



METRO

A G E N D A

MEETING: REGIONAL SOLID WASTE ADVISORY COMMITTEE

DATE: Wednesday, September 16, 1998

TIME: 10:00 a.m.– 11:40 a.m.

PLACE: Room 370, Metro Regional Center, 600 NE Grand Avenue, Portland

- 5 min. I. Call to Order & Announcements** **Morissette**
- 5 min. II. Approval of June Minutes** **Morissette**
June SWAC minutes were mailed with the August cancellation notice.
- 10 min. III. REM Director's Update** **Warner**
- 10 min. IV. Management of Waste Tires** **Anderson**
Status report on recent significant changes in the system for recovery and disposal of waste tires, and the public response to these changes.
- 20 min. V. Survey of Transfer Station Customers** **Petersen/Riley & Assoc.**
Results of a customer survey at Metro transfer stations. Key findings, conclusion, and Metro's next steps..
- 30 min. VI. Regional System Fee Credits** **Strachota**
The Regional System Fee Credit Program (in which Metro grants credits on disposal charges to MRFs based on material recovery performance) has been in place since June. This presentation will include: status report, definitional and administrative issues and their resolution, a discussion of program objectives and whether the program is meeting objectives.
- 15 min. VII. State of the Plan Report (Part I)** **Anderson**
Annual assessment of the Regional Solid Waste Management Plan: status report and recommendations. Presentation to be continued next month.
- 5 min. VIII. Other Business and Adjourn** **Morissette**

All times listed on this agenda are approximate. Items may not be considered in the exact order listed.

Chair: Councilor Don Morissette (797-1887); Staff: Doug Anderson (797-1788); Committee Clerk: Connie Kinney (797-1643)

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Analysis of Regional System Fee Credits by Facility

	Tonnage		Financial Analysis		Potential (loss)/gain	Tonnage Average		
	Jul-98		at \$70/\$15	at \$63.50/\$14		Jul-97	for 1997	
WRI								
Incoming Dry	2955	\$	206,850	\$	187,643		2,879	2,511
Disposed Dry	1790	\$	26,850	\$	25,060			
Gross Margin		\$	180,000	\$	162,583	\$ (17,418)		
Recovery Credit			na	\$	15,627			
Adjusted Gross Margin (w/Credit)		\$	180,000	\$	178,209	\$ (1,791)		
Penalty		\$	(4,967)	na				
Adjusted Gross Margin (with Penalty)		\$	175,033	\$	178,209	\$ 3,176		
ECR								
Incoming Dry	6293	\$	440,510	\$	399,606		5,742	4,518
Disposed Dry	2891	\$	43,365	\$	40,474			
Gross Margin		\$	397,145	\$	359,132	\$ (38,014)		
Recovery Credit			na	\$	34,692			
Adjusted Gross Margin (w/Credit)		\$	397,145	\$	393,824	\$ (3,322)		
Penalty		\$		na				
Adjusted Gross Margin (with Penalty)		\$	397,145	\$	393,824	\$ (3,322)		
Recycle America								
Incoming Dry	2517.3	\$	176,211	\$	159,849		<i>began operations</i>	
Disposed Dry	1486.18	\$	22,293	\$	20,807		<i>Aug-97</i>	
Gross Margin		\$	153,918	\$	139,042	\$ (14,876)		
Recovery Credit			na	\$	8,480			
Adjusted Gross Margin (w/ Credit)		\$	153,918	\$	147,522	\$ (6,397)		
Penalty		\$	(3,578)	na				
Adjusted Gross Margin (with Penalty)		\$	150,340	\$	147,522	\$ (2,819)		
Pride								
Incoming Dry	398	\$	27,860	\$	25,273		<i>data not available</i>	
Disposed Dry	542	\$	8,130	\$	7,588			
Gross Margin		\$	19,730	\$	17,685	\$ (2,045)		
Recovery Credit			na	\$	2,827			
Adjusted Gross Margin (w/ Credit)		\$	19,730	\$	20,512	\$ 782		
Penalty		\$	-	na				
Adjusted Gross Margin (with Penalty)		\$	19,730	\$	20,512	\$ 782		
ERI								
Incoming Dry	3479	\$	243,530	\$	220,917		1,288	2,103
Disposed Dry	2185	\$	32,775	\$	30,590			
Gross Margin		\$	210,755	\$	190,327	\$ (20,429)		
Recovery Credit			na	\$	16,475			
Adjusted Gross Margin (w/ Credit)		\$	210,755	\$	206,801	\$ (3,954)		
Penalty		\$	(6,224)	na				
Adjusted Gross Margin (with Penalty)		\$	204,531	\$	206,801	\$ 2,270		
Total Regional System Fee Credits, July 1998					\$ 78,100			

Assumptions:

1. MRFs' tip fee on all incoming dry waste mirrors Metro's tip fee.
2. Penalties are calculated per the old WRI Franchise Agreement.
3. Calculation of the gross margin considers only the tip fee on incoming waste and the Regional System Fee on waste landfilled for a fee.

Implementation Status for the Regional Solid Waste Management Plan
September 1998

Task/Program/Key Concept	Implemented: X = full or nearly full * = partial	Comments
RESIDENTIAL WASTE PREVENTION AND RECYCLING:		
1. Waste Prevention		
a) Media campaigns	X	"Thinker" campaign (SOPR Part II, section 1.a.)
b) Local education program shift to waste prevention	X	RIC calls, school education programs (SOPR Program Description Appendix)
c) "Earth-Wise" purchasing targeted to households	X	Guides to Buying Recycled produced and distributed, BR training workshops, Greener Cleaner Project, Alternatives to Pesticides (SOPR Part II section 1.a. and Program Description Appendix)
2. Home Composting		
a) Spring and Fall home composting workshops	X	26 Spring and Fall workshops held at 4 permanent sites in the region as well as other locations (SOPR Appendix section B. 2.)
b) Develop home compost sites to serve all parts of the region	*	No new sites yet developed. Metro working with Washington County and Lake Oswego to consider new site development.
c) Home compost bin distribution program	X	Continued through Spring 1998. 42,000 bins sold since 1994.
d) Promotion/education efforts for composting and curbside	X	Grasscycling education and outreach, composting education and outreach, local government program promotion at least annually.
3. Residential Recycling		
a.) Weekly curbside collection (or equivalent) of yard debris and scrap paper.	X	All jurisdictions meet standard.
b.) Multifamily recycling of 4 materials for 85% of units in the region.	X	All jurisdictions meet standard except Beaverton who has a newly independent program.
c.) Education and Outreach to support residential recycling	X	All local jurisdictions promote recycling programs at least annually and in most cases more frequently. Metro augments efforts and provides RIC services.
d) Target low-participation neighborhoods with special promotion/outreach.	X	Local governments initiated and implemented a study to determine best methods.
e) Target reduction of yard debris in drop box and self haul.		Not implemented due to low priority and high yard debris recovery rates.

Task/Program/Key Concept	Implemented	Comments
COMMERCIAL WASTE PREVENTION AND RECYCLING:		
1. Education, Information & Market Development		
a.) Waste evaluations with goal of reaching 80% of targets by 2000.	X	All jurisdictions (except Portland) provide waste evaluations. Three have hired temporary staff to do so.
b.) Model Waste Prevention programs for businesses.	X	Metro has developed a targeted generator program and associated materials and outreach for law firms, Realtors, hospitals, hotels, restaurants, grocery wholesale and retail, construction contractors. These are used by local governments during waste evaluations and in Metro outreach.
c.) Media campaigns focused on waste prevention.	*	Local jurisdictions have implemented independent outreach such as ads and the BRAG recognition program. No full-fledged regional campaign has been implemented to date.
d.) Earth-Wise programs to assist with buy recycled and market development.	X	Metro produces comprehensive Buy Recycled guides for businesses and residences annually.
e.) Analysis of recycled feedstock in businesses.		Metro has not implemented a formal analysis but does provide grant funds to businesses who use recycled feedstocks (Business Development Grants).
2. Expand Source-Separated Collection		
a.) Collection of paper and containers from businesses.	X	All local jurisdictions offer recycling services to businesses. Portland has a mandatory program.
b.) Appropriate recycling containers provided to small businesses.	X	All jurisdictions require haulers to provide appropriate outdoor containers to all businesses who want to recycle. Portland has provided signature blue bins for small businesses as part of the mandatory program.
c.) Education and promotion of recycling services for businesses.	X	All local jurisdictions conduct direct outreach to all businesses annually via direct mail, industry associations, chambers of commerce or on-site visits.
d.) Business recycling recognition programs.	X	All local jurisdictions with assistance from Metro have developed and implemented the BRAG (Business Recycling Awards Group) program. Annual awards ceremonies are conducted to recognize business efforts. (SOPR Appendix section II. D.)

Task/Program/Key Concept	Implemented	Comments
3. Organics		
a.) Site and develop processing capacity for organic waste	X	Two pilot organics collection and processing programs initiated and near completion. Collection scenario model initiated and near completion. (SOPR, Part II. Bus. WR, #2)
b.) Collection from larger generators.	*	Collection scenario study implemented and near completion. Local processing capacity not yet available.
c.) Small generator organics collection.		Contingent upon processing capacity and collection economics.
4. Post-Collection Recovery		
a.) Develop capacity to serve region.		
b.) Provide reasonable access for all haulers.		
c.) Maintain fee waivers on recovered material.		
d.) Support and develop markets for recovered materials through technical assistance to processors.		
e.) Consider policies to allow vertical integration.		
5. Building Industries Waste Prevention		
a.) Earth-Wise building programs to train builders about salvage, recycling, waste reduction and buy recycled.		
b.) On-site audits at construction sites.	X	Both Metro and local governments promote and provide this service.
c.) Technical assistance and educational materials for builders.	X	Metro and local governments produce educational materials that are distributed through local government building permit offices and other outreach methods. (SOPR, Part II. Building Industries, #1)
6. Building Industries Recycling		
a.) On-site source separation at C&D sites.	X	Construction and Demolition generator survey being conducted and will be complete in 1998. This will guide much of the future work in this area. (SOPR, Part II. Building Industries, #2.a.)
b.) Promotion of and education about on-site recycling services.	X	Metro produces construction site recycling guides updated on an annual basis. Local governments and Metro distribute them through permit offices and other venues.
c.) Support markets to support reuse and salvage.	X	Metro has provided grant funds to non-profit construction salvage operations and continues to promote deconstruction and salvage over demolition. Metro has produced case studies illustrating economic benefits. (SOPR section II. Building Industries, #2. B.)

7. Yard Debris Processing System		
a.) Establish facility performance standards.	X	Metro now licenses and franchises all yard debris processors in the region and implements DEQ's compost rules. (SOPR Part II. Solid Waste Facilities, #1)
b.) Metro system for franchising or otherwise authorizing processors.	X	See above.
c.) Local governments require use of Metro and DEQ permitted facilities by franchised haulers.	X	Local governments all require use of "approved facility" by franchised haulers.
d.) Local governments adopt clear and objective siting standards for compost facilities.	X	Metro has been working to ensure local government compliance. Staff have just completed work with Clackamas County Planning Officials.
8. Organic Waste Regulatory System		
a.) Develop organics regulatory system.	*	In development. Metro staff had to first complete the Metro Solid Waste Code update and adoption process.
b.) Local governments adopt clear and objective siting standards for organics facilities.	*	In development. Most jurisdictions do not prohibit siting, but many standards are dependent on the nature of the facility.
9. Transfer and Disposal System		
a) Maintain existing system of three transfer stations. Build no new stations.		
b.) Maintain system of private general and limited purpose landfills.		
c.) Maintain options for haulers to choose among disposal alternatives.		
d.) Reload facilities.		

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Administrative Procedures No.: 101, Section 7
Department: Regional Environmental Management
Effective Date: September 9, 1998

Subject: Application Procedures

7. Application Procedures

7.1 Classification

7.1.2 *Certificates*

A Metro Solid Waste Certificate is required of any person owning or controlling a facility which:

- 7.1.2.1 Processes non-putrescible waste resulting in less than 10% dry waste residual; and
- 7.1.2.2 Processes Petroleum Contaminated Soil by thermal destruction, distillation, bioremediation, or by any other method that either destroys or removes and contains such Petroleum Contaminated Soil.

7.1.3 *Licenses*

A Metro Solid Waste License is required of any person owning or controlling a facility at which any of the following activities are performed:

- 7.1.3.1 Material recovery from Non-Putrescible Waste;
- 7.1.3.2 Processing of Non-Putrescible Waste that results in Processing Residual of ten (10) percent or more;
- 7.1.3.3 Processing or Reloading of yard debris. A local government that owns or operates a yard debris facility may enter into an intergovernmental agreement with Metro under which the local government will administer and enforce yard debris standards at the facility in lieu of compliance with this chapter; and
- 7.1.3.4 Transfer of Putrescible Waste, and any other activity or combination of activities taking place in the same facility that results in disposal of fewer than 50,000 tons of Solid Waste during any calendar year.

7.1.4 *Franchises*

A Metro Solid Waste Franchise shall be required for the person owning or controlling a facility at which any of the following activities are performed:

- 7.1.4.1 Transfer of Putrescible Waste, and any other activity or combination of activities taking place in the same facility that results in disposal of 50,000 tons or more of Solid Waste during any calendar year.
- 7.1.4.2 Delivery of Putrescible Waste directly to Metro's contract operator for disposal of Putrescible Waste from the facility.
- 7.1.4.3 Operation of a Disposal Site or of an Energy Recovery Facility.
- 7.1.4.4 Any process using chemical or biological methods whose primary purpose is reduction of Solid Waste weight or volumes.
- 7.1.4.5 Any other activity not listed in this Section of these Administrative Procedures, or exempted by Metro Code Section 5.01.040.

7.2 The Pre-Application Conference

7.2.1 *General*

The Pre-Application Conference is required of all applicants for licenses and franchises.

7.2.2 *Purpose*

The purpose of the Pre-Application Conference is to:

- 7.2.2.1 Determine the nature and scope of the proposed solid waste facility or activity;
- 7.2.2.2 Clarify which requirements of the Metro Code and these Administrative Procedures apply to the proposed facility or activity;
- 7.2.2.3 Review the application procedures and timeline for action on the application; and
- 7.2.2.4 Determine what parts of the application form are applicable to, and thus required to be submitted by, the prospective applicant.

7.2.3 *Expiration*

If an application for a license or franchise is not filed within one year from the date of the pre-application conference, the prospective applicant shall participate in a subsequent pre-application conference prior to filing an application for a license or franchise.

7.2.4 *Scheduling*

In order to arrange the Pre-Application Conference prospective applicants shall contact the Metro Regional Environmental Management Department Regulatory Affairs Administrator.

7.2.5 *Required information for the conference*

7.2.5.1 A detailed list of proposed activities to be performed at the facility and

7.2.5.2 A detailed list of proposed waste streams to be received at the facility.

7.3 Application Forms

7.3.1 All applications for certificates, licenses and franchises shall be filed on forms or in the format provided by Metro. Prospective applicants can obtain the required form(s) by contacting the Regional Environmental Management Department Regulatory Affairs Administrator.

7.3.2 All applications for a license or franchise shall include, but are not limited to, the following information:

7.3.2.1 A description of the activities proposed to be conducted at the facility and a description of the wastes to be accepted;

7.3.2.2 Proof of insurance;

7.3.2.3 A duplicate copy of all applications for necessary DEQ permits and any other information required by or submitted to DEQ;

7.3.2.4 A duplicate copy of any closure plan required to be submitted to DEQ, or if DEQ does not require a closure plan, a closure document describing closure protocol;

7.3.2.5 A duplicate copy of any documents required to be submitted to DEQ demonstrating financial assurance for the costs of closure, or if DEQ does not require such documents, proof of financial assurance for the costs of closure of the facility;

7.3.2.6 Signed consent by the owner(s) of the property to the proposed use of the property. The consent shall disclose the property interest held by the Licensee or Franchisee and the duration of that interest, and shall include a statement that the property owner(s) have read and agree to be bound by the provisions of section 5.01.180(e) of Metro Code if the license or Franchise is revoked or any license or Franchise renewal is refused;

7.3.2.7 Proof that the applicant has received proper land use approval; or, if land use approval has not been obtained, a written recommendation of the

planning director of the local governmental unit having land use jurisdiction regarding new or existing disposal sites, or alterations, expansions, improvements or changes in the method or type of disposal at new or existing disposal sites. Such recommendation may include, but is not limited to a statement of compatibility of the site, the Solid Waste Disposal Facility located thereon and the proposed operation with the acknowledged local comprehensive plan and zoning requirements or with the Statewide Planning Goals of the Land Conservation and Development Commission; and

- 7.3.2.8 Identify any other known or anticipated permits required from any other governmental agency. If application for such other permits has been previously made, a copy of such permit application, and any permit that has been granted shall be provided.

7.4 Application Fees (Effective Nov. 5, 1998.)

Per Metro Code Chapter 5.01.070, application fees shall be as follows:

7.4.1 Fees for New Certificates, Licenses and Franchises.

7.4.1.1 For a Solid Waste Facility Certificate, one hundred dollars (\$100);

7.4.1.2 For a Solid Waste Facility License, three hundred dollars (\$300); and

7.4.1.3 For a Solid Waste Facility Franchise, five hundred dollars (\$500).

7.4.2 Fees for Renewal of Licenses and Franchises.

7.4.2.1 For a Solid Waste Facility License, three hundred dollars (\$300); and

7.4.2.2 For a Solid Waste Facility Franchise, five hundred dollars (\$500).

7.4.3 Fee for Applications for Changes of Authorizations or Limits.

The fee for applications for changes of authorizations or limits shall be one hundred dollars (\$100).

7.5 Payment of Fees

Payment of application fees shall accompany the application for a Certificate, License, Franchise or change in authorizations or limits.

7.6 Public notice

7.6.1 *Public Notice Process*

- 7.6.1.1 Solid Waste Facility Licenses and Franchises, as described under Metro Code Section 5.01.045(b) and (c), require approval by the Metro Council.
- 7.6.1.2 At least 20 days before the scheduled Council hearing for a license or franchise, Metro will circulate a public notice to the Metro Solid Waste Interested Persons mailing list and to all property owners within 400 feet of the facility or proposed facility, as provided by Metro's Data Resource Center. This notice will contain the staff recommendation to the Metro Council for the new license or franchise, as well as the date, time, and address of the scheduled hearing.

7.7 Review Procedures and Schedules

7.7.1 *Determination of Application "Completeness"*

Within 10 business days of receipt of an application for a certificate, license or franchise, Metro will send to the applicant a letter stating whether the application has been deemed to be complete. In cases where the application is deemed incomplete, the letter to the applicant will identify the reason(s) for the deficiency.

7.7.2 *Inspection of Property and/or Proposed Operations*

In the application review process it may be necessary for Metro staff to inspect the applicants property and/or proposed operations. Submission of an application for a Metro Solid Waste Facility agreement to Metro shall constitute the applicant's permission for Metro staff to conduct such inspections as necessary to evaluate the application.

7.7.3 *Additional Fact-Finding*

It may be necessary, in the application review process, for Metro staff to request additional information from the applicant. Such information shall only be requested when necessary to the review process. A written request for additional information suspends any previous statement of application "completeness" (see above). Within 10 business days of receipt of the requested additional information, Metro will send to the applicant a letter stating whether the application has been deemed to be complete. In cases where the application is deemed incomplete, the letter to the applicant will identify the reason(s) for the deficiency.

7.8 Preparation of Findings and Recommendations

7.8.1 *Licenses*

Metro staff shall make a recommendation to Council to approve an application for a Solid Waste Facility License if the applicant meets the requirements of Section 7.3.2 of these Administrative Procedures.

7.8.2 *Franchises*

Metro staff shall make a recommendation to Council to approve or deny an application for Solid Waste Facility Franchise. The staff recommendation shall address the following criteria:

- 7.8.2.1 The applicant has demonstrated that the proposed Solid Waste Facility will be consistent with the Regional Solid Waste Management Plan;
- 7.8.2.2 The applicant has demonstrated that the proposed Activity will result in lower net System Costs, if such a showing is required by Metro Code Section 5.01.060;
- 7.8.2.3 Granting a Franchise to the applicant would be unlikely to unreasonably adversely affect the health, safety and welfare of the District's residents;
- 7.8.2.4 Granting a Franchise to the applicant would be unlikely to unreasonably adversely affect nearby residents, property owners or the existing character or expected future development of the surrounding neighborhood; and
- 7.8.2.5 The applicant has demonstrated the strong likelihood that it will comply with all the requirements and standards of this chapter, the administrative procedures and performance standards and other applicable local, state and federal laws, rules, regulations, ordinances, orders or permits pertaining in any manner to the proposed Franchise.

7.9 Approval or Denial

7.9.1 *Certificates*

- 7.9.1.1 Applications for Certificates are subject to approval or denial by the Executive Officer.
- 7.9.1.2 The Executive Officer shall approve or deny the application for a Certificate within 45 days of accepting the application.

7.9.1.3 Certificates approved by the Executive Officer shall specify the Activities authorized to be performed and the Wastes authorized to be accepted at the Solid Waste Facility.

7.9.2 Licenses

7.9.2.1 Applications for Licenses are subject to approval or denial by the Metro Council.

7.9.2.2 The Metro Council shall approve or deny an application for a License within one hundred and twenty (120) days of filing a complete application. If the Metro Council does not act to grant, or deny, a License application within one hundred and twenty (120) days of filing a complete application, a License shall be deemed granted.

7.9.2.3 Licenses approved by the Metro Council shall be for a term of five years.

7.9.3 Franchises

7.9.3.1 Applications for Franchises shall be reviewed by the Executive Officer and are subject to approval or denial by the Metro Council.

7.9.3.2 The Executive Officer shall provide to the Metro Council a recommendation regarding whether the application should be granted or denied. If the Executive Officer recommends that the application be granted, the Executive Officer shall recommend to the Council specific conditions of the Franchise.

7.9.3.3 Subsequent to receiving the recommendation of the Executive Officer, the Council shall issue an order granting, or denying the application. The Council may attach conditions to the order or limit the number of franchises granted. A Council order to deny the application is effective immediately.

7.9.3.4 If the Council does not act to grant, or deny, a Franchise application within 120 days after the filing of a complete application, the Franchise shall be deemed granted for the Solid Waste Facility or Disposal Site requested in the application.

7.9.3.5 If a request for a Franchise is denied, the applicant shall file no new application for this same or substantially similar Franchise for at least six months from the date of denial.

7.9.3.6 The term of a new or renewed Franchise shall be five (5) years.

7.10 Renewal

7.10.1 *Certificates*

Routine renewal of Solid Waste Facility Certificates is not required. See below for changes in ownership, control or authorizations.

7.10.2 *Licenses*

7.10.2.1 In order for a Solid Waste Facility License to be renewed, the Licensee must submit to Metro, not less than 60 days prior to the expiration of the current license term, the following:

7.10.2.1.a A completed application for renewal;

7.10.2.1.b A statement of proposed material changes from its initial application for the license; and

7.10.2.1.c Any other required information.

7.10.2.2 The license shall not be renewed if the Executive Officer determines that the proposed renewal is not in the public interest. The Executive Officer may attach conditions or limitations to any renewed license.

7.10.3 *Franchises*

7.10.3.1 In order for a Solid Waste Facility Franchise to be renewed, the Franchisee must submit to Metro, not less than 120 days prior to the expiration of the current franchise term, the following:

7.10.3.1.a A completed application for renewal;

7.10.3.1.b A statement of proposed material changes from its initial application for the franchise; and

7.10.3.1.c Any other information required by the executive officer or by the council.

7.10.3.2 The franchise shall not be renewed if the Executive Officer determines that the proposed renewal does not meet the criteria contained in Metro Code Chapter 5.01.070. The Executive Officer may attach conditions or limitations to the renewed Franchise.

7.11 Transfer of Ownership or Control

7.11.1 *Certificates*

The Executive Officer shall transfer a certificate upon receipt in writing of any transfer of ownership or change in control, provided that the persons seeking to be certified are not requesting authorization to accept additional wastes or to perform additional activities at the Solid Waste Facility.

7.11.2 *Licenses and Franchises*

7.11.2.1 Licensees and Franchisees shall provide notice to Metro of a transfer of ownership or control or of any anticipated transfer of ownership or control. A new Solid Waste Facility Application or resubmission of sections of the Solid Waste Facility Application may be required.

7.11.2.2 The term for any transferred License or Franchise shall be for the remainder of the original term unless the Executive Officer or Metro Council establishes a different term based on the facts and circumstances at the time of transfer.

7.12 Change of Authorizations

7.12.1 Certificates, licenses and franchises authorize the activities and acceptance of wastes expressed in the certificate, license or franchise agreement. Any activities or acceptance of wastes not specified in the certificate, license or franchise agreement are unauthorized.

7.12.2 A Person holding a Certificate, License or Franchise shall submit a written proposal to Metro of all proposed changes when seeking authorization to:

7.12.2.1 Accept wastes other than those authorized by the applicant's Certificate, License or Franchise;

7.12.2.2 Perform activities other than those authorized by the applicant's Certificate, License or Franchise; or

7.12.2.3 Modify other limiting conditions of the applicant's Certificate, License or Franchise.

7.12.3 The written proposal submitted to Metro shall state any proposed changes to the purpose, operations or procedures of the facility. Metro staff shall review the proposal and may determine that it is necessary for the facility operator to resubmit sections of the Solid Waste Facility Application, to meet with Metro staff, or in some cases submit a new Solid Waste Facility Application. The Executive Officer shall have 10 business days from receipt of the proposed modifications to object to such modifications, or to notify the facility operator of any additional information necessary to review the proposal.

7.12.4 Licensees and Franchisees seeking to add authorization to perform one or more of the activities listed under Metro Code Section 5.01.045 shall submit a new Solid Waste Facility Application. Such application shall be subject to the review and approval processes detailed in sections 7.6, 7.7, 7.8 and 7.9 of these Administrative Procedures.

7.12.5 A Person holding a Certificate, License or Franchise shall notify Metro in writing when proposing to cease accepting authorized wastes or cease performing authorized activities at the Solid Waste Facility or Disposal Site.

7.12.6 Proposed modifications to facility plans and procedures may be implemented on a conditional basis pending Metro review and notice from Metro that such changes are not acceptable.

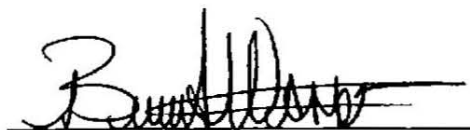
7.13 Variances

7.13.1 The Council, upon recommendation of the Executive Officer, may grant specific variances from particular requirements of Metro Code Chapter 5.01.

7.13.2 A variance must be requested by a License or Franchise applicant, or a Licensee or Franchisee in writing and state facts to show cause why such variance should be granted. The Council shall approve or deny the variance coincident with any approval or denial of any License or Franchise application. Upon a request for variance from an existing Licensee or Franchisee, the Council shall approve or deny the variance within 60 days after receipt of the request. If the Council denies a variance request, the Executive Officer shall notify the person requesting the variance of the right to a contested case hearing pursuant to Code chapter 2.05. If a request for a variance is denied, no new application for this same or substantially similar variance shall be filed for at least six months from the date of denial.

7.13.3 A request for a variance shall not substitute for an application that would otherwise be required.

IT IS SO ORDERED this 9th day of SEPTEMBER, 1998.



Bruce Warner, Director,
Regional Environmental Management Department



METRO

Regional System Fee Credits Program

July 1998 Progress Report

<u>Applications</u>	<u>June 1998</u>	<u>July 1998</u>	<u>Program To-Date</u>	<u>FY 98-99 To-Date</u>	<u>Facility Recovery Rate %</u>
RSF Credits Granted	\$72,989	\$43,409	\$116,398	\$59,498	
Pending Applications	<u>0</u>	<u>34,692</u>	<u>34,692</u>	<u>34,692</u>	
Total:	\$72,989	\$78,101	\$151,090	\$94,190	40.2 average, by facility
<u>By Facility</u>					
East County Recycling	\$28,449	\$34,692	\$63,141	\$34,692	52.2
Energy Reclamation	16,089 *	16,475	32,564	32,564	38.4
Pride Recycling	3,807	2,827	6,634	2,827	30.6
Recycle America	7,376	8,480	15,856	8,480	38.0
Willamette Resources	17,268	15,627	32,895	15,627	41.8
Wastech	0	0	0	0	NA

* FY 98-99 Expense

Reporting Issues

The proper classification of waste for RSF Credit calculations continues to undergo scrutiny and revision.

Another area of concern is the difficulty reconciling tonnage data submitted by the disposal sites with tonnage data and disposal site billings submitted by the facilities.

Expenditures Analysis

1. The Regional System Fee Credits Program began in June 1998.
2. The RSF Credit Program is budgeted at \$900,000 for FY 98-99. Delays by Energy Reclamation Inc. in submitting June 1998 data caused an additional \$16,000 of RSF Credits to fall into FY 98-99. Assuming that June and July were typical months and including the additional \$16,000, FY 98-99 Program expenditures are estimated to total approximately \$922,000.
3. Wastech has not submitted a June application. The Wastech application for July reported a recovery rate below the minimum 20% level to be eligible for RSF Credits.
4. Internal administrative costs are monitored and reported quarterly. Staff hours spent processing July applications may be slightly less than in June.

Table 9.3 - RSWMP Solid Waste Regional Benchmarks

	Year 1995 Baseline	Year 2000 Indicator	Year 2005 Indicator	Units
System Benchmarks				
Recycling Level	39%	48%	53%	percent
Recovery Level	42%	52%	56%	percent
Per Capita:				
Generation*	1.34	1.36	1.38	tons/capita/year
Recycling*	0.58	0.71	0.78	tons/capita/year
Disposal*	0.76	0.65	0.60	tons/capita/year
Solid Waste Hierarchy				
Prevention	n/a	1%	1%	percent
Recycling	28%	35%	37%	percent
Composting	6%	9%	12%	percent
Energy/Fuel	8%	7%	7%	percent
Disposal	58%	48%	43%	percent
Facility Benchmarks				
Direct-Haul Tonnage	1,088,700	990,700	1,020,800	tons/year
Transfer Stations	820,900	679,800	700,600	tons/year
MRFs	113,500	157,300	222,100	tons/year
Ltd. Purpose Landfill	154,300	153,600	98,100	tons/year
Access to Transfer Stations	20	20	20	minutes
Multnomah County	18.6	19.0	19.1	minutes
Clackamas County	18.1	18.0	18.1	minutes
Washington County	23.2	23.3	23.3	minutes
Landfilled Solid Waste	1,023,100	926,400	917,000	tons/year
Food	222,600	191,300	152,600	tons/year
Recyclables	366,100	291,700	304,000	tons/year
Yard Debris	60,000	59,300	43,900	tons/year
Other	374,400	384,100	416,500	tons/year
Disposal Benchmarks				
Single Family*	30	28	22	lbs/HH/week
Food*	9.1	8.4	4.1	lbs/HH/week
Recyclables*	9.7	8.8	8.8	lbs/HH/week
Yard Debris*	2.9	2.7	1.2	lbs/HH/week
Other*	8.0	8.0	8.0	lbs/HH/week
Multifamily*	24	19	19	lbs/HH/week
Food*	7.4	7.4	7.4	lbs/HH/week
Recyclables*	9.0	5.3	5.3	lbs/HH/week
Yard Debris*	1.9	1.1	1.1	lbs/HH/week
Other*	5.4	5.4	5.4	lbs/HH/week
Business*	20	16	16	lbs/emp/week
Food*	4.6	2.9	2.8	lbs/emp/week
Recyclables*	8.2	5.1	5.1	lbs/emp/week
Yard Debris*	0.7	0.7	0.7	lbs/emp/week
Other*	6.9	6.9	6.9	lbs/emp/week
Construction & Demo*	234,000	235,800	253,800	tons/year
C&D per capita*	0.18	0.17	0.17	tons/capita/year

*Baseline to be verified or established within one year of plan adoption.

Regional System Fee Credits

Program Objectives

- **Preserve MRF capacity**
- **Use “carrot” for recovery efforts, not “stick”**
- **Provide incentive to increase recovery**
- **Remove disincentive on throughput**

Regional System Fee Credits

Budget Assumptions

- **\$900,000 allocated for FY 1998-99**
- **Ongoing monitoring:**
 - ⇒ **Program objectives**
 - ⇒ **Budget impact**
- **Program sunsets at end of FY 1998-99;**
(Requires positive action by Council to continue)

Regional System Fee Credits

Status after 2 Months

- **\$151,090 paid out June & July**
- **On an annual track of \$906,000**
- **MRFs generally at or above last year's tonnage**
- **East County Recycling:**
 - ⇒ **Tonnage up over 30% from year ago**
 - ⇒ **Recovery rate up over 10 % points**
 - ⇒ **Change due to industrial waste and inerts manufactured into aggregate**
- **Program seems generally on track**

State-of-the-Plan Report

Part 1

Introduction

September 16, 1998

Purposes Today

- **Remind/introduce RSWMP goals**

- **Describe measurement program:**
 - ⇒ **Monitoring implementation of programs**
 - ⇒ **Regional benchmarks**
 - ⇒ **Program evaluation**

State-of-the-Plan Report

Purpose of the Report

- **Monitor Regional Levels-of-Effort**
- **Measure progress toward goals**
- **Identify problem areas**
- **Recommend course corrections (if necessary)**

RSWMP Measurement Elements

- **Are Levels-of-Effort Being Met?**
(Monitoring program implementation)

- **Progress toward quantitative goals.**
(Regional benchmarks)

- **Are specific programs performing as expected?**
(Program evaluation)

Background

- **The Plan specifies "Recommended Practices" designed to achieve goals.**

- **For each Recommended Practice, the Plan:**
 - ⇒ **Specifies program elements**
 - ⇒ **Sets quantitative targets**
 - ⇒ **Allows alternative practices
(If equivalent performance is demonstrated)**

Example

Expand source-separated Recycling by Multifamily Households

- **Program elements:**

- ⇒ **Provide recycling containers for at least 4 materials**

- ⇒ **Reach at least 85% of all multifamily complexes**

- ⇒ **Support with literature and education**

- **Expectation:**

- ⇒ **10,300 tons recycled by Year 2000**

Multifamily Recycling

1997

□ Program Implementation:

Jurisdiction	Number of Units	Percent Recycling	Effort Achieved?
Beaverton	14,218	82%	no*
Clackamas Co.	18153	85%	yes
Gresham	14,850	87%	yes
Lake Oswego	4,537	89%	yes
Milwaukie	2,781	93%	yes
Portland	65,801	87%	yes
Troutdale	277	91%	yes
Washington Co.	51,940	86%	yes

□ Performance:

⇒ Quantitative evaluation prior to 2000

Regional Solid Waste Management Plan Diversion & Disposal Targets
Year 2000

	Waste Reduction by Recommended Practices						Net Effect of Practices	Expected Disposal	
	Prevention		Source-Separated Recycling						
	Baseline Disposal	Home Compost- ing Evaluation	Expand Residential Curbside	Business Paper & Containers	Site- Separated C&D	Business Organics			
Residential	353,500	-11,100	-10,500				-21,600	331,900	
Multifamily	66,800		-12,600				-12,600	54,200	
Business	496,000		-9,200	-66,400			-41,700	378,700	
Construction	267,200				-31,400		-31,400	235,800	
TOTAL	1,183,500	-11,100	-9,200	-23,100	-66,400	-31,400	-41,700	-182,900	1,000,600