

A G E N D A



METRO

MEETING: **REGIONAL SOLID WASTE ADVISORY COMMITTEE**

DATE: Monday, June 28, 2004

TIME: 3:00 p.m. – 4:30 p.m.

PLACE: Rooms 370 A&B, Metro Regional Center, 600 NE Grand Avenue, Portland

- 5 mins. I. Call to Order and Announcements** **Susan McLain**
Announcements
Responses to Issues from the April 19th Meeting
**Approval of Meeting Summary*
- 10 mins. II. Solid Waste & Recycling Director's Update** **Michael Hoglund**
- 50 mins. III. *RSWMP Planning Issues** **Janet Matthews**
In the first quarter of this year, solid waste stakeholder groups including service users, SWAC and Metro Council suggested issues to be explored in the RSWMP update process. This agenda item will involve a presentation and discussion of the issues generated, the guidelines staff applied to narrow the issues list, and the steps ahead to shape RSWMP direction on these regional issues.
- 20 mins. IV. *Developing Potential New Recycling Policies** **Lee Barrett**
In late May, Metro Council passed a resolution directing staff to convene a work group that would develop program details associated with mandatory processing requirements for construction and demolition and/or dry waste loads. The resolution also directed staff to work with local governments to develop strategies for increased business recycling. This agenda item will provide SWAC members and interested parties with information on the two-pronged process ahead, and its relationship to the RSWMP update project.
- 5 mins. V. Other business and adjourn** **Susan McLain**

** Materials for these items are included with this agenda.*

All times listed on this agenda are approximate. Items may not be considered in the exact order listed.
Chair: Councilor Susan McLain (797-1553) Alternate Chair: Councilor Rod Park (797-1547)
Staff: Janet Matthews (797-1826) Committee Clerk: Michele Adams (797-1649)

**Solid Waste Advisory Committee Meeting Summary
April 19, 2004**

Attendees:

Steve Schwab	Tanya Schaefer	Rick Winterhalter
Mary Sue Gilliland	Bruce Walker	Jeff Murray
Mike Leichner	Glenn Zimmerman	Wade Lange
Mike Miller	Matt Korot	John Lucini
Sarah Jo Chaplen	Wendy Fisher	Vince Gilbert
Mike Hoglund	Janet Matthews	Will Gehr
Barb Disser	Dan Cotugno	Dan Schooler
Easton Cross	Mathew Cusma	Michele Adams

I. Call to Order and Announcements Mike Hoglund

- Mr. Mike Hoglund convened the meeting and explained that Councilor Susan McLain was unable to attend due to illness.
- Approval of March 15, 2004, Meeting Summary: Mr. Mike Leichner said that a couple of comments were incorrectly attributed to him; he did not attend the March 15 meeting. With this correction noted, Mr. Steve Schwab motioned to approve the summary; Mr. Matt Korot seconded the motion; Mr. Leichner abstained from voting, and all others responded aye; the Meeting Summary passed as read.

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

- Mr. Hoglund passed out a schedule for Ordinances No. 04-1044 (adopts agency FY 04-05 budget), 04-1043 (amends license and franchise fees), 04-1042 (amends disposal charges and system fees) and 04-1048 (additional \$2 excise tax). He explained that Council is trying to synchronize the schedule for these ordinances as much as possible. The excise tax ordinance would add another \$1.50 for Metro Parks and 50 cents for marketing the convention center. Mr. Steve Schwab asked if SWAC would take a position on this. Mr. Hoglund replied that typically SWAC would not take a position on the budget, but it could. Mr. Hoglund then explained Ordinance No. 04-1043 to amend license and franchise fees and the Rate Review Committee's (RRC) recommendation that these fees be phased in. The Council will likely take the RRC's recommendation on Ordinance No. 04-1043, and amend Ordinance No. 04-1042 relating to disposal charges and system fees, i.e., Metro's tip fee. The overall tip fee is likely to be \$68.44 next year, or \$70.44 with the additional \$2 excise tax.

In response to a question, Mr. Hoglund said the new rate would probably take effect August 1 or September 1. Mr. Bruce Walker expressed concern that major changes are proposed, including funding cuts to waste reduction and local governments, and additional excise tax, yet SWAC has not had a presentation or opportunity for discussion. Mr. Hoglund and Ms. Matthews responded that it is the RRC's charge to review the numbers, and people are welcome to make procedural observations during public testimony to Council. Mr. Jeff Murray questioned why 50 cents of excise tax on solid waste is proposed for convention center funding. Mr. Hoglund replied with the analogy that the excise tax is Metro's property tax; Metro's general fund budget is based on the excise tax. It is the Council's prerogative to look across departments and fund activities according to their priorities. Mr. Winterhalter observed that, by design, the solid waste system is divided, but through SWAC the Council could hear a unified voice yet they choose not to. He noted that shifting rates has policy implications and expressed frustration that SWAC does not have input. Mr. Schwab asked what the overall

reduction in the Solid Waste and Recycling Department's budget amounted to. Mr. Hoglund replied that reductions amount to about \$1.5 million.

- Mr. Hoglund announced that proposals to operate Metro's transfer stations are due next Monday. An inter-governmental review team and a consultant will take about a month to evaluate the proposals. Negotiations with the lead candidate will occur late-May and early-June and the contract will take effect December 1.
- Mr. Hoglund announced that Council reappointed Tanya Schaefer for another two-year term on the SWAC. Council also appointed Mr. Huycke and Mr. Phelps to the Committee. Mr. Huycke was formerly an alternate member; he is now a member with Mr. Phelps as his alternate.

III. Annual Waste Reduction Program Plan (Year 15)

Lee Barrett

Mr. Barrett explained that the purpose of the Partnership Plans for Waste Reduction are to conserve natural resources by delivering regional services effectively and efficiently by giving grants to local governments on a per-capita basis, by competitive grants to local governments and by focusing on recovery in the areas of commercial, construction and demolition (C&D) and organics. These three areas are reinforced through outreach and education efforts and supported by the Plan's \$1.6 million budget.

Mr. Barrett said that a couple of years ago, the Council directed staff to measure the effectiveness of these programs. Mr. Barrett reviewed highlights from the first of these performance measure reports, the Year 13 Performance Measures Assessment Report, covering FY 2002-03 (copy included in the agenda packet).

Mr. Barrett stated that the proposed budget for the Year 15 Partnership Plan for Waste Reduction is approximately \$1.6 million, down 9.6 percent from last fiscal year. The Council President's budget proposes \$649,000 be dedicated to per-capita grants to local governments, \$160,000 be dedicated to targeted competitive grants to local governments, \$120,000 for organics, \$250,000 for C&D, \$455,000 for commercial. He explained that there are two proposed amendments to the President's budget for this Plan, including moving \$50,000 from per capita to targeted competitive grants. The other is to shift \$28,000 of per capita grant funding to the billboard art contest project.

Ms. Sarah Jo Chaplen, speaking as President of the Washington County Cooperative Program and also representing the City of Hillsboro and the Cities of Washington County, said that recently there have been three major proposals coming from Metro having fiscal and economic implications for local governments. These are mandatory recycling for business, Metro's excise tax increasing upwards of \$5 to fund programs not closely tied to solid waste ratepayers money, and finally, proposals to reduce funding for maintenance (i.e., per capita grant) funding in the Partnership Plan. She recognized that there is political pressure from Metro to reach the recovery mandate and that the Solid Waste and Recycling Department is dealing with internal budgetary issues, and thanked Mr. Barrett and Metro for speaking to local jurisdictions about the mandatory recycling proposal. Ms. Chaplen explained that in Washington County, Metro's per capita funding is matched by the County and then passed through to the co-op. Thus, any reduction to Metro's per capita grant funding results in reduced matching funds from the County. They would prefer the competitive grants be cut, rather than per capita grants because it is difficult to do more innovative programs if the base programs are cut. Ms. Chaplen stressed that Metro's per capita grant funding is essential to core services to Washington County citizens and communities.

Mr. Bruce Walker agreed with Ms. Chaplen's comments and added that the City of Portland views this funding as essential to providing services. These funds allow the City of Portland to work with haulers and citizens to maintain programs. He expressed frustration that the staff report lists no known opposition, but thinks that Councilor McLain would be opposed because she has not always been supportive of this Plan. He said that we need a partnership, and Metro, while

collecting higher tip fees, does pass through some of it to local governments to work with haulers and customers to provide better services. Now, the Council may raise the excise tax to fund other priorities without a discussion with SWAC, and has cut the department's budget in areas of waste reduction, including cuts to local government funding for core programs. Mr. Walker said he doesn't support these, explaining that he thinks the Council is misguided and doesn't think it's a sound direction for the Metro Council to take.

Mr. Hoglund suggested that local government staff should have their elected officials contact Metro Councilors. Ms. Matthews added that SWAC typically makes a recommendation concerning the yearly Partnership Plan for Waste Reduction, and may do so this year.

Mr. Korot said that although the Metro Councilors are looking at the budget and issues horizontally across departments, it doesn't seem like there has been an opportunity for regional policy makers to engage in a discussion about the tradeoffs between Parks, the Convention Center and Solid Waste. Mr. Korot suggested that the MPAC would've been a good forum to discuss the tradeoffs. He noted that Metro's Council is insulated from the rate-making impact on customers.

Ms. Chaplen recalled that similar discussions have occurred at the SWAC previously, and it was recognized then, like now, that competitive waste reduction grants largely benefit the larger cities that have grant writing capacity. Those cities are also the ones that could likely run their own recycling programs. The Washington County co-op benefits its members by pooling resources to have better programs than they could achieve individually, particularly since solid waste issues are typically not a priority. Additionally, Metro views shifting per capita grant funding to other priorities as a zero sum game, yet local governments rely on that funding for solid waste programs that essentially assist Metro. If competitive grants are viewed more favorably because they are easier to measure, then a way to better measure outcomes produced by per capita grants should be developed.

Mr. Hoglund explained that the Council is probably making these decisions based in part on gut reactions and that \$28,000 out of \$650,000 doesn't seem like much. But, the Council has expressed an interest in receiving more analysis next year on competitive and per capita grant funding.

Mr. Winterhalter noted that \$78,000 out of \$1.6 million doesn't seem like much, but it is actually \$78,000 out of \$650,000 and does have an impact on local government budgets. He suggested that SWAC should have more discussions in the coming year to weight trade-offs.

Mr. Barrett clarified that at this time, these are only amendments proposed by Councilor McLain and the other Councilors may or may not support them. Mr. Hoglund added that the Council has in the past adopted the yearly Partnership Plans for Waste Reduction, with the funding subject to the final budget.

In response to Mr. Murray, Mr. Hoglund committed to relaying these comments to the Council and SWAC may also make a formal recommendation. Mr. Murray then proposed a motion:

The SWAC supports the budget as originally recommended without amendment, that is, as it is presented in materials distributed to the SWAC.

Ms. Wendy Fisher seconded the motion. After discussion relating to process, 14 members voted aye, and there were no abstentions or opposition.

IV. MRF Residual Subcommittee Update

Lee Barrett

Mr. Barrett showed selected slides from a PowerPoint presentation that explain the issue and why Metro and others in the region are concerned. A SWAC subcommittee on contamination and loss of recyclables was convened and made recommendations last year. Pursuant to a couple of those recommendations, MRFs voluntarily reported to Metro on contamination and allowed periodic sampling at their facilities. He explained that the SWAC subcommittee was recently reconvened to review this data and make further recommendations. It made three recommendations: 1) Metro should undertake a substantial region-wide education and outreach program for residential and business waste streams to address recycling contamination issues and improve quality of materials delivered to end-users; 2) it suggested that large roll carts for recycling and smaller carts for other recyclables such as glass and motor oil be provided to customers; and 3) MRFs should continue to report to Metro on a monthly basis and Metro should continue to sample material MRFs send to markets for at least another year. Mr. Barrett said the subcommittee would not meet again until Metro is developing an outreach campaign.

Mr. Gilbert asked if the subcommittee talked about recommending a ceiling for contamination levels. Mr. Barrett replied that a number was not discussed. Mr. Gilbert said he believes there should be an acceptable level of contamination and the onus should be on haulers to watch what they are hauling to facilities and to educate their generators. Mr. Murray responded that the subcommittee decided not to go down that road because a ceiling doesn't put the burden on haulers so much as facilities and facilities do not have much control over what they receive. Also, in the spirit of partnership, it was felt that people are already making an effort and these efforts should be voluntarily continued. Mr. Winterhalter said that after discussion earlier in the day, he is comfortable with not having a number. Mr. Gilbert asked if there shouldn't be a clear distinction between a dirty MRF and clean MRF. Mr. Lucini noted that clean MRFs are essentially held to a number by the end users who can choose to reject material because it is too contaminated – Metro doesn't have any responsibility for this. Mr. Murray agreed, adding that clean MRFs are not regulated by Metro, yet all facilities have voluntarily allowed Metro to sample materials. He added that as soon as a number is picked, facilities are up against a wall. Also, because none of the facilities are vertically integrated with a landfill, there is no advantage in creating more garbage.

Ms. Sarah Jo Chaplen noted that it would be difficult to undertake a residential education program if Metro's grant funding to local governments is cut. Mr. Schwab said that when bins started being used in 1996, haulers left thousands of notes for customers to educate them. Related education efforts have been underway since 1985. Yet, customers continue to contaminate recycling. Education can only reduce contamination by so much. Mr. Mike Miller asked about the corresponding growth in tonnage and recyclables to contamination. Mr. Barrett replied that there was a 2 percent increase in recycling when commingling began, but that has since gone down. There has been a net increase of 1 percent on residential recycling.

Mr. Hoglund thanked the subcommittee for its work and Mr. Barrett committed to deliver updates on the results of the next year's monitoring and reporting.

V. RSWMP Update Process

Janet Matthews

Ms. Matthews briefly summarized what the Regional Solid Waste Management Plan (RSWMP) is and does. She explained that there are seven stages to the update process. With SWAC and others, the current direction and strategies have been reviewed; discussion issues for the update process have been identified; a discussion guide will be developed to use in the second round of public involvement; a final RSWMP will be drafted and after public hearings, the Metro Council will adopt the RSWMP and DEQ will review and hopefully sign off on it, as well.

Mr. Matthews summarized the groups of people involved and feedback received through public involvement efforts to date. She remarked that the final focus group with service users from the general public was particularly interesting. They were asked about their experiences using the solid waste system facilities, services and programs and their opinions about current policy and goals. They are satisfied with the current solid waste system and describe it as comprehensive, well organized, progressive and helpful. A majority of the participants had used transfer stations, recycling centers, yard debris and hazardous waste facilities. They agreed that the plan vision and overall goal expresses their values on how the system should be grounded. They were supportive of current levels of education and made specific recommendations on how to improve or enhance education levels. They recommend increasing recycling, improving the distribution of information using haulers to educate the public, increasing awareness of Metro responsibilities and decreasing confusion about which materials can be recycled. They were enthusiastic about the 62 percent waste reduction goal and recommend the goal be shared with the public and asking for greater recycling support. Many participants said they would be willing to pay more to increase recycling efforts, but felt they didn't represent residents as a whole.

Ms. Matthews said that since the service users focus group participants were not asked the same questions as the other focus group participants, it is difficult to compare responses. Nevertheless, some differing areas of opinion can be identified. Four stakeholder groups recommended the recycling goal be reevaluated and one group recommended the goal be increased, but the service users group reflected support of the goal and a desire to achieve it. Four of the stakeholder groups recommended further analysis of the benefits of recovering food waste; one stakeholder group and the service user group support the idea of making composting food waste and yard debris more available to residents and businesses. In response to the question about where to go in the future, five groups suggested the topic remain an issue to be discussed. Two groups were less in favor of remaining a leader in waste reduction efforts, while the remaining groups, including the service users group, felt the region should continue efforts to remain a leader in this area. Ms. Matthews noted that this information would be covered in more depth in a report by the public involvement consultant.

Ms. Matthews said next steps include narrowing the list of issues to include in the next round of regional discussions using a list of guidelines. Ms. Matthews asked for feedback on how SWAC should be involved in the RSWMP update process in the coming months. She said that a discussion guide covering select issues, alternative approaches and trade-offs would be produced for the next round of regional meetings. In the next couple of months, staff will be gearing up for the next round of public involvement activities.

Mr. Korot commented that he hopes the Metro Council will recognize the connection between the development of this plan and actions such as cutting the Department's budget. This RSWMP has to be linked to available resources for the next ten-year period. Given the reduction in Metro's funding, there may need to be a transfer of costs and responsibilities to local jurisdictions.

VI. Other Business and Adjourn

Mike Hoglund

As there was no further business, Mr. Hoglund adjourned the meeting at 4:43 p.m.

Documents to be kept with the record of the meeting (copies available upon request):

Agenda Item I:

- Meeting Summary of the March 15, 2004, SWAC meeting (included in agenda packet)

Agenda Item II:

- Handout: Legislation Schedule and Opportunity for Public Comment for Ordinances No. 04-1044, 04-1043, 04-1042, 04-1048

Agenda Item III:

- Resolution No. 04-3442, including Exhibit A, Staff Report and Attachment 1, for the purpose of approving the Year 15 Partnership Plan for Waste Reduction (Fiscal Year 2004-05) (included in agenda packet)

Agenda Item IV:

- PowerPoint presentation: Keeping Quality in the Equation in Single-stream Collection

Agenda Item V:

- Handout: Comments from Council Work Session on Key Planning Issues for RSWMP Update, Tuesday, March 23, 2004

Solid Waste Advisory Committee Survey

According to Section 2.19.130 of the Metro Code, the purpose of the Metro Solid Waste Advisory Committee (SWAC) is to:

- (1) Evaluate policy options and present policy recommendations to the Metro Council and Chief Operating Officer regarding regional solid waste management and planning;
- (2) Advise Metro on the implementation of existing solid waste plans and policies;
- (3) Provide recommendations concerning the solid waste planning process, to ensure adequate consideration of regional values such as land use, economic development, and other social, economic and environmental factors;
- (4) Provide recommendations on compliance with the Regional Solid Waste Management Plan and applicable state requirements;
- (5) Provide recommendations on alternative solid waste policies and practices developed by subcommittees of the SWAC;
- (6) Recommend needs and opportunities to involve citizens in solid waste issues; and
- (7) Recommend measures to build regional consensus for the management of solid waste.

The purpose of this survey is to determine:

- 1) how well SWAC members (or their alternates) feel this advisory body serves the purposes identified above;
- 2) whether those purposes are still reasonable or are too narrowly defined; and
- 3) how well SWAC members or their alternates feel the meetings are planned and executed.

Please score each question on your survey as follows: 0 = not sure 1 = strongly disagree 2 = disagree 3 = agree 4 = strongly agree (If you strongly disagree or disagree with one or more statements, it will be very helpful if you elaborate in the "further comment" space.)

1. Meeting Content

Score _____

SWAC meeting agendas always contain policy and program development or review items for members to discuss and sometimes vote on.

Further Comment _____

2. Meeting Frequency

Score _____

Meeting 10 times each year (as has been the case for the past two years) is about the right frequency.

Further Comment _____

3. Meeting Discussions

Score _____

Free-flowing and frank discussion by all members is encouraged at SWAC meetings.

Further Comment _____

4. Meeting Presentations Score _____

Information is well-presented at SWAC meetings.

Further Comment _____

5. Meeting Length Score _____

There is adequate time allotted to fully air each item at SWAC meetings.

Further Comment _____

6. Meeting Packet Score _____

The SWAC meeting agenda and related materials usually reach me in time to allow review prior to the meeting.

Further Comment _____

7. SWAC and Metro Policymakers Score _____

Metro's Council and Chief Operating Officer value SWAC's input on solid waste plans, policies and practices.

Further Comment _____

8. SWAC's Purpose Score _____

Metro should broaden SWAC's purpose, for example, "Advise the Chief Operating Officer and Council on solid waste impacts of proposed Metro budgets."

Further Comment _____

9. Please list any topics that you think SWAC should be informed of and/or discuss.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ACKNOWLEDGING)	RESOLUTION NO. 04-3455
THE REGIONAL SOLID WASTE)	
MANAGEMENT PLAN CONTINGENCY PLAN)	Introduced by: Michael Jordan, Chief
AND DIRECTING STAFF TO CONDUCT)	Operating Officer, with the concurrence
ADDITIONAL OUTREACH AND ANALYSIS)	of David Bragdon, Council President
ON SELECT CONTINGENCY STRATEGIES)	

WHEREAS, on May 1, 2003, Metro Council adopted Ordinance No. 03-1004, "For the Purpose of Amending the Regional Solid Waste Management Plan Regarding Recovery Goals and Recommended Waste Reduction Strategies for the Management of Business, Building Industries and Commercially Generated Organic Wastes," thereby requiring the development of a contingency plan to keep the region on track toward its recovery goals; and,

WHEREAS, Metro is the watershed representative to the state and is responsible for ensuring that the region meets the designated recovery goals of 62 percent by the end of 2005 and 64 percent by the end of 2009; and,

WHEREAS, a work group of 12 individuals representing business, recycling, local government and citizen interests were appointed by Metro Chief Operating Officer Michael Jordan, and charged with recommending strategies to help the region meet the recovery goal if current strategies appear insufficient; and,

WHEREAS, the work group recommended to Metro Council in December 2003 a Contingency Plan (defined in Exhibit A), comprised of four strategies that target waste from construction, business and commercial food sectors; and,

WHEREAS, the Solid Waste Advisory Committee, Metro Policy Advisory Committee and local government solid waste staff have reviewed the Contingency Plan and have recommended that Metro Council direct the further development of Contingency Strategy #1, a requirement that all construction and demolition loads from the region be processed before landfilling, and Contingency Strategy #2, the adoption of mandatory business recycling requirements by local governments; and,

WHEREAS, Metro Council Solid Waste and Recycling Liaisons have reviewed the Contingency Plan and recommended that Contingency Strategy #3, a requirement that all dry waste loads from the region be processed before landfilling, be further developed in conjunction with Contingency Strategy #1; and,

WHEREAS, the further development of Contingency Strategies #1, #2 and #3 will include conducting additional analysis and outreach; convening a work group to develop the program details of mandatory processing requirements for construction and demolition and/or all dry waste loads; and working with local governments, businesses and other stakeholders to develop strategies for increased business recycling; and,

WHEREAS, the current Regional Solid Waste Management Plan expires in 2005 and planning is underway for updating the document for the next ten years (2005-2015); and,

WHEREAS, select Contingency Plan strategies approved by Metro Council may be incorporated into the updated Regional Solid Waste Management Plan; now, therefore,

BE IT RESOLVED:

1. That the Metro Council hereby acknowledges the Regional Solid Waste Management Plan Contingency Plan as defined in Exhibit A; and,
2. That Metro Council directs staff to convene a work group to develop the program details of mandatory processing requirements for construction and demolition and/or dry waste loads; and,
3. That Metro Council directs staff to work with local governments to develop strategies for increased business recycling.

ADOPTED by the Metro Council this _____ day of _____ 2004.

David Bragdon, Council President

Approved as to form:

Daniel B. Cooper, Metro Attorney

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STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 04-3455, FOR THE PURPOSE OF ACKNOWLEDGING THE REGIONAL SOLID WASTE MANAGEMENT PLAN CONTINGENCY PLAN AND DIRECTING STAFF TO CONDUCT ADDITIONAL OUTREACH AND ANALYSIS ON SELECT CONTINGENCY STRATEGIES

Date: April 27, 2004

Prepared by: Marta Conklé McGuire

BACKGROUND

Metro is the watershed representative to the state and is responsible for ensuring that the region meets its designated recovery goals of 62 percent by the end of 2005 and 64 percent by the end of 2009. The Regional Solid Waste Management Plan (RSWMP) provides a framework for coordinating solid waste programs within the region by establishing direction for resource management and the solid waste system, identifying strategies to increase recovery, identifying roles and responsibilities, and fulfilling a state requirement that Metro have a waste reduction plan.

Amendments to the RSWMP in April 2003 established a contingency planning process to evaluate and recommend strategies to reach the 2005 recovery goal of 62 percent if sufficient progress is not being made. In August 2003, Metro Council directed staff to convene a work group to identify recycling policies to increase recovery for the sectors where the largest tonnage of recoverable waste remains: commercial, organics and construction.

Metro Chief Operating Officer Michael Jordan appointed a core group of 12 individuals who represent businesses, recyclers, local government and citizen interests to serve on the group. Upon completion of its work in December 2003, the work group recommended a Contingency Plan to Metro Council for consideration (see Exhibit A for the RSWMP Contingency Plan Work Group Final Report and Recommendations). The Contingency Plan includes the following strategies:

- **Strategy #1 (C&D load recovery):** Metro should require all construction and demolition loads from the region to be processed before landfilling.
- **Strategy #2 (business recycling standards):** Metro should require local governments to adopt mandatory business recycling requirements that require the recycling of specific materials. Metro should provide additional funding to expand business recycling assistance and outreach programs to jurisdictions that have adopted mandatory recycling.
- **Strategy #3 (dry waste load recovery):** Metro should require all dry waste loads from the region to be processed before landfilling.
- **Strategy #4 (organics recovery):** Metro should evaluate organics contingency strategies in one year, including mandatory recovery of food waste from certain sizes of businesses and residential organics collection (food waste collected with yard debris).

At the direction of Metro Council, Solid Waste & Recycling Department staff met with local government solid waste staff to gather feedback on the work group's recommendations and presented the issue to the

Metro Policy Advisory Committee (MPAC) for consideration. The meeting presentations are detailed below.

Solid Waste Advisory Committee (SWAC) Review: The Contingency Plan was presented to SWAC for review and comment on December 16, 2003.

Local Government Review: In February 2004, Metro Solid Waste & Recycling Department staff met with eight jurisdictions in the Metro region to gather feedback on the Contingency Plan recommendations. The local government meeting summary report is attached to this staff report (Attachment 1).

Metro Policy Advisory Committee (MPAC) Review: The Contingency Plan was presented to MPAC for consideration on March 10, 2004.

Previous Metro Council Review: The Contingency Plan, along with comments received from SWAC, local governments and MPAC, were presented at Council Work Sessions for review and discussion on December 16, 2003; February 24, 2004; and March 23, 2004.

Metro Council Solid Waste and Recycling Liaison Review: The Contingency Plan resolution was presented to Councilor Park and Councilor Monroe for review and discussion on May 13, 2004.

As of the end of 2002, the region's recovery rate was 54 percent. Based on recovery trends, it is highly unlikely that the region will meet the 2005 recovery goal without increased efforts. MPAC and local government feedback supports the further development of Contingency Strategies #1 (C&D load recovery) and #2 (business recycling standards). In addition, Metro Council Solid Waste and Recycling Liaisons recommended further developing Contingency Strategy #3 (dry waste load recovery) in conjunction with Contingency Strategy #1 (C&D load recovery). The Councilors felt Contingency Strategy #3 should be examined for the following reasons:

- The Regional System Fee Credit Program, which provides a credit for recovery against the regional system fee, may be phased out or reduced in size based on recommendations from the Regional System Fee Credit Program Task Force. A requirement to conduct material recovery on dry waste loads may reduce the need for such credits.
- Processing requirements for all dry waste loads will place the same recovery standard on all facilities that accept Metro region waste.
- Adopting requirements for material recovery on all dry waste loads eliminates the need for developing definitions for construction and demolition loads, which will ease monitoring and enforcement.

These three strategies have the greatest potential for additional recovery to increase progress towards the region's recovery goal.

Contingency Strategies #1 and #3 targets additional recovery of dry waste loads. Dry waste does not include food or other putrescible waste. Typically, recyclables in a dry waste load include materials such as paper, wood, metal and glass. Contingency Strategy #1 targets the building industry sector and recommends conducting recovery on only dry waste loads that consist of construction and demolition debris. Contingency Strategy #3 recommends conducting material recovery on all dry waste loads. Recovery facilities that are franchised or licensed in the Metro region are currently required to perform material recovery on dry waste including construction and demolition loads at a minimum rate of 25 percent. Designated Facility Agreements with facilities outside the region would need to be revised to

either: 1) require material recovery at the facility; or 2) require the facility to accept only material that has been processed (or MRFd).

Passage of this resolution would establish a work group to develop the program details of mandatory processing requirements for construction and demolition and/or all dry waste loads. The results of the work group would be presented to Council for consideration in summer/fall 2004. Based on Council approval of the proposed requirements, staff could present options before the end of the year.

Contingency Strategy #2 (business recycling standards) targets additional recovery in the commercial sector, where the greatest amount of tonnage is needed to meet the 2005 recovery goal. Local governments were supportive of expanded outreach and education, but there was not consensus for the development of mandatory business recycling requirements. Local governments suggested allowing the development of alternative strategies that would achieve the same level of recovery as mandatory requirements. This would enable local governments to either develop mandatory recycling requirements or propose an alternative approach to achieve the same level of recovery.

Approval of the resolution would direct staff to work with local governments and stakeholders to develop and evaluate strategies for increased business recycling and conduct additional technical analysis. Alternative strategies for increased business recycling could be presented to Council in fall 2004. With Council approval, any new standards could be incorporated into the updated Regional Solid Waste Management Plan.

Attachment 2 outlines the next steps and potential implementation actions for Contingency Strategies #1, #2 and #3. With approval of this resolution, staff will develop a work program and schedule that outlines the processes for developing the program details of the selected contingency strategies. The work program will include an approach for involving stakeholders including businesses, advisory committees (MPAC, SWAC), local governments, and other stakeholders as necessary.

ANALYSIS/INFORMATION

1. Known Opposition

There is no known opposition to this resolution.

2. Legal Antecedents

Council adopted the Regional Solid Waste Management Plan (RSWMP) as a functional plan by Ordinance No. 95-624, "For the purpose of adopting the Regional Solid Waste Management Plan." The RSWMP serves as a regional framework for the coordination of solid waste programs and to satisfy state law requiring development of a waste reduction plan for the Metro region (ORS 459). Council amended the RSWMP in May 2003 by Ordinance No. 03-1004, "For the purpose of amending the Regional Solid Waste Management Plan regarding recovery goals and recommended waste reduction strategies for the management of business, building industries and commercially generated organic wastes." The ordinance established the contingency planning process to evaluate and recommend strategies to reach the 2005 recovery goal of 62 percent if sufficient progress is not being made.

3. Anticipated Effects

Approval of the resolution will:

- formally recognize the RSWMP Contingency Plan;

- direct staff to convene a work group to develop the program details of mandatory processing requirements for construction and demolition and/or all dry waste loads; and
- direct staff to work with local governments to develop strategies for increased business recycling.

4. Budget Impacts

There are sufficient staff resources to conduct the analysis and outreach.

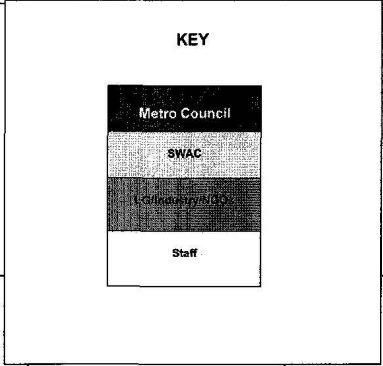
RECOMMENDED ACTION

The Chief Operating Officer recommends approval of Resolution No. 04-3455.

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RSWMP Planning Issues Matrix-- By Topic

Regional Goal	Waste Reduction Policies and Programs	Service Provision/Regulation	Access	Capacity	Collection	Costs	Sustainability
Does the region still have a commitment to a recycling goal?	How can Metro be involved in improving markets for recyclable materials?	How have changes in the industry (e.g., waste flow patterns of vertically integrated companies) affected the efficiency of the system overall?	Facility access in region and ability to achieve waste reduction goals are connected.	Incentives and caps – how are these tools working (e.g., changes in miles traveled by haulers to dump loads)?	Collection – Are there key collection issues related to disposal or recycling that should be addressed in the RSWMP update?	Relationship between the cost of disposal and incentives for recycling.	Sustainability: What are the costs to achieve it; are all programs practical; what are parameters to make a decision; use the Governor's Sustainability Executive Order as a guideline.
Does the region have a commitment to a waste reduction goal?	Required recycling policies. Need a clearer statement of the economic issues; ease of implementation; affordability; how to enforce.	Address public ownership. Get regional perspective on public being part of the industry vs. solely a regulator (trade-offs). What are the benefits/drawbacks to having Metro continue to be a service provider?	Address need to address hauler access issues in the region.	Capacity – The region has abundant recycling and disposal capacity. Should a moratorium on additional capacity be considered? What goals might be achieved by adding more capacity to the system?		Economics, costs: How to provide the lowest cost services to ratepayers?	What are minimum sustainability goals to be considered?
Waste Reduction Goal – The region has a statutory waste reduction goal of 62% by 2005; 260,000 more tons of material must be recovered to achieve it. How can this be accomplished? What would the costs and benefits be?	Increased emphasis on Environmental Protection Agency's efforts to reduce waste production.	Should Metro have a responsibility to the marketplace to ensure the system works in a "healthy" way?	Is access to capacity still an issue in any part of the region? How should accessibility to disposal or other types of facilities be measured?	Materials Processing Capacity & Quality – How well equipped are the region's MRFs, in terms of updated processing technology, to adequately sort mixed recyclables or mixed C&D for recycling and recovery?		At what point will costs affect peoples' consumption and disposal or recycling habits?	What are the costs of additional capacity to be considered?
	Improve consistency of local waste management programs in the region.	How would a privatized system provide services considered to be "in the public interest" (e.g., household hazardous waste collections)?				How do fee changes affect the system?	
	Recycling Policy – State law requires local jurisdictions to make the opportunity to recycle available to all generators. The "opportunity model" of voluntary recycling has not led to the level of material recovery necessary to meet the state goal. Are policy changes in the region (from the "opportunity model" to "required recycling") both necessary and acceptable to ensure the increased recycling of material in the C&D, commercial and organics sectors?	Address solid waste transportation issues: 1) minimize VMT in the region; and 2) identify less polluting long-haul transport options.					
	Multi-family Recycling – What are the goals for this sector? What are the barriers to success? How might they be overcome? Should additional resources be targeted for this area? Would the need for such resources be on-going, given the constant turnover in multi-family housing?	Importance of consistency in services being provided and maintained by public facilities.					



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	<p>Waste Prevention Programs – In addition to current programs in backyard composting, reuse (food diversion/donation efforts), and technical assistance (e.g., commercial waste prevention initiatives), what other materials/sectors could be targeted for waste prevention programs? Are there resources available to take on such additional programs? Would the results of increased waste prevention efforts be credited to the region's waste reduction goal?</p>	<p>How flexible are current solid waste technologies?</p>				<p>Revenue Stability – How can system funding be maintained at a level that supports regional programs?</p>	
	<p>Residential Curbside Recycling/Drop-offs – What are the goals for this sector? What changes to residential curbside services might be considered/implemented in the years ahead? What would be the impacts of co-collecting food waste with yard debris? Could drop-off centers offer additional recycling opportunities for certain materials or products (e.g., textiles, additional plastics, e-waste).</p>	<p>Metro's role as regulators/operator: Results in Metro protecting its role; need to preserve competition for both public and private.</p>				<p>Costs the System Will Bear – Economic objectives in the current plan state that: a) system cost (sum of collection, hauling, processing, transfer and disposal) should be the primary criterion used in evaluating direct costs of alternative practices; b) the economic and environmental impacts of waste reduction and disposal alternatives will be compared on a level playing field; and c) Metro will support a higher system cost for waste reduction practices after considering technical and economic feasibility.</p> <p>In what ways might the three objectives above be adequate or inadequate for ensuring resource conservation progress in the years ahead?</p>	
	<p>Commercial Recycling – What are the goals for this sector? What changes to commercial recycling might be considered/implemented in the years ahead?</p>	<p>The region has a mix of public and private transfer facilities. Is it important to maintain that mix in the future? Are there different roles for publicly and privately-owned facilities?</p>					
	<p>Product Stewardship – Is product stewardship likely to influence regional solid waste policy and practice in the next decade? What should be the basis for determining products targeted for product stewardship? What priorities and strategies should be identified for end-of-life product management? What resources would be required to see such efforts through over time? Who would provide them?</p>	<p>HW Program Financing – HW collection services in the Portland metro region are the most extensive in the country, with two permanent sites and over 50 local HW "round-ups" each year. Even with services at the current level, can program funding required be maintained over the years? What criteria should determine whether the round-ups continue after their planned five year run? If fees are to be re-instituted, when should a fee be charged to HW collection service users, e.g., each time they use the service, any repeat users in the course of 12 mos.?</p>					

