

**SOLID WASTE ADVISORY COMMITTEE
MEETING SUMMARY OF: July 17, 1996**

Voting Members Present

Committee Chair: Ruth McFarland, Metro Councilor
Hauling Industry: David White, Oregon Refuse & Recycling Assoc./Tri-County Council
Tom Miller, Miller's Sanitary Service, Inc.
Steve Schwab, Sunset Garbage Collection Company
Jim Cozzetto, Jr., Metropolitan Disposal & Recycling Corporation
Solid Waste Facilities: Steve Miesen, BFI/Trans Industries
Citizens: Jeanne Roy, Recycling Advocates
Government: Loreen Mills, Washington County Cities
Susan Keil, City of Portland

Alternate Members Present

Recycling Industry: Jeff Murray, Farwest Fibers
Solid Waste Facilities: Gary Penning, Waste Management of Oregon
Government: Lynda Kotta, Multnomah County Cities

Non-Voting Members Present

Government: Dave Kunz, DEQ
Carol Devenir, Clark County

Voting Members Absent

Recycling Industry: John Drew, Far West Fibers
Citizens: Merle Irvine
Government: Ken Spiegle, Clackamas County
Gary Hansen, Multnomah County Commissioner
Lynne Storz, Washington County
Bob Kincaid, Clackamas County Cities
Debra Noah, Multnomah County Cities

Metro and Guests

Marie Nelson	Andy Sloop
Kelly Shafer Hossaini	Jim Goddard
Connie Kinney	Diana Godwin
Chuck Geyer	Easton Cross
Leo Kenyon	Ray Phelps

1. Updates and Introductions

Marie Nelson, Planning Supervisor, called the meeting to order and announced that Councilor McFarland encountered car problems that morning and would attend the meeting as soon as possible.

2. Approval of Minutes

Merle Irvine was not able to attend the meeting but sent a letter to Councilor McFarland asking that the minutes be changed. He asked that his comment on the top of page 3 be changed to reflect that he supports staff's recommendation to lower the recovery rate from 45% to 35%, but is concerned about the imposition of penalties in that range. Sue Keil moved that the minutes be approved with the changes as stated, and the Committee unanimously approved.

3. Metro Transfer Stations - Operations Contracts

Chuck Geyer, Senior Planner, Engineering & Analysis, came before the Committee to continue the policy issue discussion, begun at the June SWAC meeting, regarding the Metro Transfer Station operations contracts. He reviewed the handout in the SWAC packet that summarized the related policy issues.

Mr. Geyer stated that Jeanne Roy had contacted him with some questions and comments about the policy on providing the same incentive for material recovery regardless of the end use of the recovered material. Ms. Roy said that Metro needs to consider, as a policy question, whether or not it should promote the burning of mixed waste in the first place. She said that she personally didn't agree with burning because of the heavy metals and other hazardous pollutants it produces. However, if a compromise has to be reached on the issue, then she asked that the hierarchy be adhered to and a differential in incentives be applied so that material would be recycled or composted before being used for fuel.

Jimmy Cozetto replied that the issue of what to do with material is market driven and at some points there may not be another cost-effective market besides the fuel market for the material.

Dave White asked that if policy decisions were going to be made on the issue, he would like to see more background and technical information on the subject. He said he would like to know, for example, the extent of the heavy metal problem in this type of burning. Mr. Geyer replied that Steve Diddy, BFI, Inc., was there at the SWAC meeting and asked that Mr. Diddy give the Committee some more background information.

Mr. Diddy explained that, first, the fuel for the fiber-based fuel process at Metro Central is not mixed waste but paper and plastic. No metal is used in the mix. He also explained that the emissions and the ash are regulated by DEQ and EPA. He said that he doesn't know if the contaminant level is increased through the process of burning, but if that is an issue for this Committee then it is something that needs a more rigorous investigation than just saying, "We don't want to burn." He also said that if the incentive for making the fuel cubes is too low, then it might be more economical for the operator to simply landfill the material.

Sue Keil said she is not aware of another process currently available for the material being used for fuel cubes, so it is certainly a better option than landfilling. She added that the

issue that was getting lost in the discussion was the cost to the ratepayer. Care needs to be taken not to add additional costs to the ratepayers, especially when it's not necessary.

The Committee then asked that a vote be taken on the issues as they discussed them. It was agreed and a vote was taken regarding the standardization of the incentives for materials recovery regardless of the end use of the recovered material. The Committee agreed that the incentives should be standardized, with Jeanne Roy dissenting.

The Committee then voted unanimously that materials recovery incentives should be standardized at both stations.

Regarding a mandatory recovery rate being stipulated for the transfer stations in the next contracts, there was agreement among some members of the Committee that there are too many unknowns for Metro to be able to set a realistic rate. With new MRFs coming on line, as well as other system changes that will alter the nature of the wastestreams going to the transfer stations, it will be almost impossible to predict what a reasonable rate will be at any point in the future.

Mr. Geyer explained that the way the proposals are currently written, the proposers will have to state the recovery level they think they can expect to reach and the materials they expect to recover. Points will be awarded based on their response and how realistic it is. Some members of the Committee expressed concern about how the recovery rate will be enforced. If a proposer commits to a recovery rate in their proposal and then doesn't meet it, there should be some penalty associated with it. There was concern that a proposer could set a high recovery rate, get the points for it, and have no realistic way of achieving it.

Mr. Cozzetto and Gary Penning reminded the Committee that the \$30 per ton avoided disposal credit is a built-in monetary incentive for the operator to recover as much as possible, so chances are the operator will recover as much as they can anyway.

A vote was taken and the Committee unanimously agreed that a mandatory minimum recovery rate should not be stipulated by Metro in the contracts. However, there was still concern about how to hold the operators accountable for the recovery rates stipulated in their proposals. Mr. Cozzetto suggested one solution might be to require that all proposers have a plan that outlines how they will reach their proposed recovery rate and have the award of points be based on that plan instead of the recovery rate. He said it may also help to set a threshold on the amount of potentially recoverable material allowed in any residual. Mr. Geyer stated that the award of points for the materials recovery criteria was based on the proposer's plan.

Regarding the separation of dry waste at the transfer stations, the Committee generally agreed that it was a good idea and should not be prohibited. However, Tom Miller expressed his concern that the added activity not disrupt or have adverse impacts on the other more primary activities at the transfer station, such as getting garbage trucks in and out quickly. Ms. Keil suggested asking the proposers to explain how they would ensure that the dry waste separation project would not interfere with other activities and would not increase wait times for haulers.

Regarding the evaluation criteria, Mr. Geyer explained that proposals are based primarily on cost, with 70 points being awarded to the low bidder and the remaining 30 points being distributed among the remaining criteria. Ms. Keil said that she thought that 70 points for price was too much as it basically negated the importance of the other criteria. She

suggested it be lowered to closer to 50%. Mr. Diddy agreed, and said that 30% of the points should be allocated for recovery activities. He also recommended splitting the plan of operation from maintenance and have those two elements dealt with separately. He then said that Metro needs to decide where its commitment to recycling is and that commitment needs to be reflected in the request for proposals.

Councilor McFarland asked the Committee if the consensus was that the 70% point allocation to cost is too much, and the Committee agreed it is. However, no vote was taken.

4. Franchise Applications for Materials Processing Facilities

Andy Sloop, Acting Franchise Administrator, gave the Committee an update on the status of the MRF franchise application process and asked for recommendations for changes to the franchise code. He said that staff is currently drafting agreements with Oregon Recycling Systems and K.B. 1 (K.B. Recycling's existing facility). The Metro Council approved Waste Management of Oregon's franchise and it is being circulated for final signatures. Oregon Recycling Systems is considering siting two source-separated processors at the same site as their MRF operation. These operations will fall under the scope of their franchise agreement, so they will have to provide data to the franchisee (Oregon Recycling Systems) and the franchisee will provide aggregated data to Metro to track the recovery rate. The other issue being considered is the amount of their tonnage authorization.

Sue Keil asked why they would be subject to a tonnage authorization. Mr. Sloop explained that all of the MRFs will operate under a tonnage authorization and the authorization will be used as a monitoring tool to determine whether or not the operation changes significantly from where it was when it began operating. The authorizations are not intended to be rigid but flexible.

Ms. Keil then asked if staff is monitoring land-use approval of the facilities in the jurisdictions in which they will be sited. Mr. Sloop replied that that is being monitored and is a condition for administrative completeness of the application. He said Metro will also be providing on-going information to the City of Portland regarding recovery rates for the Oregon Recycling Systems' facility as a whole, i.e., the MRF and the source-separated processors.

Regarding the code revision process, Mr. Sloop explained that Regional Environmental Management is about to embark on a revision of Metro's franchise code and would be interested in finding out from the Committee what some of the primary objectives for the revision should be and what the best process would be for accomplishing the revision. He distributed a handout that outlined the discussion.

Mr. Sloop then asked the Committee what they thought the primary objectives of the revision should be. Ms. Keil said that one of the things they have been careful to do in their administrative rules at the City is avoid monitoring what is actually someone else's responsibility. She said that public health and safety (an objective listed on the handout) is probably someone else's primary responsibility.

Ms. Roy said one objective should be to prevent the MRFs from detracting from source-separated recycling. Ms. Keil said the idea is to recycle the maximum amount economically possible. Mr. White said the bigger issue is how much can be recovered from the waste stream and at what cost.

Loreen Mills stated that she did not agree with the objective of allocating the waste stream across facilities. Facilities will take what they can get and the market will dictate where the material goes. She then said that she felt strongly that precise rules and guidelines should be drafted to help companies know when a franchise is needed so that it is clearer for them. Other Committee members agreed that the rules and guidelines should be clear and consistent, and that the franchise permitting process itself should also be clear and consistent.

Carol Devenir asked that the guidelines and process be reviewed by everyone in the watershed and even those outside of the watershed so they can see how it's being done. Councilor McFarland asked the Committee to think about how other people outside of the Committee could be reached.

Mr. Diddy asked if Metro had been challenged on its ability to deny a MRF franchise based on its assessment that there was no need. Mr. Sloop replied that to his knowledge no such denial has ever taken place. Councilor McFarland said that denial and approval is the role of the Metro Council and the Council does have the authority to deny an application if the MRF is being put in a place where it can put other franchises in jeopardy. To date it has not been done, and needs to be addressed thoughtfully. She said she will ask Metro's solid waste attorney, Dan Cooper, to come and talk to SWAC and bring copies of the Metro code.

Regarding the process for rewriting the Code, Mr. Sloop asked the Committee what they thought the best process would be. For example, should it be done on a broad base involving the public or on a narrower base? Ms. Keil replied that the public is not generally interested in an issue like this, however they are interested in siting and local impact issues. This is probably outside of the purview of Metro, but there will be a public process as facilities go through local land use processes. However, involving local land use officials in the code rewriting process would be worthwhile.

Dave Kunz said that he would like to see more emphasis on involving the land use people because oftentimes at the local level the land use planners are not aware of all of the issues and intricacies that go along with siting solid waste facilities.

Ms. Roy said that regarding how broad based the process should be, it probably should not involve the public per se, but should involve all interested parties. She said she would favor encouraging a broad base of interested persons to participate.

Mr. Diddy said that it is important to define roles first of all - what Metro does and what local governments do. This can be done before initiating a stakeholder involvement process. Cross-jurisdictional issues need to be clearly defined at the same time.

Mr. Cozzetto said he would like to see a task force put together to analyze existing policies and then bring the information back to the Committee. There should be a combination of staff and task force efforts in the process.

The Committee agreed that they would like to be involved throughout the process and get frequent updates. They also agreed they wanted to be involved in the policy-making side of the process.

Ms. Keil asked if the nuisance issue (odor, dust, noise, litter, etc.) was ever resolved through the yard debris licensing program. She said that in government there is a tendency

to pass nuisance issues around, with no one agency taking responsibility for solving these types of problems. Councilor McFarland agreed that such issues should be defined through the code revision process and brought back to SWAC.

5. Discuss Tentative Meeting Agenda for August 21

Due to lack of agenda items and vacation schedules, the Committee agreed to cancel the August meeting and meet again in September.

6. Other Business / Citizen Communications

None.

7. Adjourn

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