 797-1542.  
For assistance per the American Disabilities Act (ADA), dial TDD 797-1804 or 797-1540 (Council Office)

*Agenda Item Number 6.1*

**Consideration of the March 27, 1997 Metro Council Meeting Minutes**

*(Available for review on April 8, 1997 by contacting Chris Billington 797-1542)*

**Metro Council Meeting  
Thursday, April 10, 1997  
Council Chamber**

*Agenda Item Number 7.1*

**Ordinance No. 97-673, For the Purpose of Adopting the Regional Disaster Debris Management Plan and incorporating Part 2 into the Regional Solid Waste Management Plan.**

***First Reading***

**Metro Council Meeting  
Thursday, April 10, 1997  
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING )  
THE REGIONAL DISASTER DEBRIS )  
MANAGEMENT PLAN AND )  
INCORPORATING PART 2 INTO THE )  
REGIONAL SOLID WASTE MANAGEMENT )  
PLAN )

ORDINANCE NO. 97- 673  
Introduced by Mike Burton  
Executive Officer

WHEREAS, the Regional Solid Waste Management Plan (Solid Waste Plan) was adopted by Metro Council November 1995 through Metro Ordinance No. 95-624; and

WHEREAS, the Solid Waste Plan includes goals and objectives for disaster management and mandates the development of recommended practices for disaster management; and

WHEREAS, Metro is a member of the Regional Emergency Management Group (REMG), which is developing the Regional Emergency Management Plan (REMP); and

WHEREAS, one of the major elements being addressed by REMG in the REMP is disaster debris; and

WHEREAS, the flood of 1996 in the Metro region demonstrated the need for a regional disaster debris management plan to ensure that debris management activities after a disaster are coordinated, effective, and address the waste management hierarchy; and

WHEREAS, The 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:

1. The Regional Disaster Debris Management Plan as shown in Exhibit A to this ordinance is adopted and Part 2 incorporated into the Regional Solid Waste Management Plan, a functional plan under ORS268.390.

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_, 1997.

\_\_\_\_\_  
Jon Kvistad, Presiding Officer

ATTEST:

Approved as to Form:

\_\_\_\_\_  
Recording Secretary

\_\_\_\_\_  
Daniel B. Cooper, General Counsel

KH:gbc  
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## STAFF REPORT

### IN CONSIDERATION OF ORDINANCE NO. 97-673 FOR THE PURPOSE OF ADOPTING THE REGIONAL DISASTER DEBRIS MANAGEMENT PLAN AND INCORPORATING PART TWO INTO THE REGIONAL SOLID WASTE MANAGEMENT PLAN.

DATE: December 13, 1996

Presented by: Marie Nelson

#### PROPOSED ACTION

This resolution adopts the Regional Disaster Debris Management Plan as a part of the Regional Solid Waste Management Plan through Ordinance No. 97-673.

#### BACKGROUND

In 1994, the Regional Emergency Management Group (REMG) was formalized through an inter-governmental agreement. The agreement included a work plan of 21 elements identified as having regional significance in the emergency management process. Debris removal is one of those elements and Metro was tasked with developing a disaster debris removal plan for the REMG region<sup>1</sup>.

In November 1995, the Metro Council adopted the revised Regional Solid Waste Management Plan (Solid Waste Plan) (Ordinance 95-624). The Plan includes a goal and five objectives for debris management and directs that recommended practices for debris management be developed. The adopted goal and objectives had been drafted by a task force, including local government solid waste and emergency management staff, the Army Corps of Engineers, DEQ, and Metro, in the spring of 1995.

In January of 1996, the Regional Disaster Debris Management Task Force was formed to develop recommended practices and implementation strategies for the Regional Disaster Debris Management Plan using the adopted Solid Waste Plan disaster management goal and objectives. The Task Force met for nine months and periodically sent their work to the Metro Solid Waste Advisory Committee (SWAC) for review, as well as to the Regional Emergency Management Technical subcommittee (REMTEC)<sup>2</sup>, the Army Corps of Engineers (USACE), the Oregon Department of Environmental Quality (DEQ), and the Oregon Office of Emergency Management (OEM).

#### ORGANIZATION OF THE PLAN

- Introduction  
Part 1

The first section discusses the purpose of the Debris Plan, background information, and the process used to develop the recommended practices and implementation strategies. Part 1 also includes a list of acronyms and a glossary of words that may be unfamiliar.

- Policies and Summary of Practices  
Part 2

This section contains the recommended practices required by the Solid Waste Plan and will be included in the body of the Solid Waste Plan document. The recommended practices describe how the adopted disaster debris management goal and objectives will be implemented and assigns roles and responsibilities. Amendments to this section will be made consistent with the established process for amending the Solid Waste Plan.

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<sup>1</sup> The REMG region is comprised of Clackamas, Columbia, Multnomah, and Washington counties in Oregon, and Clark County in Washington.

<sup>2</sup> REMTEC is the technical subcommittee of REMG.

Parts 3, 4, and 5 will become an appendix to the Solid Waste Plan. Amendments to these sections may be made through the annual State of the Plan Report process.

- **Response Phase Strategies**  
Part 3

This section describes strategies for disaster debris management to be implemented during the response phase, or first 72 hours after a disaster. During this time, the focus is on saving lives, preliminary damage assessment, and clearing roadways. However, this section addresses the many vital communication and coordination functions for disaster debris management that can begin during this time.

- **Recovery Phase Strategies**  
Part 4

This section describes strategies for disaster debris management to be implemented during the recovery phase of a disaster. During the recovery phase, debris management activities move to the forefront of importance. This section contains guidelines and strategies designed to help jurisdictions make the process of managing disaster debris more efficient and effective.

- **Appendices**  
Part 5

The appendices include a task matrix and timeline for the Debris Plan that outlines key tasks, who is responsible for their completion, and the date the tasks are due. Other appendices include sample flyers, results of studies, and additional pertinent information about disaster debris management. Some appendices are not done and will be added to the Debris Plan as they are completed.

## PLAN SUMMARY

The planning effort for the Debris Plan recognizes that Metro has authority for solid waste management planning and disposal in the region and that responsibility includes planning for regional disaster debris management efforts. As directed by the overall goal of the Solid Waste Plan, the Debris Plan is a continuation of the effort to develop and implement a comprehensive Solid Waste Management Plan. The Debris Plan recommends guidelines and strategies for debris management that are environmentally sound, cost-effective, and technologically feasible. The Debris Plan was also developed with the public's needs in mind.

The Debris Plan recognizes the importance of advance planning for disaster debris management. The Plan strives to ensure that the region is prepared to deal with the removal and disposition of disaster debris in a way that is coordinated, efficient, effective, and that causes minimal adverse environmental impact.

The five main principles of the overall Debris Plan are:

1. Manage disaster debris according to the state waste hierarchy:
  - Reduce
  - Reuse
  - Recycle
  - Recover
  - Landfill
2. Ensure debris management efforts are coordinated and cooperative throughout the region.
3. Use local resources for collection and disposal.
4. Restore normal garbage service as quickly as possible.
5. Ensure accurate and organized debris and expense tracking systems.



The specific recommended practices and implementation strategies in the Debris Plan are directly related to the Solid Waste Plan Disaster Management goal and objectives. Each of the five Solid Waste Plan objectives correlates with one of the five recommended practices. The five disaster management objectives/recommended practices areas are as follows:

1. Availability of current and usable information pertinent to disaster debris management in the region.
2. Emergency response phase guidelines that begin the process of coordinating and mobilizing regional resources and efforts.
3. Recovery phase guidelines that minimize environmental impacts and are consistent with the waste management hierarchy.
4. Implementation of innovative and flexible fiscal and financial arrangements.
5. Development of regional coordination mechanisms, such as intergovernmental and mutual aid agreements.

The implementation strategies are products of the recommended practices and were developed consistent with the goal and objectives.

### PLAN ROLES AND RESPONSIBILITIES

There are numerous roles and responsibilities for the government and private sector laid out in the Debris Plan. In general, however, Metro is responsible for coordinating disaster debris management efforts on a regional level, providing for debris disposal and household hazardous waste collection and disposal services, and for providing post-disaster debris information to the public.

Local governments are responsible for all aspects of disaster debris collection. Working with their emergency management and solid waste personnel, as well as with their garbage haulers and with debris disposal and processing facilities, local governments will determine how best to collect and manage the disaster debris in their area. They will also be responsible for providing the Metro Recycling Information Center with current information about their disaster debris management programs.

### FINAL DEVELOPMENT OF THE PLAN

There are some elements of the Debris Plan which are required but have not yet been developed. For Metro, these include determining fee collection contingencies for Metro transfer stations, developing a tracking system for disaster debris tons generated in the region, and designating Metro debris removal coordinators. These elements are outlined in Appendix C of the plan, along with timelines when they are known.

### FINANCIAL IMPACTS

The pre-disaster responsibilities of Metro, as defined in the Debris Plan, consist of activities such as data gathering, performing studies, assistance to local governments and others, and collection, dissemination, and maintenance of a Regional Disaster Debris Management library. All of these responsibilities may be fulfilled using existing personnel and resources. However, if there are limited staff resources, some of the responsibilities could be fulfilled through small contracts (less than \$5,000 each) during various fiscal years (see Exhibit A to this staff report).

Ten thousand dollars was budgeted for FY 1996-97 for a personal services contract to develop damage assessment predictions for the Metro area. The RFP for this contract is expected to be released in late 1996 and the work completed in early 1997. Eight thousand dollars has been requested for FY 1997-96 for two studies to determine regional capacity for recyclables and an inventory of regional disposal, recycling, and processing facilities.

After a disaster, Metro may be asked to take on additional responsibilities, such as acting as the region's information coordinator. Part of this responsibility can be fulfilled using existing personnel. Temporary personnel may be needed, however, if the demand is more than current staff is able to meet. If this occurs, it will most likely be in the form of extra telephone representatives for the Recycling Information Center.

## PUBLIC INVOLVEMENT EFFORTS

Because of the technical nature of the subject, public involvement in the development of the Debris Plan has focused on those outside groups with a direct interest in disaster planning and solid waste issues. The following organized groups and agencies were kept apprised of developments in the planning effort:

- U.S. Army Corps of Engineers (USACE)
- Oregon Office of Emergency Management (OEM)
- Oregon Department of Transportation (ODOT)
- Oregon Department of Environmental Quality (DEQ)
- Metro Solid Waste Advisory Committee (SWAC)
- Regional Emergency Management Technical Committee (REMTEC)

A mailing list of interested persons was kept throughout the process and information and work products were sent to those persons as they were available.

A presentation on the Debris Plan was made at the 1996 Association of Oregon Recyclers fall conference.

On October 1, 1996, a full draft of the Debris Plan was sent to the following for review and comment:

- OEM
- REMG
- SWAC members
- Regional Disaster Debris Management Task Force members
- Interested persons list

At that same time, a letter summarizing the Debris Plan process and content, and offering the opportunity to receive a full draft copy, was sent to the following list:

- SWAC mailing list, not including members
- Waste hauler associations
- Neighborhood associations
- Disposal facilities
- Recycling facilities

## EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer recommends approval of Ordinance No. 97-673.

KH:gbc  
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# **Regional Disaster Debris Management Plan**

*Regional Environmental Management  
Waste Reduction & Planning Services*  
600 NE Grand Ave  
Portland, OR 97232-2736  
(503) 797-1650  
Fax (503) 797-1795

**Final Draft**  
November 1996



**METRO**

## Acknowledgements

The Regional Disaster Debris Management Plan was developed with the cooperation and assistance of many people in the region's solid waste industry and emergency management discipline. The following people were especially helpful, however, in giving their time and expertise to ensure a thorough, thoughtful, and highly usable regional plan.

The following people were members of the Disaster Debris Management Task Force. This task force met monthly or more frequently from January 1996 through September 1996 and were the primary developers of the recommended practices and implementation practices:

Tom Miller, Washington County Haulers  
Lee Barrett, City of Portland  
Dave Phillips/Rick Winterhalter, Clackamas County  
Lynne Storz, Washington County  
Loreen Mills, City of Tigard  
Lynda Kotta, City of Gresham  
Pat Vernon, Department of Environmental Quality  
Dean Frasier, Washington County  
Mike Gilsdorf, Multnomah County  
Jim Quinn, Metro  
Kelly Shafer Hossaini, Metro

Others who provided invaluable information, assistance, and feedback are:

Ed Berger, Army Corps of Engineers  
Mark Thomas, Oregon Department of Transportation  
Gerry Uba, Metro  
Metro Solid Waste Advisory Committee (SWAC)  
Regional Emergency Management Technical  
Subcommittee (REMTEC)  
Oregon Office of Emergency Management

*For questions or comments regarding this plan,  
call Kelly Shafer Hossaini, Metro, (503) 797-1503.*

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- Appendix E: Inventory of Regional Debris Removal Resources*
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- Appendix G: Debris Tonnage Predictions*
- Appendix H: Inventory of Potential Temporary Debris Storage Sites*
- Appendix I: Prediction of Need for Metro Hazardous Waste Services*
- Appendix J: Waste Storage and Handling Capacity Analysis for Disaster Debris Management Planning*
- Appendix K: Documenting and Tracking Disaster Debris*
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**Part 1**

**Introduction**

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## **Part 5 - Appendicies**

*Appendix A: OAR Rules - Open Burning Prohibitions*

*Appendix B: City of Oakland Debris Removal Permit Information*

*Appendix C: Regional Disaster Debris Management Plan - Task Matrix and Timeline*

*Appendix D: Inventory of Regional Solid Waste Disposal, Recycling, and Processing Facilities*

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*Appendix F: Regional Recycling Market Capacity Assessment*

*Appendix G: Debris Tonnage Predictions*

*Appendix H: Inventory of Potential Temporary Debris Storage Sites*

*Appendix I: Prediction of Need for Metro Hazardous Waste Services*

*Appendix J: Waste Storage and Handling Capacity Analysis for Disaster Debris Management Planning*

*Appendix K: Documenting and Tracking Disaster Debris*

*Appendix L: Memorandum of Understanding for Solid Waste Services After a Disaster*

## ***Purpose***

The purpose of the Regional Disaster Debris Management Plan (RDDMP) is to ensure that the metropolitan region is prepared to deal with the removal and disposition of debris generated in the event of a natural disaster. This plan specifies goals, objectives, and recommended practices for disaster debris removal and disposal, and describes potential implementation strategies to ensure that disaster debris efforts are coordinated, efficient, effective, and environmentally sound.

The RDDMP is based on five principles:

1. Manage disaster debris according to the state-mandated hierarchy describing solid waste practices:
  - Reduce
  - Reuse
  - Recycle
  - Recover
  - Landfill
2. Ensure debris management efforts are coordinated and cooperative throughout the region.
3. Use local resources for collection and disposal.
4. Restore normal garbage service as quickly as possible.
5. Ensure accurate and organized debris and expense tracking systems.

## ***Background***

The RDDMP is a component of the Regional Emergency Management Plan being developed by the Regional Emergency Management Group (REMG). The REMG is comprised of elected officials and emergency managers from the Metro region's cities and counties, representatives from Columbia County, Oregon, and Clark County, Washington, and Metro. The REMG was created by intergovernmental agreement in 1994, and as a part of that agreement a Regional Emergency Management Work Plan was created. The Work Plan identifies 21 elements that have regional relevance to emergency managers, including disaster debris removal.

The REMG consists of two advisory committees: the Regional Emergency Management Policy Advisory Committee (REMPAC) and the Regional Emergency Management Technical Committee (REMTEC).

The RDDMP is also a part of the Regional Solid Waste Management Plan (RSWMP). The RSWMP is the document that gives the metropolitan region, comprised of Washington, Multnomah, and Clackamas counties, direction for meeting solid waste needs through 2005. The RSWMP addresses such issues as regional waste reduction efforts, household hazardous waste management, and solid waste facilities siting and services.

### ***Process***

In early 1995, the disaster debris removal subcommittee of REMTEC created a disaster debris management goal and five objectives. The goal and objectives were adopted by the Metro Council and included in the RSWMP and served as the guide for the development of recommended practices and implementation strategies for the RDDMP.

In January 1996 a task force of local government officials and private sector interests was formed. Representatives from REMTEC and Metro's Solid Waste Advisory Committee (SWAC) served on the task force. The purpose of the task force was to use the adopted goal and objectives to develop the recommended practices and implementation strategies for the Plan. The task force met monthly over a nine month period to accomplish this task, and invited other stakeholders to participate in the process as appropriate.

Throughout the process, REMTEC, SWAC, the Metro Council, and Oregon's Office of Emergency Management were kept apprised and asked to comment on drafts of the Task Force's work in progress. A final draft copy of the Plan was also sent for review and comment to neighborhood associations, haulers, and other interested parties.

Although the goal, objectives, recommended practices, and implementation strategies of the Plan have been completed, there are ongoing efforts to complete additional elements of the Plan. Many of the products of these efforts will be added to the Plan as appendices as they are completed. (See the Table of Contents.) Appendix C lists the Plan's requirements, identifies the responsible parties, and the timeline for completion and updating. The matrix also identifies where additional information can be obtained.

## Acronyms

DEQ - Oregon Department of Environmental Quality  
EPA - U.S. Environmental Protection Agency  
FEMA - Federal Emergency Management Agency  
LDRC - Local Government Debris Removal Coordinator  
MDRC - Metro Debris Removal Coordinator  
ODOT - Oregon Department of Transportation  
OEM - Oregon Emergency Management  
REIC - Regional Information Coordinator  
REMG - Regional Emergency Management Group  
USACE - U.S. Army Corps of Engineers

## Terms

**Conditionally exempt generator (CEG)** - Any non-household generator of hazardous waste, including businesses, government agencies, nonprofit organizations, etc. that generates less than 220 pounds of hazardous waste per month and complies with other federal and state requirements to maintain CEG status.

**Exempt hazardous waste** - Any unwanted hazardous products not subject to full regulation under Oregon and federal hazardous waste laws.

**Waste management hierarchy** - The EPA solid waste management hierarchy: Reduce, Reuse, Recycle, Recover, Landfill.

**Putrescibles** - Matter that rots or decays.

**Putrescible surge** - Occurs after a disaster when people throw away food and other putrescible material stored in freezers and refrigerators because electrical power was interrupted for an extended period.

**Recovery phase** - The period in which a community restores services and rebuilds facilities after a disaster. The duration of this phase may take weeks or years.

**Response phase** - The first 72 hours after a disaster. During this time, the focus is on saving lives, preliminary damage assessment, and clearing roadways.

**Universal Wastes** - A new category of hazardous waste, formerly fully regulated, but now subject to less stringent disposal regulations promulgated by the U.S. Environmental Protection Agency (EPA) in May 1995. Includes batteries, mercury-containing thermostats, pesticides, and (in Oregon only) fluorescent light tubes.

## Definition of Terms and Acronyms Used in This Plan

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## Part 2

# Policies and Summary of Practices

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# Disaster Debris Management Goal and Objectives\*

## ***RSWMP Goal 14 - Disaster Management***

In the event of a major natural disaster such as an earthquake, windstorm, or flood, the regional solid waste system is prepared to quickly restore delivery of normal refuse services and have the capability of removing, reusing, recycling, and disposing of potentially enormous amounts of debris.

**Objective 14.1.** Provide both accurate and reliable information for use in predicting the consequences of a major disaster and an inventory of resources available for responding to and recovering from disasters.

**Objective 14.2.** Develop a response phase plan that coordinates emergency debris management services and maximizes public health and safety.

**Objective 14.3.** Develop a recovery plan that maximizes the amounts of materials recovered and recycled and minimizes potential environmental impacts.

**Objective 14.4.** Provide for innovative and flexible fiscal and financial arrangements that promote efficient and effective implementation of response and recovery plans.

**Objective 14.5.** Ensure the coordination and commitment of local, state, and federal governments and the private sector.

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\*The Disaster Debris Management goal and objectives listed here are part of the overall RSWMP goals and objectives adopted by the Metro Council in November 1995.

# **Disaster Debris Management - Recommended Practices**

## **Definition of Participant Categories Used in Recommended Practices**

### **Federal Government**

**Federal Emergency Management Agency (FEMA)  
U.S. Army Corps of Engineers (USACE)**

### **State Government**

**Oregon Emergency Management (OEM)  
Department of Environmental Quality (DEQ)  
Oregon Department of Transportation (ODOT)**

### **Regional Emergency Management Group (REMG)**

### **Metro**

### **Local Government**

**County Governments  
City Governments**

### **Waste Haulers**

**Licensed and franchised haulers**

### **Private Sector**

**Landfill Operators  
Solid Waste Facility Operators  
Association of General Contractors  
Insurance Company Representatives  
Citizens**

## **Recommended Practice 1 - Information**

Ensure that current and usable information is available for the planning and implementation of disaster debris removal.

**Key Concept and Approach:** To properly plan for and implement disaster debris removal activities, certain information must be available to those involved in these activities. It is also important that this information is updated regularly.

### **Key Elements**

- a) Inventory of regional solid waste disposal, recycling, and processing facilities. Includes: location, storage, processing, and market capacities, and material specifications.
- b) Inventory of regional debris removal resources, e.g., government-owned resources, demolition contractors, garbage haulers, dump truck companies. Includes: equipment and labor capacity.
- c) Assess capacity of regional markets to absorb recyclables produced by recovery activities. Include consideration of specifications required.
- d) Debris tonnage predictions, by geographical area and type of debris.
- e) Inventory of potential temporary debris disposal sites around the region.
- f) Prediction of the need for Metro hazardous waste management services.
- g) Real-time assessment of system capacity for debris removal.

### **Roles and Responsibilities**

#### **Federal Government**

- Assist with the identification and acquisition of temporary debris disposal sites, as requested. (USACE only)
- Assist with debris tonnage predictions. (USACE only)

#### **State Government**

- Supply information regarding debris removal resources under its authority. (ODOT only)
- Provide inventory of potential temporary debris disposal sites under its authority. (ODOT only)



- Assist with the prediction of the need for Metro hazardous waste management services, as requested. (DEQ only)

#### **Metro**

- Conduct inventory of regional facilities.
- Conduct market capacity assessment.
- Use Metro's disaster management database to predict debris tonnage.
- Assist with the inventory of potential temporary debris disposal sites, as requested.
- Assemble and disseminate disaster debris management information and ensure its periodic updating.
- Obtain prediction of the need for Metro hazardous waste management services.
- Prepare real-time assessment of system capacity for debris removal.

#### **Local Government**

- Supply information regarding government-owned and privately-owned debris removal resources in its area.
- Provide inventory of potential temporary debris disposal sites in its area.
- Assist with debris tonnage predictions.
- Assist with preparation of real-time assessment of system capacity for debris removal.

#### **Waste Haulers**

- Supply information to government agencies.
- Assist with preparation of real-time assessment of system capacity for debris removal.

#### **Private Sector**

- Supply information to government agencies.
- Assist with preparation of real-time assessment of system capacity for debris removal.

## **Recommended Practice 2 - Emergency Response Phase**

The emergency response phase coordinates and mobilizes resources and efforts, with the priority on immediate services that will preserve life, safety, and public health.

***Key Concept and Approach:*** In the initial stages of a disaster, a response strategy should mobilize resources, including executing contracts for debris removal. Priorities should be established for putrescible surge removal and debris removal in critical areas of the community.

### ***Key Elements***

Guidelines for a response strategy should:

- Designate Metro and local government debris removal coordinators and establish inter-communication
- Designate Regional Information Coordinator for disaster debris removal efforts
- Describe how the Regional Information Coordinator can retrieve damage assessment information from the debris removal coordinators
- Provide disaster debris prediction, inventory, and assessment information to the Regional Information Coordinator and debris removal coordinators
- Determine the extent of need and the degree to which regional or local response is required using previously developed criteria.
- Mobilize local resources through the execution of contracts with haulers and contractors responsible for initial work
- Execute intergovernmental agreements and mutual aid agreements, as required, e.g., between haulers and/or governments
- Prioritize cleanup areas

Disaster debris removal information/communication system. Include:

- A phone tree with the following communication paths: FEMA, Oregon Emergency Management, Regional Emergency Management Group, media, Metro, local jurisdictions, and solid waste facilities
- Templates for information leaflets and distributional checklist for all written information

- A system for responding to incoming telephone and mail requests for disaster debris information
- Strategies for immediate and long-term information dissemination to the public, contractors, haulers, and facilities
- Dissemination of procedures for personal property recovery

### ***Roles and Responsibilities***

#### **Federal Government**

- Participate in the development of the information/communication system.
- Provide information on experiences with other areas of the country.

#### **State Government**

- Assist in the preparation of guidelines for the response phase.
- Assist in the design of the disaster debris removal information system.

#### **Metro**

- Designate Metro disaster debris removal coordinator.
- Prepare guidelines for the response phase.
- Provide disaster debris prediction, inventory, and assessment information to the Regional Information Coordinator.
- Develop criteria to be used in determining the extent of need and the degree to which regional or local response is required after a disaster.
- Design disaster debris removal information system.

#### **Local Government**

- Designate local government debris removal coordinator for each jurisdiction.
- Assist in the preparation of guidelines for the response phase.
- Assist with development of criteria to be used in determining the extent of need and the degree to which regional or local response is required after a disaster.
- Assist in the design of the disaster debris removal information system.

### **Waste Haulers**

- **Assist in the preparation of guidelines for the response phase.**
- **Assist with development of criteria to be used in determining the extent of need and the degree to which regional or local response is required after a disaster.**
- **Assist in the design of the disaster debris removal information system.**

### **Private Sector**

- **Assist in the preparation of guidelines for the response phase.**
- **Assist with development of criteria to be used in determining the extent of need and the degree to which regional or local response is required after a disaster.**
- **Assist in the design of the disaster debris removal information system.**

## **Recommended Practice 3 - Recovery Phase**

Disaster debris management efforts in the recovery phase should minimize environmental impacts and be consistent with the waste management hierarchy. Restoring service by use of the existing local facility, hauler, and contractor infrastructure should also be a priority.

***Key Concept and Approach:*** Debris disposition should be handled in an efficient, orderly, and cost-effective manner that minimizes adverse environmental impacts, respects the waste management hierarchy, and supports overall health and safety efforts. To ensure that equipment, labor, and services are supplied efficiently and cost-effectively, utilization of existing local resources in disaster debris management efforts in accordance with the solid waste hierarchy is a priority.

### ***Key Elements***

General guidelines for recovery phase disaster debris management efforts include:

- Guidelines for the use of burning as a disposal option.
- Guidelines to prevent and control illegal dumping.
- Procedures that allow people to recover personal property from damaged structures whenever practicable
- A process for private cleanup efforts - including a permit system that defines the process, time limits, requirements, and restrictions
- Multi-jurisdictional coordination of debris clearing efforts
- Continuation of efforts to mobilize local resources through the execution of contracts with haulers and contractors

Guidelines for recovery phase disaster debris collection, processing, and disposal include:

- Guidelines for removal of debris from residential, commercial, and government properties that are consistent with the waste management hierarchy - salvage, reuse, recycle, recover before landfilling
- Guidelines for the management and operation of temporary disposal sites
- Putrescible surge abatement strategies
- Guidelines to properly collect and process or dispose of exempt hazardous waste

- Resumption of regular garbage and recycling service as quickly as possible
- Contingency procedures for debris removal, including coordination with the Corps of Engineers, and mutual aid agreements between different haulers, processors, and facilities
- Contingency procedures for debris disposal in the event usual options are not available

### ***Roles and Responsibilities***

#### **Federal Government**

- Assist with development of guidelines for coordination of debris clearing efforts. (USACE only)

#### **State Government**

- Develop burning guidelines. (DEQ only)
- Assist with development of guidelines for coordination of debris clearing efforts. (ODOT only)
- Assist with the development of exempt hazardous waste management guidelines. (DEQ only)

#### **Metro**

- Develop guidelines to prevent and control illegal dumping.
- Prepare personal property recovery procedures.
- Assist with development of private cleanup effort procedures.
- Develop guidelines for coordination of debris clearing efforts.
- Develop strategies for debris removal that are consistent with the waste management hierarchy.
- Develop guidelines for the management and operation of temporary disposal sites.
- Assist with the creation of putrescible surge abatement strategies.
- Develop exempt hazardous waste management guidelines.
- Development of contingency procedures for debris removal and disposal.
- Obtain agreements with non-system disposal facilities for region's disaster debris in the event such facilities may need to be utilized.

#### **Local Government**

- **Assist with the development of burning guidelines. Assist with preparation of personal property recovery procedures.**
- **Develop private cleanup effort process.**
- **Assist with development of guidelines for coordination of debris clearing efforts.**
- **Assist with planning for debris removal efforts consistent with the waste management hierarchy.**
- **Assist with the development of guidelines for the management and operation of temporary disposal sites.**
- **Prepare strategies for resumption of regular garbage and recycling service.**
- **Create putrescible surge abatement strategies.**
- **Assist with the development of exempt hazardous waste strategies.**
- **Assist with development of contingency procedures for debris removal and disposal.**

#### **Waste Haulers**

- **Assist with preparation of personal property recovery procedures.**
- **Assist with planning for debris removal efforts consistent with the waste management hierarchy.**
- **Assist with the development of guidelines for the management and operation of temporary disposal sites.**
- **Assist with preparation of strategies for resumption of regular garbage and recycling service.**
- **Assist with putrescible surge abatement strategies.**
- **Assist with development of contingency procedures for debris removal and disposal.**

#### **Private Sector**

- **Assist with preparation of personal property recovery procedures.**
- **Assist with planning for debris removal efforts consistent with the waste management hierarchy.**
- **Assist with preparation of strategies for resumption of regular garbage and recycling service.**
- **Assist with putrescible surge abatement strategies.**
- **Assist with development of contingency procedures for debris removal and disposal.**

## **Recommended Practice 4 - Fiscal/Financial Arrangements**

Ensure that disaster debris management activities will be properly and efficiently funded through coordination among public agencies and the private sector. Ensure compliance with all applicable federal, state, and local disaster assistance requirements, and proper accounting procedures.

**Key Concept and Approach:** The communication and coordination of disaster debris management efforts among jurisdictions and pertinent agencies is important to ensure that efforts are not duplicated and recordkeeping is accurate. These and other similar types of problems can strain resources, impair the ability to be reimbursed by FEMA, and potentially jeopardize other sources of funding.

### **Key Elements**

- a) Create standard form contracts for facilities, contractors, and haulers that establish schedule of work, contract price and payment methods, obligations, etc.
- b) Develop a tracking system for disaster debris management expenses, including collection, hauling, and processing and/or disposal costs incurred.
- c) Develop a tracking system for disaster debris tons processed and/or disposed at each facility in the region.
- d) Estimate potential Metro and local government financial responsibilities, e.g., employee pay, debris cleanup activities.
- e) Develop contingency procedures for fee collection at Metro transfer stations.

### **Roles and Responsibilities**

#### **Federal Government**

- Review and comment on fiscal/financial arrangements, as requested. (FEMA only)

#### **State Government**

- Review and comment on Disaster Debris Management Plan. (OEM only)

#### **Metro**

- Ensure that procedures are developed to meet FEMA requirements for reimbursement.



- Prepare and maintain standard form contracts, as needed.
- Maintain a tracking system for disaster debris management expenses.
- Develop and maintain a tracking system for disposal and processing tonnages associated with disaster debris.
- Provide technical assistance and information to local governments, as requested, to ensure proper, efficient, and accurate tracking of expenses. For example, hauler franchise information, maps, technical information on disaster debris management, etc. may be required.
- Estimate potential financial responsibilities.
- Develop contingency procedures for fee collection at Metro transfer stations.

#### **Local Government**

- Prepare and maintain standard form contracts, as needed.
- Ensure proper procedures to meet FEMA reimbursement requirements are developed.
- Maintain a tracking system for disaster debris management expenses.
- Provide information to Metro, as requested, to ensure proper, efficient, and accurate tracking of expenses.
- Estimate potential financial responsibilities.

#### **Waste Haulers**

- Assist with the monitoring and evaluation elements by documenting disposal amounts and operating costs associated with disaster debris to meet FEMA requirements.

#### **Private Sector**

- Assist with the monitoring and evaluation elements by documenting disposal amounts and operating costs associated with disaster debris to meet FEMA requirements.

## **Recommended Practice 5 - Coordination of Efforts**

Develop intergovernmental agreements, including mutual aid and other agreements, as necessary to ensure the proper coordination of public agencies and the private sector.

**Key Concept and Approach:** Properly coordinated disaster debris management efforts will be critical to ensure that those efforts are orderly, efficient, and effective.

### **Key Elements**

- a) Establish a regional Memorandum of Understanding for solid waste services after a disaster, which reflects an attempt to address intense disaster situations.
- b) Review current and future agreements between Metro and the private sector (e.g., transfer stations, landfills, processors) to ensure they address disaster debris issues.
- c) Prepare mutual aid agreements among local governments.

### **Roles and Responsibilities**

#### **Federal Government**

- Assist Metro and the region in the implementation of the Disaster Debris Management Plan to the extent practicable and as authorized by current federal law.

#### **State Government**

- Assist Metro and the region in the implementation of the Disaster Debris Management Plan.

#### **Regional Emergency Management Group**

- Appoint Regional Memorandum of Understanding Administrator.
- Administer the Regional Memorandum of Understanding.

#### **Metro**

- Develop the Regional Memorandum of Understanding.
- Modify current agreements between Metro and private sector, as applicable, to ensure disaster debris issues are addressed.
- Ensure future agreements between Metro and the private sector address the handling of disaster debris, as applicable.

#### **Local Governments**

- **Assist in the development of the regional Memorandum of Understanding.**
- **Prepare intergovernmental mutual aid agreements.**

#### **Waste Haulers**

- **Assist in the development of the regional Memorandum of Understanding.**

#### **Private Sector**

- **Assist in the development of the regional Memorandum of Understanding.**
- **Assist with the modification of government-private sector agreements, as applicable.**

# Part 3

## Response Phase Strategies

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### Overview

The following strategies pertain to the response phase of a disaster. The response phase is generally defined as the first 72 hours after a disaster. During this time, the focus is on saving lives, preliminary damage assessment, and clearing roadways so that emergency vehicles can travel to critical facilities, such as hospitals, police stations, fire stations, etc.

Disaster debris management is particularly important in the recovery phase of disaster management, but there are many vital communication and coordination functions that can begin during the response phase. The focus of the response phase strategies is on identifying those functions, their accompanying tasks, and helping emergency responders, including recovery personnel, to mobilize for the recovery phase responsibilities.

# Guidelines for a Response Phase Strategy

## Pre-Disaster Activities

### *Multi-Jurisdictional*

1. Metro designate a debris removal coordinator (MDRC) to provide liaison with local government debris removal coordinators (LDRC).
2. Local governments each designate a debris removal coordinator (LDRC) to provide liaison with their local government emergency operations center, their public information officer, their Regional Emergency Management Group representative, Metro, waste haulers, and facility operators.
3. LDRCs contact MDRC to:
  - identify themselves and their essential contact information, e.g., phone numbers (including cell, fax, and home) name(s) of alternate(s), etc.
  - identify solid waste contact people in their jurisdiction and the essential contact information, as above.
4. MDRC disseminates LDRC list to all LDRCs.
5. MDRC disseminates all information collected in Recommended Practice 1 to all LDRCs. Updates sent as necessary.

### *Cities and Counties*

1. Develop basic flyers, brochures, and other printed materials for disaster debris disposal, recycling, and processing options for general public. (See "Guidelines for Creating Written Public Information for Disaster Debris Management," page 3-7.) Coordinate with Metro Recycling Information. Plan for translation capability for targeted non-English speaking groups.
2. Develop a system for establishing an informational phone bank in the event Metro Recycling Information Center is disabled by the disaster.

## *Metro*

1. Develop basic flyers, brochures, and other printed materials for disaster debris disposal, recycling, and processing options for general public. (See "Guidelines for Creating Written Public Information for Disaster Debris Management," page 3-7.) Coordinate with local governments. Plan for translation capability for targeted non-English speaking groups.

## **Post-Disaster Activities**

### *Multi-Jurisdictional*

1. Schedule a meeting among all debris removal coordinators, and REMG regional Memorandum of Understanding administrator as soon as possible/practical.
  - a. Each debris removal coordinator provides information, as collected under Item 2, page 3-4, and an assessment is made of the following:
    - multi-jurisdictional effect
    - severity
    - affected jurisdictions' ability to respond
  - b. Using assessment from "a" above, determine:
    - extent and scope of need for regional effort; and
    - need to execute regional Memorandum of Understanding, or parts thereof;
    - need for a Regional Information Coordinator (REIC)
  - c. Appoint REIC, if warranted
2. REIC - appointment and responsibilities
  - a. Appointment criteria:
    - MDRC, if possible
    - If not possible, choose another from the designated LDRCs using the following criteria:
      1. Relative damage to LDRC's jurisdiction.
      2. Availability of adequate resources in the jurisdiction.
      3. Adequate staffing to perform required tasks.

**b. Responsibilities of REIC:**

- Provide round-the-clock access to appropriate information. Suggested: REIC shift of 10 - 12 hours per day, with assistant(s) covering balance.
- Designation of assistant(s) to ensure that at all times at least one person is available. Assistants should have complete and current knowledge of pertinent information.
- Ensuring that information of regional importance is updated, disseminated, and available on an ongoing basis including:
  1. local damage assessments
  2. mutual aid needs
  3. resource availability and needs
  4. any updates to information collected as a part of Recommended Practice 1 requirements
  5. status of regional disposal and recycling facilities
- Coordinate public information efforts, as needed.
- Any additional responsibilities, as needed.

***Cities and Counties***

1. Prioritize cleanup areas. According to FEMA, the following areas should receive top priority in the following order: (Consult any applicable local government disaster guidelines.)
  - a. Debris removal from public roads and streets, i.e., arterial and collector streets, to provide access for vehicles and facilities involved in emergency operations.
  - b. Access routes to essential public facilities.  
First priority - hospitals, police and fire stations.  
Second priority - other critical community facilities, e.g., municipal buildings, water treatment plants, sewerage treatment plants, power generation units and substations, airports.
  - c. Eliminate debris-related threat to public health and safety.

2. LDRCs gather information, keep current, and give updates to REIC:
  - damage assessment from local emergency operations center
  - possible mutual aid debris removal needs
  - debris removal resources to offer
  - additional important information
3. Determine status of local debris collection resources.
4. Determine status of local debris recycling/disposal facilities, if Metro is disabled. Coordinate with REIC.
5. Establish informational phone bank, if Metro Recycling Information Center is disabled.
6. Prepare to disseminate public information regarding disaster debris management. Coordinate with Metro and local public information personnel. (See "Strategies for Immediate and Long-Term Information Dissemination," page 3-10 and Figure 3.1.)
7. Prepare to disseminate procedures for personal property recovery. (See "Strategies for Immediate and Long-Term Information Dissemination," page 3-10.)
8. Make contact with and execute necessary contracts with haulers and contractors responsible for initial work. Contracts should be consistent with the regional Mutual Aid Agreement, if applicable.
9. Execute intergovernmental and mutual aid agreements, if necessary. Should include contingency agreements for employee sharing when the disaster results in geographic restrictions on employee's ability to report to regular work site. Agreements should be consistent with the regional Memorandum of Understanding, if applicable.
10. Execute disaster/emergency operations procedures particular to the jurisdiction for expense tracking, etc.
11. Prepare to implement strategies for putrescible surge abatement.



## ***Metro***

- 1. Organize and prepare any updates to information, as collected in Recommended Practice 1, for dissemination. Coordinate with REIC.**
- 2. Begin research of disposal/recycling options for disaster-generated materials. Coordinate with REIC.**
- 3. Determine status of disposal/recycling facilities as identified in Recommended Practice 1 inventories. Coordinate with REIC.**
- 4. Determine status of transfer stations and routes to Arlington landfill. Authorize contingencies, if necessary. Coordinate with REIC.**
- 5. Increase Metro Recycling Information Center staffing for increased call load.**
- 6. Prepare to disseminate public information regarding disaster debris management. Coordinate with local governments. (See "Strategies for Immediate and Long-Term Information Dissemination," page 3-10 and Figure 3.1.)**
- 7. Implement accounting tracking system(s) for disaster debris management expenses.**
- 8. Implement tracking system(s) for disaster debris tons processed and/or disposed at each facility in the region.**
- 9. Consider implementation of contingency procedures for fee collection at Metro transfer stations. Coordinate with REIC.**
- 10. Prepare hazardous waste teams to implement exempt hazardous waste disaster management strategies. Coordinate with REIC.**

# Disaster Debris Management Communication Flowchart\*

Regional Disaster Debris  
 Management Plan  
 Response Phase Strategies  
 3-6

**NOTE: All lines connecting boxes represent two-way information flows.**

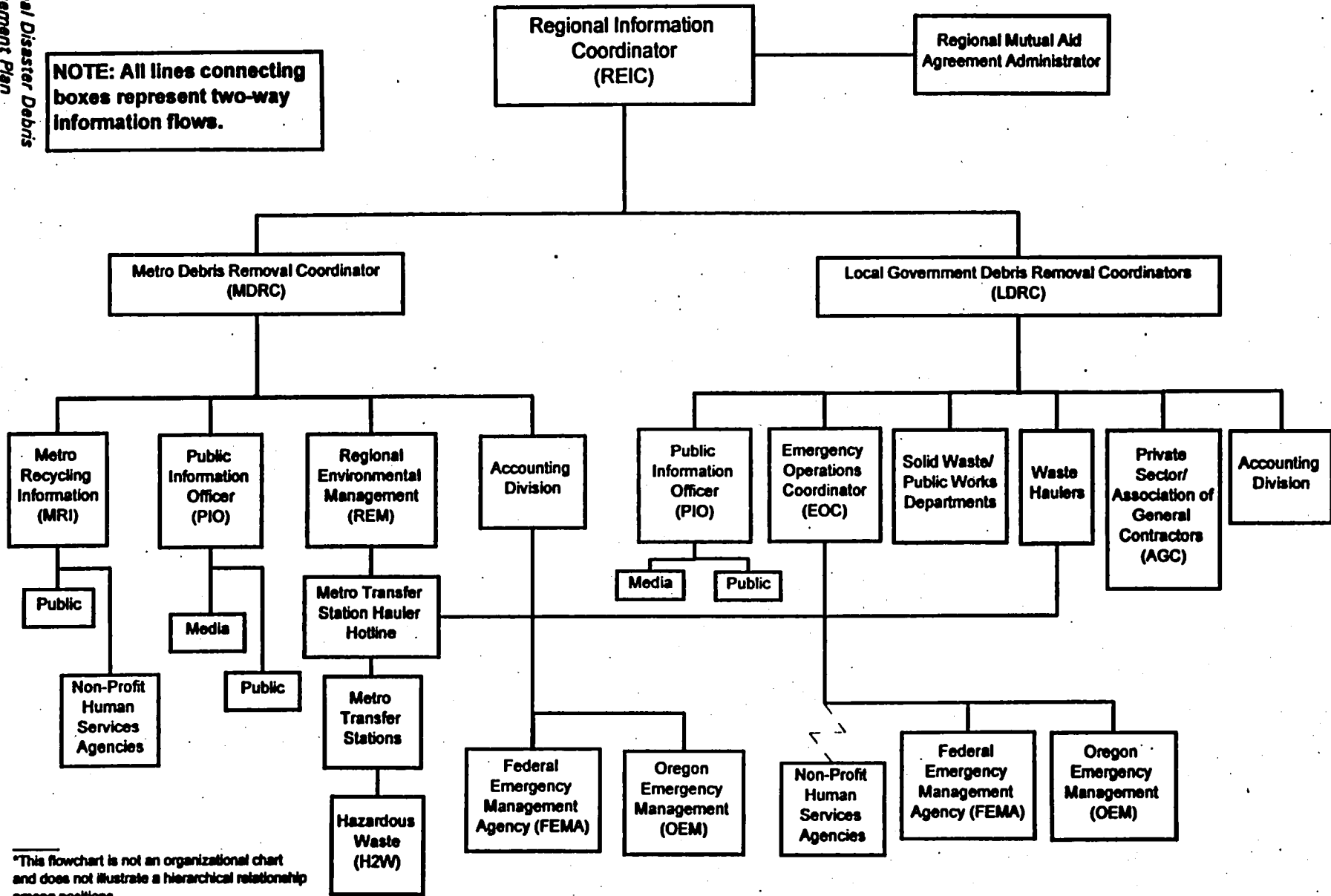


Figure 3-1

\*This flowchart is not an organizational chart and does not illustrate a hierarchical relationship among positions.

# **Guidelines for Creating Written Public Information for Disaster Debris Management**

**Confusion is the universal common denominator of disasters. The havoc and destruction caused by a major disaster creates conditions which make confusion inevitable. Basic necessities of life - water, food and shelter - may be difficult or impossible to obtain; utility services may be disrupted or destroyed; streets may be filled with debris, making travel slow and hazardous; and emotions of citizens and officials may be taxed to the breaking point.**

**Among the many demands created by disaster conditions, government agencies should be prepared to tell the community, when, where, and how garbage collection will resume, as well as provide special instructions for reporting and sorting disaster debris. Preparing templates for flyers and other informational materials in advance will help ensure the usefulness, completeness, and accuracy of these materials after a disaster occurs. Public information experts may need to assemble an emergency kit ahead of time to expedite response in a disaster situation. The supplies and equipment that may be required include:**

- **A portable computer or typewriter**
- **Pre-pasted labels for mailings to the affected area and to the media**
- **Road maps to answer public inquiries about getting to disposal facilities**
- **Camera/film/flash/batteries to document disaster for future evaluation**

**Following are important considerations that should be given by local authorities when preparing post-disaster, disaster debris management information:**

- **Include the following as a part of any written information:**
  1. **A telephone number the public can call for more information on solid waste concerns. Consider including alternate phone numbers for related relief agencies to avoid tying up solid waste phone lines with calls for other information or services.**

2. The jurisdiction's logo and address.
  3. A simple map showing locations of recycling and/or disposal facilities.
- Translations, as necessary, for any large populations of non-English speaking people residing within the jurisdiction.
  - Providing information through an agency's Internet web page.
  - Written information for homeowners' management of residential waste including all of the following, when pertinent:
    1. Options for garbage disposal, including a list/locations of disposal facilities and types of waste accepted.
    2. Options for recycling materials, including a list of recyclable materials, location of recycling facilities and materials that will be accepted.
    3. Proper sorting and preparation of recyclable materials.
    4. Schedule of curbside pickups or sweeps for recyclables, if any.
    5. Schedule of household hazardous waste curbside pickups or sweeps, if any.

Please see page 3-9 for a sample of a public informational flyer, in the form of a door hanger, outlining how the citizens of Los Angeles were asked to manage their earthquake debris. It is imperative that public information personnel are kept updated on the latest emergency planning actions, problems and situations to brief the media and relay information to the public.

# RECICLAMIENTO DE ESCOMBROS DEL TERREMOTO

La ciudad de Los Angeles tiene un programa de reciclamiento de escombros de propiedades particulares.

Por favor, siga estos pasos sencillos.

Separe estos tipos de materiales y colóquelos en la banqueta:

1. Asfalto, cemento, cemento con hierro, bloques de cemento.
2. Madera y vegetación positivamente relacionada con los escombros. No se va a remover ninguna otra vegetación. Tampoco se puede incluir hiedra, ramas de palma o yuca.
3. Ladrillo colorado.
4. Tierra
5. Todos los demás materiales, tales como techos, paredes, stucco, y otros escombros mixtos.

Coloque sus escombros en montones separados en la banqueta en la vía pública, no sobre propiedad privada.

Para pedir servicio de recojimiento, llame al 1-800-498-CITY.

Si usted tiene una cantidad muy grande de escombros que puede causar problemas con el tráfico vehicular, por favor llámenos al 1-800-498-CITY.



Impreso en papel reciclado.

## 지진 피해 건물 쓰레기 수거

LA 시는 지진으로 파손된 쓰레기를 수거합니다. 다음의 수거물과 건물파손 쓰레기를 아래와 같이 분류하여 쌓아주시지요.

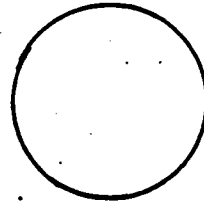
1. 아스팔트, 콘크리트, 철근콘크리트, 콘크리트벽
2. 옥지 및 녹색 성나무는 반드시 지진으로 인한 건물파손 쓰레기에서만 수거합니다. 관초, 아자수, 덩굴나무와 YUCCA는 안됩니다.
3. 땅콩껍질
4. 흙
5. 그외 지붕자재, 벽자재 그외의 건물파손 잡쓰레기

이상의 분류된 쓰레기들을 개인소유지가 아닌 공공도로변 차도에 쌓아주시지요.

수거요청시 1-800-498-CITY(2489)로 전화하십시오. 그리고 쌓아놓은 쓰레기가 교통에 위험을 줄때에도 1-800-498-CITY(2489)로 전화하십시오.



리사이클링으로 인쇄되었습니다.



# RECYCLE EARTHQUAKE DEBRIS

The City of Los Angeles is recycling your earthquake debris. Just follow these easy steps:

Separate your debris as follows, and place it in piles

1. Asphalt, concrete, concrete with metal reinforcement and cinder blocks.
2. Wood and green material positively related to earthquake debris removal. No other vegetation will be picked up. No ivy, palm or yucca.
3. Red clay brick.
4. Dirt.
5. All other materials including roofing, wallboard and other mixed debris.

Place your debris in separated piles at the curb in the public right-of-way, not on private property.

For pickup call 1-800-498-CITY.

If placing your materials at the curb will cause a traffic hazard, please call us at 1-800-498-CITY



Printed on Post-Consumer recycled paper

## **Strategies for Immediate and Long-Term Information Dissemination**

Depending upon the type and severity of the disaster, utility services such as electrical, phone, natural gas, and drinking water may be affected. Radio and television broadcasting, possibly even newspaper production, may be unavailable for a brief time. Prepare for more than one method of communication. Some possible avenues for disseminating information to the public include:

### **A. Target Group: Public (Citizens)**

- Public service announcements on television and radio
- Television news coverage
- Cable television shows
- Newspaper announcements, articles, including forms that residents might use to request services (e.g., demolition services, cleanup services)
- Bulk mailings to households/businesses in targeted areas
- Doorhangers in targeted areas
- Post/leave information at public places - libraries, grocery stores, Red Cross centers, FEMA public outreach offices, government offices, e.g., permit centers, police and fire departments, schools, banks, etc.
- Central phone bank to provide information about how to manage disaster debris

### **B. Target Group: Waste Haulers**

- Solid waste and recycling facilities establish hotline numbers for waste haulers to call and receive the latest information about hours, rates, materials taken, material specifications, etc.
- Local governments develop a means to quickly get information updates to haulers.

# Part 4

## Recovery Phase Strategies

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### Overview

The following strategies pertain to the recovery phase of a disaster. The recovery phase is generally defined as the period in which a community restores services and rebuilds after a disaster. The duration of the recovery phase varies depending on the disaster. It may take weeks or it may take years.

During the early part of the recovery phase disaster debris management activities move to the forefront of importance. People are concerned with getting rid of the debris material that resulted from the disaster and getting on with the process of rebuilding. Recovery phase strategies are designed to help jurisdictions make the process of managing disaster debris more efficient and effective, and to give them the information and tools they may need to make better decisions.

# **Guidelines for the Removal of Debris from Residential, Commercial, and Government Properties**

To the greatest extent practicable, debris should be handled according to the solid waste management hierarchy (Reduce, Reuse, Recycle, Recover, Landfill). Local governments should add language to all debris removal contracts (including disaster debris removal) that requires recycling.

Debris likely to be generated after a disaster can be classified in the following five categories:

**Category 1**    Putrescible Waste

Food  
Regular Household waste  
Contaminated waste<sup>1</sup>

**Category 2**    Woody Recyclable Material

Yard waste  
Wood waste

**Category 3**    Miscellaneous Dry Waste

Furniture  
Insulation  
Clothing  
Toys  
Fixtures

**Category 4**    Non-Woody Recyclable Material

Scrap metal (including white goods)  
Bricks  
Regularly collected recyclable materials  
Film plastic  
Drywall  
Rubble<sup>2</sup>  
Tires

<sup>1</sup>Contaminated wastes refer to those wastes that do not qualify as hazardous wastes, e.g., asbestos, solvents, etc., but may be contaminated with such things as sewage-contaminated flood waters.

<sup>2</sup>Defined as inert material such as concrete with and without rebar, asphalt, gravel, and bricks.



## Category 5 Household Hazardous Waste

### Priority for removal and disposition:

First priority	Category 1
	Category 5 <sup>3</sup>
Second priority	Category 2
Third priority	Category 3
	Category 4
Fourth priority	Category 5 <sup>4</sup>

### Proper disposition of materials in waste categories:

- a. Transfer Stations Category 1  
Category 5
- b. Limited Purpose Category 2  
Landfills Category 3
- c. Temporary Category 2  
Disposal/ Category 3  
Processing Sites Category 4  
Category 5
- d. Recycling Yards Category 2  
Category 4
- e. Social Service Category 3<sup>5</sup>  
Agencies

Cities, counties, and Metro will work with private debris processing and disposal facilities to ensure that debris management is facilitated through extended hours, increased capacities, and reasonable rates.

In order to facilitate smooth and efficient traffic flow, some facilities may be designated as commercial-load dropsites only. Self-haul loads may be directed to particular disposal and processing sites to ensure they do not interfere with the disposal activities of large, commercial vehicles.

### **Residential Properties: Debris Removal and Disposition**

Residents should be educated about the five categories of disaster debris and the proper disposition of each debris

<sup>3</sup>Refers to household hazardous wastes posing an immediate threat.

<sup>4</sup>Refers to household hazardous wastes that are contaminated and not posing any immediate threat.

<sup>5</sup>Materials that are salvageable/usable taken to Goodwill, St. Vincent DePaul, etc.

category, as defined on page 4-2. This should include a clear identification of the materials included in each category, and the specific options for disposition of those materials, including names and locations of processing facilities, locations of temporary disposal/processing sites, etc.

Residents have three options for removal:

1. Self-Haul
2. Construction/Demolition Contractor
3. Garbage Hauler

Residents that self-haul and/or hire contractors to remove their debris are responsible for taking that debris to the appropriate facilities, as defined on page 4-2. Residents should be encouraged to handle their waste in the most environmentally responsible manner practicable.

If residents have a manageable amount of debris and choose to use their garbage hauler for collection and removal debris, they should be advised how to prepare and sort the material, and how to set it out for pickup. Residents should be told to leave materials at the curb for collection in source-separated piles, uncontaminated by other materials. For example, metal should be put in a pile separate from yard debris. Likewise, putrescibles should be kept separate from plastic sheeting and/or rubble.

Residents who choose to have their material collected curbside should also be notified about the general collection priorities and timetable. The following schedule is one example of how residential curbside service may be provided:

Category 1	Weekly
Category 2	Bi-weekly
Category 3	Monthly
Category 4	Monthly
Category 5	Periodic Removal, as needed

Resumption of regular garbage and recycling service is a priority and should occur as quickly as possible in the recovery phase of a disaster.

## **Putrescibles**

Residents should be educated about ensuring that putrescibles are set out in a timely manner, well-sealed in plastic bags, with the plastic bags placed in a container with a tight-fitting lid. This will help to ensure pests do not become a problem.

If conditions permit, residents can be encouraged to do the following to help contain their putrescibles, decrease vector problems, and avoid overloading the solid waste collection system:

- Open freezers and refrigerators as seldom as possible.
- Store putrescibles awaiting collection in a freezer until they are ready to be set out.
- Set out only one extra bag of putrescibles per week for pickup, if possible.

## **Commercial Properties: Debris Removal and Disposition**

### *Businesses With Small Amounts of Debris*

Those businesses with a relatively small amount of damage can have the same debris management options as described above for residential properties.

### *Businesses With Large Amounts of Debris*

Businesses with extensive damage will likely hire contractors to manage debris removal efforts. Both contractors and business owners should be encouraged to dispose of project waste in the most environmentally responsible manner practicable. Local governments should make available written information outlining the five categories of disaster debris and the proper disposition of each debris category, as defined on pages 4-1 and 4-2. This should include a clear identification of the materials included in each category, and the specific options for disposition of those materials, including names and locations of processing facilities, locations of temporary disposal/processing sites, etc.

Resumption of regular garbage and recycling service is a priority and should occur as quickly as possible in the recovery phase of a disaster.

## **Government Properties: Debris Removal and Disposition**

Include in any government contracts with private construction/demolition contractors and with franchised garbage haulers that the category system for disaster debris disposition, as defined on pages 4-1 and 4-2, must be adhered to.

Contractors and franchised haulers should be required to salvage, recycle, and recover as much material as is practicable.

To facilitate this recycling in private construction/demolition contract situations, the following can be considered:

- Monetary incentives for recycling versus disposing of loads.
- Requiring a recycling plan.
- Employing field inspectors to monitor contractor's work.
- Performance criteria applied to contractor's work to rate them on their good faith efforts to recycle and their actual recycling rates. A point system can be implemented that gives a contractor points for dedicating trucks for recycling, training their field supervisor's on recycling requirements, and daily sweeps by contractor over their assigned area to scout for concentrations of recyclables. Recycling rates in the form of percentage of loads to recycling facilities can be tabulated through contractor's records and records kept at disposal and recycling facilities.

## **Contingency Procedures for Debris Removal**

In the event that a jurisdiction's debris removal needs outstrip its resources, contingency procedures should be developed in advance. USACE resources will be available in connection with specific FEMA mission assignments in the event the disaster is declared as a major disaster by the President of the United States.<sup>6</sup> Mutual aid agreements between jurisdictions should also be negotiated in advance. (See Recommended Practice 5, Key Element "c," page 2-13.) Local governments, haulers, materials processors and disposal facilities can also enter into mutual aid agreements as they see fit in order to facilitate the efficient and coordinated disposition of disaster debris.

<sup>6</sup>Note: Unless USACE activities are performed under full federal authority, the local government requesting assistance will pay a share of the USACE's costs. If the local government receives an approved mission number for the USACE's work, its share of the cost will be 25% under current regulation. If no state authorization is recorded, the local jurisdiction will be responsible for the total cost of services by the USACE.

## **Guidelines for Disaster Debris Disposal Contingencies**

After a disaster, there is the likelihood that some of the regional disposal facilities will become temporarily or permanently damaged or inoperable. It may be necessary to investigate the use of other facilities outside of the region, or use regional facilities differently.

In general, the following guide should be used for determining disposal options after a disaster in which regional disposal facilities are affected:

**Level 1:** Redirect waste to existing licensed and/or franchised system facilities that are permitted to accept the type of waste being redirected. It is important for health and safety reasons that facilities permitted and equipped to handle certain kinds and volumes of waste are the first choice for redirection of waste.

**Example -** If Metro Central Transfer Station is inoperable, customers who would normally use that facility may be rerouted to Metro South Transfer Station or the Forest Grove Transfer Station.

**Level 2:** Redirect waste to non-system facilities that are permitted to accept the type of waste being redirected. These facilities should be prioritized for use. Prior to a disaster, Metro should negotiate post-disaster agreements with these non-system facilities.

**Example -** If the Forest Grove Transfer Station and Metro Central Transfer Station are both inoperable, customers who would normally use those facilities may be rerouted to the Newberg Transfer Station or to Riverbend Landfill.

**Level 3:** Redirect putrescible waste (Category 1 waste) to system facilities not permitted to take putrescible waste.

**Example -** Materials recovery facilities can be allowed to act as transfer stations and reload putrescible waste.

## **Guidelines for Management of Disaster-Generated Exempt Hazardous Waste**

Exempt hazardous waste is defined as any unwanted hazardous products that are not subject to full regulation under Oregon and federal hazardous waste laws. This includes hazardous products disposed of by households and CEGs (Conditionally Exempt Generators), and Universal Wastes.

The following guidelines should be followed in the management of disaster-generated exempt hazardous waste.

- 1. Utilize the Resources of Metro's Hazardous Waste Program.** Metro is the agency responsible for household hazardous waste management in the region. Metro also conducts a CEG collection program in cooperation with DEQ, and will probably collect Universal Wastes with DEQ approval. Metro's program includes two permanent facilities, located adjacent to Metro's transfer stations, and operates satellite collection events around the region. Disaster-related exempt hazardous waste collection should utilize the program's facilities, equipment, trained staff, and standing disposal contracts. If necessary, program staff can quickly acquire additional vehicles, equipment, and trained workers to mount a larger-scale effort.
- 2. Coordinate with other agencies.** In the initial phases of a disaster response, Metro hazardous waste staff should confirm contacts and coordinate efforts with local, state and federal agencies involved with hazardous waste management. This may include fire departments and hazmat teams, DEQ, the US Environmental Protection Agency (EPA), and the Coast Guard, as well as city and county health, water and solid waste agencies. Communication should be maintained throughout the recovery phase with local government debris removal coordinators and the REIC.
- 3. Work closely with solid waste debris collection efforts.** Hazardous waste program staff should be involved with the development of solid waste collection options for each disaster. Exempt hazardous waste collection is most practically provided alongside solid waste

collection, although it may not be practical or necessary to provide hazardous waste collection at all solid waste collection points. Data from solid waste debris collection sites should be monitored as the recovery progresses, and adjustments made with consultation from local government debris removal coordinators.

4. **Determine type of services to offer.** A variety of service options may be developed in response to a disaster. Services can range from simply promoting the availability of the permanent facilities, to door-to-door hazardous waste collection. Intermediate options include providing staffing at collection sites near affected areas, and doing "milk runs" as needed to collect materials at approved locations. The most appropriate type of service to provide will vary depending on the nature and severity of the disaster. As recovery needs evolve, it will be prudent to monitor the demand for collection services and adjust as necessary. It is probably safer to mobilize resources to handle the maximum expected demand and adjust downward, rather than to get overwhelmed with waste and have potentially very hazardous situations.
5. **Determine whether waste is exempt.** Whatever collection services are offered, it is important to ensure that all wastes collected are properly classified as exempt. Some sort of screening criteria should be provided to the staff receiving wastes, in order to ensure that loads are household, CEG or Universal Waste.
6. **Determine whether waste is disaster-generated.** When hazardous waste collection services are provided in response to a disaster, it is likely that inquiries will be received from residents or businesses that have hazardous waste that is not a result of the disaster. In order to receive disaster relief funds, it is important to ensure that wastes are disaster-related. Publicity about collection services should specify that only disaster-related waste is to be accepted. Prior to mobilizing collection services, collection staff should have a plan for handling non disaster-generated waste that is received in spite of the publicity. This may include referring the generator to other services, or accepting the material and tracking it separately.

- 7. Load checking.** After a disaster, it is possible that some generators may improperly throw hazardous wastes into the trash, even if separate hazardous waste services are available. It may be useful to provide enhanced inspection of incoming trash loads at transfer stations, MRFs, and landfills in the region.
  
- 8. Be prepared to collect detailed data from the beginning.** Hazardous waste collection services may be mobilized very quickly in a disaster. It is important for a variety of reasons to track all expenditures, participation levels and waste volumes from the start. Forms and documentation procedures should be developed prior to a disaster. Please see standard form for this purpose, page 4-12.



## Debris Collection Site Daily Hazardous Waste Inventory

Date \_\_\_\_\_

Site Location \_\_\_\_\_

Technician Name \_\_\_\_\_

Waste type	Quantity
Latex paint	
"G-waste" (water-based glues, etc.)	
Oil-based paint and other flammables	
Pesticides, Acids, Bases, and Oxidizers	
Aerosols	
Cleaners	
Oil	
Antifreeze	
Other:	

Total flood-related HHW customers: \_\_\_\_\_

Total non-flood HHW customers: \_\_\_\_\_

CEG customers: \_\_\_\_\_

# **Guidelines for the Management and Operation of Temporary Disposal Sites**

## **Site Selection Guidelines**

- 1. Pre-selection of sites is encouraged. Site list with pertinent information should be submitted to both Metro and USACE. The USACE will assist with any pre-selection of sites, if requested.**
- 2. Coordinate placement and usage of sites with neighboring local governments. Some large sites may be able to serve more than one jurisdiction.**
- 3. Publicly-owned land should be the first choice.**
- 4. Size - Site should be large enough to accommodate at least four drop boxes for garbage and recycling, as well as an area for exempt hazardous waste drop off. Some large sites should be identified that will accommodate a shredder and/or tub grinder, and storage capacity of non-putrescible material.**
- 5. Access**
  - To site - The site should be located along one or more major arterials or have good access both to and from nearby arterials. If possible, identify sites along emergency transportation routes. Regional routes have been identified by the Regional Emergency Management Group, and others can be identified at the local level, as required.**
  - Site Ingress and Egress - The site should be large enough and laid out in such a way the flow of vehicles into and out of the site is not hampered.**
- 6. Duration of use - After a major disaster, the site could be used for up to two years, especially if processing activities will be occurring at the site.**
- 7. Terrain - Sites should be as level as possible, with no possible contamination of groundwater, rivers, lakes, streams, etc.**

## **8. Site Amenities**

- Capability of being locked or secured after hours.
- Paved or at least graveled areas of use.
- Access to water or a fire hydrant in case of fire.

9. Consider flow of water runoff, including storm water and any leachate that accumulates. Where will it go? Is there a storm sewer nearby? Is it suitable for the runoff?

## **Post-Site Selection Activities**

1. Where private property is involved, execute right-of-entry and any other applicable contracts, e.g., usage agreements, leases, in advance.
2. Photograph, survey, document environmental conditions.
3. Determine what permits, if any, might be needed to use the property as a temporary disposal site after a disaster. Determine what pre-disaster actions can be taken to expedite the process.
4. Develop a scope of work and execute contracts with professional firms for operation of temporary sites.
5. Develop maps showing identified sites and emergency transportation routes. File with the Metro coordinator of the central disaster debris management information system.

## **Post-Disaster Site Operation**

1. Material received at temporary sites should be restricted to only dry waste, if possible.
2. If a site will handle putrescibles as well as dry waste, consider waiting a week or two until after the putrescible surge before attempting to sort and recycle incoming loads. Even at dry-waste-only sites, it may be helpful to delay active recovery/recycling efforts until after the putrescible surge has ended.

3. Consider an area on-site where demolition loads identified by specific addresses can be dumped so home/business owners can look through debris for personal items.
4. Don't allow fire hazards to accumulate, e.g., piles of wood waste and yard debris.
5. Consider leasing a shredder and/or tub grinder for specific sites to help keep wood waste and yard debris piles manageable.
6. Inspect incoming loads for hazardous waste.
7. Have welders/mechanics on-site or on-call to minimize equipment down time.
8. Equipment used to load or move debris material should have hydraulic claw buckets.
9. Set up recycling containers on-site - especially for water jugs, which tend to accumulate in the first few weeks.
10. Hours of operation should be extended, especially in the early stages of debris removal efforts.
11. Adequate signage should be posted explaining what the site is for, what kinds of materials it accepts, and its hours of operation. Be explicit about incoming material being disaster-related only.
12. Employ adequate personnel for traffic control, driver survey, and load assistance.

# **Guidelines for the Use of Burning as a Disposal Option**

## ***General Policies and Guidance***

The Oregon state statutes do not give specific guidelines for burning as a method to handle disaster debris. However, burning of disaster debris is discouraged unless absolutely necessary. If allowed, this type of burning would be classified as "commercial" open burning which is prohibited in all areas in or within three miles of the incorporated city limit of all cities with a population of 4,000 or more. State statutes stress that efforts should be made to maintain the quality of the air resources of the state in a condition as free from air pollution as is practicable.

Following are important considerations that should be given by local authorities when determining if burning is an appropriate method to handle debris.

- **Backyard Burning.** Backyard burning is generally prohibited in much of the region. (See Appendix A - "Open Burning Prohibitions" OAR 340-23-065 through 340-23-080.) If burning of household waste for vector control is considered an option, a number of issues should be considered.
  1. Debris should be segregated in ensure that household hazardous waste, metals, and plastics are not burned.
  2. While there are areas within the region that allow backyard burning, high levels of air pollution, local nuisance conditions, and health impacts on the very young and elderly could result if extensive burning occurs in these areas. Consideration may need to be given to limiting burning in the permitted areas. Allowing burning in unpermitted areas could also result in increased pollution levels and citizen complaints. If considered, it should be employed only as a short term solution.
  3. The permitting agency must assure that fire protection services are available and that water resources required for fire protection are available.

- **Controlled Burning.** Collecting disaster debris and transporting it to a central location for recycling, disposal or burning allows for more control over fire concerns, and provides the ability to prevent the open burning of hazardous materials. Considerations should include the following.
  1. The level of material in a disaster area would be much greater than would typically be burned, and extensive use of burning in those areas could impact the air quality of the region.
  2. Composition of material is of prime concern. Indiscriminate burning can result in increased levels of contaminants in the air. Be prepared to sort out and properly store hazardous materials. Metals, plastics, and tire should also be removed from the wastestream.
  3. Ash resulting from controlled burns will need to be disposed in a permitted landfill unless testing shows significant amounts of hazardous contaminants. In that case, the ash will need to be disposed of in a permitted hazardous waste facility.
  4. There must be fire fighting services to provide fire protection.
  5. There must be water sources for fire protection.
  6. Control of water runoff from fire control is important.
  7. There should be a means for dry and safe storage for hazardous waste.
  8. There must be adequate security and staff to handle materials.
  9. Nuisance control for smoke and odor must be considered.
- **Materials Prohibited from Burning.** OAR 340-23-42 (2) prohibits the following materials from being burned: wet garbage, plastic, wire insulation,

automobile parts, asphalt, petroleum products, petroleum treated materials, rubber products, animal remains, or animal or vegetable matter resulting from the handling, preparation, cooking or service of food or of any other material which normally emits dense smoke or noxious odors.

Contact DEQ regarding any exceptions to these materials.

- **Statewide Exemptions.** According to OAR 340-23-035 (3), the following exceptions apply when fires are set or permitted by any public agency when the fire is set or permitted in the performance of its official duty for the purpose of: weed abatement, prevention or elimination of a fire hazard, or a hazard to public health or safety or instruction of employees in the methods of fire fighting, which in the opinion of the agency is necessary.

### **Process for Gaining Permission to Burn**

Prior to authorizing any disaster burning, local governments should contact their local fire officials and DEQ.

### **Phone Numbers for Key Contacts**

Department of Environmental Quality  
Pollution Complaint/Burning Hotline (503) 229-5393

State Fire Marshall (503) 378-3437

### **Local Fire Jurisdictions or Fire Districts**

West Linn	657-5407
Lake Oswego	635-0378
Gladstone	656-4253
Oak Lodge	653-2432
Gresham	669-2505
Tualatin Valley	526-2469
South Metro	655-8537
Boring	663-8537
Hillsboro	681-6166
Forest Grove	359-3240

# **Guidelines to Prevent and Control Illegal Dumping**

## **Prevention**

1. Provide convenient disposal and recycling alternatives, e.g., temporary debris disposal sites.
2. Educate citizens about their disposal and recycling alternatives. (See "Response Phase Strategies - Strategies for Immediate and Long-Term Information Dissemination," page 3-10.)
3. Educate citizens about their liability for any illegally dumped loads of their debris. Encourage them to use franchised haulers and to self-haul to approved sites. If they choose to use a contractor or independent hauler, encourage them to receive proof of proper disposal before remitting payment.
4. In government contracts, require proof of proper disposal for all loads.
5. In any post-disaster demolition permit system, require proof of proper disposal.

## **Control**

1. After initial health and safety priorities have been addressed after a disaster, begin increasing efforts to monitor potential illegal dumpsites and illegal dumpers. As the recovery effort progresses and construction and demolition efforts begin in earnest, the potential for illegal dumping increases. Efforts aimed at deterring illegal dumping, including enforcement, should increase proportionately, if possible.



## **Guidelines for Personal Property Recovery**

Planning for personal property recovery is best handled through a jurisdiction's building inspector and fire officials. It is recommended, however, that all jurisdictions recognize that disaster victims will want to recover personal property from damaged structures and options should be considered to help them do so. However, health and safety is the first priority when considering the implementation of any of these options.

## **Process for Private Cleanup Efforts**

The process for ensuring safe and satisfactory private cleanup efforts after a disaster can be essentially the same general process used by a jurisdiction for standard demolition efforts. Usually, this entails the issuing of a permit to demolish a structure and includes a number of restrictions and guidelines the permittee must adhere to.

Post-disaster cleanup considerations can differ somewhat from cleanups that are not disaster-related. For example, illegal dumping of debris will likely be a bigger problem after a disaster than in other circumstances because of the volume of debris generated and the number of people affected. The process implemented for proper post-disaster cleanup will need to take into account the special circumstances of disasters.

It is recommended that a permit system be implemented for post-disaster private cleanup efforts. The following elements should be considered for that system:

- **Permit Fees.** Each jurisdiction should decide whether or not a fee will be charged for post-disaster cleanup permits. If the permits will be free or at a reduced rate from regular demolition permits, determine what pre-disaster steps will need to be taken to accommodate the change. This may include changes to the jurisdictional codes and/or ordinances, or some other kind of council action.
- **Cleanup Deadline.** A deadline should be set by which the work must be completed. In the event the work is not completed by that deadline, the jurisdiction should reserve the right to assess penalties and/or fines, or clean up the property using public resources and assess the costs to the owner. An authorized building inspector from the jurisdiction should inspect each site before the cleanup work is accepted by the jurisdiction. The deadline set for completion of the cleanup process will depend on a number of factors, including the season in which the disaster occurs, the type of disaster, etc.

- Adherence to all applicable local, state, and federal regulatory guidelines. Permittees should receive information outlining the regulatory guidelines which apply to the cleanup work. Especially important are Occupational Safety and Health Agency (OSHA) requirements and requirements issued by the Fire Marshall's office. These should be made clear to the permittee. It is recommended that the jurisdiction assemble a handout for the permittee and release it with the permit. (See Appendix B for samples of handouts from the City of Oakland.)
- Cleanup requirements and standards. Certain uniform standards must be established to ensure that minimum acceptable levels of cleanup are met because of potential for soil erosion, landslides, falling trees, falling structures, release of raw sewage, the release of asbestos and other contaminants into the air, and the presence of other possible toxic materials. In the event the work completed by the permittee does not meet the established uniform standards, the jurisdiction should reserve the right to assess penalties and/or fines, or clean up the property using public resources and assess the costs to the owner.

The established uniform standards should include:

1. removal of all debris from site, including ash, concrete, broken glass, etc.;
2. filling of all holes; and
3. final grading of the demolished area.

The following environmental controls at the site should also be included:

1. requirement of an erosion control plan;
2. reduction of dust and contaminants at site, including periodic spraying of debris with water (if necessary);
3. adherence to noise ordinances;
4. vector control;
5. proper closure and reconnection of utilities on-site, including water, gas, electricity, and sanitary and storm sewers; and
6. controls to keep immediate street area free from dirt and debris from site cleanup activities.

- **Debris disposal and recycling.** Because of the increased likelihood of illegal dumping after a disaster, a debris disposal and recycling element should be included in the private cleanup permit process. Proof of proper disposal of debris, including hazardous waste, should be a requirement of the permit. The permittee should be educated about the five categories of waste and the proper disposition of each debris category, as defined in the "Guidelines for the Removal of Debris from Residential and Commercial Properties," Page 4-1. Clear identification of the materials should be included in each category. Specific options for disposition of those materials should be provided, including names and locations of processing facilities, locations of temporary disposal/processing sites, etc.

**Part 5**

**Appendicies**

**Appendix A**  
**OAR Rules - Open**  
**Burning Prohibitions**

**OREGON ADMINISTRATIVE RULES**  
**CHAPTER 340, DIVISION 23 - DEPARTMENT OF ENVIRONMENTAL QUALITY**

**Open Burning Prohibitions**

Baker, Clatsop, Crook, Curry, Deschutes, Gallium, Grant, Hamey, Hood River, Jefferson, Klamath, Lake, Lincoln, Malheur, Morrow, Sherman, Tillamook, Umatilla, Union, Wallowa, Wasco and Wheeler Counties

**340-23-055** Open burning prohibitions for the counties of Baker, Clatsop, Crook, Curry, Deschutes, Gallium, Grant, Hamey, Hood River, Jefferson, Klamath, Lake, Lincoln, Malheur, Morrow, Sherman, Tillamook, Umatilla, Union, Wallowa, Wasco and Wheeler:

- (1) Industrial open burning is prohibited except as provided in OAR 340-23-100.
- (2) Agricultural open burning:
  - (a) In Baker, Crook, Deschutes, Gallium, Grant, Hamey, Hood River, Jefferson, Klamath, Lake, Malheur, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco and Wheeler Counties, agricultural open burning is allowed under this Division subject to OAR 340-23-040(5).
  - (b) In Clatsop, Curry, Lincoln and Tillamook Counties agricultural open burning is allowed subject to OAR 340-23-040, 340-23-042 and 340-23-043, and the requirements and prohibitions of local jurisdictions and the State Fire Marshal.
- (3) Commercial open burning is allowed subject to OAR 340-23-040, 340-23-042 and 340-23-043, and the requirements and prohibitions of local jurisdictions and the State Fire Marshal, except that, unless authorized pursuant to OAR 340-23-100, all commercial open burning is prohibited in or within three (3) miles of the corporate city limits of the following cities:
  - (a) In Baker County, the City of Baker.
  - (b) In Clatsop County, the Cities of Astoria and Seaside.
  - (c) In Crook County, the City of Prineville,
  - (d) In Curry County, the City of Brookings
  - (e) In Deschutes County, the Cities of Bend and Redmond,
  - (f) In Hood River County, the City of Hood River,
  - (g) In Klamath County, the City of Klamath Falls.
  - (h) In Lincoln County, the Cities of Lincoln City and Newport.
  - (i) In Malheur County, the City of Ontario.
  - (j) In Umatilla County, the Cities of Hermiston, Milton-Freewater and Pendleton.
  - (k) In Union County, the City of La Grande.
  - (l) In Wasco County, the City of The Dalles.
- (4) Construction and Demolition open burning is allowed subject to the requirements and prohibitions of local jurisdictions, the State Fire

Marshal, OAR 340-23-040, 340-23-042 and 340-23-043, except that, unless authorized pursuant to OAR 340-23-100, Construction and Demolition open burning is prohibited in or within three (3) miles of the corporate city limits of the following cities:

- (a) In Baker County, the City of Baker,
  - (b) In Clatsop County, the City of Astoria.
  - (c) In Crook County, the City of Prineville.
  - (d) In Curry County, the City of Brookings.
  - (e) In Deschutes County, the Cities of Bend and Redmond.
  - (f) In Hood River County, the City of Hood River.
  - (g) In Klamath County, the City of Klamath Falls.
  - (h) In Malheur County, the City of Ontario.
  - (i) In Umatilla County, the Cities of Hermiston, Milton-Freewater and Pendleton.
  - (j) In Union County, the City of La Grande.
  - (k) In Wasco County, the City of The Dalles.
- (5) Domestic open burning is allowed subject to the requirements and prohibitions of local jurisdictions, the State Fire Marshal, and OAR 340-23-040, 340-23-042 and 340-23-043.

[NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-20-047.]

Stat. Auth.: ORS Ch. 468 & 468A  
Hist.: DEQ 27-1981, f. & ef. 9-8-81; AQ 18-1992, f. & ef. 3-11-92; AQ 1-1993, f. & ef. 3-9-93

Benton, Linn, Marion, Polk, and Yamhill Counties

**340-23-060** Open burning prohibitions for Benton, Linn, Marion, Polk, and Yamhill Counties which form a part of the Willamette Valley open burning control area described in OAR 340-23-115:

- (1) Industrial open burning is prohibited except as provided in OAR 340-23-100.
- (2) Agricultural open burning is allowed subject to OAR 340-23-040, 340-23-042 and 340-23-043, and the requirements and prohibitions of local jurisdictions and the State Fire Marshal:
  - (a) Agricultural open burning within the purview of this rule will be prohibited between July 15 and September 15 unless specifically authorized by the Department on a particular day.
  - (b) Burning hours are during daylight hours unless otherwise set by the Department. Large piles of land clearing debris or stumps shall be handled in accordance with OAR 340-23-040(4)(c) and may be a one , without addition of new waste material, to burn after hours and into prohibition condition days.

**OREGON ADMINISTRATIVE RULES**  
**CHAPTER 340, DIVISION 23 - DEPARTMENT OF ENVIRONMENTAL QUALITY**

- (3) Commercial open burning is prohibited except as provided in OAR 340-23-100.
- (4) Construction and Demolition open burning is allowed outside of special control areas subject to the requirements and prohibitions of local jurisdictions, the State Fire Marshal, OAR 340-23-040, 340-23-042 and 340-23-043. Unless authorized pursuant to OAR 340-23-100, Construction and Demolition open burning is prohibited within special control areas including the following:
- (a) Areas in or within six (6) miles of the corporate city limit of:
    - (A) in Marion County, the cities of Salem and Kaiser.
    - (B) in Polk County, the city of Salem.
  - (b) Areas in or within three (3) miles of the corporate city limit of:
    - (A) In Benton County, the Cities of Albany, Corvallis and Philomath.
    - (B) In Linn County, the Cities of Albany, Brownsville, Harrisburg, Lebanon, Mill City and Sweet Home.
    - (C) In Marion County the Cities of Aumsville, Gervais, Hubbard, Jefferson, Mill City, Mt. Angel, Silverton, Stayton, Sublimity, Turner and Woodburn.
    - (D) In Polk County, the Cities of Dalles Independence, Monmouth and Willamina.
    - (E) In Yamhill County, the cities of Amity, Carlton, Dayton, Dundee, Lafayette, McMinnville, Newberg, Sheridan and Willamina.
- (5) Domestic open burning:
- (a) As generally depicted in Figure 1 of OAR 340-23-115, domestic open burning is prohibited in the special control areas named in section (4) of this rule except that open burning of yard debris is allowed beginning March first and ending June fifteenth inclusive, and beginning October first and ending December fifteenth, inclusive, subject to OAR 340-23-040 and 340-23-042 and the requirements and prohibitions of local jurisdictions and the State Fire Marshal.
  - (b) Domestic open burning is allowed outside of special control areas named in section (4) of this rule subject to OAR 340-23-040, 340-23-042 and 340-23-043, and the requirements and prohibitions of local jurisdictions and the State Fire Marshal.
  - (c) No person shall cause or allow to be initiated maintained any domestic open burning other than during daylight hours between 7:30 a.m. and two hours before sunset unless

otherwise specified by the Department pursuant to OAR 340-23-043.

[NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-20-047.1

Stat. Auth.: ORS Ch. 468 & 468A

Hist.: DEQ 27-1981, f. & ef. 9-8-81; DEQ 10-1984, f. 5-29-84, ef. 6-16-84; AQ 18-1992, f. & cf. 3-11-92, AQ 1-1993, F. & ef. 3-9-93; DEQ 14-1995, f. & ef. 5-25-95

**Clackamas County**

**340-23-065 Open burning prohibitions for**

**Clackamas County:**

- (1) Industrial open burning is prohibited except as provided in OAR 340-23-100.
- (2) Agricultural open burning is allowed subject to OAR 340-23-040, 340-23-042 and 340-23-043, and the requirements and prohibitions of local jurisdictions and the State Fire Marshal:
  - (a) Agricultural open burning within the purview of this rule will be prohibited between July 15 and September 15 unless specifically authorized by the Department on a particular day.
  - (b) Burning hours are during daylight hours unless otherwise set by the Department. Large piles of land clearing debris or stumps shall be handled in accordance with OAR 340-23-040(4)(c) and may be allowed, without addition of new waste material, to burn after hours and into prohibition condition days.
- (3) Commercial open burning is prohibited except as may be provided by OAR 340-23-100.
- (4) Construction and Demolition open burning is allowed outside of special control areas subject to OAR 340-23-040, 340-23-042 and 340-23-043, and the requirements and prohibitions of local jurisdictions and the State Fire Marshal. Unless authorized pursuant to OAR 340-23-100, Construction and Demolition open burning is prohibited within special control areas including the following:
  - (a) Areas in or within six (6) miles of the corporate city limits of Gladstone, Happy Valley, Lake Oswego, Milwaukie, Oregon City, Portland, Rivergrove, Tualatin, West Linn and Wilsonville.
  - (b) Areas in or within three (3) miles of the corporate city limits of Canby, Estacada, Gresham, Molalla and Sandy.
- (5) Domestic open burning:
  - (a) Those areas where domestic burning is always prohibited:  
(unless authorized under 340-23-100):  
Beginning at the trisection of the Clackamas-Multnomah- Washington County Line; thence east



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and then northerly and then east following the Clackamas-Multnomah County Line to the intersection with the northwest corner of Section 27, T1S, R2E; thence south to the midpoint of the western boundary of Section 3, T2S, R2E; thence on a line east approximately 1/4 of a mile; thence south to the southern boundary of Section 3, T2S, R2E and the corner of Camp Withycombe (Oregon National Guard); thence west approximately 1/4 mile to the midpoint of the southern boundary of Section 3, T2S, R2E; thence on a line south to the Clackamas River and the Metropolitan Service District (METRO) Boundary as defined in Oregon Revised Statutes (ORS) Chapter 268.125; thence following the METRO Boundary first southerly and then westerly to the intersection with the Willamette River, excepting that portion listed in subsection (b)(2); thence northeasterly along the Willamette River to the confluence with the Tualatin River; thence northwesterly along the Tualatin River to the intersection with U.S. Interstate Highway 205 (I-205); thence westerly along I-205 to the intersection with the Clackamas-Washington County Line; thence north along the Clackamas-Washington County Line to the trisection of the Clackamas-Multnomah-Washington County Line, the point of beginning.

(b) Those areas where domestic open burning is prohibited except for the burning of yard debris between March 1 and June 15, and between October 1 and December 15, subject to OAR 340-23-040, -042, and -043 and the requirements and prohibitions of local jurisdictions and the State Fire Marshal, are the areas that lie within both Clackamas County and the METRO Boundary and are not included in OAR 340-23-065(a). Specifically, those areas are listed as follows:

(A) The area beginning at the point on the Clackamas-Washington County Line where it is intersected by I-205; thence easterly along I-205 to the intersection with the Tualatin River; thence southeasterly along the Tualatin River to the confluence with the Willamette River; thence southerly along the Willamette River to the intersection with the northern boundary of Section 15, T3S, R1E; thence west to the northwest corner of Section 15, T3S, R1E; thence north to the northwest corner of Section 10, T3S, R1E; thence west to the northwest corner of Section 9, T3S, R1E; thence north to the northwest corner of Section 4, T3S, R1E; thence west to the intersection with the Clackamas-Washington County Line; thence north to the intersection with I-205, the point of beginning.

(B) The area bounded by Henrici Road on the south; Highway 213 on the west; Beaver Creek Road on the east; and the southern

boundary of Clackamas Community College on the north.

(C) The area beginning at the point where the Clackamas-Multnomah County Line intersects the northwest corner of Section 27, T1S, R2E; thence south to the midpoint of the western boundary of Section 3, T2S, R2E; thence on a line east approximately 1/4 of a mile; thence south to the southern boundary of Section 3, T2S, R2E and the corner of Camp Withycombe; thence west 1/4 mile to the midpoint of the southern boundary of Section 3, T2S, R2E; thence on a line south to the Clackamas River; thence easterly along the Clackamas River to the intersection with the western boundary of Section 18, T2S, R3E; thence north to the northwest corner of Section 18, T2S, R3E; thence east to the northwest corner of Section 14, T2S, R3E; thence north to the northwest corner of Section 11, T2S, R3E; thence east to the intersection with Epperson Road; thence north-northwesterly along Epperson Road to the intersection with the Clackamas-Multnomah County Line at the northern boundary of Section 29, T1S, R2E; thence west along the county line to the northwest corner of Section 27, T1S, R2E, the point of beginning.

(c) Domestic open burning is allowed in all other areas of Clackamas County subject to OAR 340-23-040 and 340-23-042 and the requirements and prohibitions of local jurisdictions and the State Fire Marshal.

(d) No person shall cause or allow to be initiated or maintained any domestic open burning other than during daylight hours between 7:30 a.m. and two hours before sunset unless otherwise specified by Department pursuant to OAR 340-23-043.

(NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-20-047.1

Stat. Auth.: ORS Ch. 468 & 468A

Hist.: DEQ 27-1981, f. & ef. 9-8-81; DEQ 10-1984, f. 5-29-84, ef. 6-16-84; AQ 18-1992, f. & ef. 3-11-92, AQ 1-1993, f. & ef. 3-9-93; DEQ 14-1995, f. & ef. 5-25-95

#### Multnomah County

#### 340-23-070 Open burning prohibitions for Multnomah County:

- (1) Industrial open burning is prohibited except as provided in OAR 340-23-100.
- (2) Agricultural open burning is allowed subject to OAR 340-23-040, 340-23-042 and 340-23-043, and the requirements and prohibitions of local jurisdictions and the State Fire Marshal:
  - (a) Agricultural open burning within the purview of this rule will be prohibited between July

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15 and September 15 unless specifically authorized by the Department on a particular day.

- (b) Burning hours are during daylight hours unless otherwise set by the Department. Large piles of land clearing debris or stumps shall be handled in accordance with OAR 340-23-040(4)(c) and may be allowed, without addition of new waste material, to burn after hours and into prohibition condition days.
- (3) Commercial -open burning is prohibited except provided in OAR 340-23-100.
- (4) Construction and Demolition open burning, unless authorized pursuant to OAR 340-23-100, is prohibited west of the Sandy River but is allowed east of the Sandy River subject to OAR 340-23-040, 340-23-042 and 340-23-043, and the requirements and prohibitions of local jurisdictions and the State Fire Marshal.
- (5) Domestic open burning:
  - (a) Those areas where open burning is always prohibited (unless authorized by 340-23-100):
    - (A) The area encompassed by the line beginning at the point where the Multnomah, Clackamas, and Washington County lines meet at a trisection; thence east and then north and then east along the Multnomah-Clackamas County Line to the intersection with SE 172nd Avenue; thence north along SE 172nd Avenue to the intersection with SE Foster Road; thence southeasterly along SE Foster Road to the intersection with Jenne Road; thence northeasterly along Jenne Road to the intersection with SE 17th Avenue; thence north along SE 17th Avenue to the intersection with SE Marie Street; thence east along SE Marie Street to the intersection with SE 182nd Avenue; thence north along SE 182nd Avenue and continuing north as SE 182nd Avenue merges into SE 181st Avenue and then turns into NE 181st Avenue to the intersection with NE Sandy Boulevard; thence easterly along NE Sandy Boulevard to the intersection with NE 185th Drive; thence north along NE 185th Drive to the intersection with Marine Drive; thence continuing on a line due north to the Columbia River and the state line, thence following the Columbia River and the state line to the confluence of the Columbia and Willamette Rivers; thence along the Willamette River to the confluence with the Multnomah Channel and the Portland City Limits; thence following the Portland City Limits generally southerly to the intersection with Section 27, TIN, RIW

and the Multnomah-Washington County Line thence following the Multnomah-Washington County Line southwesterly and then south to the trisection of the Multnomah-Clackamas-Washington County Line, the point of beginning.

(B) All areas in northwest Multnomah County that are not contained within a known Fire Protection District.

(C) The Burlington Water District.

- (b) Those areas where domestic open burning is prohibited except for the burning of yard debris between March 1 and June 15, and between October 1 and December 15, subject to OAR 340-23-040, -042, and -043 and the requirements and prohibitions of local jurisdictions and the State Fire Marshal, are the areas within Multnomah County that lie west of the Sandy River and are not included in OAR 340-23-070(a).
- (c) Domestic open burning is allowed east of the Sandy River subject to OAR 340-23-040, 340-23-042 and 340-23-043, and the requirements and prohibitions of local jurisdictions and the State Fire Marshal.
- (d) No person shall cause or allow to be initiated or maintained any domestic open burning other than during daylight hours between 7:30 a.m. and two hours before sunset unless otherwise specified by Department pursuant to OAR 340-23-043.

(NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-20-047.)

Stat. Auth.: ORS Ch. 468 & 468A  
Hist.: DEQ 27-1981, f. & ef. 9-8-81; DEQ 10-1984, f. 5-29-84, ef. 8-16-84; AQ 18-1992, f. & ef. 3-11-92; AQ 1-1993, f. & ef. 3-9-93. DEQ 14-1995, f. & ef. 5-25-95

**Washington County**

**340-23-075 Open burning prohibitions for**

**Washington County:**

- (1) Industrial open burning is prohibited except as provided in OAR 340-23-100.
- (2) Agricultural open burning is allowed subject to OAR 340-23-040, 340-23-042 and 340-23-043, and the requirements and prohibitions of local jurisdictions and the State Fire Marshal:
  - (a) Agricultural open burning within the purview of this rule will be prohibited between July 15 and September 15 unless specifically authorized by the Department on a particular day.
  - (b) Burning hours are during daylight hours unless otherwise set by the Department. Large piles of land clearing debris or stumps shall be handled in accordance with OAR 340-23-040(4)(c) and may be allowed, without addition of new waste material, to

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burn after hours into prohibition condition days.

- (3) Commercial open burning is prohibited except as may be provided by OAR 340-23-100.
- (4) Construction and Demolition open burning, unless authorized pursuant to OAR 340-23-100, is prohibited in all incorporated areas and areas within rural fire protection districts. Construction and demolition open burning is allowed in all other areas subject to OAR 340-23-040, 340-23-042 and 340-23-043, and the requirements and prohibitions of local jurisdictions and the State Fire Marshal.
- (5) Domestic open burning:
- (a) The area where open burning is always prohibited (unless authorized by 340-23-100): Beginning at the point where U.S. Interstate Highway 205 (I-205) intersects the Washington-Clackamas County Line; thence west along I-205 to the Tualatin City Limits; thence following along the Tualatin City Limits westerly, southerly, westerly and northerly to the intersection with U.S. Highway 99; thence northerly along U.S. Highway 99 to the intersection with the Metropolitan Service District (METRO) Boundary as defined in Oregon Revised Statutes (ORS) Chapter 268.125; thence following the METRO Boundary generally northerly and westerly to the intersection with the Tualatin Valley Highway; thence westerly along the Tualatin Valley Highway to the intersection with the western boundary of Section 11, T1S, R2W; thence north to the northwest corner Section 2, T1S, R2W; thence east to the northwest corner of Section 1, T1S, R2W; thence north to the intersection with U.S. Highway 26; thence northwesterly along U.S. Highway 26 to the intersection with Cornelius Pass Road; thence northeasterly along Cornelius Pass Road to the intersection with the northern boundary of Section 23, T1N, R2W; thence east approximately 115 miles along the northern boundary of Section 23, T1N, R2W to the southernmost point of the Orchard; thence north following the eastern boundary of the Orchard to the intersection with West Union Road; thence southeasterly and then easterly along West Union Road approximately 1.1 miles to a point approximately 1/4 mile west of the eastern boundary of Section 24, T1N, R2W; thence north on a line approximately 1000 feet; thence northeasterly on a line approximately 1/4 mile to the intersection of NW 185th Avenue and NW Springville Road; thence northeasterly along NW Springville Road approximately 1/4 mile to the one-quarter point of the northern boundary of Section 19, T1N, R1W; thence north approximately 400 feet; thence east to the intersection with NW 185th Avenue; thence north along 185th Avenue approximately 800 feet to the one-quarter point of the western boundary of Section 18, T1N, R1W; thence gradually northeasterly such that the Rock Creek Campus of Portland Community College is within the boundary approximately 1/2 mile to the midpoint of Section 18, T1N, R1W; thence south following the eastern boundary of the Rock Creek Campus of Portland Community College and continuing on a line due south to the intersection with NW Springville Road and the southern boundary of Section 18, T1N, R1W; thence northeasterly along NW Springville Road to the intersection with the Washington-Multnomah County Line; thence following the Washington County line southeasterly and then southerly to the point where the Washington-Clackamas County Line intersects I-205, the point of beginning.
- (b) Those areas where domestic open burning is prohibited except for the burning of yard debris between March 1 and June 15, and between October 1 and December 15, subject to OAR 340-23-040, -042, and -043 and the requirements and prohibitions of local jurisdictions and the State Fire Marshal:
- (A) All incorporated areas in Washington County not listed in OAR 340-23-075(a) or OAR 340-23-075(c).
- (B) All unincorporated areas within known municipal or rural fire districts.
- (c) Those areas where domestic burning is allowed, subject to OAR 340-23-040, and -042 and the requirements and prohibitions of local jurisdictions and the State Fire Marshal:
- (A) The area enclosed by a line beginning at the point where Highway 26 intersects the western boundary of Section 24, T2N, R4W; thence north to the northwest corner of Section 13, T2N, R4W; thence east to the midpoint of the northern boundary of Section 16, T2N, R3W; thence on a line south to the middle of Section 21, T2N, R3W; thence east to the intersection with the midpoint of the western boundary of Section 22, T2N, R3W; thence south to the southwest corner of Section 22, T2N, R3W; thence continuing south to the northern boundary of Washington County Donation Land Claim (DLC) #44; thence east south and east following the northern boundary of Washington County DLC #44 to the eastern boundary of Washington County DLC #44; thence southwesterly along the eastern boundary of DLC #44 to the intersection with DLC Plot #76; thence continuing southwesterly along the eastern boundary of DLC #76 to the intersection with the Burlington Northern Railroad Line; thence northwesterly along the Burlington Northern

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Railroad Line to the intersection with the southern boundary of Section 32, T2N, R4W; thence west to the southwest corner of Section 36, T2N, R4W; thence north to the point where Highway 26 intersects the western boundary of Section 24, T2N, R4W, the point of beginning.

- (B) All unincorporated areas of Washington County outside of municipal or rural fire districts.
- (d) No person shall cause or allow to be initiated or maintained any domestic open burning other than during daylight hours between 7:30 a.m. and two hours before sunset unless otherwise specified by Department pursuant to OAR 340-23-043.

[NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-20-047.]

Stat. Auth.: ORS Ch. 468 & 468A

Hist.: DEQ 27-1981, f. & ef. 9-8-81; DEQ 10-1984, f. 5-29-84, ef. 6-16-84; AQ 18-1992, f. & ef. 3-11-92; AQ 1-1993, f. & ef. 3-9-93; DEQ 14-1995, f. & ef. 5-25-95

**Columbia County**

**340-23-080 Open burning prohibitions for Columbia County:**

- (1) Industrial open burning is prohibited unless authorized pursuant to OAR 340-23-100.
- (2) Agricultural open burning is allowed subject to OAR 340-23-040, 340-23-042 and 340-23-043, and the requirements and prohibitions of local jurisdictions and the State Fire Marshall.
- (3) Commercial open burning is prohibited unless authorized pursuant to OAR 340-23-100.
- (4) Construction and demolition open burning:
  - (a) Unless authorized pursuant to OAR 340-23-100, Construction and Demolition open burning is prohibited in and within three (3) miles of the city limits of Clatskanie, Rainier, St. Helens, Scappoose and Vernonia.
  - (b) Construction and Demolition open burning is allowed in all other parts of Columbia County subject to OAR 340-23-040, 340-23-042 and 340-23-043, and the requirements and prohibitions of local jurisdictions and the State Fire Marshal.
- (5) Domestic open burning is allowed subject to OAR 340-23-040, 340-23-042 and 340-23-043, and the requirements and prohibitions of local jurisdictions and the State Fire Marshal.

[NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-20-047.]

Stat. Auth.: ORS Ch. 468 & 468A

Hist.: DEQ 27-1981, f. & ef. 9-8-81; AQ 1-1993, f. & ef. 3-9-93

**Lane County**

**340-23-085 Open burning prohibitions for Lane County.** That portion of Lane County east of Range 7 West, Willamette Meridian, forms a part of the Willamette Valley open burning control area as generally described in OAR 340-23-115(5) and depicted in Figure 2:

- (1) The miles and regulations of the Lane Regional Air Pollution authority shall apply to all open burning in Lane County provided such rules are no less stringent than the provisions of this Division except that the Lane Regional Air Pollution Authority may not regulate agricultural open burning.
- (2) Industrial open burning is prohibited unless authorized pursuant to OAR 340-23-100.
- (3) Agricultural open burning is allowed subject to OAR 340-23-040, 340-23-042 and 340-23-043, and the requirements and prohibitions of local jurisdictions and the State Fire Marshal:
  - (a) Agricultural open burning within the purview of this rule will be prohibited between July 15 and September 15 unless specifically authorized by the Department on a particular day.
  - (b) Burning hours are during daylight hours unless otherwise set by the Department. Large piles of land clearing debris or stumps shall be handled in accordance with OAR 340-23-040(4)(c) and may be allowed, without addition of new waste material, to burn after hours and into prohibition condition days.
- (4) Commercial open burning, unless authorized pursuant to OAR 340-23-100, is prohibited in Lane County east of Range 7 West Willamette Meridian and in or within three (3) miles of the city limit of Florence on the coast. Commercial open burning is allowed in the remaining areas of Lane County subject to OAR 340-23-040 and 340-23-042 and the requirements and prohibitions of local jurisdictions and the State Fire Marshal.
- (5) Construction and Demolition open burning, unless authorized pursuant to OAR 340-23-100, is prohibited within all fire districts and other areas specified in this section but is allowed elsewhere in Lane County subject to OAR 340-23-040, 340-23-042 and 340-23-043, and the requirements and prohibitions of local jurisdictions and the State Fire Marshal. Areas where open burning of construction and demolition waste is prohibited include:
  - (a) Bailey-Spencer RFPD;
  - (b) Coburg RFPD;
  - (c) Cottage Grove;
  - (d) Creswell RFPD;
  - (e) Crow Valley RFPD;
  - (f) Dexter RFPD except that portion east of the Willamette Meridian;

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- (g) Elmira-Noti RFPD except that portion west of the line between Range 6 West and Range 7 West;
- (h) Eugene Fire District;
- (i) Eugene RFPD No. 1;
- (j) Goshen RFPD;
- (k) Junction City Fire District;
- (l) Junction City RFPD;
- (m) Lane RFPD No. 1;
- (n) Lowell RFPD;
- (o) Marcola RFPD;
- (p) McKenzie RFPD except that portion east of the Willamette Meridian;
- (q) Monroe RFPD that portion within Lane County;
- (r) Oakridge RFPD;
- (s) Pleasant Hill RFPD;
- (t) South Lane RFPD;
- (u) Springfield Fire Department and those areas protected by the Springfield Fire Department;
- (v) That portion of Western Lane Forest Protection District north of Section 1 1, T19S, R4W and bordering the City of Eugene and/or Crow Valley, Eugene #1, Goshen and Creswell RFPDS;
- (w) Willakenzie RFPD;
- (x) Zumwalt RFPD;
- (y) Those unprotected areas which are surrounded by or are bordered on all sides by any of the above listed fire protection districts or by Eastern Lane Forest Protection District.
- (6) Domestic open burning:
- (a) Domestic open burning outside the fire districts listed in section (5) of this rule is allowed subject to OAR 340-23-040, 340-23-042 and 340-23-043, and the requirements and prohibitions of local jurisdictions and the State Fire -Marshal.
- (b) Domestic open burning is prohibited within all fire districts listed in section (5) of this rule -except that open burning of yard debris is allowed subject to OAR 340-23-040, 340-23-042 and 340-23-043, and the requirements and prohibitions of local jurisdictions and the State Fire Marshal.
- (c) Refer to Lane Regional Air Pollution Authority open burning rules for specific seasons and hours for domestic open burning.
- Coos, Douglas, Jackson and Josephine Counties
- 340-23-090 Open burning prohibitions for Coos, Douglas, Jackson and Josephine Counties:
- (1) Open burning control areas:
- (a) The Coos Bay open burning control area as generally described in OAR 340-23-115 and depicted in Figure 3 is located in Coos County.
- (b) The Umpqua Basin open burning control area as generally described in OAR 340-23-115, and depicted in Figure 5, is located in Douglas County.
- (c) The Rogue Basin open burning control area as generally described in OAR 340-23-115 and depicted in Figure 4, is located in Jackson and Josephine Counties.
- (2) Industrial open burning is prohibited unless authorized pursuant to OAR 340-23-100.
- (3) Agricultural open burning is allowed subject to OAR 340-23-040, 340-23-042, 340-23-043 and 340-23-090(7), and the requirements and prohibitions of local jurisdictions and the State Fire Marshal.
- (4) Commercial open burning is prohibited within the Coos Bay, Umpqua Basin and Rogue Basin open burning control areas and in or within three (3) miles of the corporate city limits of Coquille and Reedsport unless authorized pursuant to OAR 340-23-100. Commercial open burning is allowed in all other areas of these counties subject to OAR 340-23-040, 340-23-042 and 340-23-043 and the requirements and prohibitions of local jurisdictions and the State Fire Marshal.
- (5) Construction and Demolition open burning is prohibited within the Coos Bay, Umpqua Basin and Rogue Basin open burning control areas unless authorized pursuant to OAR 340-23-100. Construction and Demolition open burning is allowed in other areas of these counties subject to OAR 340-23-040, 340-23-042 and 340-23-043, and the requirements and prohibitions of local jurisdictions and the State Fire Marshal.
- (6) Domestic open burning is allowed subject to OAR 340-23-040, 340-23-042, 340-23-043 and 340-23090(7), and the requirements and prohibitions of local jurisdictions and the State Fire Marshal.
- (7) Upon publication by EPA of notice in the Federal Register that the Medford-Ashland Air Quality Maintenance Area or the Grants Pass Urban Growth Area or the Grants Pass Urban Growth Area has failed to attain the National Ambient Air Quality Standard for PM<sub>10</sub> by the attainment date required in the Clean Air Act, all open burning is prohibited within the Rogue Basin open burning control area during November, December, January, and February unless authorized pursuant to 340-23-100.

[NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-20-047.]

Stat. Auth.: ORS Ch. 468 & 468A  
Hist.: DEQ 27-1981, f. & ef. 9-8-81; DEQ 10-1984, f. 5-29-84, ef. 6-16-84; AQ 18-1992, f. & ef. 3-11-92; AQ 1-1993, f. & ef. 3-9-93

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(NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the Environmental Quality Commission under OAR 340-20-047.)

Stat. Auth.: ORS Ch. 468 & 468A  
Hist.: DEQ 27-1981, f. & ef. 9-8-81; AQ 3-1992, f. & ef. 11-13-91  
AQ 1-1993, f. & ef. 3-9-93

**Letter Permits**

**340-23-100**

- (1) Open Burning of commercial, industrial, construction or demolition waste on a singly occurring or infrequent basis or the open burning of yard debris which is otherwise prohibited, may be permitted by a letter permit issued by the Department in accordance with this rule and subject to OAR 340-23-040, 340-23-042 and 340-23-043, and the requirements and prohibitions of local jurisdictions and the State Fire Marshal. OAR 340-14-025, 340-20-140, and 340-20-150 through 340-20-185 shall not apply.
- (2) A letter permit may only be issued on the basis of a written application for disposal of material by burning which has been approved by the Department. Each application for a letter permit shall contain the following items:
  - (a) The quantity and type of material proposed to be burned;
  - (b) A listing of all alternative disposal methods and potential costs which have been identified or investigated;

**Appendix B**  
**City of Oakland**  
**Debris Removal**  
**Permit Information**

**CITY OF OAKLAND  
DEBRIS REMOVAL PERMIT INFORMATION  
FOR OWNERS AND CONTRACTORS ACTING INDEPENDENTLY OF THE  
CITY IN THE FIRE-DAMAGED HILL AREA**

1. Starting Tuesday, November 19, 1991, owners and their contractors will be required to obtain a DEBRIS REMOVAL PERMIT to clean privately-owned property in the Oakland Hills Fire-damaged Area. This also includes work underway. There will be no fee for this permit.
2. DEBRIS REMOVAL PERMITS will be issued from the Community Assistance Center, 5354 Claremont Avenue, Oakland at the Public Works table.
3. Permits will be issued to the property owner or the property owner's representative, such as a contractor, subject to the owner's authorization and permission to enter the subject property.
4. Contractors representing owners must show proof of a Business Tax Certificate that authorizes the company or individual to do business in the City of Oakland.
5. A State contractor's license is not required to do general fire cleanup work.
6. An employer must show proof of Workers' Compensation Certificate.
7. No bonding requirements will be set by the City, but the owner takes responsibility for all work related to such cleanup performed privately and should obtain prudent assurance from a contractor or other workers that all work will be performed up to City, state, and federal standards and the amended emergency order number 3.
8. Failure to abide by the debris removal standards may result in the owner or contractor being cited and/or a \$1000 penalty being levied: plus withholding of any other cleanup or property development permits to the permittee until all penalties are paid.
9. Debris must be sprayed with water and kept wet to prevent possible health hazards from airborne dust and contaminants. If the particular lot being cleaned does not have an operating water connection, permittee must bring water to the property. Connection to a nearby East Bay Municipal Utility District (EBMUD) hydrant may be accessed by signing out for a hydrant meter from the EBMUD business office at 395 - 11th St. in downtown Oakland (ph: 451-3440). A deposit is required for a 1" or 3" meter and billing is based on a rental and usage fee.
10. Non-hazardous debris may be disposed of properly by calling the Oakland Scavenger Company at 562-1673 for a debris box or by delivering the material safely to the Davis Street Transfer Station, 2615 Davis Street, San Leandro. The Transfer Station is open 7 days a week, except holidays, 8:00 a.m. to 5:00 p.m. Call 638-2303 for information, including information about payment and accounting.

**Contractors are required to certify in writing at the landfill that "NO HAZARDOUS WASTE, NO HOUSEHOLD HAZARDOUS WASTE, AND NO LIQUIDS ARE CONTAINED IN ANY LOAD OF DEBRIS."**

Salvageable metals, bricks, and wood should be separated and recycled.



11. All owners or contractors performing debris removal must bring a certificate to the Public Works Permit representative at the Community Assistance Center with a statement from the garbage disposal operator acknowledging receipt of the fire damaged debris, with date, times, amount (truck loads) received.
12. After clean up, covering of the disturbed areas using erosion control blankets or jute netting is required by the City of Oakland. Other erosion control protection measures are the responsibility of the property owner.
13. A City inspector will verify that all work has been completed properly. Owners or contractors can schedule an inspection at the Community Assistance Center or by calling (510) 273-3055 for inspection.
14. In no case can foundations be removed as part of the cleanup without a supplemental permit for foundation removal. Information on this permit can be obtained at the Community Assistance Center.
15. Upon verification that the cleanup was completed, that appropriate soil erosion measures have been implemented, and that the debris has been disposed of properly, the permit work will be deemed complete by the City.
16. If the lot has been cleaned, call (510) 273-3055 for a City inspector to verify that the lot has been cleaned according to the City standards.
17. Individuals with vacant lots and no debris removal needs should call (510) 273-3055 to confirm that the lot is free from debris.

If you have questions on the cleanup requirements or discover any hazardous materials on your property during the debris removal, please call the Cleanup Hotline at (510) 419-6800.

updated 11/20/91

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**CITY OF OAKLAND  
DEBRIS REMOVAL REQUIREMENTS  
FOR PARCEL OWNERS AND CONTRACTORS ACTING INDEPENDENTLY**

This brief statement of requirements for debris removal is intended for those homeowners who choose to act independently of the City of Oakland cleanup program.

Those individuals or corporations and the contractors in their employ must obtain a Debris Removal Permit. Conditions of the Permit require the following:

1. Meet all regulatory guidelines, including but not limited to:
  - a) California Occupational Health and Safety Administration (Cal-OSHA) and all federal OSHA regulations;
  - b) state and federal Environmental Protection Agency (Cal-EPA and EPA) requirements and regulations regarding waste materials handling; and
  - c) federal Resource Conservation and Recovery Act (RCRA) requirements and regulations regarding disposal of hazardous waste.
2. Remove all debris and ash including broken concrete, loose bricks, and broken glass.
3. Demolish and remove chimneys and unrepairable structures to the foundation level. Foundations, retaining walls, on-grade concrete slabs, and patios must be left in place to help prevent soil erosion and landslides unless deemed unsafe by City engineers. Foundation removal must be in accordance with requirements of the Foundation Removal Permit.
4. Demolish and remove all above-grade building stairways to foundation height.
5. During debris removal and cleanup, all material must be sprayed with water and kept wet to reduce airborne dust and contaminants.
6. Rake clean all dirt areas and sweep improved surfaces.
7. Remove all debris from site and transport it to a legal disposal site willing to accept the debris. Provide satisfactory evidence/receipt to the City that the debris was properly disposed.
8. Maintain existing retaining walls on the property in a safe condition.
9. Protect public facilities and adjacent properties from harm.
10. If debris box is ordered for the debris removal, it must be placed on private property or off the public street travel way.
11. Contact USA Underground Alert to mark all utilities. Property owners should not interfere with such utilities.
12. After cleanup, covering of the disturbed areas using erosion control blankets or jute netting is required by the City of Oakland within five (5) days of debris clearance.
13. Any City installed erosion control measures disturbed by the cleanup must be replaced in kind.
14. Prevent disturbance or destruction of remaining wildlife resources.
15. Protect existing survey monuments and property corners.
16. Comply with all other regulations or laws, of local, state, and federal agencies.

For additional information concerning the cleanup standards, please call 273-3055.  
Property owners should contact their insurers prior to contracting with individual contractors.

## **CAL-OSHA CONCERNS AND REQUIREMENTS FOR DEBRIS CLEARING OPERATIONS**

**HOMEOWNERS OR THEIR CONTRACTORS WHO HAVE EMPLOYEES, EVEN IF ONLY TEMPORARY OR PART-TIME, NEED TO KNOW THAT CAL / OSHA HAS JURISDICTION OVER THE SAFETY AND HEALTH ASPECTS OF EMPLOYEE WORKING CONDITIONS. SOME GUIDELINES ARE NOTED BELOW:**

- **Before work commences, carefully survey the work site to identify possible hazards and to determine safe work procedures. Look for possible toxic materials, unsafe working surfaces and holes which may cause falls and slips, impalement hazards, unstable elevated structures like chimneys and partially damaged buildings, unsupported soil or cave-in hazards, and the capability to keep debris wet during removal.**
- **For contractors conducting debris clearing operations the Construction Safety Orders apply.**
- **If destroyed homes were built or modified between 1920 through the late 1970s, they likely contain asbestos in one or more of the following: heating system insulation, transite siding, roofing felts, drywall joint compounds, floor tiles and floor tile mastic. Although significant portions of the asbestos containing materials were destroyed by the intense heat, some asbestos remains in the debris.**
- **Keep debris wet during clearing operations. This keeps asbestos fibers and dust out of the air and out of the breathing zones of workers.**
- **If you suspect that your home incorporated asbestos containing material and that asbestos containing material still exists in the debris, you can have the suspected material tested by a certified laboratory. If the tests are positive, beyond keeping all the debris wet during removal, you can take the added precaution for yourself and your workers by using an approved, rated dust respirator.**
- **If unknown or partially destroyed chemicals are encountered, leave the area and call a certified toxic waste handler.**
- **Know how to summon emergency assistance for workers.**
- **Provide debris clearing workers with hard hats, safety goggles, approved dust respirators, if necessary, work gloves, preferably canvas and leather, work boots with good ankle protection and protection from protruding nails. Provide drinking water, portable toilets, and hand washing facilities.**
- **Provide other personal protective equipment, if needed, for specific tools.**
- **Provide training and orientation to workers in a language they understand concerning work procedures, potential hazards, and correct work procedures and tool use.**
- **California employers are required to have an Injury and Illness Prevention Program.**
- **Provide close supervision.**

**For additional information, contact CAL / OSHA at (510) 568-8602**

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**Appendix C**  
**Regional Disaster**  
**Debris Management**  
**Plan - Task Matrix**  
**and Timeline**

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**Regional Disaster Debris Management Plan  
Task Matrix and Timeline**

Recommended Practice and Key Elements	Responsible	Assist	Key Dates / Timeline <sup>1</sup>	Location of Information		
				RDDML	RDDMP	Agency
<b>Recommended Practice 1 - Information</b>						
• Inventory of regional solid waste disposal, recycling and processing facilities	M		Completed: TBA Update schedule: Every 2 years	X	X	
• Inventory of regional debris removal resources	ODOT, LG	AC, H, PS	Completed: 1/97 Update schedule: Every 3 years	X	X	X
• Regional market capacity assessment	M		Completed: TBA Update schedule: TBA	X	X	
• Debris tonnage predictions	M	AC, LG	Completed: 3/97 Update schedule: Every 5 years	X	X	
• Inventory of potential temporary debris disposal sites	ODOT, LG	AC, M	Completed: 6/97 Update schedule: Annually	X	X	X
• Prediction of need for Metro hazardous waste services	M	DEQ	Completed: 3/97 Update schedule: Every 5 years	X	X	
• Real-time assessment of system capacity for debris removal	M	LG, H, PS	Completed: 9/96 Update schedule: Every 2 years	X	X	
• Disaster debris management information collection and dissemination	M		Ongoing task	N/A	N/A	N/A

**Legend:**

F = Federal Emergency Management Agency  
AC = U.S. Army Corps of Engineers  
ODOT = Oregon Department of Transportation  
DEQ = Oregon Department of Environmental Quality  
REMG = Regional Emergency Management Group

M = Metro  
LG = Local Government  
H = Hauler  
PS = Private Sector

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RDDML - This information or document is available in the Regional Disaster Debris Management Library, Metro  
RDDMP - This information or document is available as an appendix to the Regional Disaster Debris Management Plan  
Agency - This information or document is on-file at applicable agencies or jurisdictions

<sup>1</sup>The schedule for element updates should be followed barring any circumstances that make it necessary to update, such as a disaster or fundamental change in the solid waste system.

Recommended Practice and Key Elements	Responsible	Assist	Key Dates / Timeline	Location of Information		
				RDDML	RDDMP	Agency
<b>Recommended Practice 2 - Response Phase</b>						
• Response phase strategies development	M	DEQ, ODOT, LG, H, PS	Completed: 10/96 Update schedule: Every 5 years		X	
• Information/communication system guidelines	M	F, AC, DEQ, ODOT, LG, H, PS	Completed: 10/96 Update schedule: Every 5 years		X	
• Designate debris removal coordinators	M, LG		Completed: 1/97 Update schedule: As needed	X		X

Recommended Practice and Key Elements	Responsible	Assist	Key Dates / Timeline	Location of Information		
				RDDML	RDDMP	Agency
<b>Recommended Practice 3 - Recovery Phase</b>						
• Development of guidelines for recovery phase disaster debris management efforts.	DEQ, M, LG	F, AC, ODOT, H, PS	Completed: 10/96 Update schedule: Every 5 years		X	
• Development of guidelines for recovery phase disaster debris collection, processing, and disposal.	M, LG	F, AC, DEQ, ODOT, H, PS	Completed: 10/96 Update schedule: Every 5 years		X	
• Obtain agreements with non-system facilities.	M		Completed: 12/96 Update schedule: Every 2 years			X

Recommended Practice and Key Elements	Responsible	Assist	Key Dates / Timeline	Location of Information		
				RDDML	RDDMP	Agency
<b>Recommended Practice 4 - Fiscal/Financial Arrangements</b>						
• Develop and maintain standard form contracts.	M, LG		Discretionary			X
• Develop and maintain tracking system for disaster debris management expenses.	M, LG		LG - Discretionary M - Completed: 11/96 Update schedule: As needed	X		X
• Develop and maintain tracking system for disaster debris tons.	M		Completed: 3/97 Update schedule: As needed	X		X
• Estimate potential financial responsibilities.	M, LG		LG - Discretionary M - Completed: 9/96 Update schedule: Every 2 years			X
• Develop contingencies for financial arrangements and tipping fees at Metro transfer stations.	M		Completed: TBA Update schedule: Ongoing			X

Recommended Practice and Key Elements	Responsible	Assist	Key Dates / Timeline	Location of Information		
				RDDML	RDDMP	Agency
<b>Recommended Practice 5 - Coordination of Efforts</b>						
<ul style="list-style-type: none"> <li>Establish a regional Memorandum of Understanding for solid waste services after a disaster.</li> </ul>	M	LG, H, PS	Completed: 3/97 Update schedule: As needed	X	X	X
<ul style="list-style-type: none"> <li>Designate administrator for Regional Memorandum of Understanding</li> </ul>	REMG		Completed: 12/96 Update Schedule: As needed	X		
<ul style="list-style-type: none"> <li>Review of Metro agreements with private sector.</li> </ul>	M		Ongoing and as needed			X
<ul style="list-style-type: none"> <li>Prepare mutual aid agreements between local governments.</li> </ul>	LG		Discretionary			X

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**Appendix D**  
**Inventory of Regional**  
**Solid Waste Disposal,**  
**Recycling, and**  
**Processing Facilities\***

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**\*To be added when completed**



**Appendix E**  
**Inventory of Regional**  
**Debris Removal**  
**Resources\***

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**\*To be added when completed**

**Appendix F**  
**Regional Recycling**  
**Market Capacity**  
**Assessment\***

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**\*To be added when completed**

# Appendix G

## Debris Tonnage Predictions\*

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\*To be added when completed

**Appendix H**  
**Inventory of Potential**  
**Temporary Debris**  
**Storage Sites\***

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**\*To be added when completed**

**Appendix I**  
**Prediction of Need**  
**for Metro Hazardous**  
**Waste Services\***

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**\*To be added when completed**

## **Appendix J**

# **Waste Storage and Handling Capacity Analysis for Disaster Debris Management Planning**

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# Waste Storage and Handling Capacity Analysis for Disaster Debris Management Planning

Dawit Solomon, Associate Engineer  
Metro  
July 29, 1996

## Objective

The main objective of this analysis is to evaluate the capability of Metro South Station (MSS), Metro Central Station (MCS), and the Forest Grove Transfer Station (FGS) to store waste on site. The analysis evaluates the available floor space and storage space that can be used on site, including all available drop boxes and transfer trailers. In addition, the haulers' capacity is computed.

## Two scenarios are used:

**Scenario-I:** The facility is unable to transport waste out from the transfer station due to a disaster, such as a fire, explosion, earthquake, or flood. Waste is still accepted from haulers and the compactors are functional and in operation.

**Scenario-II:** The facility is unable to transport waste outside the transfer station due to a disaster, such as a fire, explosion, earthquake, or flood. Waste is still accepted from haulers. All the compactors are down due to power failure or some other major equipment damage.

## Assumptions

In order to quantify the evaluation methodology, several assumptions were made to provide a more definitive problem statement and analysis approach. The following assumptions were made:

- Jack Gray trailers are available for storage whenever the compactors are in operation (50 trailers with 25 of the trailers full at any given time)
- There is no yard debris stored
- There are no recycled materials being accepted
- All recyclable material drop boxes at the MSS and MCS are emptied to provide storage space
- All conditions are regular operating conditions, i.e., no increase in hours open or personnel, etc.
- All incoming waste density is 300 lbs/Cu. Yd. (Non-compacted waste density)
- Incoming waste is at a rate comparable to FY 95-96 rates and no waste is going out of the facilities
- Self-haulers are not allowed to use the facilities

The following assumptions were made in the analysis of each facility's capacity:

### Metro South Transfer Station:

- Pit area available for use: 40 ft. x 110 ft.
- Height of the maximum waste pile above the pit rim: 14 ft.
- Public side of the pit is used as stock piling area: 2/3 of the area with 14 ft high piles.
- Commercial side of the pit is used to stock pile waste: 1/2 of the area at 14 ft high piles.

**Metro Central Transfer Station:**

- Storage piles are 15 ft high since there is equipment available that allows the greater height.
- Wood lines and all tipping floors (Bay-1, Bay-2, Bay-3) are all used as storage areas.

**Forest Grove Transfer Station:**

- All transfer trucks and drop boxes are used for storage.
- Each transfer trailer has a 22 tons capacity.

**Jack Gray Trucking:**

- Half the transfer trailers owned by Jack Gray are used as storage units (100 trailers with 50 trailers at each transfer station with 25 of the trailers full at any given time).
- Each transfer trailers capacity is 29 tons.

**Haulers:**

- All commercial trucks that deliver waste to Metro facilities are used as storage.
- Data made available from Jeff Stone is definitive.
- Each of Metro registered hauler's vehicle capacity is the maximum load delivered on a single visit.
- Total haulers' capacity is equivalent to the total sum of the maximum load of each commercial vehicle that utilizes MSS and MCS.
- During a disaster, haulers are diverted from the transfer stations that are full to the next closest transfer stations until all the transfer stations are full, at which point haulers collect waste and store the waste in their trucks.

**Approach**

In the evaluation of the waste storage and handling capability, two stages were noted where waste can be stored.

**A) Transfer Stations: Pit, tipping floor, transfer trailers, and drop boxes**

Waste can be stored inside the transfer stations (MSS, MCS, FGS). Each facility has a different layout and waste processing methodology. Storage capacity was determined at each facility by determining the available space for storage. This involved measuring floor areas and average waste pile height, inventorying available drop boxes and available transfer trailers, and asking facility operators for information on average drop box tonnage, available storage space, and maximum trailer capacity - specifically in regard to FGS.

**B) Haulers: Trucks, transfer trailers, flat beds, drop boxes, and loaders**

Metro maintains a record of commercial hauler vehicle trips, including the day and time the vehicle utilized one of Metro's facilities and the tonnage disposed at the sites. The data gathered during FY 95-96 was used for this analysis since it reflects the latest information. The capacity of each individual recorded vehicle is determined by the maximum load that specific vehicle delivered at any one time to one of Metro's facilities during FY 95-96. As a result, hauler capacity is determined by adding the maximum load each specific vehicle delivered to Metro.

**Results**

Utilizing the parameters set forth in the assumptions and following the analysis approach indicated above, the following results were obtained. Within the waste stream there is a capability of storing 12,500 -14,000 tons of waste, depending on whether the compactors are operational or not.



**Haulers:** There is a realized storage capacity of 2 day's of waste in the trucks and trailers of haulers. Individual hauler capacity will vary as some hauling companies have few trucks, translating to a relatively small storage capability, while larger companies have a greater number of trucks and trailers available. Larger hauling companies may also have extra trucks that can be mobilized during a disaster.

<b>Haulers Capacity: Includes Metro South &amp; Metro Central</b>				
Site	Storage Means	Tonnage	Avg. Daily Waste Delivered	Equiv. Amt. in Days
Haulers Capacity	Trailers/ Hauler Trucks	3,314	1,641	2.0

**Scenario-I:** Under the working conditions set forth in Scenario-I, the operating period of the waste system would be 6 days of normal weekday delivery of waste. The collection and acceptance of waste would result in FGS reaching its capacity in 1-1/3 day, MSS reaching its capacity in 2-3/4 days and MCS reaching its capacity in 4 days of operation.

<b>Scenario-I: Haulers are diverted from other transfer stations &amp; compactors are functional</b>				
Site	Storage Means	Tonnage	Avg. Daily Waste Delivered	Equiv. Amt. in Days
Forest Grove	Tipping Floor Space	125	204	1.3
	Trailers/Boxes	132	0	
Metro South Jack Grey	Pit + Floor Space	2,497	897	2.75
	Drop Boxes 20 yd. +	270	362	
	Transfer Trailers	870		
Metro Central Jack Grey	Tipping Floor Space	6,077	907	4
	Drop Boxes 20 yd. +	100	385	
	Transfer Trailers	870		
<b>Total</b>		<b>10,900</b>	<b>2,800</b>	<b>N/A</b>

**Scenario-II:** Under the working conditions set forth in Scenario-II, the operating period of the waste system would be 5-1/3 days of normal weekday collection of garbage when the compactors are operational and functioning. The collection and acceptance of waste would result in the FGS reaching its capacity in 1-1/3 days, MSS reaching its capacity in 2 days, and MCS reaching its capacity in 3-1/3 days of operation.

<b>Scenario-II: Haulers are diverted from other transfer stations &amp; compactors are down</b>				
Site	Storage Means	Tonnage	Avg. Daily Waste Delivered	Equiv. Amt. in Days
Forest Grove	Tipping Floor Space	125	204	1.3
	Trailers/Boxes	132	0	
Metro South Jack Grey	Pit + Floor Space	2,497	897	2
	Drop Boxes 20 yd. +	270	362	
	Transfer Trailers	0		
Metro Central Jack Grey	Tipping Floor Space	6,077	907	3.3
	Drop Boxes 20 yd. +	100	385	
	Transfer Trailers	0		
<b>Total</b>		<b>9,200</b>	<b>2,800</b>	<b>N/A</b>

## Conclusion

In conclusion, there are certain factors that should be noted but were not taken into consideration in this analysis due to the complexity of their interaction with the system's capacity. They are as follows:

- Compacted waste density - all stock-piled waste was assumed as loose packed waste
- Additional compaction capability of haulers
- Operational change implementations - operation changes whereby the incoming waste would be compacted and then stock-piled
- Neglected floor space - areas that would normally be occupied by disposed appliances, scrap metal, etc.
- Extra trucks and drop boxes owned by hauler (Over 90% of the hauler drop boxes have been taken into consideration in this analysis.)

Consideration of these factors will increase the storage capacity of the waste system.

Scenario-I	Time(Days)					
Site	1	2	3	4	5	6
Forest Grove	█	█	█	█	█	█
Metro South	█	█	█	█	█	█
Metro Central	█	█	█	█	█	█
Haulers	█	█	█	█	█	█

Scenario-II	Time(Days)					
Site	1	2	3	4	5	6
Forest Grove	█	█	█	█	█	█
Metro South	█	█	█	█	█	█
Metro Central	█	█	█	█	█	█
Haulers	█	█	█	█	█	█

The effect of the compactors being incapacitated reduces the overall operating period during a disaster down by 1 whole day.

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**Appendix K**  
**Documenting and**  
**Tracking Disaster**  
**Debris**

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## **Documenting and Tracking Disaster Debris**

### ***Vouchers***

Tracking disaster debris tonnages and controlling fraud are two concerns after a disaster. One way to help accomplish both is through the implementation of a voucher system. A voucher is a certificate issued by a jurisdiction and given to waste haulers, contractors, and/or citizens (if desired) so that they can deliver disaster-related material to authorized facilities and have that material charged to the jurisdiction's pre-authorized disaster debris account at those facilities. After a disaster, jurisdictions should contact those facilities they wish to authorize for use and make arrangements for a special disaster account to be established for that jurisdiction. (See Attachment K-1 for a sample copy of a voucher)

To help control voucher fraud, the following should be considered:

- Each voucher should be pre-numbered with a unique number and a record made of who each voucher was issued to.
- Vouchers should have the jurisdiction name and logo printed on them.
- Each facility authorized to receive a jurisdiction's vouchers should receive a sample copy of the voucher.
- Measures should be taken to ensure that any pre-made vouchers are kept in a secure place.

### ***Disaster Debris Tickets***

Vouchers may not be suitable for all types of disaster debris tracking. If temporary disposal sites are established for citizens, for example, vouchers would not be necessary nor particularly useful. A better choice would be a system whereby a disaster debris ticket with information such as driver name, address from which the load came, and type of waste is filled out for each load brought to the temporary disposal site. A space should also be provided for the driver's signature verifying the load as disaster debris. (See Attachment K-2 for a sample disaster debris ticket)

Disaster debris tickets can also be used at facilities to record information about incoming loads and verify them as disaster debris. For example, after the February 1996 flood that occurred in northwestern Oregon, the two Metro-owned transfer stations offered a special disposal rate to customers self-hauling their own flood debris to the stations. In order to keep a record of the individual loads brought in, debris tickets were filled out for each load.

***Documentation and Tracking of Disaster Debris After the February 1996  
Northwestern Oregon Flood***

**1. Temporary Disposal Sites**

After the flood, some jurisdictions chose to designate temporary disposal sites and provide free disposal of flood debris to their residents. At each temporary disposal site, a flood debris ticket was filled out for each vehicle that brought debris. The ticket included information about where the load came from, who brought it in, and what it contained, as well as the signature of the driver verifying that the load was flood debris. Each ticket also identified the drop box at the disposal site that the load was dumped into.

Drop boxes from temporary disposal sites were brought to disposal facilities with an official voucher verifying that the contents were flood debris and that the load could be debited to the corresponding jurisdiction's special flood debris account. Vouchers were stapled to their applicable load receipts. Each jurisdiction with a flood debris account was responsible for applying to FEMA for reimbursement of the charges. At some facilities, arrangements were made to delay payment on the accounts until FEMA reimbursement.

Local governments were given record sheets for drop box drivers to record flood debris loads they hauled that would be charged to the jurisdiction's flood debris account. (See Attachment K-3)

**2. Other Local Government-Sponsored Services**

Some jurisdictions paid for drop box loads of flood debris taken directly from a resident's house to a disposal facility. This service was pre-arranged and a voucher given to the drop box driver for disposal. Information about these loads was obtained by the local government.

**3. Self-Haul Loads to Metro Transfer Stations**

Self-haul customers with flood debris from their residences or small businesses were allowed to dump at the Metro transfer stations for a reduced fee. (Five dollars for a car or pick-up load and ten dollars with a trailer.) Flood debris tickets were filled out by the scalehouse technicians for each load that came in. The information gathered was essentially the same as that for the temporary disposal sites. Flood debris tickets were attached to the applicable load receipt and charges debited to a special flood account.

**4. Flood Debris Loads Dumped at Non-Metro-Owned Facilities**

For flexibility and convenience, some local governments made arrangements for flood debris disposal with non-Metro-owned facilities. Some of those arrangements were similar to those that were offered by the Metro transfer stations. Other arrangements were at the discretion of the local government and the disposal facility.

**5. Hazardous Waste at Temporary Disposal Sites**

Drop off for flood-related household hazardous waste was available at the temporary disposal sites. The hazardous waste technicians kept a daily inventory of material brought to each site each day. As some residents brought non-flood-related household hazardous waste to the sites, hazardous waste technicians recorded whether the material was flood-related or non-flood-related when they were at sites to receive the material. When the material was simply dropped off with no technician to receive it, it was not possible to tell what was flood-related and what was not.

**6. Hazardous Waste Received at the Metro Transfer Stations**

Residents bringing flood debris to the transfer stations were able to use the Metro hazardous waste facilities to drop off their household hazardous waste. Hazardous waste technicians were not able to keep flood-related hazardous waste separate from the non-flood-related hazardous waste on any given day. However, the flood debris tickets filled out by the scalehouse technicians were used to determine how many loads of flood-related household hazardous waste came in each day. This information was then used to estimate how much of the hazardous waste received at the facility each day was flood related.

# FLOOD DEBRIS VOUCHER

Voucher #: VOID

Truck #: \_\_\_\_\_



**METRO**

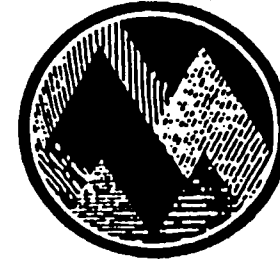
Driver: Present this voucher to a Scalehouse Technician upon arrival at a Metro Transfer Station.

Scalehouse Technician: Attach voucher to load receipt.

# FLOOD DEBRIS VOUCHER

Voucher #: VOID

Truck #: \_\_\_\_\_



**METRO**

Driver: Present this voucher to a Scalehouse Technician upon arrival at a Metro Transfer Station.

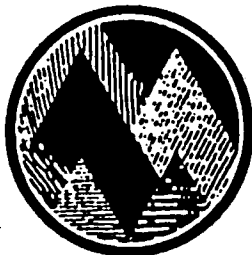
Scalehouse Technician: Attach voucher to load receipt.

Attachment K-1

# FLOOD DEBRIS VOUCHER

Voucher #: VOID

Truck #: \_\_\_\_\_



**METRO**

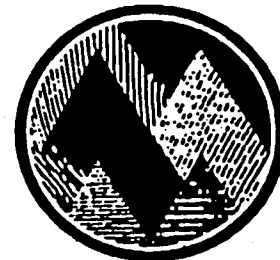
Driver: Present this voucher to a Scalehouse Technician upon arrival at a Metro Transfer Station.

Scalehouse Technician: Attach voucher to load receipt.

# FLOOD DEBRIS VOUCHER

Voucher #: VOID

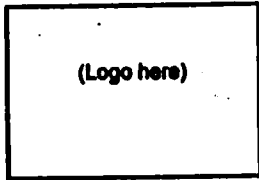
Truck #: \_\_\_\_\_



**METRO**

Driver: Present this voucher to a Scalehouse Technician upon arrival at a Metro Transfer Station.

Scalehouse Technician: Attach voucher to load receipt.



(Logo here)

### FLOOD DEBRIS TICKET

#### Information Questionnaire

Name: \_\_\_\_\_

Home Address: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Load Origin: \_\_\_\_\_ Zip Code: \_\_\_\_\_

\*\* business waste, business address: \_\_\_\_\_

#### Type of Waste (check all that apply):

- Household clean-out
- Small business clean-out
- Household hazardous waste

#### Type of Vehicle (check all that apply):

- Car
- Pick-up
- Other

Hauler: \_\_\_\_\_

Drop Box #: \_\_\_\_\_

Truck #: \_\_\_\_\_

Drop-site Location: \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

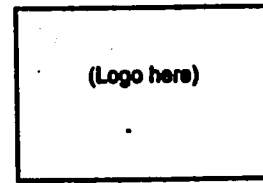
*I hereby testify that the material I have brought to this disposal site is flood-related.*

Driver Signature: \_\_\_\_\_

Jurisdiction Authorization: \_\_\_\_\_

Signature

Print Name



(Logo here)

### FLOOD DEBRIS TICKET

#### Information Questionnaire

Name: \_\_\_\_\_

Home Address: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Load Origin: \_\_\_\_\_ Zip Code: \_\_\_\_\_

If business waste, business address: \_\_\_\_\_

#### Type of Waste (check all that apply):

- Household clean-out
- Small business clean-out
- Household hazardous waste

#### Type of Vehicle (check all that apply)

- Car
- Pick-up
- Other

Hauler: \_\_\_\_\_

Drop Box #: \_\_\_\_\_

Truck #: \_\_\_\_\_

Drop-site Location: \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

*I hereby testify that the material I have brought to this disposal site is flood-related.*

Driver Signature: \_\_\_\_\_

Jurisdiction Authorization: \_\_\_\_\_

Signature

Print Name

Attachment K-2



# TEMPORARY FLOOD DEBRIS DROP SITE

## Drop Box Hauler Record

Hauling Co.: \_\_\_\_\_ Truck #: \_\_\_\_\_

Driver Name: \_\_\_\_\_ Drop-site Location: \_\_\_\_\_

**ATTACH ALL CORRESPONDING DISPOSAL/PROCESSING SITE RECEIPTS TO THIS FORM**

Date	Drop Box #	C.Y. of Box	Jurisdiction Auth. Signature	Time	Receipt Control #

**Appendix L**  
**Memorandum of**  
**Understanding for**  
**Solid Waste Services**  
**After a Disaster\***

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*Agenda Item Number 7.2*

**Ordinance No. 97-686, An Ordinance Amending the FY 1996-97 Budget and Appropriations Schedule by transferring \$233,718 from Contingency to Personal Services and Capital Outlay of the Zoo Operating Fund, and Declaring an Emergency.**

*First Reading*

**Metro Council Meeting  
Thursday April 10, 1997  
Council Chamber**

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING THE FY )  
1996-97 BUDGET AND APPROPRIATIONS )  
SCHEDULE BY TRANSFERRING \$223,718 )  
FROM CONTINGENCY TO PERSONAL )  
SERVICES AND CAPITAL OUTLAY OF )  
THE ZOO OPERATING FUND )  
)

ORDINANCE NO. 97-686

Introduced by  
Mike Burton, Executive Officer

WHEREAS, The Metro Council has reviewed and considered the need to transfer appropriations within the FY 1996-97 Budget; and

WHEREAS, The need for a transfer of appropriation has been justified; and

WHEREAS, Adequate funds exist for other identified needs; now, therefore,

THE METRO COUNCIL HEREBY ORDAINS;

1. That the FY 1996-97 Budget and Schedule of Appropriations are hereby amended as shown in Exhibit A for the purpose of transferring \$223,718 from the Zoo Operating Fund Contingency to various Personal Services and Capital Outlay accounts in the Zoo Operating Fund to meet unanticipated expenses, including costs associated with flood and storm repair, overtime associated with elephant surgery and recovery, and replacement of the HVAC system in the Center for Species Survival.

2. This ordinance being necessary for the immediate preservation of the public health, safety or welfare of the Metro area in order to meet obligations and comply with Oregon Budget Law, an emergency is declared to exist, and this Ordinance takes effect upon passage.

ADOPTED by the Metro Council this \_\_\_\_ day of \_\_\_\_\_, 1997.

\_\_\_\_\_  
Jon Kvistad, Presiding Officer

ATTEST:

Approved as to Form:

\_\_\_\_\_  
Recording Secretary

\_\_\_\_\_  
Daniel B. Cooper, General Counsel

## STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 97-686, AMENDING THE FY 1996-97 BUDGET AND APPROPRIATIONS SCHEDULE FOR THE PURPOSE OF TRANSFERRING \$223,718 FROM CONTINGENCY TO PERSONAL SERVICES AND CAPITAL OUTLAY OF THE ZOO OPERATING FUND; AND DECLARING AN EMERGENCY

Date: March 25, 1997

Presented by: Kathy Kiaunis

### FACTUAL BACKGROUND AND ANALYSIS

This action requests adjustments to the Zoo Operating Fund for the following purposes:

1. Transfer \$223,718 from Contingency as follows:

A.) \$155,718 to Personal Services to fund unanticipated costs associated with flood and storm repair, family leave, completion of a painting project and overtime associated with elephant surgery and recovery.

B.) \$68,000 to Capital Outlay to fund the unanticipated replacement of HVAC system in the Center for Species Survival.

#### Personal Services

Several unanticipated personal services expenditures have occurred that require a budget adjustment. Family leaves have required the back-filling of positions in several Zoo divisions. Flood recovery that carried over into FY 1996-97, other storm repairs, and in-house completion of a painting project abandoned by the contractor required additional temporary staff.

The Zoo also had a senior engineer on loan from Regional Environmental Department to assist with the slide wall project and other projects for a few months. The engineer's salary and benefits were direct charged to the Zoo Operating Fund.

Overtime costs will also exceed budgeted amounts because of vacancies and storm repairs. It is anticipated additional overtime will be needed in the Animal Management division to assist with elephant recovery.

#### Capital Outlay

The HVAC system in the Center for Species Survival unexpectedly required replacement at a cost of \$68,000 due to noise and emission problems.

### EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer recommends approval of Ordinance No. 97-686.

DS:rs

Exhibit A  
Ordinance No. 97-686

## Zoo Operating Fund

FISCAL YEAR 1996-97		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
<u>Personal Services</u>							
511121	SALARIES-REGULAR EMPLOYEES (full time)						
	Senior Director	1.00	97,557		0	1.00	97,557
	Assistant Director	1.00	69,462		0	1.00	69,462
	Managers	3.00	185,171		0	3.00	185,171
	Senior Program Supervisor	2.00	119,896		0	2.00	119,896
	Program Supervisor	2.00	105,872		0	2.00	105,872
	Associate Program Supervisor	2.00	108,290		0	2.00	108,290
	Senior Service Supervisor	2.00	97,260		0	2.00	97,260
	Service Supervisor	1.00	42,945		0	1.00	42,945
	Senior Public Affairs Specialist	1.00	45,117		0	1.00	45,117
	Associate Service Supervisor	8.00	283,653		0	8.00	283,653
	Principal Administrative Service Analyst	1.00	45,166		0	1.00	45,166
	Senior Administrative Service Analyst	1.00	57,075		0	1.00	57,075
	Research Coordinator	1.00	57,075		0	1.00	57,075
	Program Coordinator	2.00	74,658		0	2.00	74,658
	Senior Engineer	0.00	0	0.48	26,275	0.48	26,275
	Senior Service Supervisor	1.00	49,448		0	1.00	49,448
	Asst. Pub. Affairs Specialist	1.00	45,131		0	1.00	45,131
	Associate Management Analyst	1.00	41,416		0	1.00	41,416
	Graphics/Exhibit Designer	1.00	39,840		0	1.00	39,840
	Event Technician	1.00	38,404		0	1.00	38,404
	Catering Coordinator	1.00	37,205		0	1.00	37,205
	Veterinarian	2.00	107,715		0	2.00	107,715
	Assistant Research Coordinator	1.00	36,714		0	1.00	36,714
	Administrative Assistant	1.00	37,108		0	1.00	37,108
511125	SALARIES-REGULAR EMPLOYEES (part time)						
	Graphics/Exhibit Designer	1.00	40,927		0	1.00	40,927
	Catering Coordinator	0.90	28,343		0	0.90	28,343
	Associate Service Supervisor	0.75	22,503		0	0.75	22,503
511221	WAGES-REGULAR EMPLOYEES (full time)						
	Administrative Support Assistant C	2.00	60,400		0	2.00	60,400
	Administrative Secretary	3.00	81,623		0	3.00	81,623
	Program Assistant 2	2.00	69,008		0	2.00	69,008
	Receptionist	1.00	20,026		0	1.00	20,026
	Program Assistant 2-Graphics	1.00	35,345		0	1.00	35,345
	Office Assistant	1.00	18,164		0	1.00	18,164
	Retail Specialist	1.00	29,144		0	1.00	29,144
	Program Assistant 1	1.00	28,787		0	1.00	28,787
	Security Officer 1	3.00	72,824		0	3.00	72,824
511225	WAGES-REGULAR EMPLOYEES (part time)						
	Administrative Secretary	1.75	56,355		0	1.75	56,355
	Security Officer 1-reg	0.50	10,324		0	0.50	10,324
	Program Assistant 1	1.77	46,382		0	1.77	46,382
	Animal Hospital Attendant	1.00	22,254		0	1.00	22,254
	Office Assistant	0.85	14,749		0	0.85	14,749
	Program Assistant 2-Graphics	0.50	15,229		0	0.50	15,229

Exhibit A  
Ordinance No. 97-686

## Zoo Operating Fund

FISCAL YEAR 1996-97		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
	Visitor Service Worker 3-reg	4.50	88,250		0	4.50	88,250
511235	WAGES-TEMPORARY EMPLOYEES (part time)						
	Security Officer 1-temp	1.00	18,249		0	1.00	18,249
	Education Service Aide I	8.42	142,907		0	8.42	142,907
	Education Service Aide II	1.81	36,185		0	1.81	36,185
	Staff Assistant	0.41	864		0	0.41	864
	Office Assistant	0.20	3,303		0	0.20	3,303
	Management Intern	1.23	24,219		0	1.23	24,219
511241	WAGES-SEASONAL EMPLOYEES						
	Visitor Service Worker 3-temp	3.25	53,067		0	3.25	53,067
	Visitor Service Worker 2-temp	10.50	197,316		0	10.50	197,316
	Visitor Service Worker 1-temp	20.00	244,714		0	20.00	244,714
511321	REPRESENTED 483-REGULAR EMPLOYEES (full time)						
	Veterinary Technician	1.00	34,160		0	1.00	34,160
	Nutrition Technician	1.00	34,160		0	1.00	34,160
	Typist/Receptionist-reg	1.00	24,659		0	1.00	24,659
	Maintenance Technician	1.00	40,632		0	1.00	40,632
	Maintenance Worker 2	7.00	246,156		0	7.00	246,156
	Maintenance Worker 1	2.00	64,477		0	2.00	64,477
	Senior Gardener	1.00	39,213		0	1.00	39,213
	Gardener 2	1.00	34,848		0	1.00	34,848
	Gardener 1	6.00	197,065		0	6.00	197,065
	Custodian	4.00	126,366		0	4.00	126,366
	Senior Animal Keeper	7.00	252,564		0	7.00	252,564
	Animal Keeper	25.50	874,940		0	25.50	874,940
	Maintenance Lead	1.00	42,470		0	1.00	42,470
	Master Mechanic	1.00	42,470		0	1.00	42,470
	Maintenance Electrician	1.00	48,964		0	1.00	48,964
511325	REPRESENTED 483-REGULAR EMPLOYEES (part time)						
	Animal Keeper-PT	2.00	68,319		0	2.00	68,319
	Typist/Receptionist Reg (Part Time)	2.25	55,483		0	2.25	55,483
	Custodian	2.80	91,146		0	2.80	91,146
	Clerk/Bookkeeper	1.50	39,495		0	1.50	39,495
	Maintenance Worker 2-PT	2.22	78,915		0	2.22	78,915
	Maintenance Worker 1-PT	0.35	11,284		0	0.35	11,284
511331	REPRESENTED 483-TEMPORARY EMPLOYEES(Full Time)						
	Laborer	0.90	23,376		0	0.90	23,376
511335	REPRESENTED 483-TEMPORARY EMPLOYEES (Part-Time)						
	Typist/Receptionist-temp	1.60	33,341		0	1.60	33,341
	Stationmaster-temp	2.20	56,915		0	2.20	56,915
	Animal Keeper	0.45	12,515		0	0.45	12,515
	Custodian	0.72	19,733		0	0.72	19,733
	Laborer	1.24	29,231	1.31	30,000	2.55	59,231
	Clerk/Bookkeeper	0.60	13,167		0	0.60	13,167
	Maintenance Worker 3	1.24	38,448		0	1.24	38,448
	Maintenance Worker 1	0.28	7,489		0	0.28	7,489
511400	OVERTIME		174,082		60,000		234,082

Exhibit A  
Ordinance No. 97-686

## Zoo Operating Fund

FISCAL YEAR 1996-97		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
512000	FRINGE		1,819,008		23,443		1,842,451
	<b>Total Personal Services</b>	<b>194.19</b>	<b>7,978,730</b>	<b>2.49</b>	<b>155,718</b>	<b>196.68</b>	<b>8,134,448</b>
	<b>Total Materials &amp; Services</b>		<b>4,741,429</b>				<b>4,741,429</b>
	<u>Capital Outlay</u>						
571200	Purchases-Improvements Other than Buildings		13,600		0		13,600
571350	Purchases-Exhibits & Related		75,485		0		75,485
571400	Purchases-Equipment & Vehicles		79,885		0		79,885
571500	Purchases-Office Furniture & Equipment		67,000		0		67,000
571600	Purchases-Railroad Equipment & Facilities		41,000		0		41,000
574120	Architectural Services		5,000		0		5,000
574130	Engineering Services		5,000		0		5,000
574510	Cnstrn Wrk/Mtrl-Improvement Other Than Building		95,000		0		95,000
574500	Cnstrn Wrk/Mtrl-Exhibit, Related		0		68,000		68,000
	<b>Total Capital Outlay</b>		<b>710,470</b>		<b>68,000</b>		<b>778,470</b>
	<b>Total Interfund Transfers</b>		<b>1,481,012</b>				<b>1,481,012</b>
	<u>Contingency and Unappropriated Balance</u>						
599999	Contingency		658,026		(223,718)		434,308
599990	Unappropriated Balance						
	* Unrestricted		4,846,561				4,846,561
	* Renewal & Replacement		1,250,000				1,250,000
	<b>Total Contingency and Unappropriated Balance</b>		<b>6,754,587</b>		<b>(223,718)</b>		<b>6,530,869</b>
<b>TOTAL FUND REQUIREMENTS</b>		<b>194.19</b>	<b>21,666,228</b>		<b>0</b>	<b>196.68</b>	<b>21,666,228</b>



**Exhibit B**  
**Ordinance No. 97-686**  
**FY 1996-97 SCHEDULE OF APPROPRIATIONS**

	<b>Current Budget</b>	<b>Revision</b>	<b>Proposed Budget</b>
<b>ZOO OPERATING FUND</b>			
Personal Services	\$7,978,730	\$155,718	\$8,134,448
Materials & Services	4,741,429	0	4,741,429
Capital Outlay	710,470	68,000	778,470
Interfund Transfers	1,481,012	0	1,481,012
Contingency	658,026	(223,718)	434,308
Unappropriated Balance	6,096,561	0	6,096,561
<b>Total Fund Requirements</b>	<b>\$21,666,228</b>	<b>\$0</b>	<b>\$21,666,228</b>

**ALL OTHER APPROPRIATIONS REMAIN AS ADOPTED**

*Agenda Item Number 7.3*

**Ordinance No. 97-687, Amending the FY 1996-97 Budget and Appropriations Schedule for the Purpose of Reflecting Funding increases due to Costs Associated with Disaster Disposal in Excess of Budget Expectations, Transferring Appropriations within the Solid Waste Revenue Fund; and Declaring an Emergency..**

***First Reading***

**Metro Council Meeting  
Thursday, April 10, 1997  
Council Chamber**

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING THE FY 1996-97 )  
BUDGET AND APPROPRIATIONS )  
SCHEDULE BY TRANSFERRING \$128,500 )  
FROM THE SOLID WASTE REVENUE FUND )  
OPERATING CONTINGENCY TO THE )  
ENVIRONMENTAL SERVICES DIVISION )  
MATERIALS AND SERVICES OPERATING )  
ACCOUNT FOR THE PURPOSE OF )  
FUNDING DISASTER DEBRIS DISPOSAL )  
COSTS, AND DECLARING AN EMERGENCY. )

ORDINANCE NO. 97-687

Introduced by  
Mike Burton, Executive Officer

WHEREAS, The Metro Council has reviewed and considered the need to transfer appropriations within the FY 1996-97 Budget; and

WHEREAS, The need for a transfer of appropriation has been justified; and

WHEREAS, Adequate funds exist for other identified needs; now, therefore,

THE METRO COUNCIL HEREBY ORDAINS;

1. That the FY 1996-97 Budget and Schedule of Appropriations are hereby amended as shown in Exhibit A for the purpose of transferring \$128,500 from the Solid Waste Revenue Fund Operating Contingency to the Environmental Services Division Materials and Services Operating Account to fund ice storm and flood disposal costs.

2. This ordinance being necessary for the immediate preservation of the public health, safety or welfare of the Metro area in order to meet obligations and comply with Oregon Budget Law, an emergency is declared to exist, and this Ordinance takes effect upon passage.

ADOPTED by the Metro Council this \_\_\_\_ day of \_\_\_\_\_, 1997.

\_\_\_\_\_  
Jon Kvistad, Presiding Officer

ATTEST:

Approved as to Form:

\_\_\_\_\_  
Recording Secretary

\_\_\_\_\_  
Daniel B. Cooper, General Counsel

## STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 97-687, AMENDING THE FY 1996-97 BUDGET AND APPROPRIATIONS SCHEDULE FOR THE PURPOSE OF REFLECTING FUNDING INCREASES DUE TO COSTS ASSOCIATED WITH DISASTER DEBRIS DISPOSAL IN EXCESS OF BUDGET EXPECTATIONS, TRANSFERRING APPROPRIATIONS WITHIN THE SOLID WASTE REVENUE FUND, AND DECLARING AN EMERGENCY.

Date: March 27, 1997

Presented by: Roosevelt Carter

### FACTUAL BACKGROUND AND ANALYSIS

This action requests adjustments to the Solid Waste Revenue Fund for the following purposes:

#### SOLID WASTE REVENUE FUND

1. Transfer \$128,500 from the Operating Contingency Account as follows:

\$128,500 to the Operating Account, Materials and Services category, Environmental Services Division, to fund costs associated with disaster debris disposal.

#### FUNDING DISASTER DEBRIS DISPOSAL

On January 9, 1997, the Metro Council authorized Resolution No. 97-2445 (see Attachment 1), a service plan to provide assistance, including rate relief, to regional citizens and local governments in the Metro region for the disposal of ice storm and flood-related debris during December 1996 and January 1997. Under this plan, Metro agreed to accept self-hauled flood debris at Metro Central and South transfer stations at a reduced charge up to January 26, 1997. Metro also accepted responsibility for 75% of local governments' disposal costs incurred from delivery of flood debris from public land and vouchers (for disposal) issued to citizens. In addition, Metro agreed to pay up to \$35.00 per ton towards disposal at local yard debris facilities of storm-related woody yard debris collected by local governments at satellite collection sites.

Metro's costs for accepting ice storm and flood debris from self haulers totaled \$10,500. The cities of Gresham, Portland, Troutdale and Wood Village submitted requests for assistance. Under the service plan, Metro has reimbursed these four local governments \$118,000 for disaster debris disposal. The total disaster debris cost to Metro is \$128,500 (see Attachment 2). This action is consistent with local governments' authority and responsibility for solid waste collection and Metro's authority and responsibility for solid waste disposal.

For FY 1996-97, the REM Department requests that appropriations in the Operating Account, Materials and Services category, reflect these disaster debris disposal costs. This action requires the transfer of \$128,500 from the Operating Contingency Account to the Operating Account, Materials and Services category.

### EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer recommends approval of Ordinance No. 97-687.

\\Budget\FY96-97\BudOrd\97-687sr.Doc

Exhibit A

Ordinance No. 97-687

**Solid Waste Revenue Fund**

FISCAL YEAR 1996-97		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
<b>Operating Account</b>							
<b>Total Personal Services</b>		<b>109.05</b>	<b>6,253,795</b>	<b>0.00</b>	<b>0</b>	<b>109.05</b>	<b>6,253,795</b>
<u>Materials &amp; Services</u>							
521100	Office Supplies		35,664		0		35,664
521110	Computer Software		26,330		0		26,330
521111	Computer Supplies		17,950		0		17,950
521210	Landscape Supplies		7,000		0		7,000
521220	Custodial Supplies		1,650		0		1,650
521240	Graphics/Reprographic Supplies		13,800		0		13,800
521250	Tableware/Retail Supplies		0		0		0
521260	Printing Supplies		29,712		0		29,712
521290	Other Supplies		114,925		0		114,925
521292	Small Tools		26,258		0		26,258
521293	Promotion Supplies		28,825		0		28,825
521310	Subscriptions		23,132		0		23,132
521320	Dues		6,180		0		6,180
521400	Fuels & Lubricants		10,400		0		10,400
521410	Fuels & Lubricants - Tax Exempt		998,948		0		998,948
521510	Maintenance & Repairs Supplies-Building		7,500		0		7,500
521511	HVAC Supplies		500		0		500
521512	Electrical Supplies		1,000		0		1,000
521520	Maintenance & Repairs Supplies-Grounds		7,000		0		7,000
521530	Maintenance & Repairs Supplies-Vehicles		8,000		0		8,000
521540	Maintenance & Repairs Supplies-Equipment		93,390		0		93,390
521590	Maintenance & Repairs Supplies-Other		0		0		0
524120	Legal Fees		0		0		0
524130	Promotion/Public Relations		63,000		0		63,000
524190	Misc. Professional Services		2,827,567		0		2,827,567
524210	Data Processing Services		10,000		0		10,000
524310	Management Services		30,000		0		30,000
525110	Utilities-Electricity		45,000		0		45,000
525120	Utilities-Water & Sewer		24,250		0		24,250
525150	Utilities - Sanitation Services		4,075		0		4,075
525190	Utilities-Other		0		0		0
525200	Cleaning Services		0		0		0
525610	Maintenance & Repairs Services-Building		42,500		0		42,500
525620	Maintenance & Repairs Services-Grounds		26,500		0		26,500
525630	Maintenance & Repairs Services-Vehicles		7,000		0		7,000
525640	Maintenance & Repairs Services-Equipment		162,582		0		162,582
525690	Maintenance & Repairs Services-Other		15,000		0		15,000

Exhibit A  
Ordinance No. 97-687  
**Solid Waste Revenue Fund**

FISCAL YEAR 1996-97		CURRENT BUDGET		REVISION	PROPOSED BUDGET		
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
<b>Operating Account</b>							
525710	Equipment Rental		70,785		0		70,785
525720	Rentals - Land & Building		17,162		0		17,162
525733	Operating Lease Payments-Other		0		0		0
525740	Capital Lease Payments-Furniture & Equipment		10,000		0		10,000
526200	Ads & Legal Notices		166,842		0		166,842
526310	Printing Services		142,746		0		142,746
526320	Typesetting & Reprographics Services		17,067		0		17,067
526410	Telephone		42,800		0		42,800
526420	Postage		33,340		0		33,340
526430	Catalogues & Brochures		0		0		0
526440	Delivery Service		2,048		0		2,048
526500	Travel		39,485		0		39,485
526510	Mileage Reimbursement		14,837		0		14,837
526610	Disposal Operations		5,058,579		0		5,058,579
526611	Disposal Operations-Transportation		9,301,976		0		9,301,976
526612	Disposal Operations-Landfill Disposal		20,770,335		10,500		20,780,835
526613	Disposal Operations-Hazardous Material		720,097		0		720,097
526700	Temporary Help Services		45,904		0		45,904
526800	Training and Conferences Fees		58,058		0		58,058
526810	Tuition Reimbursements		11,840		0		11,840
526900	Miscellaneous Purchased Services		0		0		0
526910	Uniform Supply & Cleaning Services		25,150		0		25,150
526911	Disposal Protective Gear		125,050		0		125,050
528100	Payments to Other Agencies		648,966		118,000		766,966
528110	License & Permits		22,450		0		22,450
528310	Real Property Taxes		350		0		350
528320	Federal Rebate on Bonds		0		0		0
528400	Grants to Other Governments		387,921		0		387,921
528410	Grants - Waste Reduction		944,000		0		944,000
529500	Meetings		30,122		0		30,122
529800	Miscellaneous		0		0		0
<b>Total Materials &amp; Services</b>			<b>43,423,548</b>		<b>128,500</b>		<b>43,552,048</b>

Exhibit A  
Ordinance No. 97-687

## Solid Waste Revenue Fund

FISCAL YEAR 1996-97		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
	<b>TOTAL DEBT SERVICE ACCOUNT</b>		2,666,874		0		2,666,874
	<b>TOTAL LANDFILL CLOSURE ACCOUNT</b>		2,525,763		0		2,525,763
	<b>TOTAL CONSTRUCTION ACCOUNT</b>		0		0		0
	<b>TOTAL RENEWAL &amp; REPLACEMENT ACCT.</b>		414,000		0		414,000
	<b>TOTAL GENERAL ACCOUNT</b>		1,034,534		0		1,034,534
	<b>TOTAL MASTER PROJECT ACCOUNT</b>		350,000		0		350,000
<b>General Expenses</b>							
	<b>Total Interfund Transfers</b>		3,583,114		0		3,583,114
599999	Contingency						
	* Operating Account (Operating Contingency)		3,870,038		(128,500)		3,741,538
	* Operating Account		0		0		0
	* Debt Service Account		0		0		0
	* Landfill Closure Account		4,516,978		0		4,516,978
	* Construction Account		0		0		0
	* Renewal & Replacement Account		3,490,295		0		3,490,295
	* General Account		0		0		0
	* General Account (Capital Contingency)		975,900		0		975,900
	<b>Total Contingency</b>		12,853,211		(128,500)		12,724,711
	<b>Total Unappropriated Fund Balance</b>		15,824,703		0		15,824,703
<b>TOTAL FUND REQUIREMENTS</b>		<b>109.05</b>	<b>88,929,542</b>	<b>0.00</b>	<b>0</b>	<b>109.05</b>	<b>88,929,542</b>



**Exhibit B**  
**Ordinance No. 97-687**  
**FY 1996-97 SCHEDULE OF APPROPRIATIONS**

	<u>Current Budget</u>	<u>Revision</u>	<u>Proposed Budget</u>
<b>SOLID WASTE REVENUE FUND</b>			
<b>Operating Account</b>			
Personal Services	\$6,253,795		\$6,253,795
Materials & Services	43,423,548	128,500	43,552,048
<u>Subtotal</u>	<u>49,677,343</u>	<u>128,500</u>	<u>49,805,843</u>
<b>Debt Service Account</b>			
Debt Service	2,666,874		2,666,874
<u>Subtotal</u>	<u>2,666,874</u>		<u>2,666,874</u>
<b>Landfill Closure Account</b>			
Materials & Services	2,525,763		2,525,763
<u>Subtotal</u>	<u>2,525,763</u>		<u>2,525,763</u>
<b>Renewal and Replacement Account</b>			
Capital Outlay	414,000		414,000
<u>Subtotal</u>	<u>414,000</u>		<u>414,000</u>
<b>General Account</b>			
Capital Outlay	1,034,534		1,034,534
<u>Subtotal</u>	<u>1,034,534</u>		<u>1,034,534</u>
<b>Master Project Account</b>			
Debt Service	350,000		350,000
<u>Subtotal</u>	<u>350,000</u>		<u>350,000</u>
<b>General Expenses</b>			
Interfund Transfers	3,583,114		3,583,114
Contingency	12,853,211	(128,500)	12,724,711
<u>Subtotal</u>	<u>16,436,325</u>	<u>(128,500)</u>	<u>16,307,825</u>
Unappropriated Balance	15,824,703		15,824,703
<b>Total Fund Requirements</b>	<b>\$88,929,542</b>		<b>\$88,929,542</b>

**ALL OTHER APPROPRIATIONS REMAIN AS ADOPTED**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING )  
A SERVICE PLAN TO PROVIDE )  
ASSISTANCE, INCLUDING RATE )  
RELIEF, TO REGIONAL CITIZENS )  
AND LOCAL GOVERNMENTS IN THE )  
METRO REGION FOR DISPOSAL OF )  
STORM AND FLOOD-RELATED DEBRIS )

RESOLUTION NO. 97-2445

Introduced By Executive Officer  
Mike Burton

WHEREAS, Weather-related events that occurred in the Metro region during December 1996 and January 1997 resulted in extensive damage to property within Clackamas, Multnomah, and Washington Counties; and

WHEREAS, These events have created large amounts of wood and flood-damaged debris for citizens and local governments to dispose; and

WHEREAS, Metro desires to provide assistance, including rate relief, to regional citizens and local governments to minimize hardships created by these emergencies; and

WHEREAS, The Metro Executive Officer has prepared, in consultation with the Council and local government officials, a plan for accepting flood-related debris at Metro Central and Metro South Transfer Stations beginning January 4, 1997, and continuing through January 26, 1997, at a reduced rate of \$5.00 for car or pick-up load and \$10.00 for a pick-up load with a trailer; and

WHEREAS, The Metro Executive Officer has prepared, in consultation with the Council and local government officials, a plan for accepting storm-related woody yard debris at Metro Central and Metro South Transfer Stations at no charge on the weekends of January 4 and 5, 1997, and January 11 and 12, 1997, and paying up to \$35.00 per ton toward disposal at local yard debris processing facilities for storm-related woody yard debris collected by local governments at satellite collection sites; and

WHEREAS, The plan provides that local government self-haul of government flood debris will be accepted by Metro transfer station personnel and debited to the jurisdiction's special flood debris account for a reimbursement to Metro by local governments of twenty-five percent of the cost of disposal, with Metro being responsible for seventy-five percent of disposal; and

WHEREAS, The plan provides that local governments may create numbered vouchers for use by hauling companies for drop box loads of flood debris from residents, and that the vouchers will be accepted by Metro transfer station personnel and debited to jurisdiction's special flood debris account for a reimbursement to Metro by local governments of twenty-five percent of the cost of disposal, with Metro being responsible for seventy-five percent of disposal; and

WHEREAS, Sufficient money is available in the Contingency Account of the Solid Waste Revenue Fund to cover expected expenses up to \$200,000; and

WHEREAS, The Resolution was submitted to the Executive Officer for consideration and was forwarded to the Council for their approval; now, therefore,

BE IT RESOLVED THAT,

The Metro Council approves the plan attached as Exhibit A developed by the Executive Officer pursuant to Metro Code Section 5.02.060 relating to disposal charges.

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_, 1997.

\_\_\_\_\_  
Jon Kvistad, Presiding Officer

ATTEST:

Approved as to Form:

\_\_\_\_\_  
Recording Secretary

\_\_\_\_\_  
Daniel B. Cooper, General Counsel

JM:ay



**METRO**

Attachment 2, p. 1 of 3  
Ord. 97-687

**Date:** February 24, 1997  
**To:** Mike Burton, Executive Officer  
**From:** Bruce Warner, Regional Environmental Management Director  
**Subject:** Final Costs for disaster debris disposal

Metro's cost for accepting both ice storm and flood debris from self haulers was \$10,500. Local governments report about \$164,000 in total costs for ice storm debris collection and disposal. About \$118,000 of that total cost is disposal cost (labeled Tipping Fee in the attached table). Local governments did not report any cost for flood debris disposal.

I am reimbursing local governments only for the tipping fee costs because:

1. This follows the Metro Council directive that Metro reimburse local governments for ice storm debris disposal
2. This follows the precedent that Metro has authority and responsibility for solid waste disposal and local governments have authority and responsibility for solid waste collection. Thus, the total cost to Metro for the two disasters is about \$128,500 (\$10,500 & \$118,000) within Council authorization.

## BACKGROUND

On January 9 Metro Council authorized a service plan for storm and flood debris. Under this plan Metro offered to accept self hauled flood debris at a reduced charge up to January 26, 1997. Metro offered to be responsible for 75% of the cost of disposal if local governments delivered flood debris from public land or issued disposal vouchers to citizens.

Metro received 53 tons of self hauled flood debris. This is about 6% of the flood debris received by Metro during the flood of February 1996. Local governments did not bring flood debris to Metro facilities and did not issue vouchers for flood debris disposal.

Metro offered to accept self hauled ice storm debris at no charge on two weekends in January. Metro offered to reimburse local government for up to \$35 dollars per ton for disposal of ice storm debris at a local yard debris processing facility.

Metro received about 306 tons of ice storm debris from self haulers on the two designated weekends. As shown in the table titled ICE STORM DEBRIS, DECEMBER 1996, Local Government Costs, local governments accepted about 7500 tons of ice storm debris.

The local government programs operated in various ways. Gresham and Portland operated local collection centers where they processed ice storm debris and transported it to fuel users. The franchised collector for Troutdale, Waste Management of Troutdale, collected the ice storm debris at the curb during one week and transported it to a processing center. Wood Village hired this company to deliver drop boxes at various locations and transport the ice storm debris to a processing center.

The four local governments have submitted requests for assistance. The table and notes show our allocation of costs based on information submitted by the local governments.

The column titled Other Costs shows a variety of other reported costs including costs for collecting the ice storm debris and transporting it to a processing center, staff costs for operating the programs and publicity costs.

The costs in the column titled Tipping Fee are clearly disposal costs because they cover the costs of actually processing waste and transporting the processed material to the end user. Tipping Fee costs total about \$118,000. When one adds the Metro disposal cost of about \$10,500 the total disaster debris cost to Metro would be about \$128,000.

My staff will be transmitting our reimbursement decisions to our local government partners this week. I hope to have checks ready for them March 7. I will work with Lisa and you on the public release strategy and schedule us for the Portland City Council. If you have any questions or concerns please let me know.

DO:eh  
Enclosures

**ICE STORM DEBRIS: DECEMBER 1996**

**Local Government Costs**

LOCAL GOVERNMENT	QTY (TONS)	TIPPING FEE <sup>A</sup>	OTHER COSTS	TOTAL COST
Gresham	315	\$ 3,271	\$ 1,435 <sup>e</sup>	\$ 4,706
Portland	6,821	\$ 104,859	22,494 <sup>f</sup>	127,353
Troutdale	188 <sup>B</sup>	\$ 3,150	16,403 <sup>g</sup>	19,553
Wood Village <sup>B</sup>	216 <sup>C</sup>	\$ 7,146	5,386 <sup>g</sup>	12,532
<b>TOTAL</b>	<b>7,540</b>	<b>\$ 118,426</b>	<b>\$45,718</b>	<b>\$164,144</b>

Notes:

- A. Tipping fee includes contractual services cost of processing ice storm debris and delivery to end-user.
- B. 628 cubic yards compacted. Assume a density of 600 lb/yd<sup>3</sup>.
- C. 48 drop box loads at 30 cubic yards per load. Assume a density of 300 lbs per cubic yard.
- D. Charge by collector to furnish and to transport drop boxes from Wood Village sponsored collection centers: \$3,512. Wood Village staff costs: \$1,874.
- E. Gresham staff costs. Gresham does not request reimbursement for these.
- F. Site security, temporary labor, equipment (signs, safety equipment, etc.) at Portland collection centers. Portland staff costs not submitted.
- G. Notification flyers: \$975.19. Costs incurred by City franchised collector for curbside collection: \$15,427. Troutdale has no legal obligation to pay these collector costs.

DO:eh  
s:\share\one\disaster.tbl

*Agenda Item Number 8.1*

**Ordinance No. 97-681B, For the Purpose of Amending Metro Code 5.02; reducing disposal fees charged at Regional Solid Waste Facilities and Making Certain Form and Style Adjustments and Increasing the Excise Tax on Users of Solid Waste Facilities.**

***Consideration of Executive Officer Veto Override***

**Metro Council Meeting  
Thursday, April 10, 1997  
Council Chamber**

**BEFORE THE METRO COUNCIL**

FOR THE PURPOSE OF AMENDING METRO CODE	)	ORDINANCE NO. 97-681B
CHAPTER 5.02, REDUCING DISPOSAL FEES	)	
CHARGED AT REGIONAL SOLID WASTE FACILITIES	)	Introduced by Mike Burton
AND MAKING CERTAIN FORM AND STYLE	)	Executive Officer
ADJUSTMENTS AND INCREASING EXCISE TAX ON	)	
USERS OF SOLID WASTE FACILITIES	)	

WHEREAS, It is desirable to reduce disposal fees charged at Regional solid waste facilities to reflect Metro's reduced operating costs for the 1997-98 fiscal year; and

WHEREAS, It is necessary to adjust the fee components of Metro's disposal rate system to accomplish these changes; and

WHEREAS, Certain other fees and credits require adjustment as a result of the above fee changes; and

WHEREAS, It is desirable that the Executive Officer has authority to waive disposal fees under certain extraordinary conditions or circumstances; and

WHEREAS, It is appropriate to make certain form and style amendments to Metro Code Chapter 5.02 as a part of this update of disposal fees; and

WHEREAS, It is desirable that the Executive Officer has sufficient authority to determine and refuse unacceptable waste delivered to Metro Central and Metro South Transfer stations because of safety or operational restrictions; and

WHEREAS, It is appropriate to state the basis of a special waste surcharge being determined solely by Metro's actual costs for managing permitted special wastes and non-permitted special waste discovered at a Metro operated facility; and

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



THE METRO COUNCIL ORDAINS AS FOLLOWS:

Section 1. Metro Code Section 5.02.015 is amended to read:

5.02.015 Definitions

[(a) through (r), no change.]

(s) "Special waste" means any waste (even though it may be part of a delivered load of waste) which one or more of the following categories describes:

- (1) Containerized waste (e.g., a drum, barrel, portable tank, box, pail, etc.) of a type listed in 3 through 9 and 11 of this definition below; ~~or~~
- (2) Waste transported in a bulk tanker; ~~or~~
- (3) Liquid waste including outdated, off spec liquid food waste or liquids of any type when the quantity and the load would fail the paint filter liquid (Method 9095, SW-846) test or ~~is~~ includes 25 or more gallons of free liquid per load, whichever is more restrictive.
- (4) Containers (or drums) which once held commercial products or chemicals ~~are included unless the container is~~ unless the containers (or drums) are empty. A container is empty when:
  - (A) All wastes have been removed that can be removed using the practices commonly employed to remove materials from the type of container, e.g., pouring, pumping, crushing, or aspirating.
  - (B) One end has been removed (for containers in excess of 25 gallons); and
    - ~~(C)~~ (i) No more than one inch thick (2.54 centimeters) of residue remains on the bottom of the container or inner liner; or
    - ~~(D)~~ (ii) No more than 1 percent by weight of the total capacity of the container remains in the container (for containers up to 110 gallons); or
    - ~~(E)~~ (iii) No more than 0.3 percent by weight of the total capacity of the container remains in the container for containers larger than 110 gallons.
  - (C) ~~Containers which~~ Containers that once held acutely hazardous wastes must be triple-rinsed with an appropriate solvent or cleaned by an equivalent alternative method. Containers ~~which~~ that once held substances regulated under the Federal Insecticide, Fungicide, and Rodenticide Act must be empty according to label instructions or triple-rinsed with an appropriate solvent or cleaned by an equivalent method. Plastic containers larger than five gallons that hold any regulated waste

must be cut in half or punctured, and be dry and free of contamination to be accepted as refuse; ~~or~~

- (5) Sludge waste from septic tanks, food service, grease traps, or wastewater from commercial laundries, laundromats or car washes; ~~or~~
- (6) Waste from an industrial process; ~~or~~
- (7) Waste from a pollution control process; ~~or~~
- (8) Residue or debris from the cleanup of a spill or release of chemical substances, commercial products or wastes listed in 1 through 7 or 9 of this definition; ~~or~~
- (9) Soil, water, residue, debris, or articles which are contaminated from the cleanup of a site or facility formerly used for the generation, storage, treatment, recycling, reclamation, or disposal of wastes listed in 1 through 8 of this definition; ~~or~~
- (10) ~~Chemical-containing equipment removed from service (for example: filters, oil filters, cathode ray tubes, lab equipment, acetylene tanks, CFC tanks, refrigeration units, or any other chemical containing equipment);~~ equipment; ~~or~~
- (11) Waste in waste containers that are marked with a National Fire Protection Association identification label that has a hazard rating of 2, 3, or 4, but not empty containers so marked; ~~or~~
- (12) Any waste that requires extraordinary management or special handling.  
  
Examples of special wastes are: chemicals, liquids, sludge and dust from commercial and industrial operations; municipal waste water treatment plant grits, screenings and sludge; contaminated soils; tannery wastes, empty pesticide containers, and dead animals or by-products.
- (13) All loads of household hazardous waste that are 35 gallons or more in the aggregate.

(14) Radioactive waste.

(15) Medical waste.

~~(t) "Total fees" means the total per transaction of all tip and special fees~~

~~(u)~~ "Unacceptable waste" means waste that is either:

- (1) Prohibited from disposal at a sanitary landfill by state or federal law, regulation, rule, code, permit or permit condition;

~~(2) A hazardous waste;~~

(23) Special waste without an approved special waste permit. The Executive Officer may deny a special waste application if the special waste poses an unacceptable health and safety risk, or is likely to damage transfer station equipment.

~~(4) Infectious medical waste;~~

~~(5) Any other waste that the Executive Officer determines to be unacceptable for delivery to the Metro Central Station or Metro South Station because of safety or operational restrictions.~~

SECTION 2. Metro Code Section 5.02.025 is amended to read:

5.02.025 Disposal Charges at Metro South Station, Metro Central Station, and the Metro Household Hazardous Waste Facilities

(a) Total fees for disposal by credit account customers shall be \$7570 per ton of solid waste delivered for disposal at Metro South Station or Metro Central Station.

(b) Total fees for disposal by cash account customers shall be \$10095 per ton of solid waste delivered for disposal at Metro South Station or Metro Central Station. A cash account customer delivering a load of waste such that no portion of the waste is visible to Metro scalehouse personnel (unless the waste is only visible through a secure covering), shall receive a ~~25-percent rebate~~ \$25 rebate per ton.

(c) The total per ton disposal fees specified in subsection (a) and (b) of this section include:

(1) A disposal fee of ~~\$39.25~~ \$37.83 per ton;

(2) A regional transfer charge of ~~\$7.20~~ \$7.50 per ton;

(3) The user fees specified in section 5.02.045;

(4) An enhancement fee of \$.50 per ton; and

(5) DEQ fees totaling ~~\$1.05~~ \$1.17 per ton.

(6) A rebatable service charge of \$25.00 per ton for cash customers delivering covered loads, as described in subsection (b) of this section.

(d) Notwithstanding subsection (b) of this section, cash account customers using who use Metro South Station or Metro Central Station, and who have separated and included in their loads at least one-half cubic yard of recyclable material (as defined in ORS 459.005) shall receive a \$3 either a \$3 lump sum credit toward their disposal charge. disposal charge for less than 100 pounds of recyclables or, alternatively, a \$6 lump sum credit toward their disposal charge for 100 pounds or more of recyclables. The credit shall be applied

and deducted in addition to any rebate described in subsection (b) of this section. the rebate shall be calculated first.

(e) The minimum charge shall be \$197.00 for all credit account vehicles and shall be \$253.00 for all cash account vehicles. The minimum charged for a cash account customer that delivers a load of waste such that no portion of the waste is visible to Metro Scalehouse personnel (unless the waste is only visible through a secure covering), shall receive a rebate of \$6.00 shall be adjusted by the covered load rebate as specified in subsection (b) of this section, and may also be reduced by application of the recycling credit provided in subsection (d) of this section. If both the rebate and the recycling credit are applicable,

(f) Total fees assessed at Metro facilities shall be rounded to the nearest whole dollar amount (a \$.50 charge shall be rounded up) for all cash account customers.

~~(g) A fee of \$5 is established to be charged at the Metro household hazardous waste facilities for each load of household hazardous waste.~~

~~(h) A fee of \$10 is established at the Metro household hazardous waste facilities for special loads~~ (g) Fees for managing loads of household hazardous waste delivered to Metro Hazardous Waste Facilities will be as follows: (1) \$5.00 for each 35 gallons of waste or any lesser portion thereof, regardless of the total gallonage of any individual load; (2) \$5.00 handling fee for empty drums, (3) \$10.00 handling fee for any drum containing less than 25 gallons of waste, and (4) \$15.00 handling fee for any drum containing 25 or more gallons of waste.

(h) The Executive Officer may waive disposal fees under extraordinary conditions or circumstances. Any such waiver will occur solely for the purpose of compensating public customers for unanticipated and unforeseeable costs incurred while using a Metro facility-, and will be limited by the following conditions:

- (1) Public self-haul customers;
- (2) The quantity of waste being delivered by the customer is less than the minimum charge of \$17.00;
- (3) The customer is using the Metro transfer station when Metro decides to close the station because of an emergency situation;
- (4) Because of the emergency station closure, the customer is delayed at least one hour or more;
- (5) The Executive Officer shall notify the Metro Council in writing within 14 days of any sold waste fee waivers. This notification shall include information on the date, facility, and the amount waived.

(i) The following table summarizes the disposal charges to be collected by Metro from all persons disposing of solid waste at Metro South Station and Metro Central Station-;

METRO SOUTH STATION  
METRO CENTRAL STATION

Tonnage Fee Component		\$/Ton Rate	
Disposal Fee	<del>\$39.25</del>	<u>37.83</u>	
Regional User Fee (Tier One)	<del>\$17.50</del>	<u>15.00</u>	
Metro User Fee (Tier Two)	<del>9.50</del>	<u>8.00</u>	
Regional Transfer Charge	<del>7.20</del>	<u>7.50</u>	
 Total Rate			<del>\$73.45</del> <u>68.33</u>
 Additional Fees			
Enhancement Fee	\$0.50		
DEQ Fees	<u>1.17</u>	4.05	
 Total Disposal Fee:			<del>\$75.00</del> <u>70.00</u>
 Minimum Charge			
Per Charge Account Vehicle	<del>\$49.00</del>	<u>17.00</u>	
Per Cash Account Vehicle (subject to possible covered load rebate and recycling credit)	<del>25.00</del>	<u>23.00</u>	

<u>Tires</u>	<u>Type of Tire</u>	<u>Per Unit</u>	
	Car tires off rim		\$1.00
	Car tires on rim		\$3.00
	Truck tires off rim		\$5.00
	Truck tires on rim		\$8.00
	Any tire 21 inches or larger diameter off or on rim		\$12.00

SECTION 3. Metro Code Section 5.02.035 is amended to read:

5.02.035 Litter Control Surcharge

A surcharge of \$100 per load shall be levied against a Metro credit account customer who disposes of waste at a Metro-operated solid waste disposal facility, transfer station, recycling center or compost facility, ~~if, when entering the facility any portion of the center, or compost facility, if, when entering the facility, any portion of the customer's waste is visible to Metro scalehouse personnel. However, personnel, unless there shall be no surcharge if the waste is only visible through a secure covering.~~ The surcharge shall be collected in the same manner as other Metro collects disposal fees are collected at the facility.

SECTION 4. Metro Code Section 5.02.045 is amended to read:

5.02.045 User Fees

The following user fees shall be collected and paid to Metro by the operators of solid waste disposal facilities, whether within or outside of the boundaries of Metro, for the disposal of solid waste generated, originating, collected or disposed of within Metro boundaries, in accordance with Metro Code section 5.01.150:

(a) Regional User Fee  
For compacted or noncompacted solid waste, ~~\$17.50~~\$15.00 per ton delivered.

(b) Metro User Fee  
~~\$9.50~~\$8.00 per ton for all solid waste delivered to Metro-owned or operated facilities.

(c) Inert material, including but not limited to earth, sand, stone, crushed stone, crushed concrete, broken asphaltic concrete and wood chips used at ~~the St. Johns Landfill~~disposal facilities for cover, diking, road base, or other internal use shall be exempt from the above user fees.

(d) User fees shall not apply to wastes received at franchised processing centers that accomplish materials recovery and recycling as a primary operation.

(e) Notwithstanding the provisions of (a) and (b) above, Metro user fees may be assessed as may be appropriate for solid waste which is the subject of a non-system license under chapter 5.05 of the Metro Code.

SECTION 5. Metro Code Section 5.02.055 is amended to read:

5.02.055 Remittance to Metro of User Fees and Other Charges by Franchisees and Other Designated Facilities

(a) Franchisees and other operators of facilities designated to receive waste under Metro Code section 5.05.030 shall remit user fees and charges other than excise taxes to Metro as specified in this section.

(b) User fees shall accrue on a monthly basis, and shall be remitted to Metro by the 15th day of the month for waste disposed of in the preceding month. User fees and other charges ~~are considered to~~will be delinquent if not received by Metro on or before the due date, ~~either by personal delivery to the Metro Department of finance and management information Administrative Services~~ Administrative Services during business hours or, if delivered by mail, by receipt in Metro's mail room on or before the due date. If the due date falls on a holiday or weekend, amounts are delinquent at the end of the first business day that follows.

SECTION 6. Metro Code Section 5.02.060 is amended to read:

5.02.060. Credit Policy at Metro Solid Waste Disposal Facilities

(a) Disposal charges, including all fees and taxes, may be paid at the time of disposal in cash, by credit card, or by guaranteed check, or may be paid under Metro's credit policy. No credit shall be granted to any person prior to approval of a credit application in a form or forms provided by Metro.

(b) ~~The executive e~~Metro's Executive Officer shall establish and maintain appropriate credit requirements for new and existing accounts, which requirements shall be designed to diminish Metro's risk of loss due to nonpayment. Existing account holders may be required to make new application for credit or provide additional guarantees, as deemed necessary or prudent by the ~~executive e~~Executive Officer.

(c) Account charges shall accrue on a monthly basis. ~~Statements will be mailed~~Metro will mail statements on or about the 10th day of the month, for disposal services rendered in the prior month. A statement must be paid no later than the last business day of the month in which it is mailed, ~~and is;~~ the statement will be considered past due thereafter. A payment shall under no circumstances be considered received by Metro unless it is delivered personally to the Metro Department of ~~finance and management information~~ Administrative Services during business hours or, if delivered by mail, ~~is~~ received in Metro's mail room on or before the due date.

(d) A finance charge of 1.5 percent shall be assessed on all past due charges on the 15th day of the month following the month in which a statement is mailed, and on the 15th day of each month thereafter. Finance charges will be assessed only on unpaid past due balances, and not on previously assessed finance charges. Finance charges will continue to be assessed on negotiated repayment schedules. Payments will be applied first to finance charges and then to the oldest amount past due.

(e) An account that is 15 days past due may be placed on a cash only basis, until all past due disposal and finance charges are paid. Facility access may be denied to a person whose account is past due and unpaid for 30 days. A decision to place an account on a cash only basis or deny facility access shall be at the discretion of the director of finance and information management.

(f) A credit customer that sells, terminates, or makes a substantial change in the scope of its business after its application for credit has been approved must notify Metro immediately. Failure to provide the notice required by this subsection may result in termination of credit at Metro facilities pending reapplication for credit.

(g) The Department of ~~finance and management information~~ Administrative Services may adjust accounts receivable and reverse finance charges in accordance with prudent credit practices. Adjustments over \$500 shall be reported to the ~~e~~Council in writing on a monthly basis, and adjustments over \$10,000 shall require ~~e~~Council approval.

(h) The ~~executive e~~Executive Officer may end pursuit of an account receivable, consistent with prudent credit practices, when the likelihood of collecting does not justify further

collection costs. Such action shall be reported to the eCouncil in writing on a monthly basis when the amount exceeds \$500, and amounts over \$10,000 shall require eCouncil approval.

SECTION 7. Metro Code Section 5.02.065 is amended to read:

5.02.065 Special Waste Surcharge and Special Waste Permit Application Fees; Conditionally Exempt Generator Waste

(a) Special Waste

(1) A special waste surcharge and a special waste permit application fee shall be collected on all special wastes disposed of at Metro facilities and on all special waste permit applications. The surcharge and fee shall be in addition to any other charge or fee established by this chapter. The purpose of the surcharge and permit application fee is to require disposers of special waste to pay the cost of services provided by the Metro solid waste department to manage special wastes. The surcharge and fee shall be applied to all acceptable special wastes, CFC tanks and refrigeration units.

(2) The special waste surcharge shall be ~~\$4 per ton of special waste delivered.~~ a per-ton charge determined by Metro's actual costs in managing special waste, which costs comprise: special handling costs, cleanup costs, and lab or testing costs. The special waste surcharge shall apply to all permitted special wastes and to all nonpermitted special wastes that Metro discovers at a Metro-operated facility that result in additional management costs not otherwise covered by, or incorporated within, any other Metro fee.

(3) The special waste permit application fee shall be \$25. This fee shall be collected at the time special waste permit applications are received for processing.

~~(4) Lab or testing costs incurred by Metro for evaluation of a particular waste may be charged to the disposer of that waste.~~

~~(5) The amount charged for residential refrigeration units and CFC containing tanks shall be \$15.~~

~~(6) The amount charged for commercial refrigeration units shall be \$20.~~

~~(7) Refrigeration units that can be certified as free of CFC chemical content shall be considered a recyclable and therefore exempt from any fee.~~

(b) Conditionally exempt generator (CEG) waste. The amount charged for acceptance of CEG waste ~~and for household hazardous waste from non-household sources~~ shall be the actual disposal costs of such waste calculated from the current Metro contractor price schedules, Metro and/or contractor labor costs, ~~and all applicable excise taxes,~~ and the cost of material utilized for managing the waste.



SECTION 8. Metro Code Section 5.02.075 is amended to read:

5.02.075 Special Exemption from Disposal Fees

(a) ~~The solid waste director~~ Executive Officer may issue a special exemption permit to a public agency, local government, or qualified non-profit entity, ~~waiving that functions to waive fees for disposal of solid waste generated within the Metro region, by.~~ Prior to issuing such a permit the making Executive Officer shall render the following findings:

- (1) Total aggregate disposal fees to be waived for the entity requesting waiver ~~does~~will not exceed \$5,000 per Metro fiscal year;
- (2) The waiver of fees will address or remedy a hardship suffered by the applicant, or the public interest will be served by waiver of the disposal fees;
- (3) The waste in question is acceptable for disposal at a Metro facility;
- (4) The amount of the waiver is covered by budgeted funds; and
- (5) If the applicant for a special exemption permit is a nonprofit entity, such entity is qualified as specified in Code section 5.07.030(a), (b), (c), (d) and (j).

(b) ~~The solid waste director shall notify the~~ Executive Officer ~~Director shall notify the~~ Metro Council 14 days in advance of the date of issuance of an exemption permit under this section by filing a written report of the proposed action, including required findings, with the clerk of the council. ~~If the council notifies the d~~ Council. If the Council notifies the Executive Officer ~~Director within the 14-day period of its intent to review the proposed waiver, the~~ Executive Officer ~~Director shall not issue the permit unless so authorized by the~~ Council.

SECTION 9. Metro Code Section 5.02.085 is amended to read:

5.02.085 Out-of-District Waste

(a) Solid waste generated outside of the district shall not be accepted at the Metro South Station, ~~or the Metro Central Station or MSW Compost Facility~~ for disposal unless a special permit to do so is issued by the Metro executive ~~o~~ Executive Officer. Any permit issued shall specify the circumstances justifying such exception. ~~Any permit issued shall be subject to,~~ and shall take into account the following:

- (1) Available landfill or facility capacity considering the capacity needs for disposal of solid waste generated within the district;

- (2) No adverse impact upon district rate-payers;
- (3) Any solid waste authorized to be disposed under this ordinance shall be subject to the same standards and conditions pertaining to "acceptable waste" deliveries to the above named facilities; and
- (4) Any additional conditions as specified by the ~~executive~~ Executive Officer which may be necessary for the safe, efficient or cost effective operation of Metro facilities.

(b) Any special permit issued under paragraph ~~4(a)~~ shall expire in a period of time not to exceed 12 months from date of issuance unless a longer period of time is authorized by the Metro ~~Council~~. Any renewals or extensions of a permit resulting in a cumulative permit period exceeding 12 months shall require the approval of the Metro ~~Council~~.

(c) Any special permit issued by the ~~executive~~ Executive Officer may be revoked upon 30 days notice to the permit holder.

(d) Any permit for a monthly tonnage in excess of 1,000 tons per month must be referred to ~~the~~ Council prior to the approval.

SECTION 10. Metro Code Section 7.01.020 is amended to read:

**7.01.020 Tax Imposed**

(a) For the privilege of the use of the facilities, equipment, systems, functions, services, or improvements owned, operated, franchised, or provided by the district, each user shall pay a tax of 7.5 percent of the payment charged by the operator or the district for such use unless a lower rate has been established as provided in subsection 7.01.020(b). Each user of all solid waste system facilities shall pay an additional tax of 1.0 percent of the payment charged by the operator or the district. The tax constitutes a debt owed by the user to the district which is extinguished only by payment of the tax directly to the district or by the operator to the district. The user shall pay the tax to the district or to an operator at the time payment for the use is made. The operator shall enter the tax on his/her records when payment is collected if the operator keeps his/her record on the cash basis of accounting and when earned if the operator keeps his/her records on the accrual basis of accounting. If installment payments are paid to an operator, a proportionate share of the tax shall be paid by the user to the operator with each installment.

(b) The council may for any period commencing no sooner than July 1 of any year and ending on June 30 of the following year establish a tax rate lower than the rate of tax provided for in subsection 7.01.020(a) by so providing in an ordinance adopted by the district. If the council so establishes a lower rate of tax, the executive officer shall immediately notify all operators of the new tax rate. Upon the end of the fiscal year the rate of tax shall revert to the maximum rate established in subsection 7.01.020(a) unchanged for the next year unless further action to establish a lower rate is adopted by the council as provided for herein.

SECTION 11. The amendments to the Metro Code provided for in Sections 1 through 10 of this Ordinance shall take effect on July 1, 1997."

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_, 1997.

\_\_\_\_\_  
Jon Kvistad, Presiding Officer

Approved as to Form:

ATTEST:

\_\_\_\_\_  
Recording Secretary

\_\_\_\_\_  
Daniel B. Cooper, General Counsel

RC:ayjep (ogc)  
MR-097-681.B

*Agenda Item Number 9.1*

**Resolution No. 97-2488, For the Purpose of Making Citizen Appointments to the Transportation Alternatives Committee (TPAC).**

**Metro Council Meeting  
Thursday, April 10, 1997  
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF MAKING ) RESOLUTION NO. 97-2488  
CITIZEN APPOINTMENTS TO THE )  
TRANSPORTATION POLICY ALTERNA-) Introduced by  
TIVES COMMITTEE (TPAC) ) Councilor Washington, Chair  
Transportation Planning Comm.

WHEREAS, The Transportation Policy Alternatives Committee (TPAC) is organized to provide input on transportation planning, priorities and financing alternatives; and

WHEREAS, It is the responsibility of the Metro Council to appoint six citizen members of the Transportation Policy Alternatives Committee to two-year terms; and

WHEREAS, The six citizen members should represent a broad range of interests and geographic areas of the metropolitan area; and

WHEREAS, A recruitment and selection process was conducted from October 1996 through March 1997 which resulted in the receipt of 20 applications and the interview of seven finalists; and

WHEREAS, There are currently three citizen vacancies on the Transportation Policy Alternatives Committee resulting in the need to appoint three members to two-year terms; now, therefore,

BE IT RESOLVED:

1. That the Metro Council appoints the following citizen members to the Transportation Policy Alternatives Committee for a two-year term beginning in April 1997 and ending in April 1999:

Keith Bartholomew  
Michael R. Miller  
Richard L. Sadler

2. That the citizen members can, at their option, appoint an alternate to serve in their absence.

ADOPTED by the Metro Council this \_\_\_\_ day of \_\_\_\_\_,  
1997.

Jon Kvistad, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel

PP:lmk  
97-2488.RES

**Transportation Policy Alternatives Committee  
Citizen Applicants (11/20/96)**

**Pamela Alegria**

Residence area: SE Portland  
 Activities: President, Willamette Pedestrian Coalition;  
 Multnomah County Pedestrian Plan Citizen Task  
 Force, Broadway/Weidler Corridor Plan Project  
 Advisory Committee  
 Employed: Self

**\*Keith Bartholomew**

Residence area: SW Portland  
 Activities: "Making the Land Use, Transportation, Air  
 Quality Connection" (LUTRAQ); Environmental  
 Commission of the Episcopal Diocese of Oregon;  
 Vestry St. Stephen's Episcopal Parish; Steering  
 Committee member, Tri-Met Transit Choices for  
 Livability  
 Employed: Staff Attorney, 1000 Friends of Oregon

**John J. Breiling**

Residence area: Outer NW Portland/Washington Co.  
 Activities: Board Member and Chair CPO-7, Washington County;  
 Secretary-Treasurer, Mil-Vets Section, Oregon  
 State Bar; Summer Migrant Night School Programs,  
 St. Luke's Church, Woodburn; Citizens  
 Advisory Committee member, Metro Northwest  
 Subarea Transportation Study  
 Employed: Attorney, Portland District Corps of Engineers

**Rex Burkholder**

Residence area: NE Portland  
 Activities: Board Member and founder, Bicycle Transportation  
 Alliance, Director, Praxis, NE Portland; member,  
 ODOT Bicycle and Pedestrian Advisory Committee;  
 member, Transportation Policy Alternatives  
 Committee; Central City Transportation  
 Management Plan Bicycle Subcommittee  
 Employed: State Advocacy Program Manager, Bicycle  
 Transportation Alliance

**Paul O. Edgar**

Residence area: Vancouver, WA moving to Oregon City  
 Activities: Chamber of Commerce, Anchorage, Alaska;  
 President and Board Member, Alaska Fine Art  
 Camp; Board Member, Youth Crime Commission  
 Alaska  
 Employed: President/Consultant, CES Systems & Consulting

**Don Francinella**

Residence area: SE Portland  
Activities: Staff to West Linn Transportation Citizens Advisory Committee; member, Cable TV Advisory Committee, Modesto, CA; member, Stadium Committee Modesto, CA  
Employed: Transportation Planner, City of West Linn

**Jason Franklin**

Residence area: SE Portland  
Activities: Bicycle Transportation Alliance; Community Cycling Center; PSU Planning Club  
Employed: Project Coordinator, Pacific Rim Resources

**Scott Franklin**

Residence area: Sherwood  
Activities: Transportation Committee, Tualatin Valley Economic Development Corporation  
Employed: Civil Engineer, Consulting Engineering Services

**Julie Gibson**

Residence area: SW Portland  
Activities: Board Member and Communications Committee Chair, American Society of Civil Engineers; member, Women's Transportation Seminar (WTS)  
Employed: Structural Engineer, HDR Engineering, Inc.

**Cherry Harris**

Residence area: Oregon City  
Activities: Habitat for Humanity; Sunshine Kids Foundation; Cheer-A-Child Gift Campaign; Prince of Life Lutheran Church  
Employed: International Union of Operating Engineers

**Casey Jones**

Residence area: SE Portland  
Activities: American Society for Public Administration; International City Manager's Association  
Employed: Program Manager, Association for Portland Progress

**Irwin Mandel, Ph.D.**

Residence area: SW Portland  
Activities: Multnomah County District Attorney CBAC; City Club of Portland Public Services and Safety Issues Committee; past President, Downtown Community Association, former member, Downtown Rail Advisory Committee  
Employed: Retired



**\*Michael Miller**

Residence area: Gresham  
Activities: Past President, Gresham Area Chamber of Commerce; Board of Directors, Rotary Club of Gresham; Board of Directors, Edgefield Station Inc.; City of Gresham Solid Waste Citizen Advisory Committee; City of Gresham Parks Master Plan Committee  
Employed: General Manager, Gresham Sanitary Service, Inc.

**Clay Moorhead**

Residence area: Troutdale  
Activities: Former Director, Gresham Department of Community Development; Former City Manager, Sandy Transportation/Planning Consultant, CDA Consulting Group  
Employed:

**John Porter**

Residence area: Tualatin  
Activities: ODOT Cost Responsibility Study Advisory Committee; Weight Mile Evasion Study Legislative Advisory Committee; ODOT Studded Tire Damage Study Advisory Committee; Financial Executives Institute; Oregon Society of Certified Public Accountants; American Institute Certified Public Accountants  
Employed: VP Financial Services, AAA Oregon

**\*Richard L. Sadler**

Residence area: Dundee  
Activities: Tualatin Valley Economic Development Corporation (TVEDC), City Club of Portland Committee on Land Use and Transportation and Research Committee on the Future of Urban Land Use Planning; Yamhill County Planning Commission  
Employed: Attorney, Copeland, Landye, Bennett and Wolf, LLP, Portland

**BeBe Schindler**

Residence area: Hillsboro  
Activities: Volunteer Manager, Cornelius Chamber of Commerce; Central Oregon Council on Aging; Kiwanis; Toastmasters  
Employed: Homemaker

**Stefan Stent**

Residence area: SW Portland  
Activities: Metro Committee for Citizen Involvement; Goose Hollow Foothills League; Police Activities League; Multnomah County Corrections Advisory Committee; Veterans for Human Rights  
Employed: Standard Insurance Co.

**Ramsay Weit**

Residence area: NE Portland  
Activities: Growth Management Committee, City Club of  
Portland; Board Member, Human Solutions, Inc.;  
Board Member, Tri-County Youth Consortium;  
Multnomah County Strategic Investment Program  
Advisory Committee; Community Development  
Network, Association of Community Development  
Corporations  
Employed: Attorney

**Mel Zucker**

Residence area: NW Portland  
Activities: Past President and Director, Forest Park  
Neighborhood Association  
Employed: Director, Oregon Transportation Institute

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\*Selected by committee

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 97-2488 FOR THE PURPOSE OF  
MAKING CITIZEN APPOINTMENTS TO THE TRANSPORTATION POLICY  
ALTERNATIVES COMMITTEE (TPAC)

Date: March 31, 1997

Presented by: Andrew Cotugno

BACKGROUND AND FACTUAL ANALYSIS

Proposed Action

This resolution would appoint the following new citizen members to fill vacancies on the Transportation Policy Alternatives Committee (TPAC) for two-year terms beginning in April 1997 and ending April 1999:

Keith Bartholomew  
Michael R. Miller  
Richard L. Sadler

Background

During October and November 1996, notice of three TPAC citizen positions was circulated by mailing to area Councilors, JPACT, TPAC, local governments, CPO groups, neighborhood organizations, Chambers of Commerce, business associations, libraries, and transportation interested parties. In addition, print advertisements were placed in the following newspapers: Oregonian, Skanner, Daily Journal of Commerce, Business Journal, Clackamas Review, Hillsboro Argus, Gresham Outlook, Tigard Times, Tualatin Times, Beaverton Valley Times, Lake Oswego Review, West Linn Tidings, Daily Shipping News and the Oregon Trucking Association Newsletter. A total of 20 applications were received as a result of the solicitation.

The Council Transportation Planning Committee appointed a subcommittee to review the list of applicants (Attachment 1) and select and interview finalists. The subcommittee members were:

Councilor Ed Washington, Chair  
Councilor Jon Kvistad  
Andrew Cotugno, Transportation Director

The subcommittee reviewed the applications and selected seven applicants for interviews. Finalists were selected based on the criteria that the six citizen members of TPAC should represent a broad range of interests and geographic areas of the metropolitan area. On March 31, 1997 the following applicants were interviewed by the subcommittee:

Pamela Alegria  
Keith Bartholomew  
Rex Burkholder  
Scott Franklin  
Michael R. Miller  
John Porter  
Richard L. Sadler

The final screening process was very difficult as all the applicants interviewed were highly qualified. The subcommittee concluded the nomination process at their March 31, 1997 meeting and is recommending a slate of three candidates for the vacant TPAC citizen positions.

A G E N D A

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736  
TEL 503 797 1542 | FAX 503 797 1793



**METRO**

**Agenda**

MEETING: METRO COUNCIL REGULAR MEETING  
DATE: April 10, 1997  
DAY: Thursday  
TIME: 2:00 PM  
PLACE: Council Chamber

<u>Approx. Time*</u>		<u>Presenter</u>
2:00 PM	<b>CALL TO ORDER AND ROLL CALL</b>	
(5 min.)	1. <b>INTRODUCTIONS</b>	
(5 min.)	2. <b>CITIZEN COMMUNICATIONS</b>	
(5 min.)	3. <b>EXECUTIVE OFFICER COMMUNICATIONS</b>	
(10 min.)	4. <b>POTENTIAL ISSUES REGARDING STATE LEGISLATION</b>	Naito
(30 min.)	5. <b>GROWTH SURVEY PRESENTATION</b>	Fregonese
	6. <b>CONSENT AGENDA</b>	
2:55 PM (5 min.)	6.1 Consideration of Minutes for the March 27, 1997 Metro Council Regular Meeting	
	7. <b>ORDINANCES - FIRST READING</b>	
3:00 PM (5 min.)	7.1 <b>Ordinance No. 97-673</b> , For the Purpose of Adopting the Regional Disaster Debris Management Plan and incorporating Part 2 into the Regional Solid Waste Management Plan.	REM
3:05 PM (5 min.)	7.2 <b>Ordinance No. 97-686</b> , An Ordinance Amending the FY 1996-97 Budget and Appropriations Schedule By transferring \$233,718 from Contingency to Personal Services and Capital Outlay of the Zoo Operating Fund, and Declaring an Emergency.	RF

3:10 PM  
(5 min.)

- 7.3 **Ordinance No. 97-687**, Amending the FY 1996-97 Budget and Appropriations Schedule for the Purpose of Reflecting Funding increases due to Costs Associated with Disaster Disposal in Excess of Budget Expectations, Transferring Appropriations within the Solid Waste Revenue Fund, and Declaring an Emergency.

REM

8. **ORDINANCES - SECOND READING**

3:15 PM  
(5 min.)

- 8.1 **Ordinance No. 97-681B**, For the Purpose of Amending Metro Code 5.02; reducing disposal fees charged at Regional Solid Waste Facilities and Making Certain Form and Style Adjustments and Increasing Excise Tax on Users of Solid Waste Facilities. (*Consideration of Veto Override*)

McLain

9. **RESOLUTIONS**

3:20 PM  
(5 min.)

- 9.1 **Resolution No. 97-2488**, For the Purpose of Making Citizen Appointments to the Transportation Policy Alternatives Committee (TPAC).

Transportation

3:25 PM  
(10 min.)

10. **COUNCILOR COMMUNICATION**

**ADJOURN**

**CABLE VIEWERS:** Council Meetings, the second and fourth Thursdays of the month are shown on City Net 30 (Paragon and TCI Cablevision) the first Sunday after the meeting at 8:30 p.m. The entire meeting is also shown again on the second Monday after the meeting at 2:00 p.m. on City Net 30. The meeting is also shown on Channel 11 (Community Access Network) the first Monday after the meeting at 4:00 p.m.

All times listed on the agenda are approximate; items may not be considered in the exact order.  
For questions about the agenda, call Clerk of the Council, Chris Billington, 797-1542.  
For assistance per the American Disabilities Act (ADA), dial TDD 797-1804 or 797-1540 (Council Office)

**TRANSCRIPT, MARCH 26, 1997 COUNCIL MEETING, MCCAIG COMMENTS**

Thank you. In a perfect world, I think this would be a pretty easy process. I'd have an opportunity to vote on reducing the tip fee, which I do support. I'd have an opportunity to finish the budget process and determine the needs of this agency in building consensus and some support for those needs. And lastly, I'd have the opportunity to vote on increasing the excise tax to cover those needs. But because of the process we followed, I cannot do that. As a result, I am going to be voting no on reducing the tipping fee, which I think is a significant accomplishment for this agency.

We know that we have more needs than we have money. And I do not want to hide behind some curtain that there is no problem. We have more needs than we have money. We heard testimony yesterday from the zoo after cutting \$1.7 million out of their budget and losing 16 FTE, ten real people, testifying in front of us about the jobs they are losing. \$1.7 million. We have needs in planning of over \$140,000, probably actually much more than \$140,000. MPAC is making a recommendation to us that we prioritize our needs and that we put our money into planning. We have incredible needs in parks. We have over \$500,000 in immediate needs, not to mention \$3 million in capital improvement and long-term maintenance needs. So, I do not want anybody walking away from this meeting believing that my vote "no" today has anything to do with trying to avoid addressing these needs. Because I think they are real, and I think we are going to need to look at new revenue sources.

But what I object to, very strongly, is this process. As chair of the budget committee, it has not been on my agenda, nor did I get formal notice last week that it was going to be brought up. So I am curious about the five meetings where it was discussed. I do not believe there has been adequate notice and discussion. And because a lawyer or legal counsel says that we are within the law, that does not mean we are doing it right. That is the minimum standard we have to meet. We have a responsibility and an obligation to create a higher standard and a vote of confidence with our voters. Not a minimum standard. You cannot build support for an idea, understanding of a need, with the public in a week.

I truly believe we have a difficult job to do. I have said this before. We have got to take very complex issues, we have to break them down, we have to discuss them openly. We have to grapple with the decisions. We have to do our work in public. We have to let people see us make these decisions and grapple with these choices. Because as a result of that, we have a chance to build support and confidence in us as a government. The process we followed contributes to the growing skepticism people have about this government. And I think they should be skeptical. We have increased a tax, but we are saying we have not. We have tied it to another piece of legislation. We have never printed it on an agenda, and we have spent less than a week on it.

We are starting off on a dangerous course, and I don't get it. I don't understand why. Today, at least seven appeals have been filed with the state on our last decision on Urban Reserves. That process did not build confidence with our partners about the role and the process that this government follows generally. Today's decision continues to the erosion of confidence in this government. At the request of the executive officer, of the chair of the budget committee, and the chair of the solid waste committee, we have asked the council to delay and separate these decisions.

041097C-02



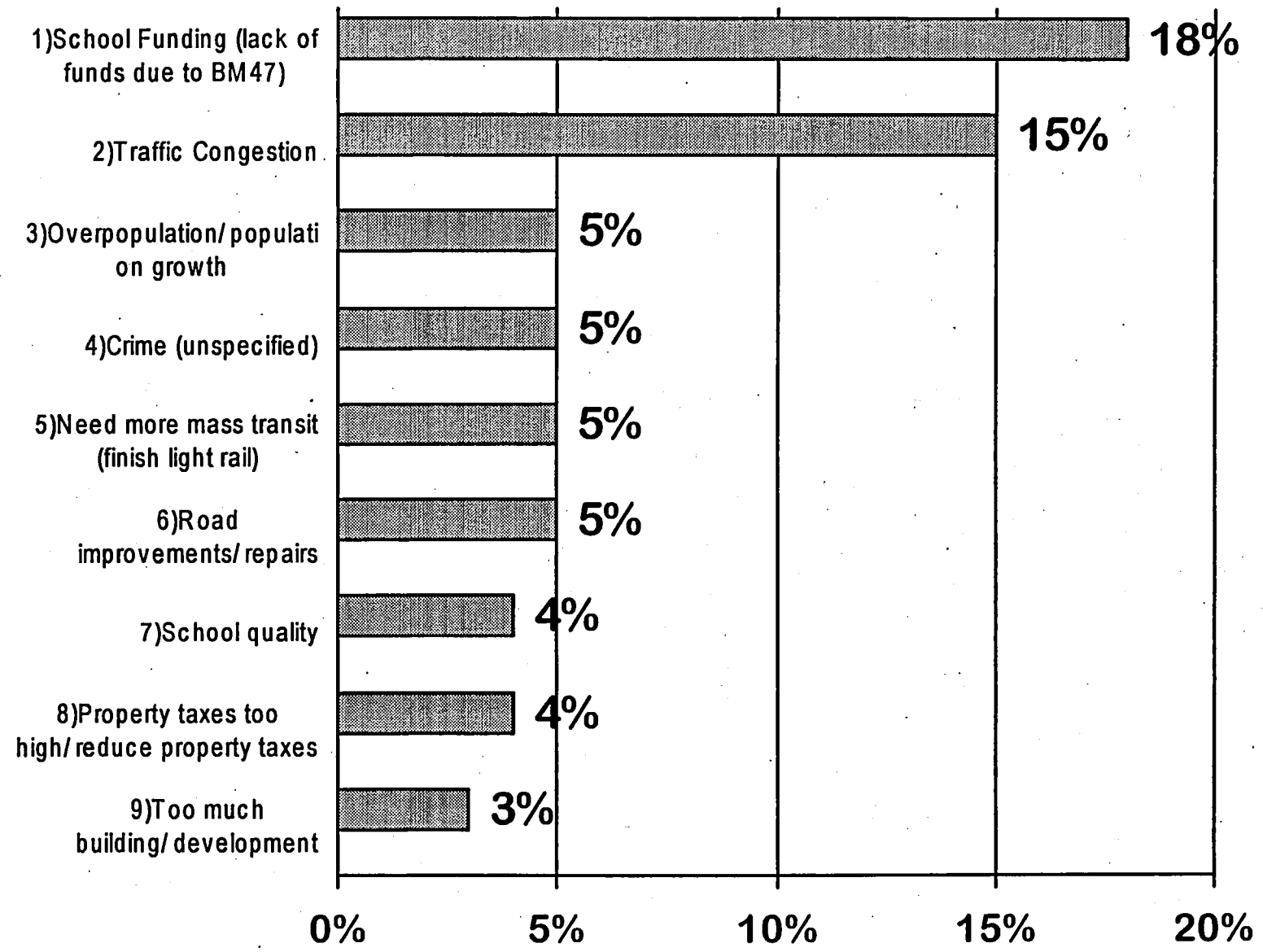
1997  
Growth Management  
Survey Summary

Produced by Davis & Hibbitts, Inc.

February, 1997

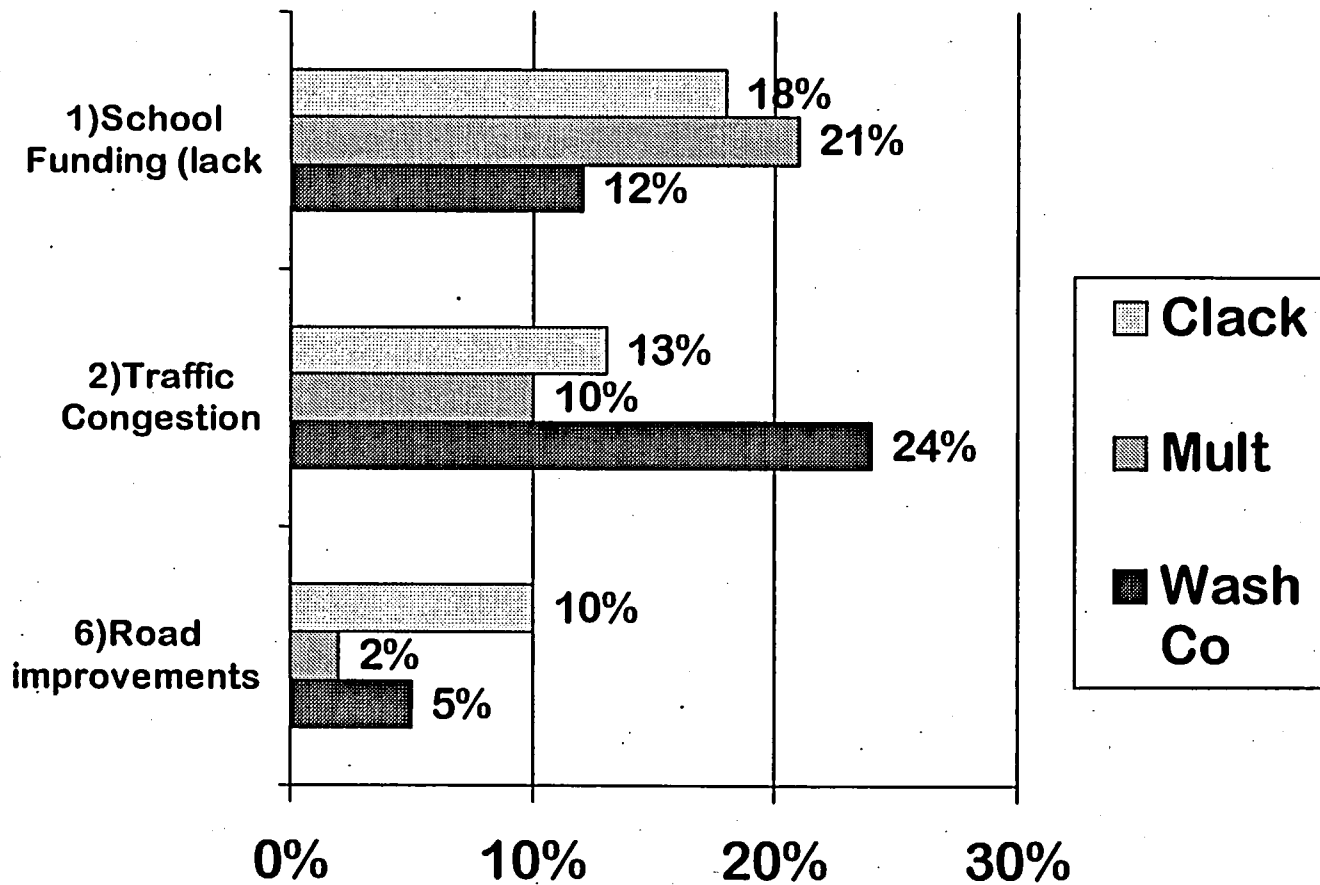


# BIGGEST PROBLEM FACING TRI-COUNTY AREA

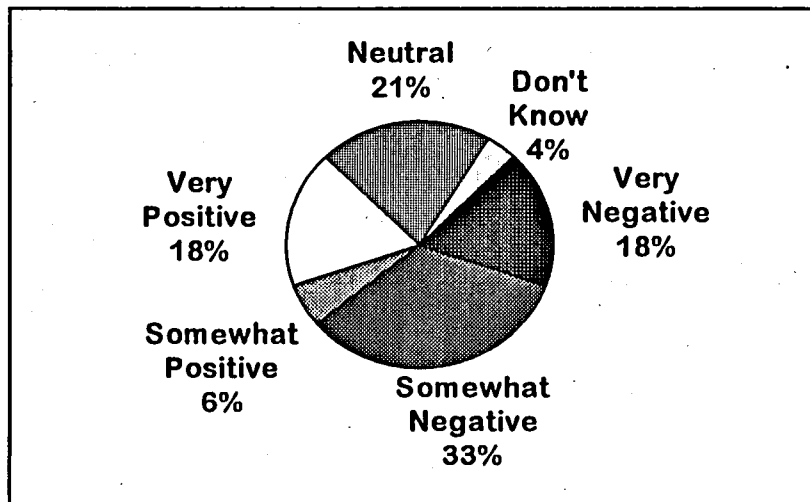


# BIGGEST PROBLEM - Part 2

## SIGNIFICANT COUNTY DEVIATION



# POPULATION GROWTH



**(If negative) What specifically concerns you about population growth in the tri-county area?**

- |  |     |
|--|-----|
| 1) Increased traffic on roads/not enough roads | 46% |
| 2) Destroyed all farm land/gree space/scenery  | 23% |
| 3) Too crowded/overpopulation                  | 20% |
| 4) Overcrowding of schools                     | 14% |
| 5) Higher crime rate                           | 13% |
| 6) Environmental effects/pollution             | 10% |
| 7) Raising the cost of housing                 | 7%  |

**(If negative) What should be done about population growth in the tri-county area?**

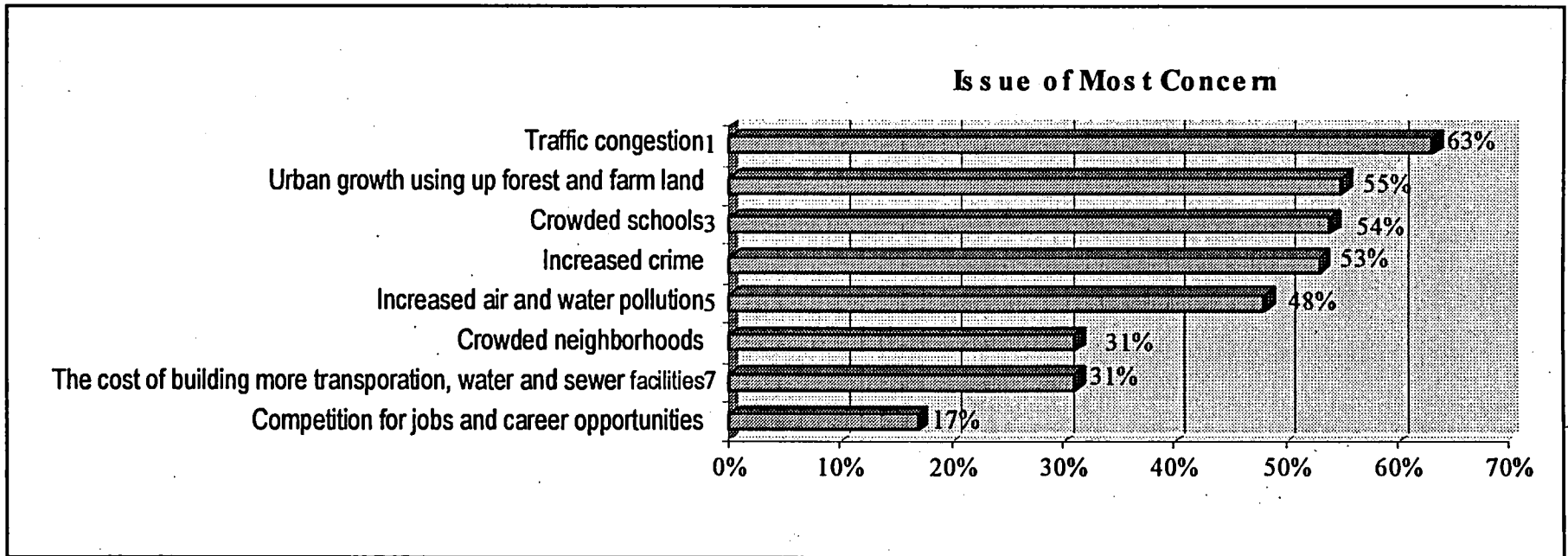
- |  |     |
|--|-----|
| 1) Limit the amountof houses/apartments built    | 18% |
| 2) Keep zoning laws/don't expand/save greenspace | 16% |
| 3) More mass transit                             | 6%  |
| 4) Limit people from moving into state           | 5%  |

**(If positive) Why do you feel positive about populatio n growth in the tri-country area?**

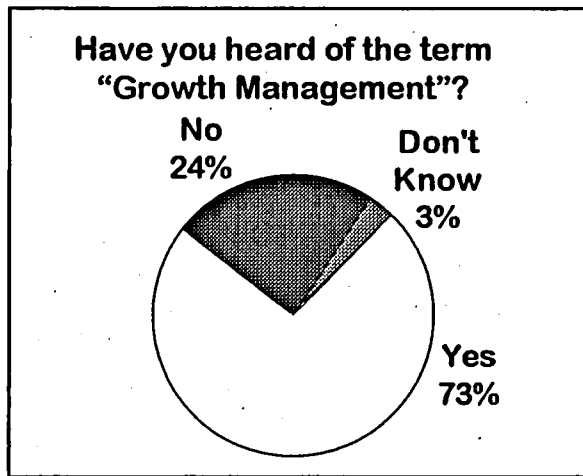
- |                                     |     |
|-------------------------------------|-----|
| 1) Improved job market              | 28% |
| 2) Good for the economy             | 26% |
| 3) Brings in more business          | 18% |
| 4) Increases tax revenue            | 10% |
| 5) Adds diversity to community      | 9%  |
| 6) People need a place to live      | 6%  |
| 7) Increases property values        | 6%  |
| 8) Brings better/higher paying jobs | 2%  |

# POPULATION GROWTH CONCERNS

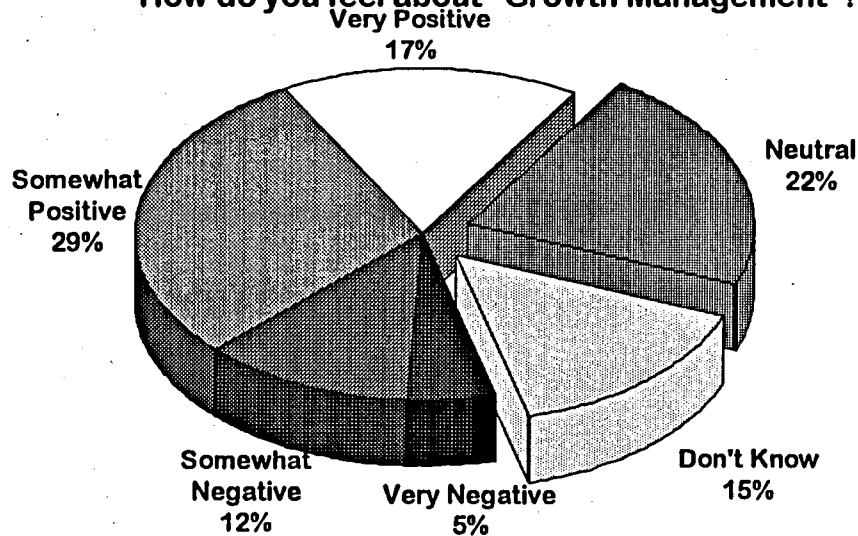
QUESTION: I am going to read a list of reasons people have given for being concerned about population growth in the tri-county area. For each, please tell me if you are not at all concerned about the issue, not very concerned, somewhat concerned or very concerned.



# GROWTH MANAGEMENT



## How do you feel about "Growth Management"?



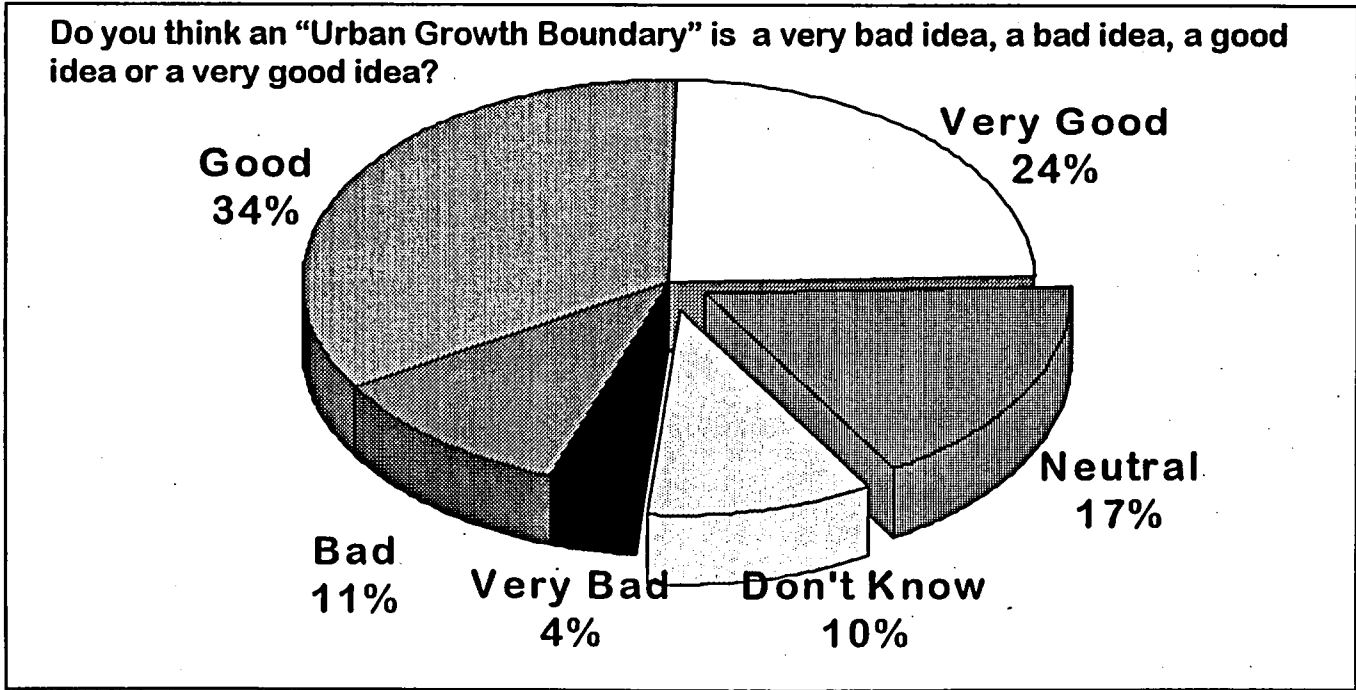
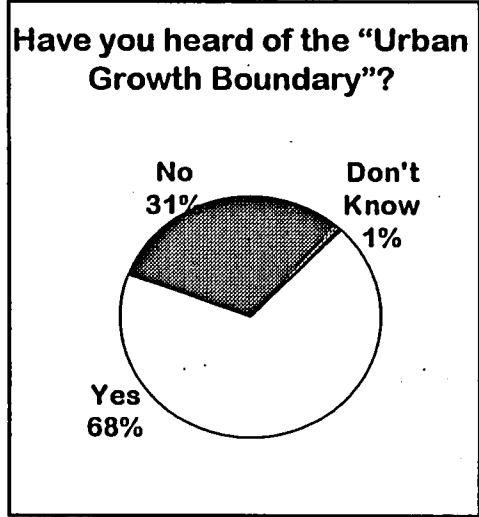
### (If negative) Why?

- 1) Don't like the government telling people what they should do with their property 28%
- 2) Public doesn't have enough say in planning 12%
- 3) Being done badly 12%
- 4) All the green space/farm land is being taken away 9%
- 5) It encourages/causes growth 9%

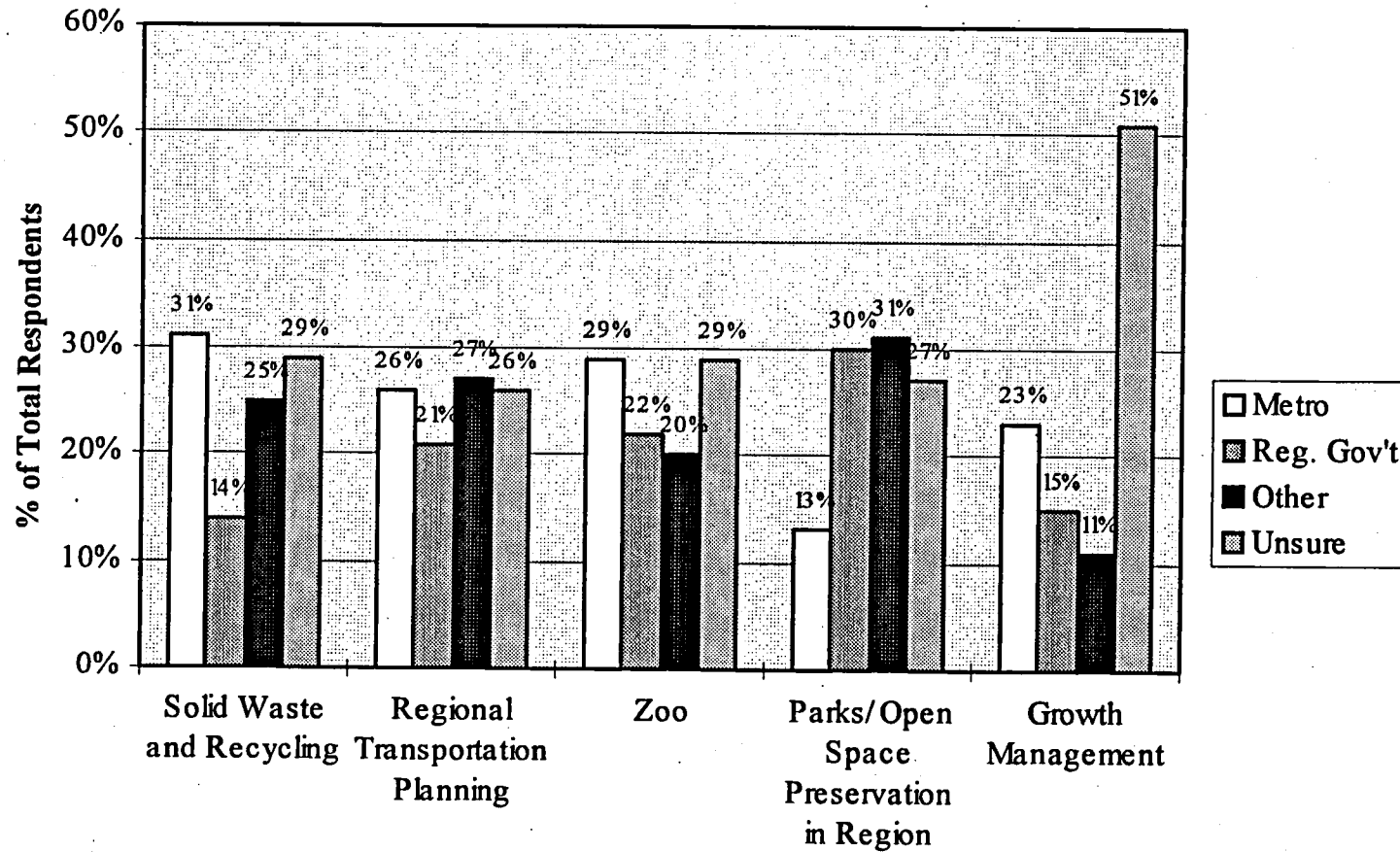
### (If positive) Why?

- 1) It's necessary for growth to be managed/ better than ignoring 70%
- 2) Must be managed to prevent urban sprawl, keep UGB 9%
- 3) The streets will be well planned/prevent traffic congestion 9%
- 4) Will prevent overcrowding in neighborhoods/ limit population density 8%
- 5) Prevent overcrowding of schools/schools will have input 6%

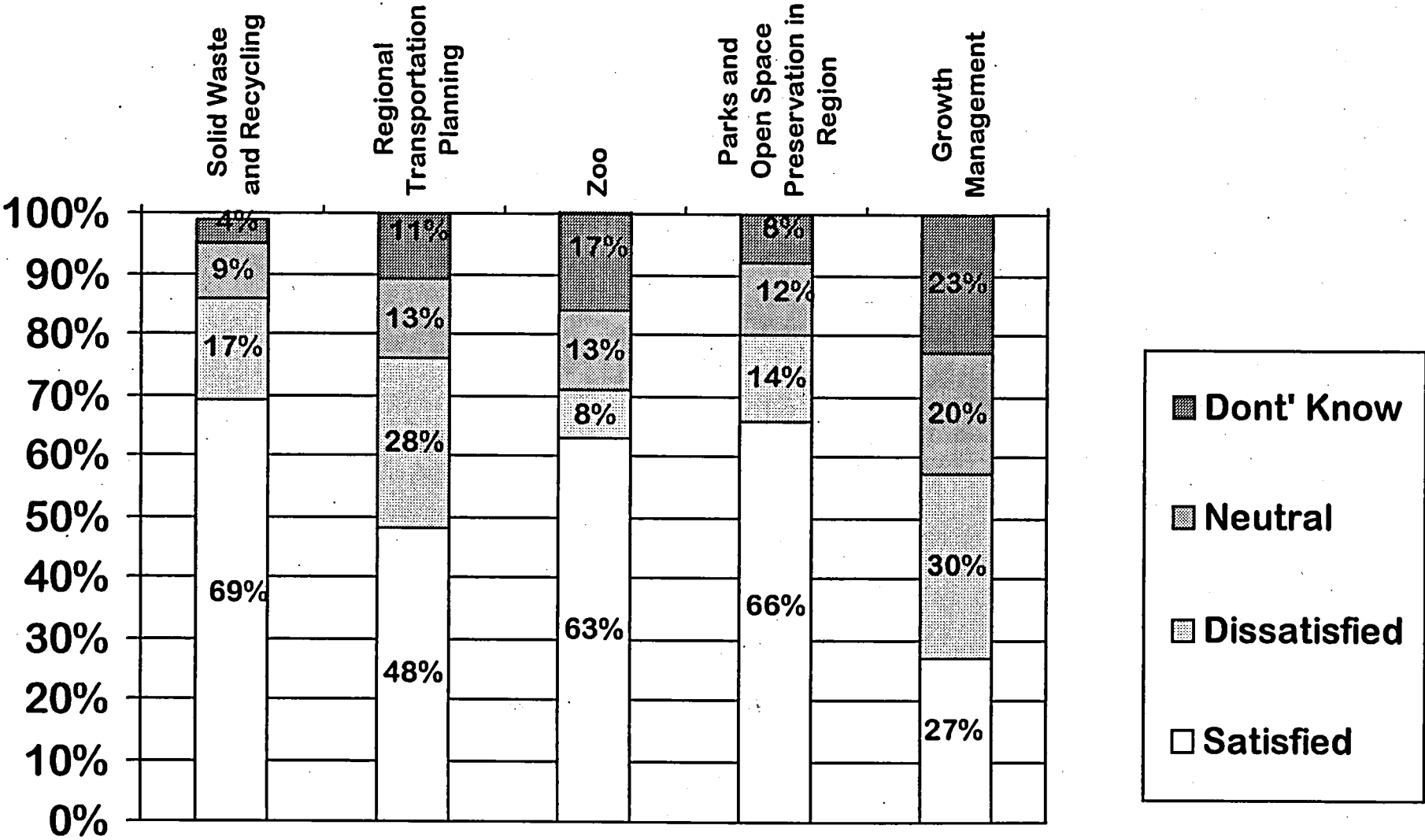
# URBAN GROWTH BOUNDARY



# Who Provides Services ?



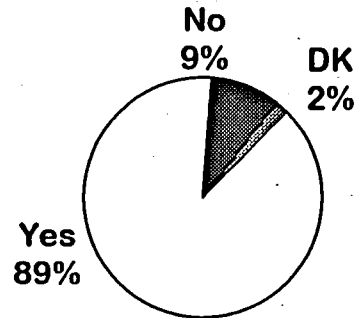
# Satisfaction Rating of Services



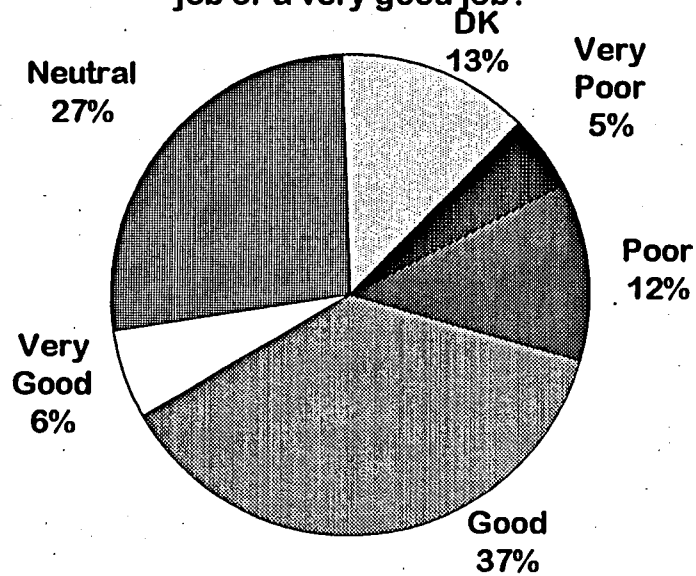


# Perception of Metro

Have you heard of Metro?



Is Metro doing a very poor job, a poor job, a good job or a very good job?



*(If poor job) Why?*

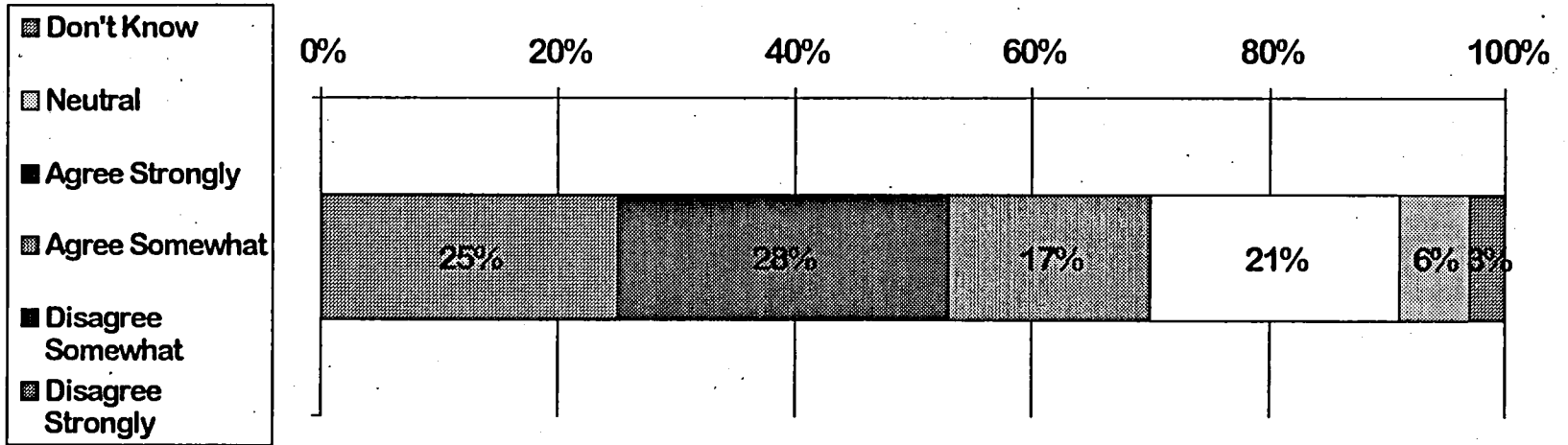
- |  |     |
|--|-----|
| 1) They have too much control/ get involved too much   | 27% |
| 2) Excessive spending/wasting too much of our money    | 21% |
| 3) They don't listen to what the public says they want | 20% |
| 4) Too pro-development                                 | 14% |
| 5) Charge too much for their services                  | 12% |
| 6) Not effective                                       | 8%  |

*(If good job) Why?*

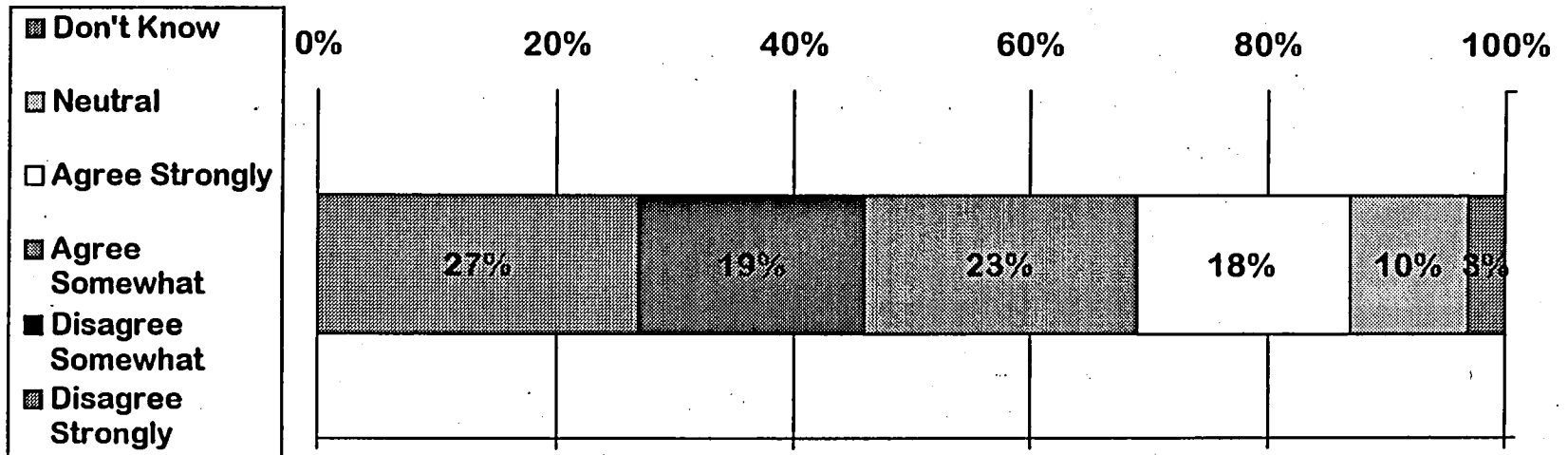
- |  |     |
|--|-----|
| 1) Offering more/better mass transit                 | 21% |
| 2) Doing the best they can with the budget they have | 18% |
| 3) Offer/encourage recycling programs                | 16% |
| 4) Helping to keep our green spaces/ protect the UGB | 12% |
| 5) Built light rail                                  | 9%  |

# TRANSPORTATION ISSUES - Part 2

**Metro and Tri-Met are trying to force people out of their cars.**

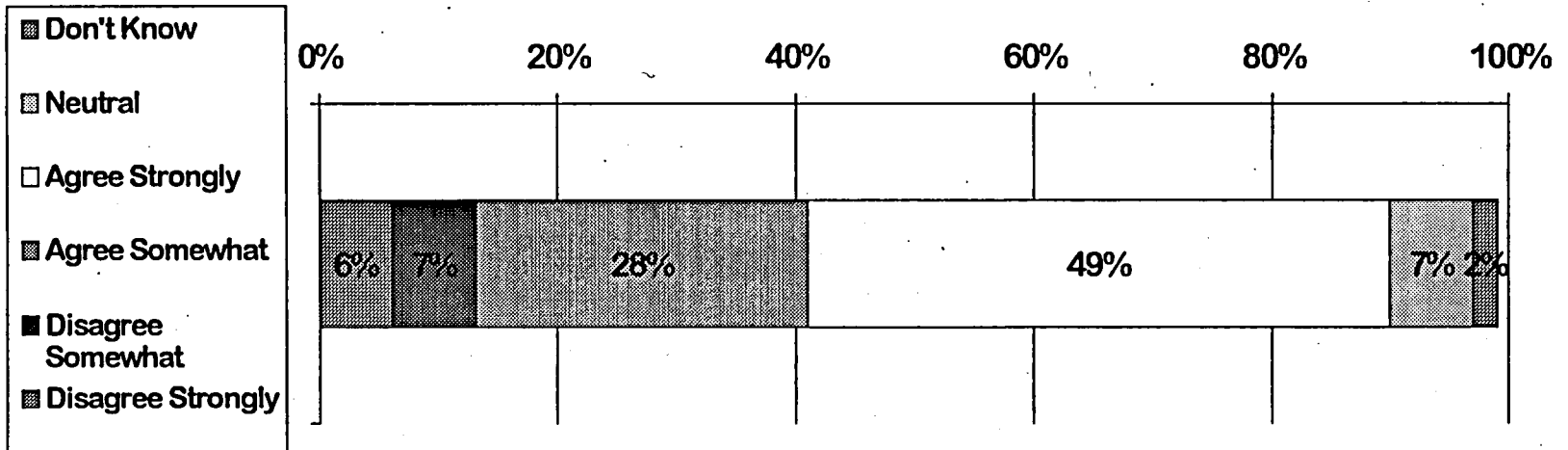


**We should widen congested freeways even if it means disruption and additional taxes.**

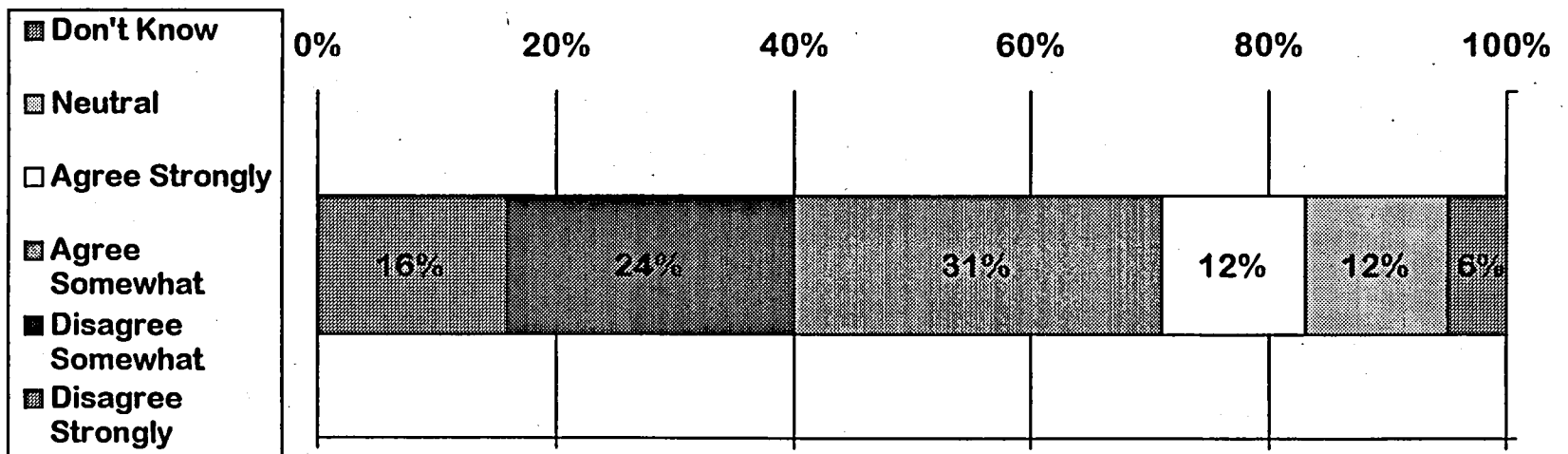


# TRANSPORTATION ISSUES - Part 1

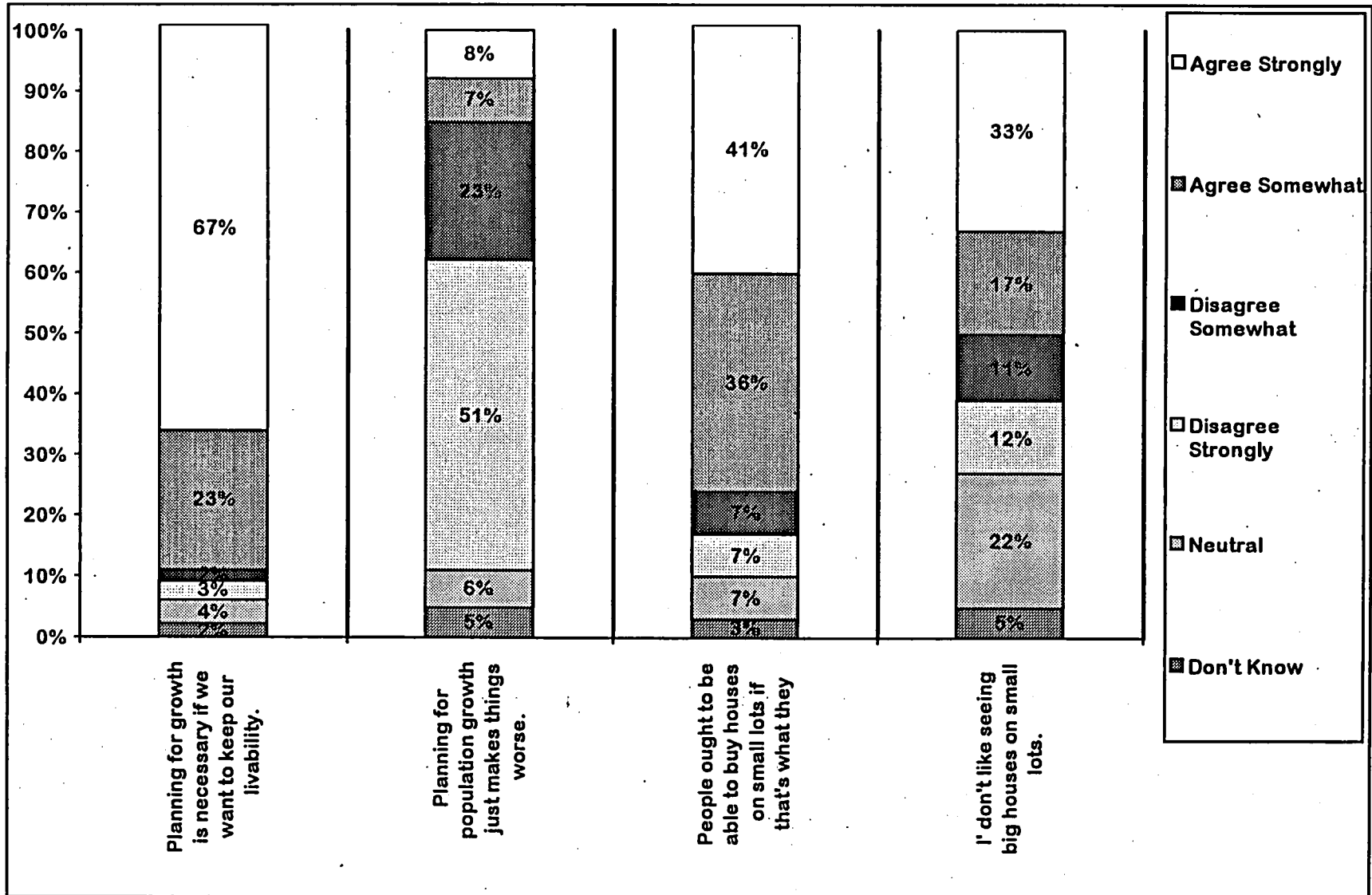
We should provide better transportation alternatives for people to use beside driving.



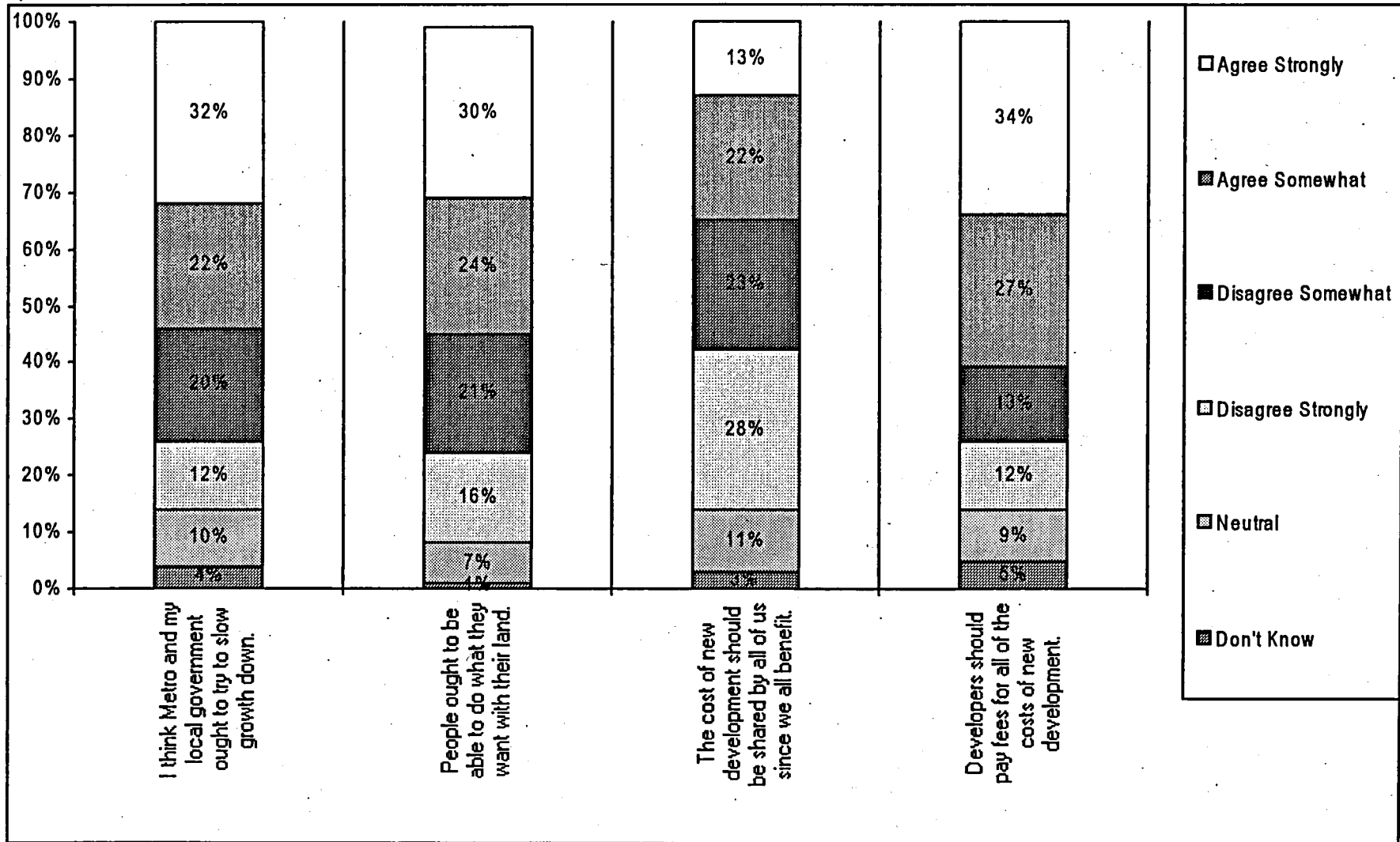
People ride light rail and buses because they like it.



# GROWTH MANAGEMENT ISSUES - Part 1



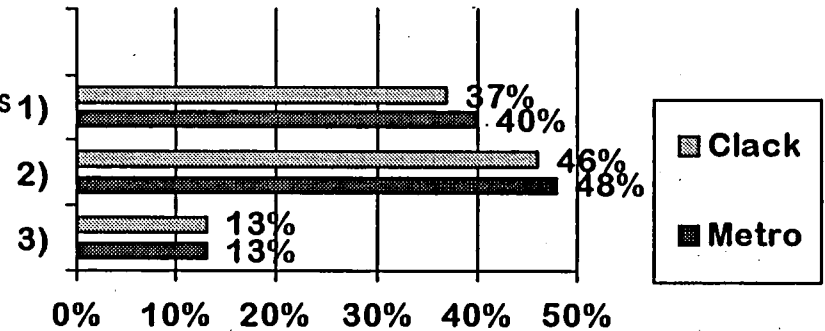
# GROWTH MANAGEMENT ISSUES - Part 2



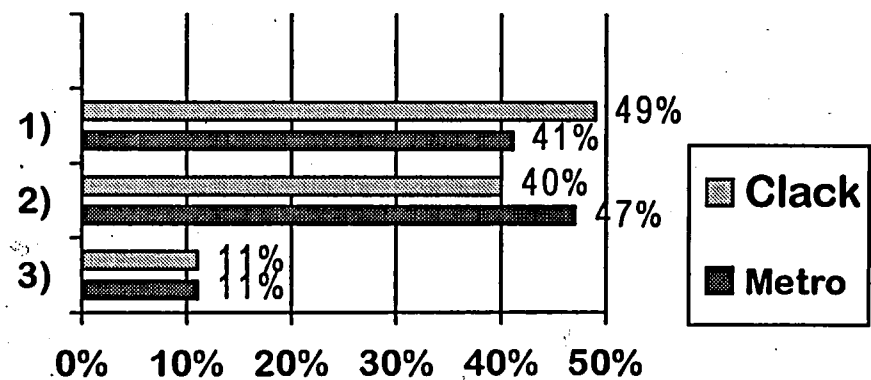
# EXPANDING THE URBAN GROWTH BOUNDARY

QUESTION: It is expected that the tri-county area will continue to grow steadily over the next few decades. If this growth does occur, which one of the following options is the best way to handle it?

- 1) Expand the UGB to give us more room to build residences on, even if that uses up some of the remaining open space, or farm or forest land, in this area.
- 2) Keep the UGB as it is, and build residences on smaller lot sizes, even if that means increased density and people living closer together in this area.
- 3) Unsure

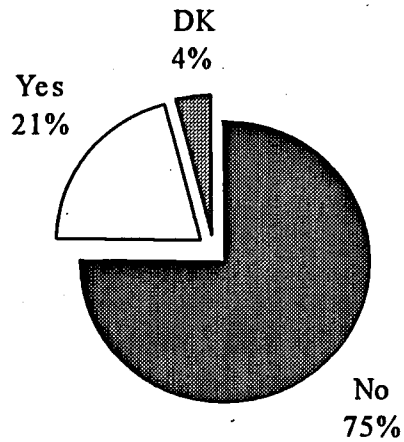


- 1) Expand the UGB to give us more room to build residences on, even if that uses up some of the remaining open space, or farm or forest land, in this area.
- 2) Keep the UGB as it is, and build residences on smaller lot sizes, even if that means increased density and people living closer together in smaller homes in your neighborhood.
- 3) Unsure

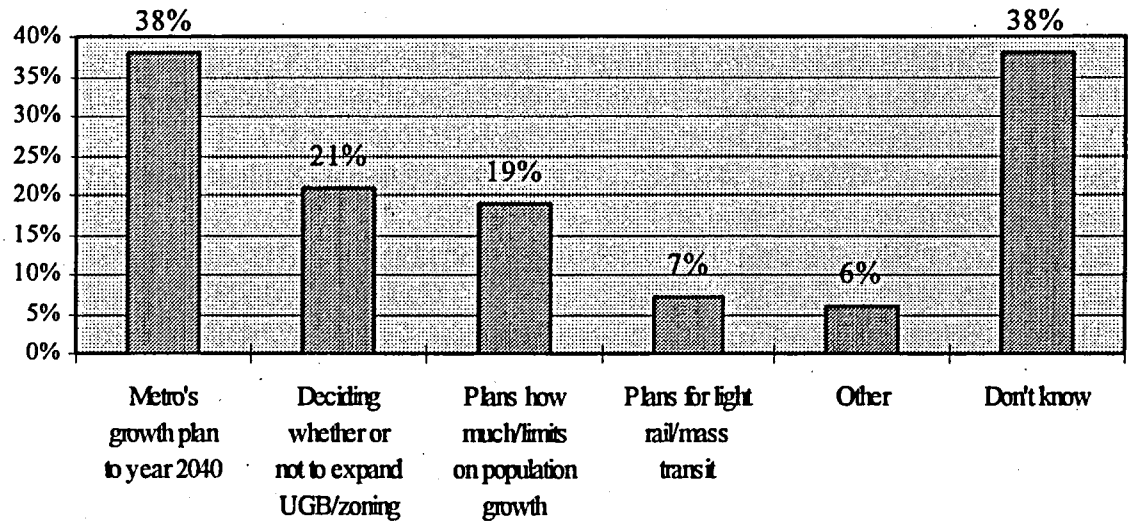


# METRO'S 2040 GROWTH CONCEPT

Have You Heard of Metro's 2040 Growth Concept?

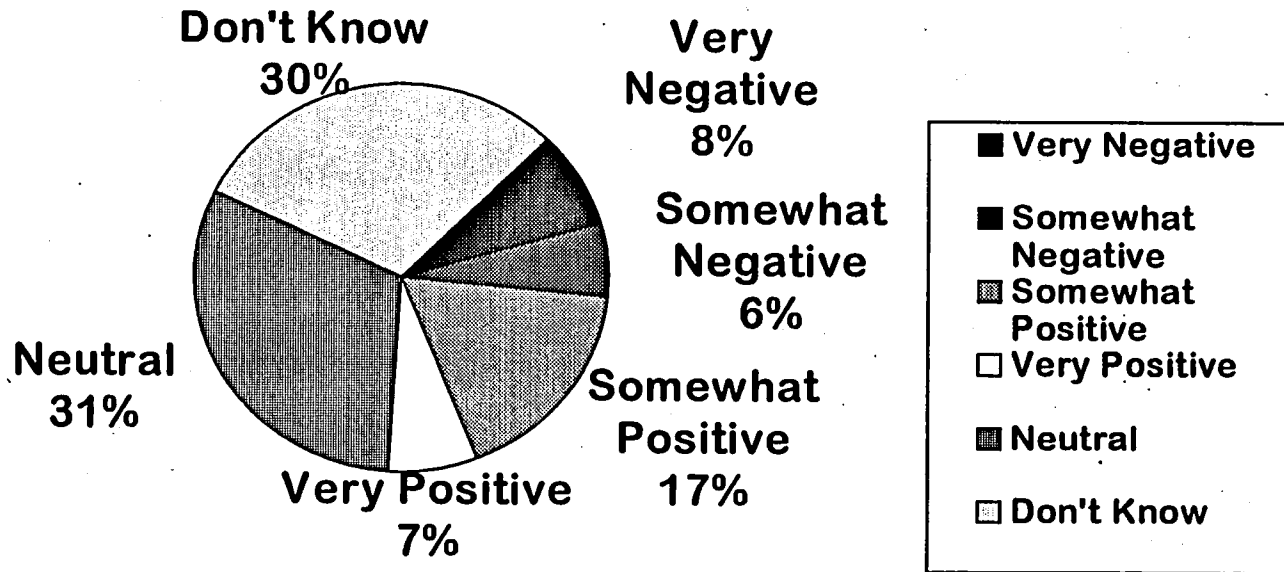


(If "Yes") What Is It?



# METRO'S 2040 GROWTH CONCEPT

**QUESTION: Do you feel very negative, somewhat negative, somewhat positive or very positive about the 2040 Growth Concept?**



(If negative) Why?

- |   |     |
|---|-----|
| 1) They should expand the urban growth boundary instead     | 16% |
| 2) Population congestion concerns                           | 12% |
| 3) Too much government control of personal lives            | 9%  |
| 4) They are only concerned about people with a lot of money | 9%  |
| 5) It effects/threatens my property                         | 8%  |
| 6) Other  | 38% |

(If positive) Why?

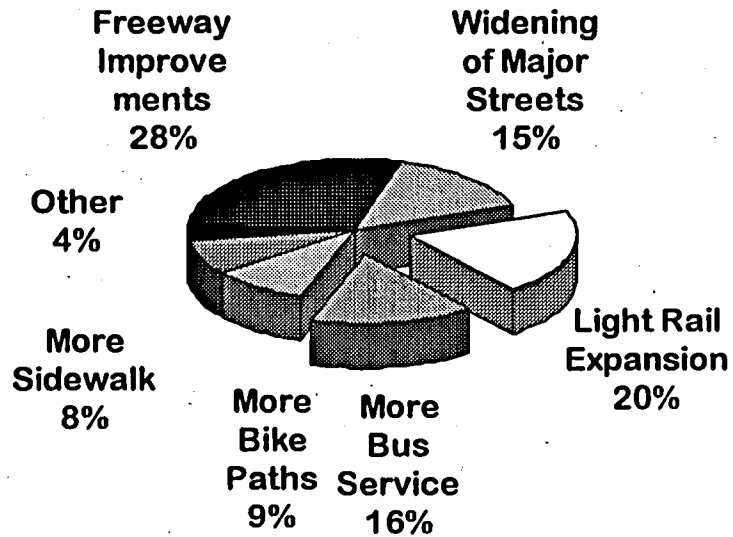
- |  |     |
|--|-----|
| 1) At least something is being planned instead of ignored  | 61% |
| 2) Preserve quality of life/livability                     | 16% |
| 3) Set up to protect farmland/wild life/forests/open space | 7%  |
| 4) Urban growth boundary concerns                          | 6%  |
| 5) It's democratic/the people were involved                | 3%  |
| 6) Other   | 20% |



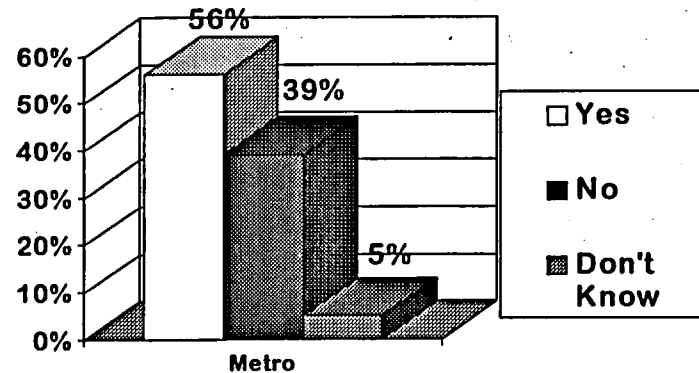
# FUTURE TRANSPORTATION BUDGET

*I'd now like to ask about a budget for how tax money should be spent in the future on the transportation system in the tri-county area. Please tell me what percentage of the budget should go to each item.*

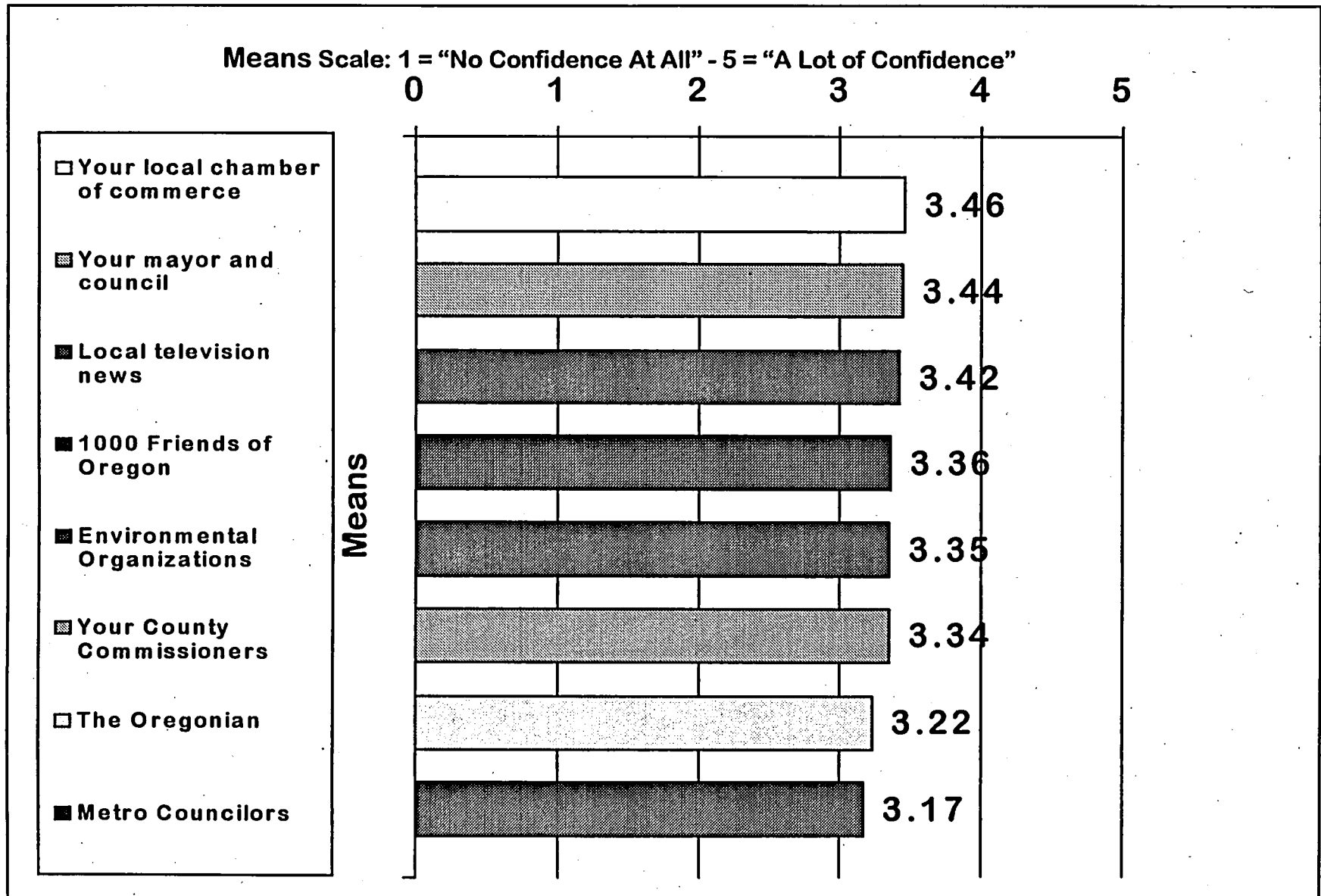
## Metro's Average Percentage Allocation



If you could specify exactly how the money would be spent, would you be willing to pay any more in taxes to improve the transportation system in the tri-county area?

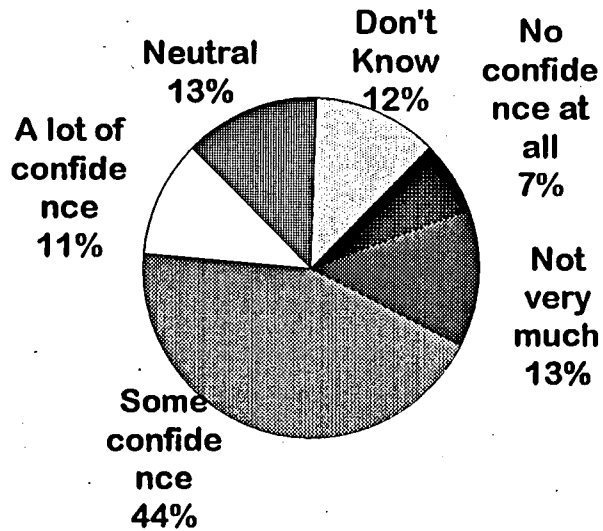


# PUBLIC CONFIDENCE/AWARENESS OF ORGANIZATIONS AND OFFICIALS

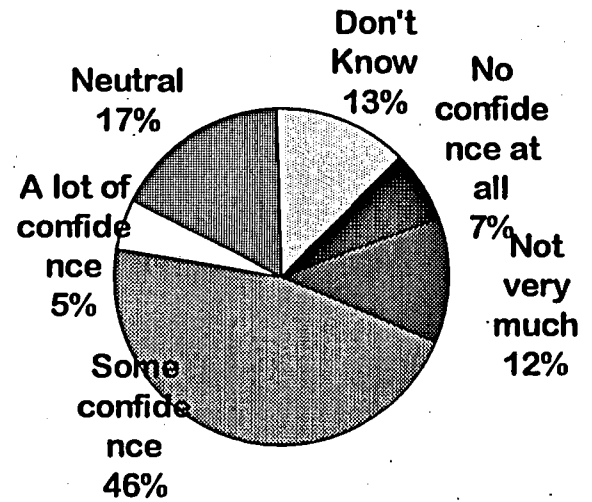


# PUBLIC CONFIDENCE/AWARENESS - Specific Breakdown of Key Groups

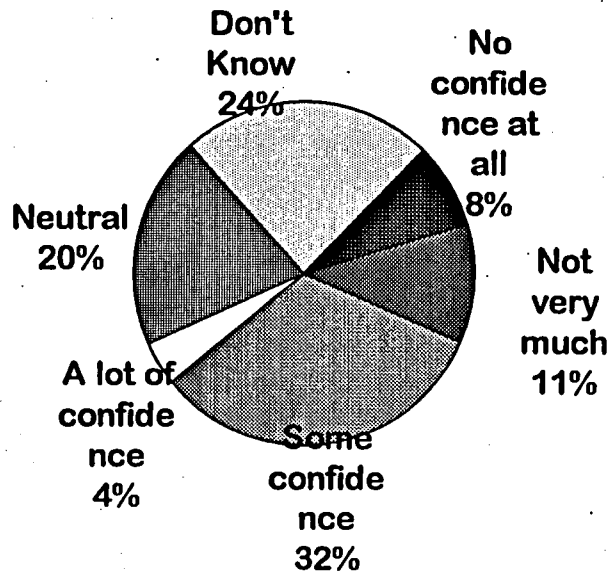
**Your mayor and council**



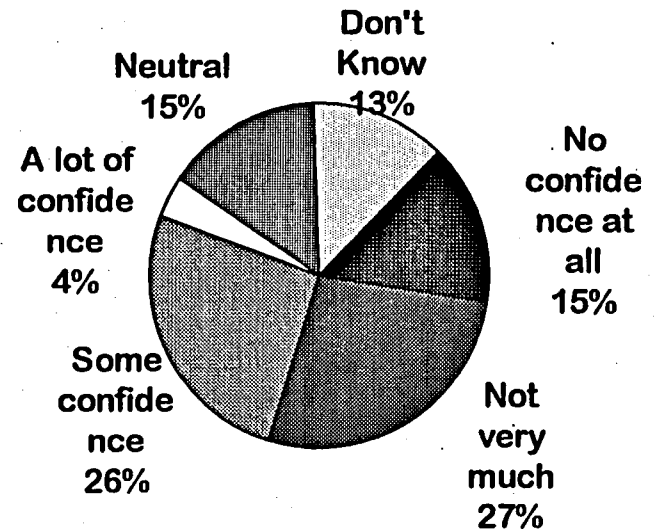
**Your county commissioners**



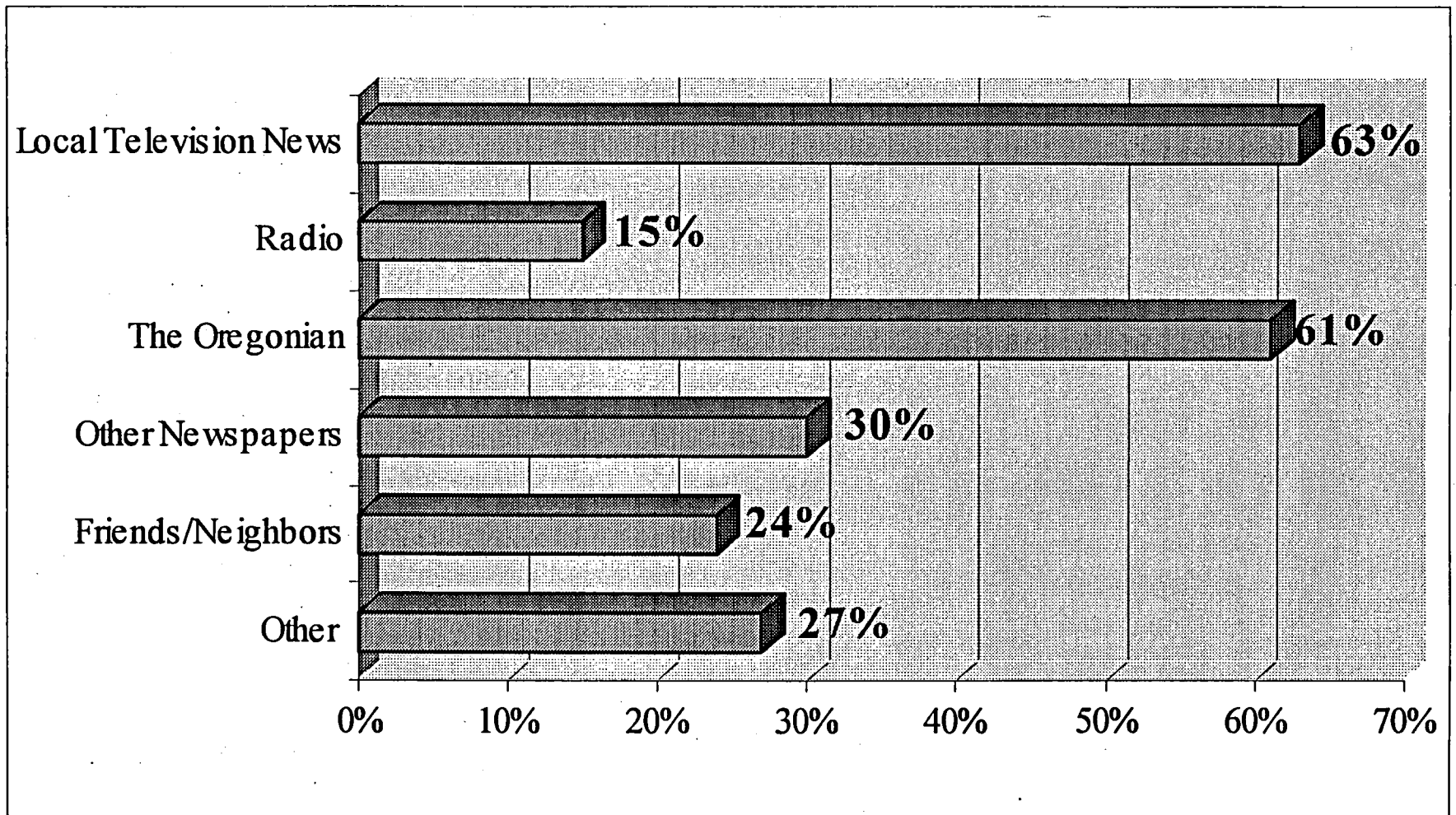
**Metro councilors**



**Homebuilders**



# PUBLIC INFORMATION SOURCES FOR GROWTH ISSUES



Statement by Ed Washington  
Regarding Ethics Complaint

At our last Council meeting, Lewis Marcus, Chair of the Friends of Cathedral Park Neighborhood Association, appeared before us and asked this Council to look into the ethics complaint he filed, and the report issued by the General Counsel to the Executive Officer.

I have reviewed the report with the General Counsel and feel that the following statement should be made to close this matter:

"The conduct of the member of the Transfer Station Enhancement Committee was wrong and it did violate the code of ethics issued by the Executive Officer."

I agree with the Executive Officer that this matter should now be concluded by making sure that all members of Enhancement Committees are made aware of this complaint and of the requirements of the ethics code.

Portland Regional Transportation Funding  
'97 Legislative Session

Areas of Consensus

- Adopt a balanced funding program that addresses all passenger and freight modes rather than one at the expense of another.
- Increase State Gas Tax 6 cents per gallon plus weight-mile tax @ 38 percent cost-responsibility dedicated to Operations, Maintenance & Preservation; distribute 50/30/20 to ODOT/Counties/Cities.
- Increase Vehicle Registration Fee within Clackamas, Multnomah, Washington and Marion Counties by \$10 per year (\$20 per biennium) for Operations, Maintenance and Preservation; counties, cities and ODOT must agree on process for distribution; priority in Multnomah County for Willamette River bridges; sunset in 2005.
- Adopt a flexible funding source (such as the proposed statewide Access Fee on households and businesses) to fund special transit service to the elderly and disabled community plus provide flexible funding for multi-modal transportation improvements.
- Provide a \$3 million per year Eastern Oregon Road Fund Safety Net; sunset in 2005.
- Increase the Small Cities Program from \$1 million to \$2 million per year and the Small Counties Program from \$750,000 to \$1.5 million per year.
- Increase State Gas Tax 4 cents per gallon plus weight-mile tax @ 15 percent cost-responsibility dedicated to Modernization.
- Increase Vehicle Registration Fee \$20 per year (\$40 per biennium) plus truck fees @ 15 percent cost responsibility dedicated to Modernization.
- ODOT/AOC/LOC will develop definition of Operations, Maintenance & Preservation to include upgrading roads to urban standards within urban growth boundaries and definition of Modernization to include major rehabilitation and/or reconstruction projects.
- Provide local option authority for the Access Fee to cities, counties, Metro and Tri-Met; in addition, allow the formation of special districts under expanded ORS 190 authority to implement local option transportation fees.
- Levy a \$10.00 per tire studded tire for Operations, Maintenance and Preservation to reflect the cost responsibility for pavement damage.

Allocation of Modernization Funds

- Commit the first 1-cent gas tax plus weight-mile tax of Modernization funds to a bonding program administered by the Oregon Transportation Commission to fund key priority projects in the State and Metropolitan Transportation Improvement Programs.
- Allocate the remaining 3 cents, statewide vehicle registration fee and associated truck taxes 50/30/20 to ODOT/Counties/Cities with the requirement that prioritization of projects for funding be based upon "Livability and Economic Opportunity Criteria" consistent with adopted Transportation System Plans.
- Recommendations will be brought back to the '99 Legislature regarding pooling of Modernization funds in regions. In the interim, regions are encouraged to form to coordinate prioritization of Modernization projects. Regions that choose to form will allocate their portion of the Access Fee not used for Special Needs Transit. Outside of these regions, ODOT, AOC, and LOC will develop a process for allocation of the Access Fee.
- Authorize Design/Build approach to implementing state and local projects.

HB 3163 - PROPOSED ELEMENTS

4/8/97 DRAFT

FUEL TAXES

Phased-in gas and diesel fuel tax increases of:

- 3¢ on Jan 1998 - 2¢ to operations, maintenance, preservation and 1¢ to modernization
- 3¢ on Jan 1999 - "
- 3¢ on Jan 2000. - "

WEIGHT-MILE TAXES

*Adopted definitions of maintenance vs modernization*

Phased-in weight-mile tax increases in 1998, 1999, and 2000

Weight-mile equivalent amounts determined by

- 2¢ of increase each year @ 38.3% truck share
- 1¢ of increase each year @ 15% truck share

No truck registration fee increase

Alternative proposal:

Eliminate the weight-mile tax and truck flat fees. Replace them with increased truck registration fees and a 34¢ diesel tax effective 1/1/98. Registration fees increased by ~8.4 times current fees. Provides partial exemption from new registration fee amounts for log trucks, dump trucks, cement trucks, refuse haulers, and trucks under 60,000 pounds that travel less than 30,000 total miles a year. Refuse trucks and cement trucks also made eligible for fuel tax credits for fuel used in their power equipment.

REGISTRATION FEES

Increase light vehicle (cars/light trucks) registration fees from \$15 to \$35 per year on Jan 1 1998. Apply same increase (\$20/year) to farm and tow trucks. Double electric vehicle registration fees.

BONDING

Dedicate first year modernization 1¢ (with weight-mile) to state bond fund for priority projects in the Statewide Transportation Improvement Program. Increase ODOT bond authority to \$230 million?

DISTRIBUTION OF NEW REVENUE (Except 1¢ for state bond program)

State	50%	Existing revenue maintain 60.05% share
Counties	30%	Existing revenue maintain 24.38% share
Cities	20%	Existing revenue maintain 15.57% share

Now \$134m  
 gone 80  
 avail. \$54m.  
 addit. 96m  
 Grand Total \$230m.

yes  
4-3

No

yes

yes



yes

THREE FUNDS

1. Operations Maintenance and Preservation

Sources: New 2¢ and weight-mile equivalent  
Existing fuel and weight-mile taxes and registration fees  
(except current state modernization program - state share of 4¢)

2. Modernization - Project selection using regional decision making and Livability and Economic Opportunity Criteria. Add freight mobility as priority in economic opportunity criteria

Sources: New 1¢ and weight-mile equivalent  
New registration fees

3. Transportation Safety and Service Fund

Sources: Transportation Safety and Service Fee (below)

*Access Fee*

yes

EASTERN OREGON FEDERAL FOREST SAFETY NET

Dedicate up to \$3 million per year to offset reduced timber revenue to eastern Oregon counties from the following forests - Fremont, Malheur, Ochoco, Umatilla, Wallowa-Whitman. Sunsets in 2003.

yes

SPECIAL COUNTY ALLOTMENT

Increase allotment from county share from \$500,000 to \$1 million. Increase state share from \$250,000 to \$500,000.

yes

SMALL CITY ALLOTMENT

Increase allotment from city share from \$500,000 to \$1 million. Increase state share from \$500,000 to \$1 million.

yes

TRANSPORTATION SAFETY AND SERVICE FEE

*6¢ per businesses*

On all electric utility connections ~\$2.00 per month per connection, effective 1/1/98

Allocations to:

- Senior and disabled transportation - 70 %
- Oregon State Police for highway patrol officers - 20 %
- ODOT for High Speed Rail - 7 %
- Flexible projects to be approved by the legislature or the Emergency Board - 2 %
- Ports 1 %  
thru E.O.D.

Include utility collection fee of 1%

*Est 40M*

*(Gov was 70M)*

EFFICIENCY

Require minimum 1% efficiency improvements per year in state and local transportation agencies and report to the Legislature.

yes

AVIATION FUEL FEES 1/2 ¢ = \$800,000/yr.

Washington = higher of 3% or 5¢

Increase Jet fuel tax from 1/2 cent to one cent on January 1, 1998 - Allocate new revenue 75% to Portland International Airport, 15% to commercial air service airports, and 10% to general aviation airports.

yes  
4-3

↳ Hillsboro  
Troutdale  
multino

Increase AvGas tax from three cents to five cents on January 1, 1998.  
\$145,000/yr.

Current 1/2 ¢ to Port of Portland = C

yes

PARKS

Dedicate boater fuel transfer from 1998 and 1999 (not 2000) fuel tax increase to State Parks for use in parks that have boating facilities. to be used solely for state boating facilities

yes

Dedicate ATV fuel transfer from 1998 and 1999 (not 2000) fuel tax increase to State Parks for use in parks that are near ATV use areas. ~~DELETED~~ → put in ATV Trust Fund

yes  
4-3

COUNTY LOCAL OPTION REGISTRATION FEES

Enact a \$10 registration fee surcharge (\$20 per biennium) for operations maintenance and preservation in counties with more than 10% of the state's aggregate population growth since 1980 (Clackamas, Marion, Multnomah, and Washington counties). Takes effect 1/1/99 and sunsets in 2003.

yes  
4-3

Discussed preemption of Metro/Trinet

3/1/99 or before

DESIGN BUILD CONSTRUCTION PROJECT PILOTS

Direct ODOT to conduct a design-build public contracting pilot program for up to fifteen projects. Sunsets in 2000.

yes

PROGRAM BUDGETING FOR ODOT

Require ODOT to develop a program budget that clearly identifies actual and planned expenditures by separate decision units.

TRANSPORTATION COMMISSION

Governor appoint ODOT Director

TRAFFIC CONGESTION

Direct Governor and ODOT to develop measures to reduce traffic congestion and increase system efficiency

Rejected

The Trucking Industry  
Proposal to Eliminate Oregon's  
Weight-Mile Tax

assuming gas tax increase

To achieve revenue neutrality and raise new revenue consistent with cost responsibility trucks must contribute a total of \$242,040,053 per year to the highway fund.

ORA:

4.8 mpg

Revenue from diesel fuel tax at 34 cents per gallon  
(Assumes 1,731,411,575 miles of travel and a  
5.387 miles per gallon fuel consumption rate.)

\$109,270,139

Revenue from registration fees increased to \$3,100

\$124,168,357

Subtotal

@ 80,000 #

\$233,438,496

Less adjustments for reductions to compensate  
for shifts in the tax burden. (ODOT is continuing to  
refine this figure. It is expected that the final  
calculation will be significantly less.)

(\$15,038,090)

Add revenue adjustment for underpayment by  
log and dump trucks resulting from the elimination  
of flat fees.

\$3,473,000

Add administrative cost savings from elimination  
of weight-mile and replacing it with a diesel  
fuel tax.

\$7,000,000

Increase revenues from doubling of permit fees  
and retention of a road use assessment fee of  
\$3.00 per ton for trucks operating in excess of  
105,500 pounds.

\$1,900,000

Increase trailer registration fees from \$10.00 to  
\$30.00.

\$571,500

One time increase in revenue from diesel fuel  
tax on existing inventories.

\$1,900,000

Total Revenue

\$233,244,906

Revenue Shortfall - 5.387 mpg

(\$8,795,147)

Revenue Surplus - 4.8 mpg

\$4,576,367

4/08/97

substitute for

Section 30 of 3163-9

Amendments to HB 3163  
Transportation Modernization Fund

*approved*

**SECTION C (1)** The Legislative Assembly finds that the coordination of transportation and land use planning is an issue of statewide concern, and finds that state transportation investments should be made in such a way as to support and further state, regional, and local land use plans and goals.

**(2)** Jurisdictions shall develop a cost effective transportation system by maximizing the use of the existing transportation infrastructure; by managing facilities to meet their proposed function; and by constructing new facilities which improves system efficiency and fosters livable, economically viable communities.

Transportation improvements should be used as an incentive to encourage communities to develop local street systems to accommodate local trips thereby preserving through routes for through trips. Transportation dollars should be used to facilitate access to national and international markets and to strengthen the effectiveness of an interconnected, multi-modal, local, regional and state transportation system.

**(3)** To ensure that this coordination occurs when modernization projects are selected for inclusion in the Statewide Transportation Improvement Program, and Regional Advisory Committee, where one exists, or the Oregon Transportation Commission, where there is no advisory committee, shall adopt project selection criteria based on the principles below. Selection of projects for inclusion in the Statewide Transportation Improvement Program is not considered to be a land use decision.

**(a)** Efficient utilization of existing and future transportation infrastructure. A proposal which contemplates the construction of new roads, addition of new travel lanes, or other physical expansions of the existing transportation system must be accompanied by evidence that local land use and transportation plans are being implemented in ways that maximizes the utility and efficiency of the existing transportation system for the movement of people and freight.

**(b)** Efficient utilization of land. Funding preference should be given to those proposals which support higher density development, mixed use development, and infill and redevelopment strategies.

**(c)** Use of transportation investments to foster economic competitiveness. Jurisdictions shall plan, develop and select cost effective transportation investments in ways that maintain and enhance business competitiveness and which reinforce community region and state economic development strategies. This would include investments in major transportation corridors linked to freight generation and consolidation areas and on routes that support a community's economic base.

**(d)** Use of transportation investments to foster access to national and international markets. Funding preference should be given to transportation investments which promote fuel efficient and timely access to and from international trade gateway facilities.

**(e)** Access to alternative modes of transportation and reduced reliance on the single-occupant automobile. Funding preference should be given to those proposals which encourage or make possible alternative modes of travel.

(f) Providing environmentally sensitive transportation. When planning, developing and constructing transportation improvements, jurisdictions shall consider the impacts on air, agricultural and forest land, wetlands, bodies of water and riparian corridors.

(g) Optimizing safety of the transportation system. Jurisdictions shall promote safe transportation system.

**PROPOSED AMENDMENTS TO  
HOUSE BILL 3163**

**WORK DRAFT**

1  
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**"COUNTY REGISTRATION FEE**

**"SECTION 24. (1) In addition to the registration fees collected under ORS 803.420, the Department of Transportation shall collect a fee of \$10 per year for any vehicle registered in a county that has more than 10 percent of the aggregate population growth of the state since 1980. Moneys collected under this section shall be used for operation, maintenance and preservation of the base road system, including bridges. This subsection applies only to vehicles registered under ORS 803.420 (1).**

**"(2) The Department of Transportation, affected counties and cities in affected counties shall agree on a process for the distribution of moneys under this section and on the amounts to be distributed to each county.**

**"(3) Multnomah County shall give priority to Willamette River bridges when determining how to spend moneys distributed to it under this section.**

**"(4) This section is repealed on January 1, 2003.**

**"PARKS**

**"SECTION 25. ORS 802.140 is amended to read:**

*Approved*

1 "802.140. Moneys in the All-Terrain Vehicle Account established under  
2 ORS 802.130 shall be used by the Department of Transportation for the fol-  
3 lowing purposes only:

4 "(1) No less than 10 percent in each 12-month period of the moneys de-  
5 scribed in ORS 802.130 that are attributable to Class I all-terrain vehicles  
6 shall be used for the development and maintenance of snowmobile facilities  
7 as provided in ORS 802.110.

8 "(2) Moneys derived from Class I, Class II and Class III all-terrain vehicle  
9 title, registration and permit fees shall be used for the acquisition, develop-  
10 ment and maintenance of recreation areas used by Class I, Class II and Class  
11 III all-terrain vehicles.

12 "(3) The portion of the amount described in ORS 802.130 (4) that is  
13 attributable to the increases in taxes from the amendments to ORS  
14 319.020 and 319.530 by sections 7 to 12 of this 1997 Act shall be trans-  
15 ferred to the State Parks and Recreation Department Fund established  
16 under ORS 390.134, to be used in parks that are or are near recreation  
17 areas used by all-terrain vehicles.

18 "[3] (4) The remainder of moneys attributable to Class I, Class II and  
19 Class III all-terrain vehicles shall be used for:

20 "(a) Education and safety training for all-terrain vehicle operators;

21 "(b) The provision of first aid and police services in areas designated by  
22 the appropriate authority; and

23 "(c) Costs of administration of the all-terrain vehicle programs, including  
24 staff support provided under ORS 802.360 as requested by the All-Terrain  
25 Vehicle Account Allocation Committee.

26 "SECTION 26. ORS 390.134 is amended to read:

27 "390.134. The State Parks and Recreation Department Fund is established  
28 separate and distinct from the General Fund. The following apply to the fund  
29 established by this section:

30 "(1) The fund shall consist of the following:

31 "(a) All moneys placed in the fund as provided by law. Any interest or

1 other income derived from the depositing or other investing of the fund shall  
2 be credited to the fund.

3 “(b) All registration fees received by the Department of Transportation  
4 for campers, manufactured structures, motor homes and travel trailers which  
5 are transferred to the fund under ORS 366.512. Such funds shall be deposited  
6 in a separate subaccount established under subsection (2) of this section.

7 “(c) Revenue from fees and charges pursuant to ORS 390.124.

8 “(2) Any moneys placed in the fund for a particular purpose may be placed  
9 in a separate subaccount within the fund. Each separate subaccount estab-  
10 lished under this subsection shall be separately accounted for. Moneys placed  
11 in a subaccount shall be used for the purposes for which they are deposited.

12 “(3) All of the moneys in the fund except those moneys described in sub-  
13 section (2), (4), (5) or (6) of this section shall be deposited in a separate  
14 subaccount within the fund under this section and shall be used by the State  
15 Parks and Recreation Department for the acquisition, development, mainte-  
16 nance, care and use of park and recreation sites. The moneys in the subac-  
17 count under this subsection shall be accounted for separately and shall be  
18 stated separately in the State Parks and Recreation Department’s biennial  
19 budget. Moneys transferred to the fund as provided in ORS 802.140 shall  
20 be used exclusively for parks that are or are near recreation areas  
21 used by all-terrain vehicles. *rejected*

22 “(4) Thirty percent of the amount transferred to the State Parks and Re-  
23 creation Department under ORS 366.512 from the registration of travel  
24 trailers, campers and motor homes shall be deposited in a separate subac-  
25 count within the fund under this section and is appropriated for the main-  
26 tenance, care and use of county park and recreation sites. The moneys in the  
27 subaccount under this subsection shall be accounted for separately. The fol-  
28 lowing apply to the distribution of moneys under this subsection:

29 “(a) The appropriation shall be distributed among the several counties for  
30 the purposes described in this subsection. The distribution shall be made  
31 at times determined by the State Parks and Recreation Department but shall



1 be made not less than once a year.

2 "(b) The sums designated under this subsection shall be remitted to the  
3 county treasurers of the several counties by warrant.

4 "(c) The department shall establish an advisory committee to advise the  
5 department in the performance of its duties under this subsection. The com-  
6 position of the advisory committee under this subsection shall be as deter-  
7 mined by the department by rule. In determining the composition of the  
8 advisory committee, the department shall attempt to provide reasonable rep-  
9 resentation for county officials or employees with responsibilities relating  
10 to county parks and recreation sites.

11 "(d) The department, by rule, shall establish a program to provide moneys  
12 to counties for the acquisition, development, maintenance, care and use of  
13 county park and recreation areas. The rules under this paragraph shall pro-  
14 vide for distribution of moneys based on use and need and, as the department  
15 determines necessary, on the need for the development and maintenance of  
16 facilities to provide camping sites for campers, motor homes and travel  
17 trailers.

18 "(5) The department shall create a separate City and County Subaccount  
19 within the fund to be used to reimburse cities and counties as provided in  
20 ORS 390.290.

21 "(6) The department shall create a separate rural Fire Protection District  
22 Subaccount to be used to provide funds for the fire protection districts as  
23 provided in ORS 390.290.

24 "SECTION 27. ORS 319.415 is amended to read:

25 "319.415. (1) On or before July 15, 1987, and on or before July 15 of each  
26 year thereafter, the Oregon Department of Administrative Services, after  
27 consultation with the Department of Transportation and the State Marine  
28 Board, shall determine as accurately as possible the amount of the motor  
29 vehicle fuel tax imposed under ORS 319.010 to 319.430 during the preceding  
30 fiscal year with respect to fuel purchased and used to operate or propel mo-  
31 tor boats. The amount determined shall be reduced by the amount of any

1 refunds for motor boats used for commercial purposes actually paid during  
2 the preceding year on account of ORS 319.280 (1)(a).

3       “(2) The Oregon Department of Administrative Services shall certify the  
4 amount of the estimate made under subsection (1) of this section, as reduced  
5 by refunds and by the amount of the transfer made under subsection  
6 (4) of this section, to the Department of Transportation, to the State Ma-  
7 rine Board and to the State Treasurer. Thereupon, that amount shall be  
8 transferred from the Department of Transportation Driver and Motor Vehi-  
9 cles Suspense Account to the Boating Safety, Law Enforcement and Facility  
10 Account created under ORS 830.140, and is continuously appropriated to the  
11 State Marine Board for the purposes for which the moneys in the Boating  
12 Safety, Law Enforcement and Facility Account are appropriated.

13       “(3) The Oregon Department of Administrative Services, after con-  
14 sultation with the Department of Transportation and the State Marine  
15 Board, shall separately determine as accurately as possible the amount  
16 of the motor vehicle fuel tax imposed under ORS 319.010 to 319.430  
17 during the preceding fiscal year with respect to fuel purchased and  
18 used to operate or propel motor boats that is attributable to the in-  
19 crease in taxes by sections 7, 8 and 9 of this 1997 Act. The amount  
20 determined shall be reduced by the amount of any refunds for motor  
21 boats used for commercial purposes actually paid during the preceding  
22 year on account of ORS 319.280 (1)(a) that is proportional to the  
23 amount of the taxes imposed by the amendments to ORS 319.020 by  
24 sections 7, 8 and 9 of this 1997 Act.

25       “(4) The Oregon Department of Administrative Services shall certify  
26 the amount of the estimate made under subsection (3) of this section,  
27 as reduced by refunds, to the Department of Transportation, to the  
28 State Parks and Recreation Department and to the State Treasurer.  
29 Thereupon, that amount shall be transferred from the Department of  
30 Transportation Driver and Motor Vehicle Suspense Account to the  
31 State Parks and Recreation Department Fund established under ORS

1 390.134, and is continuously appropriated to the State Parks and Re-  
2 creation Department for use in parks that have boating facilities.”

3

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PROPOSED AMENDMENTS TO  
HOUSE BILL 3163

WORK DRAFT

*approved*

"DESIGN-BUILD CONTRACTS

"SECTION 28. (1) For purposes of this section, a 'design-build contract' is a contract between the Department of Transportation and a single entity that provides that the entity has responsibility for at least the following:

"(a) Project design;

"(b) Value engineering;

"(c) Management of the design and construction process;

"(d) Expertise of the general contractor; and

"(e) Guaranteed maximum price.

"(2) The Department of Transportation shall conduct a pilot program by selecting up to 15 projects to be completed under design-build contracts between the effective date of this Act and December 31, 2000. The department shall select projects that are representative of the size and type of transportation projects it normally undertakes, including but not limited to projects involving pavement, bridges, slide repair and safety.

"(3) Design-build contracts under this section are exempt from the provisions of ORS 279.015 (1).

"(4) The department shall report to the Seventieth Legislative Assembly on the design-build contract pilot program established in this

1 section, comparing projects in the pilot program to similar projects  
2 completed by the department using standard public contracting pro-  
3 cedures. Comparisons shall be made on at least the bases of time to  
4 complete, cost to complete and quality.

5 “(5) This section is repealed on December 31, 2000.

6  
7 **“MODERNIZATION PROJECTS; REGIONAL COMMITTEES; STIP**

8  
9 **“SECTION 29. (1) For purposes of this section and section 30 of this**  
10 **Act:**

11 “(a) ‘Jurisdiction’ means the Department of Transportation, a  
12 county, a city, a mass transit district organized under ORS 267.010 to  
13 267.390, a transportation district organized under ORS 267.510 to  
14 267.650, a metropolitan service district organized under ORS chapter  
15 268, a public port district organized under ORS chapter 777 or 778 and  
16 an entity created by intergovernmental agreement pursuant to ORS  
17 chapter 190.

18 “(b) ‘Statewide Transportation Improvement Program’ means a list  
19 of transportation projects that:

20 “(A) Are to be implemented within the three-year to six-year period  
21 after adoption or modification of the list;

22 “(B) Are consistent with the long-range transportation plan devel-  
23 oped pursuant to ORS 184.618 and metropolitan transportation plans;  
24 and

25 “(C) Can be implemented with the financial resources reasonably  
26 expected to be available.

27 “(2) The Oregon Transportation Commission, in consultation with  
28 the Association of Oregon Counties and the League of Oregon Cities,  
29 shall adopt a definition of ‘modernization’ for the purposes of sections  
30 3 and 30 of this Act.

31 “(3) The Oregon Transportation Commission, in consultation with

1 the Association of Oregon Counties, the League of Oregon Cities and  
2 other jurisdictions, shall adopt administrative rules for the formation  
3 of regional advisory committees to engage local and regional interests  
4 in transportation planning and decision-making.

5 **SECTION 30.** (1) Jurisdictions shall pursue transportation and re-  
6 lated land use actions that foster livable communities and provide  
7 economic opportunities consistent with the transportation plan devel-  
8 oped pursuant to ORS 184.618, state land use goals and policies and  
9 related laws and administrative rules.

10 **“(2)** In choosing modernization projects for inclusion in the State-  
11 wide Transportation Improvement Program, the regional advisory  
12 committee, where one exists, or the Oregon Transportation Commis-  
13 sion, where there is no regional advisory committee, shall use project  
14 selection criteria based on the following objectives:

15 **“(a)** Efficient utilization of existing and future transportation  
16 infrastructure. Prior to pursuing expansion of an existing transporta-  
17 tion system, jurisdictions must demonstrate that they have taken  
18 steps in transportation and land use matters to maximize the effi-  
19 ciency of the existing transportation system.

20 **“(b)** Use of transportation investments to foster compact, livable  
21 communities. Jurisdictions shall make transportation investments  
22 that reinforce the type, design and location of development that fos-  
23 ters livable communities.

24 **“(c)** Use of transportation investments to foster economic opportu-  
25 nity. Jurisdictions shall plan, develop and select cost-effective trans-  
26 portation improvements in ways that maintain business  
27 competitiveness and that reinforce community, regional and state  
28 economic development strategies, including efficient access from ma-  
29 jor transportation corridors to freight generation areas, and protection  
30 and development of those routes that support a community's economic  
31 base.

1     “(d) Access to alternative modes of transportation and reduced re-  
2     liance on the single-occupant automobile. Jurisdictions shall encour-  
3     age alternative modes of travel and reduced reliance on  
4     single-occupant automobiles.

5     “(e) Providing environmentally sensitive transportation. When  
6     planning, developing and constructing transportation improvements,  
7     jurisdictions shall consider the impacts on air, agricultural and forest  
8     land, wetlands, bodies of water and riparian corridors.

9     “(f) Optimizing safety of the transportation system. Jurisdictions  
10    shall promote a safe transportation system.

11    “(3) Selection of modernization projects for inclusion in the State-  
12    wide Transportation Improvement Program shall not be considered a  
13    land use decision as described in ORS 197.015.”

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**PROPOSED AMENDMENTS TO  
HOUSE BILL 3163**

**WORK DRAFT**

1 "TRANSPORTATION SAFETY AND SERVICE FUND AND FEE

2 "SECTION 31. (1) The Transportation Safety and Service Fund is  
3 established in the State Treasury, separate and distinct from the  
4 General Fund. Interest earned by the Transportation Safety and Ser-  
5 vice Fund shall be credited to the fund.

6 "(2) Moneys received by the Department of Revenue under section  
7 37 of this Act shall be deposited into the fund.

8 "(3) Moneys from the Transportation Safety and Service Fund shall  
9 be distributed as follows:

10 "(a) 70 percent to the Elderly and Disabled Special Transporta-  
11 tion Fund established in ORS 391.800.

12 "(b) 20 percent to the Department of State Police for traffic  
13 safety activities, including but not limited to incident identification,  
14 incident response, incident clearance and highway work zone safety  
15 enforcement.

16 "(c) 7 percent to the Department of Transportation to finance  
17 high speed rail development.

18 "(d) 2 percent to the Department of Transportation  
19 for \_\_\_\_\_.

20 "(4) Proposals for expenditures under subsection (3)(d) of this sec-  
21 tion shall appear as line items in the budget of the Department of  
22 Transportation submitted to the Legislative Assembly.

23 "SECTION 32. The Legislative Assembly finds that:

1% to Port projects through OEDD



1       “(1) Transportation safety and services are vital to improving the  
2 character and economic health of Oregon’s cities and counties.

3       “(2) It is necessary to broaden the base of funding for transporta-  
4 tion because many transportation safety and service priorities cannot  
5 be met by revenues raised from highway users within the provisions  
6 of section 3a, Article IX of the Oregon Constitution.

7       “(3) Businesses and people living in households place demands on  
8 transportation systems and benefit from transportation safety and  
9 services regardless of their direct use of a transportation system.

10       “SECTION 33. As used in sections 33 to 40 of this Act:

11       “(1) ‘Active meter base’ means a meter base that is in service and  
12 is being used to measure the usage of electricity for the purposes of  
13 billing a customer.

14       “(2) ‘Customer’ means a person who is an end-user of electricity  
15 and who is not engaged in the generation or resale of electricity.

16       “(3) ‘Provider’ means a utility or other vendor or supplier of elec-  
17 tricity.

18       “SECTION 34. (1) There is imposed on each paying customer of  
19 electric services a tax equal to \$2 per month. The tax shall be applied  
20 to an active meter base designated for a particular customer. One ac-  
21 tive meter base shall be counted regardless of the quantity of elec-  
22 tricity used or the ownership of premise equipment connected to the  
23 circuit.

24       “(2) The customer shall be liable for the tax imposed by this section.

25       “(3) The amounts of tax collected by the provider shall be consid-  
26 ered as payment by the customer for that amount of tax.

27       “(4) Any return made by the provider collecting the tax shall be  
28 accepted by the Department of Revenue as evidence of payments by  
29 the customer of amounts of tax indicated upon the return.

30       “SECTION 35. The tax imposed by section 34 of this Act does not  
31 apply to:

1       “(1) Services that this state is prohibited from taxing under the  
2 Constitution or laws of the United States or the Constitution or laws  
3 of the State of Oregon.

4       “(2) Interconnection between electric utilities.

5       “SECTION 36. Every provider responsible for the collection of the  
6 tax imposed by section 34 of this Act shall keep records, render state-  
7 ments, make returns and comply with rules adopted by the Depart-  
8 ment of Revenue with respect to the tax. Whenever in the judgment  
9 of the department it is necessary, the department may require the  
10 provider or customer, by notice served upon that person by first-class  
11 mail, to make returns, render statements or keep records sufficient  
12 to show whether there is tax liability under section 34 of this Act.

13       “SECTION 37. (1) The provider is responsible for collecting the tax  
14 under section 34 of this Act, and shall file a return with the Depart-  
15 ment of Revenue on or before the last day of the month following the  
16 end of each calendar quarter, reporting the amount of tax due for  
17 transportation safety and services during the quarter. The department  
18 shall prescribe the form of the return required by this section. The  
19 rules of the department shall require that returns be made under  
20 penalties for false swearing.

21       “(2) When a return of the tax is required under subsection (1) of  
22 this section, the provider required to make the return shall remit the  
23 tax due to the department at the time fixed for filing the return.

24       “(3) A provider may elect to pay the tax based on either of the fol-  
25 lowing:

26       “(a) The amount of tax actually collected during the quarter; or

27       “(b) The net amount of tax billed during the quarter. The net  
28 amount billed equals the gross amount of tax billed less adjustments  
29 for uncollectible accounts, refunds, incorrect billings and other ap-  
30 propriate adjustments.

31       “(4) Once a provider has made an election under subsection (3) of

1 this section, the provider may not change the method of payment and  
2 reporting unless the provider first obtains the permission of the de-  
3 partment.

4 **SECTION 38.** (1) If the amount paid by the provider to the De-  
5 partment of Revenue under section 37 of this Act exceeds the amount  
6 of tax payable, the department shall refund the amount of the excess  
7 with interest thereon at the rate established under ORS 305.220 for  
8 each month or fraction of a month from the date of payment of the  
9 excess until the date of the refund. No refund shall be made to a pro-  
10 vider who fails to claim the refund within two years after the due date  
11 for filing the return with respect to which the claim for refund relates.

12 **“(2)** A customer’s exclusive remedy in a dispute involving tax li-  
13 ability shall be to file a claim with the department.

14 **SECTION 39.** (1) Every provider required to collect the tax imposed  
15 by section 34 of this Act shall be deemed to hold the same in trust for  
16 the State of Oregon and for the payment thereof to the Department  
17 of Revenue in the manner and at the time provided by section 37 of  
18 this Act.

19 **“(2)** At any time the provider required to collect the tax fails to  
20 remit any amount deemed to be held in trust for the State of Oregon,  
21 or if the customer fails to pay the tax, the department may enforce  
22 collection by the issuance of a distraint warrant for the collection of  
23 the delinquent amount and all penalties, interest and collection  
24 charges accrued thereon. Such warrant shall be issued, docketed and  
25 proceeded upon in the same manner and shall have the same force and  
26 effect as is prescribed with respect to warrants for the collection of  
27 delinquent income taxes.

28 **SECTION 40.** Unless the context requires otherwise, the provisions  
29 of ORS chapters 305, 314 and 316 as to the audit and examination of  
30 reports and returns, determination of deficiencies, assessments, claims  
31 for refunds, penalties, interest, jeopardy assessments, warrants, con-

1 ferences, appeals to the Director of the Department of Revenue and  
2 appeals to the Oregon Tax Court, and procedures relating thereto,  
3 shall apply to sections 33 to 40 of this Act, the same as if the tax were  
4 a tax imposed upon or measured by net income. All such provisions  
5 apply to the customer liable for the tax and to the provider required  
6 to collect the tax. As to any amount collected and required to be  
7 remitted to the department, the tax shall be considered a tax upon the  
8 provider required to collect the tax and that provider shall be consid-  
9 ered a taxpayer.

10 SECTION 41. Sections 31 to 40 of this Act become operative on  
11 January 1, 1999.”  
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**Amendments to HB 3163**  
Jet and Aviation Fuel Tax Revenue Distribution

*approved*

ORS 835.060 is amended to read as follows:

835.060 State Aeronautic Account; appropriation; use. (1) All fees and other moneys received by the Department of Transportation under ORS chapter 835, 836 or 837, except moneys received under the provisions of ORS 835.025 and 836.070, shall be paid into the State Treasury monthly. The State Treasurer shall credit such payments to the State Aeronautic Account in the General Fund. Payments so made shall constitute, and hereby are made, an appropriation of such sums from the General Fund for the purpose of carrying out the provisions of this chapter. None of the funds in this section appropriated or hereafter made available for aeronautic purposes shall be expended upon any aeronautics project which is not carried out under the supervision and direction of the Oregon Transportation Commission. Fees paid into the account pursuant to ORS 837.045 shall be expended only for airport maintenance and capital construction and for payment of expenses of air search and rescue.

(2) The fiscal officer of the department shall keep a true and accurate account of all sums received and all vouchers issued by the department under this section.

(3) From one-half of the net revenues received under subsection (1) pursuant to ORS 319.020(2) from the license tax on aircraft fuel used in turbine engines:

(a) the department shall distribute 75.0 percent to the Port of Portland for the purpose of financing capital improvements at its airports;

(b) the department shall make available 15.0 percent for the purpose of financing capital improvements at airports with commercial air service other than those of the Port of Portland;  
and,

(c) the department shall make available 10.0 percent for the purpose of financing capital improvements at general aviation airports throughout the state.

HB 3163 - PROPOSED AMENDMENT

*agreed to but will handle separate*

The Speaker and President are directed to appoint a Joint Interim Task Force on Freight Mobility for the purpose of:

- 1) Determining the degree to which Oregon's existing transportation system is meeting freight mobility needs; and
- 2) Recommending methods for directing state transportation revenues to address freight mobility "chokepoints".

Membership to consist of three members from each chamber.

Staffing provide by Legislative Administration with assistance from the Departments of Transportation and Economic Development.