AGENDA

600 NORTHEAST GRAND AVENUE PORTLAND, OREGON 97232-2736 TEL 503-797-1700 FAX 503-797-1797



MEETING DATE: TIME: PLACE:	:	REGIONAL SOLID WASTE ADVISORY COMMITTEE (SWAC) Thursday, June 28, 2007 10:00 a.m. to 11:50 a.m. Council Chambers, 600 NE Grand Avenue, Portland
10 mins.	I.	Call to OrderKathryn Harrington
		Introductions/announcements Approval of minutes*
10 mins.	II.	Council Update Kathryn Harrington
10 mins.	III.	Solid Waste & Recycling Director's Update Mike Hoglund
75 mins.	IV.	Options for increasing business recycling McGuire and Rahn
		Action Item: As the region strives to achieve the 64% state-mandated waste reduction goal, it is clear from waste composition studies that businesses hold the greatest potential for increasing material recovery in the region. At the April and May SWAC meetings, staff presented information on (a) the current level of business recycling and (b) program options to increase recycling from businesses. This agenda item is intended to provide SWAC members with time for further examination of the proposed programs, and discussion of the strengths and weaknesses of each approach. At the conclusion of the discussion, SWAC will be asked to make a recommendation to Council on a favored program approach to increase business recycling.
10 mins.	٧.	Other business and adjournKathryn Harrington
*Denotes material included in the meeting packet		
All times listed on this agenda are approximate. Items may not be considered in the exact order listed.		

Staff: Janet Matthews (797-1826)

Committee Clerk: Gina Cubbon

(797-1645)

JM:gbc:sm

Chair: Councilor Kathryn Harrington (797-1553)

Proposed SWAC Agenda Items July – September 2007

July 26	August 23	September 27
Illegal dumping and enforcement (update)		Multi-family recycling (update)
DEQ compost standards/regional issues (information)	- No August meeting-	Disposal transport RFP (information)
Food waste collection (update)		Disaster debris management (information)
		RSWMP revisions/out- standing issues (update & discussion)



600 NE Grand Ave. Portland, OR 97232-2736

MINUTES OF THE METRO SOLID WASTE AND RECYCLING COMMITTEE (SWAC) MEETING

Metro Regional Center, Council Chambers Thursday, May 24, 2007

Members / Alternates Present:

Councilor Kathryn Harrington	Dean Kampfer	Dave Garten
Mike Hoglund	Ray Phelps	JoAnn Herrigel
Glenn Zimmerman	Mike Miller	Mike Leichner
Lori Stole	Dave White	Matt Korot
Jeff Murray	Anita Largent	Theresa Koppang
Janet Malloch	Vince Gilbert	Tom Badrick
Paul Edwards	Wade Lange	

Guests and Metro staff:

Janet Matthews	Wendy Fisher	Heidi Rahn
Larry Harvey	Easton Cross	Tom Chaimov
Steve Apotheker	Meg Lynch	Bryce Jacobson
Segeni Mungai	Kevin Six	Joel Sherman
Brad Botkin	Jim Watkins	Susan Moore
Jeff Gage	Marv Fjordbeck	Marta McGuire
Doug Anderson	Matt Tracy	Julie Cash
Scott Klag	Fred Schwarz	Gina Cubbon

I. Call to Order and Announcements.......Councilor Kathryn Harrington

- Councilor Harrington opened the meeting at 10:00 a.m.; attendees introduced themselves.
- Approval of minutes: No changes or corrections were requested. Matt Korot of the City of Gresham moved to accept the minutes as written; Anita Largent (Clark County)seconded the motion; the Committee voted unanimously to approve.

II. Solid Waste & Recycling Director's Update......Mike Hoglund

- Mr. Hoglund directed attention to the agenda packet attachment regarding new Solid Waste Rates (effective September 1, 2007). The rate increased by \$1.28 per ton due largely to CPI increases, and loss of tonnage affecting fixed costs. The rate remains lower than that of some previous years, he noted. Letters notifying haulers of the change will be sent out soon.
- Council's first reading of the Enhanced Dry Waste Program Ordinance will be Thursday, June 7; the second reading is scheduled for June 21, at which time Council may take action. The program will be discussed again at the June MPAC meeting.
- Diesel retro-fit program: Mr. Hoglund thanked the participants of this workgroup. The final meeting will be held in June; implementation and funding strategy is being developed. The item may be coming to the SWAC in July as an informational / discussion item.
- Regarding the Disaster Debris Management Plan, Mr. Hoglund explained that in the event of any type of regional disaster (e.g., floods, fires, wind storms, earthquakes and also man-made disasters)

Metro is responsible for ensuring that related debris is collected and recycled / disposed properly and safely. The Plan is being developed; sites need to be identified for temporary storage of disaster debris, processing options, IGAs written, and other details such as cost-tracking need to be fleshed-out. An RFP has been sent out; development of the Plan will likely take six or seven months. A presentation of the Plan will be given at an upcoming SWAC meeting.

III. Options for Increasing Business Recycling.......Marta McGuire, Heidi Rahn

At last month's meeting, Marta McGuire and Heidi Rahn of the Department's Waste Reduction & Outreach Division presented background about why more work is needed in the collection of recycling from the region's business sector, Councilor Harrington reminded the group. This meeting's presentation focused on the details of the proposed programs. (PowerPoint slides attached.)

Existing programs are not expected to meet the 2009 recovery goal, Ms. Rahn began.. Businesses in the Metro region throw away approximately 100,000 tons of paper and containers annually: Oregon is becoming a leader in sustainability practices, and many businesses are stepping up to the challenge, but there is room – and need – for improvement. Ms. Rahn asked that as the SWAC members look at the program options, they consider not only the difficulty and costs associated with each program, but the savings and recovery opportunities.

Ms. McGuire's presentation discussed the three options:

- 1. Metro could require that businesses separate paper, glass, etc. Inspections would be made randomly to ensure no more than 10% recoverables in the trash. If businesses have trouble meeting the requirements, a recycling specialist would help out, and the business would have three months in which to improve. Failure to participate would result in fines up to \$500.
- 2. State-ordered program. In this option, the Metro Council would petition the EQC to conduct findings and possibly order mandatory business recycling. That action, Ms. McGuire noted, would not be guaranteed to be taken.
- 3. Business Recycling standards. Metro would adopt a 90% recycling target for business-generated paper and containers. Local governments would develop new programs or enhance current programs, and create best management practices to achieve the 90% recovery of paper and containers.

Councilor Harrington asked that the difference between Option 1 and 3 be explained; Ms. McGuire replied that the main difference is that Option 3 puts the responsibility on local governments. Metro has \$100,000 budgeted to help fund local government programs, but that amount is to be split between the jurisdictions.

More essential than the actual numbers shown in the presentation, said the City of Gresham's Matt Korot, is that all the jurisdictions are in relatively the same place. The aggregate is more important than the individual numbers, he stressed.

Ms. Rahn continued the presentation with a section on anticipated outcomes for each of the three options. Option 3, she pointed out, is the least certain to capture all the needed tonnage, though it would still be a noticeable improvement. The impact of any of the proposed programs on businesses would be minimal on a day-to-day basis, and could prove to decrease costs by leaving less garbage for which to pay. When polled, businesses supported standardized collection, education, required recycling, and recognition for recycling. They fairly uniformly rejected the thought of raising garbage rates to encourage recycling.

Tom Chaimov, of the Department's Financial Management & Analysis Division gave a short discourse on how "system costs" are defined, and the idea that businesses who choose to recycle more (and dispose less) will save money. The numbers, he said, are based upon work done by Metro together with local governments and solid

waste industry representatives in 2005. At that time, business recycling, mandatory recycling of C&D, and landfill bans were all being considered and compared to decide which path to take to reach the 2009 recovery goal. Since that time, the model used has been refined, looking at gross costs with more specificity. Yes, Mr. Chaimov continued, it will likely cost money for businesses to add a new service, but the cost will be balanced by paying for less garbage having to be disposed.

Ms. McGuire explained a handout, which compared all the program options (attached).

In further questions, Theresa Koppang of Washington County said that a \$500 fine for not recycling enough seems disproportionate: The County's fine for operating a business without a license is only \$100. Vince Gilbert of East County recycling commented that the programs seem to grossly underestimate the amount of enforcement needed for the number of businesses involved. He suggested adding an incentive, such as tax relief. Far West Fiber's Jeff Murray explained that as the region gets closer to its goal, the value of the materials may decrease relative to the market.

Mr. Korot cautioned against focusing too much on the financial estimates, adding that he thought the haulers and local jurisdictions were all committed to providing the necessary infrastructure so that every business could have access to recycling. It's really a question, he said, of what the Metro Council needs from local jurisdictions to see that businesses take advantage of the service.

Councilor Harrington stated that overall tons recovered needs to increase, and a program needs to be implemented to do that. "Those of us around this table, we don't get to just poke holes at options. We have to come up with a solution," she pointed out. She thanked the members for their comments, and said there is further work to be done in a meeting regarding the option details, and subsequent SWAC meeting. The Council, she concluded, is depending on SWAC to come up with a way to meet the mandated recovery goal.

Discussion continued. Compost Oregon's Glenn Zimmerman said he hadn't realized the local governments could be penalized under the options; he might support a version of Option 3 with more education staff. It feels too soon to have to resort to a mandatory program. Ms. Rahn responded that while a large number of businesses are doing a good job of recycling, the main concern is the 14% who simply don't participate. More education specialists won't make any difference to those businesses, many (including some large chains) won't even talk to them.

Mr. Hoglund said he appreciated the group's comments, and a meeting will be set-up to look at system costs further. The real cost benefit analysis, however, is not the system costs, it's the environmental and energy savings. If the system costs decrease, that's a bonus, he concluded.

Fleshing out the enforcement issue, Ms. McGuire reiterated that the first step would be further education, followed by fines only if necessary.

Other suggestions included:

- Ask businesses why they're not recycling.
- \$100,000 isn't enough. The education factor is crucial, and because of high turnover in businesses, repeated visits are necessary.
- Governments and non-profits should be included under the umbrella of "businesses."

A technical review meeting notice will be sent out to SWAC members and other parties interested in details on participation and cost estimates.

Metro Senior Attorney Marv Fjordbeck explained a recent Supreme Court Ruling that he said was "...the single most important solid waste case in the last ten years." It allows local municipalities to develop their own solid waste systems. The decision, upholding a lower court ruling, dealt with the issue of solid waste flow control by local government. The plaintiffs (a trade association and haulers) alleged that local flow control ordinances violated the Commerce Clause (the ordinance in question restricted waste from being taken across state lines, and required haulers to be permitted to collect and deliver waste). The decision of the Court, Mr. Fjordbeck said, was very pro-government, distinguishing local governments from private industry. If the public benefits of a law outweigh the burden on business, that law is almost always upheld, he noted. In the case of solid waste, issues such as public safety, environmental impacts, and recycling all factor in. Because of these, and other public benefits (including revenue generation), local government cannot be held as competing or discriminating against private businesses. The case (included in the Agenda Packet) lifts any cloud or uncertainty about Metro's authority to control flow, Mr. Fjordbeck concluded.

There were no questions from the members or gallery.

V. Other Business and Adjourn......Councilor Harrington

Councilor Harrington announced that there would be no SWAC meeting in August.

Janet Matthews reported that the schedule for the draft RSWMP to be reviewed at a Council work session has been pushed back a few weeks. This also postpones the period of public comment, though that may still begin sometime in June. She will send out a revised schedule.

Mr. Hoglund said that an RFP for the waste transport contract will be released in the Fall. CH2M Hill has written a report comparing the various modes of transportation (barge, rail, truck) and the criteria for judging proposals. Council will review the report at their May 29 work session.

Tom Badrick (Legacy Health System) announced that Legacy won six of the 17 environmental excellence awards given out regionally. He thanked the local governments, haulers, "everyone" involved.

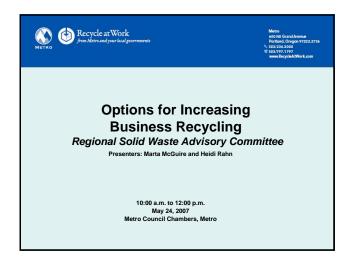
The Councilor adjourned the meeting at 11:40 a.m.

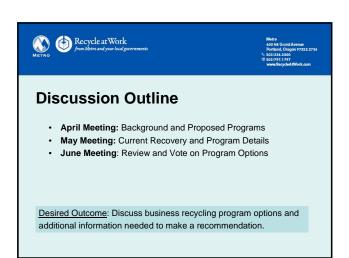
Prepared by:

Gina Cubbon Administrative Secretary Metro Solid Waste & Recycling Department

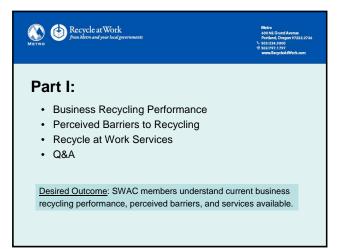
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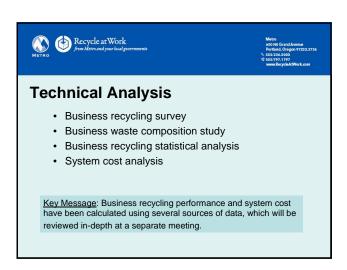
Attachments: Increased Business Recycling presentation M:\rem\od\projects\SWAC\Agenda_Minutes\2007\SWAC052407min.doc Oueue

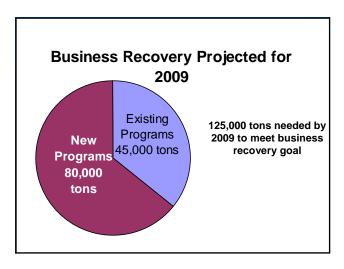


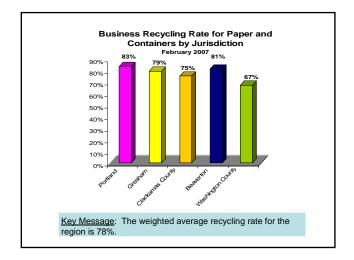












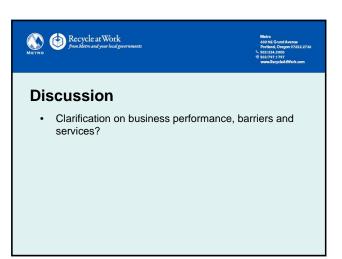


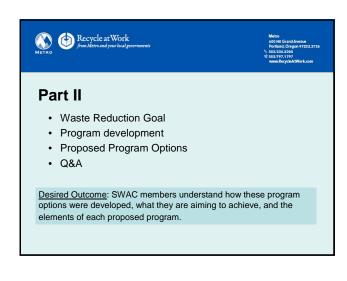




 $\underline{\text{Key Message}} : \text{Businesses have identified these barriers to recycling that could affect their participation or capture rates.}$



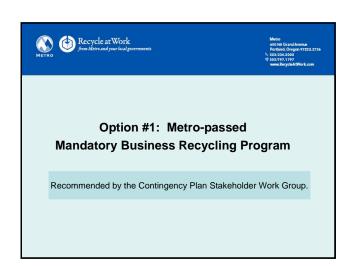


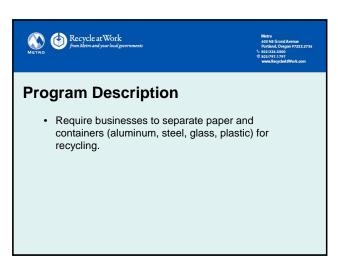




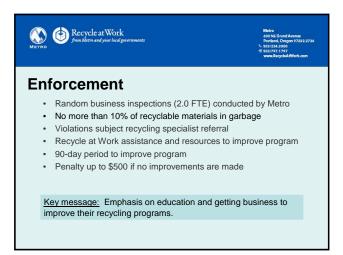








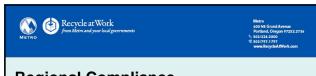






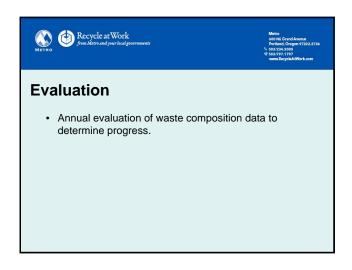
adopt recycling requirements. Metro provides model

ordinance.

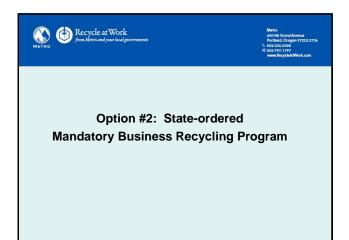


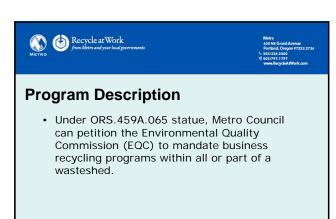
Regional Compliance

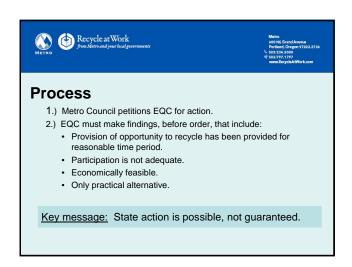
 Local governments that do not adopt requirements would not receive per capita and Recycle at Work program funding.



Option	#1: Metro-passed Mandatory Recycling
Roles	Responsibilities
Metro	Adopt requirements, coordinate and evaluate program and education campaigns, conduct enforcement, and distribute funds.
Local governments	Adopt requirements, serve in regional work group, assist with outreach campaigns and collaborate on the Recycle at Work program.
Haulers	Assist with customer education, accommodate customers with increased recycling and reduced garbage collection service.
Businesses	Adopt or improve workplace recycling program and educate employees.





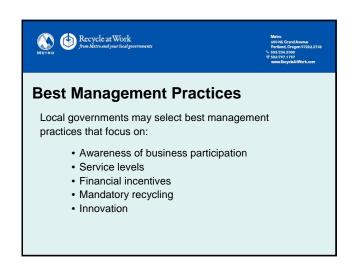






region's jurisdictions.



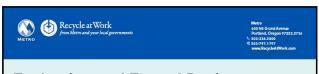






Regional Compliance

- Local governments must submit program plans and annual reports to Metro for review and approval.
- Local governments that do not submit and implement program plans would not receive per capita and Recycle at Work program funding.

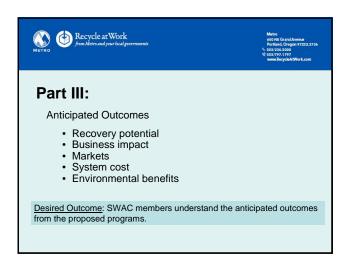


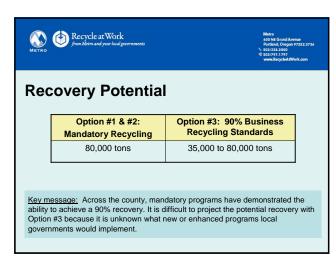
Evaluation and Formal Review

- Baseline evaluation to determine progress needed to reach target.
- · Annual evaluation to measure progress
- · Submission of final reports by local governments.
- After second year, formal reporting by jurisdictions who have not made significant progress.

Option #3: 90% Business Recycling Standards		
Roles	Responsibilities	
Metro	Adopt recycling rate standard, review and approval local programs, distribute funds, and conduct evaluation.	
Local governments	Develop, implement and manage local programs, submit annual report and revise program as needed and participate in regional work group.	
Haulers	Assist with customer education, accommodate customers with increased recycling and reduced garbage collection service	
Businesses	Adopt or improve workplace recycling program and educate employees.	



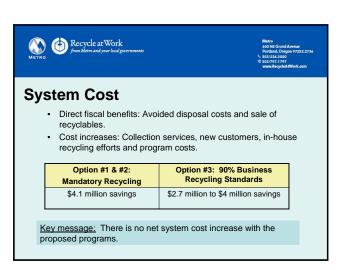


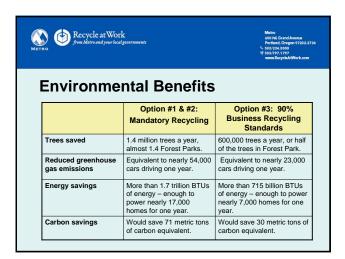


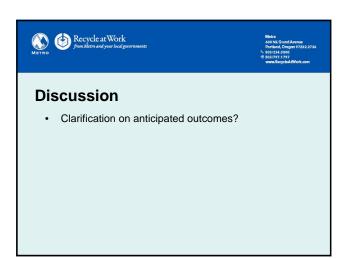


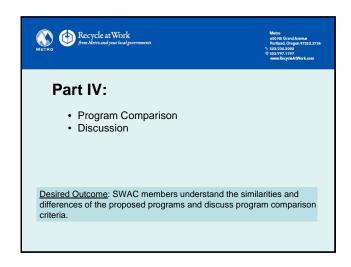


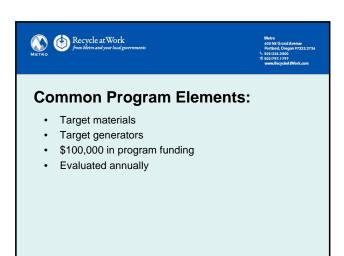


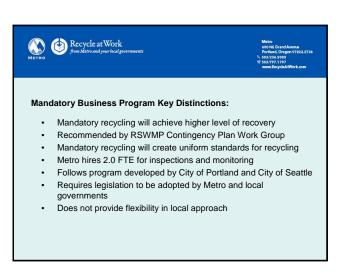




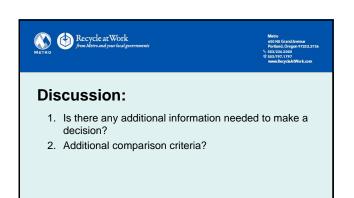




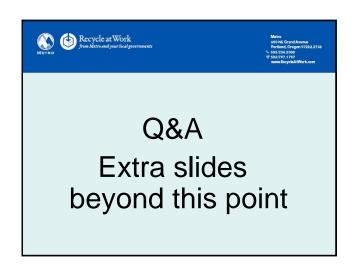












Comparison Criteria	Programs #1 and #2: Mandatory Recycling	Program #3: 90% Business Standard
New Recovery	80,000 ton	35,000 to 80,000 tons
Anticipated Business Participation Penetration	Achieve 95% participation rate 9% increase over current education program level	Minimum participation rate is 86% % increase over current education program level
Anticipated participation level by jurisdiction	All	All
Timeframe for tonnage goal	July 1, 2008 to June 30, 2010	January 1, 2008 to June 30, 2010
Risk for achieving 80K tonnage goal.	Medium to Low (Medium given local hurdles, Low given City of Portland and City of Seattle history)	High to Medium (High given local variability, Medium given history with education only program to date)
Standardized Collection System	Yes	No
Incentives for businesses	Potential for reduced overall collection cost Potential for recyclables sale revenue	Potential for reduced overall collection cost Potential for recyclables sale revenue Additional incentives depending on local program
How program addresses needs of different business sizes.	One size regulation fits all. Program definition does not address flexibility for business size. Container flexibility (through local haulers)	Flexibility would be handled at local level and may therefore vary from jurisdiction to jurisdiction. One size measurement (regulation) fits all. Container flexibility (through local haulers) Local programs can provide flexibility as needed.
Anticipated obstacles, barriers to success, resistance	Possible resistance to regulatory approach	Additional administration for local program development and implementation. Lack of resources or resource focus in each jurisdiction.
Changes in education level compared to existing program	Additional \$100,000 to expand Recycle at Work	Contingent on local programs.

Increased Business Recycling- Proposed Program Options Overview May 2007

Table 1. Program Components

	Programs #1 and #2: Mandatory Recycling	Program #3: 90% Business Standard
Program Goal	Achieve 90% recycling rate for paper and containers to recover an additional 80,000 tons.	Achieve 90% recycling rate for paper and containers to recover an additional 80,000 tons.
Main Program Components	 Require businesses to separate paper and containers for recycling. No more than 10% of recyclable materials in garbage. Education, technical assistance and tagging to precede enforcement. Random business inspections. Violations subject to recycling specialist referral. \$100k to support increased education. Annual evaluation. 	 90 percent recycling rate set for business paper and container recycling applicable to the region's jurisdictions. Baseline evaluation data to determine additional recovery needed by jurisdiction. Best Management Practices provided to local governments. Local governments to submit program plans and annual reports. \$100k to support new or enhanced programs. Annual evaluation and formal evaluation after second year.
Adoption	•Metro adopts ordinance to require local jurisdictions to adopt recycling requirements. Metro provides model ordinance.	•Metro adopts ordinance to set recycling target for the business sector applicable to the region's jurisdictions responsible for solid waste planning.
Regional Compliance	Local governments that do not adopt requirements would not receive per capita and Recycle at Work program funding.	Local governments that do not submit and implement program plans would not receive per capita and Recycle at Work program funding.
Evaluation	Annual evaluation of waste composition	 Annual evaluation of waste composition data. Formal reporting to Metro Council, SWAC and MPAC.
Timeline	FY 2006-2007: Baseline evaluation. FY 2007-2008: Program adoption and education. FY 2008-2009: Requirements take effect July 1, 2008. FY 2009-2010: Evaluate program effectiveness and determine if additional action is needed.	FY 2006-2007: Baseline evaluation. FY 2007-2008: Program adoption, development and implementation. FY 2008-2009: Evaluate program effectiveness. FY 2009-2010: Evaluate program effectiveness and formal review process.

Table 2. Anticipated Outcomes

	Programs #1 and #2: Mandatory Recycling	Program #3: 90% Business Standard
New Recovery	■ 80,000 tons	■ 35,000 to 80,000 tons
Generator Impact	 Minimal impact on day-to-day business operations. Potential for recyclables sales revenue. Potential savings with smaller garbage container size. 	 Minimal impact on day-to-day business operations. Potential for recyclables sales revenue. Potential savings with smaller garbage container size.
System Cost	No net cost increase. \$4 million savings.	No net cost increase. \$2.7 million to \$4 million savings.
Local Markets	Stable markets Sufficient processing capacity	Stable marketsSufficient processing capacity
Environmental Benefits	 Would save 71 metric tons of carbon equivalent. Would save more than 1.7 trillion BTUs of energy – enough to power nearly 17,000 homes for one year. Would reduce greenhouse gas emissions equivalent to nearly 54,000 cars driving one year Would save the equivalent of nearly 1.4 million trees a year, almost 1.4 Forest Parks. 	 Would save 30 metric tons of carbon equivalent. Would save 715 billion BTUs of energy – enough to power nearly 7,000 homes for one year. Would reduce greenhouse gas emissions equivalent to 23,000 cars driving one year Would save the equivalent 600,000 trees a year, or just over half of the trees in Forest Park.

Table 3. Program Comparison by Criteria

	Programs #1 and #2: Mandatory Recycling	Program #3: 90% Business Standard
New Recovery	80,000 tons	35,000 tons to 80,000 tons
Impact on Business Participation	Likely to achieve 95% participation rate9% increase over current level	 At a minimum, would achieve 88% participation rate 2% increase over current level
Local Government Participation	All	All
Timeframe for Achieving Goal	July 1, 2008 to June 30, 2010	January 1, 2008 to June 30, 2010
Risk for Achieving Goal	Medium to Low (Medium given local hurdles, Low given success demonstrated by other cities)	High to Medium (High given local variability, Medium given history with education only program to date)
Standardized Collection System	Yes	No
Business Incentives	 Potential for reduced overall collection cost Potential for recyclables sale revenue 	 Potential for reduced overall collection cost Potential for recyclables sale revenue Additional incentives depending on local program
How program addresses needs of business sizes	 Requirements applied equally across business size Container flexibility (through local haulers) 	 Flexibility would be handled at local level and may therefore vary from jurisdiction to jurisdiction. Container flexibility (through local haulers)
Increased Education	Additional \$100,000 to expand Recycle at Work	Contingent on local programs
Ease of Implementation	Possible resistance to regulatory approach.	 Additional administration for local program development and implementation. Lack of resources or resource focus in each jurisdiction