

**SOLID WASTE ADVISORY COMMITTEE
MEETING SUMMARY
January 15, 1997**

Voting Members Present

Ruth McFarland, Chair, Metro Councilor
Jim Cozzetto, Jr., Hauler Representative, MDC / Sanifill
Frank Deaver, Citizen Representative
Ralph Gilbert, Facility Representative, East County Recycling
Merle Irvine, Citizen Representative
Susan Keil, Government Representative, City of Portland
Tom Miller, Hauler Representative, Miller's Sanitary Service, Inc.
Loreen Mills, Government Representative, Washington County Cities (Tigard)
Mike Misovetz, Citizen Representative
Garry Penning, Facility Representative, Waste Management of Oregon
Jeanne Roy, Citizen Representative, Recycling Advocates
Lynne Storz, Government Representative, Washington County
David White, Hauler Representative, ORRA/Tri-County Council
JoAnne Herrigel, Government Representative, City of Milwaukie

Alternate Members Present

Dan Schooler, Facility Representative, BFI/Trans Industries
Jeff Murray, Recycling Industry Representative, Far West Fibers
Susan Ziolk, Government Representative, Clackamas County
Lee Barrett, Government Representative, City of Portland
Tam Driscoll, Government Representative, City of Gresham

Voting Members Absent

John Drew, Recycling Industry Representative, Far West Fibers
Ken Spiegle, Government Representative, Clackamas County
Gary Hansen, Government Representative, Multnomah County
Debbie Noah, Government Representative, Mult. County Cities (Gresham)
Steve Schwab, Hauler Representative, Sunset Garbage Collection Co.

Non-Voting Members Present

Dave Kunz, DEQ
Carol Devenir, Clark County

Metro Staff

Roosevelt Carter
Doug Anderson
Terry Petersen
Marie Nelson
Bryce Jacobson
Jennifer Erickson
Andy Sloop
Scott Klag

1. **Updates and Introductions**

/Warner

Chair Councilor McFarland stated that Councilor Don Morissette is the new REMCOM Chair but that she will remain as the Chair for the Solid Waste Advisory Committee for the coming year. Chair McFarland turned the meeting over to Bruce Warner who then introduced himself as the new REM Director. Mr. Warner introduced newly appointed SWAC members: Mike Misovetz introduced himself as

a Citizen member from Clackamas County and he was previously on the Franchise Utility Board in Tigard and later moved to Clackamas County where he was appointed to their board and is now the Chairman of the Solid Waste Commission there; Barbara Miller (not present) from the East Multnomah County area; Frank Deaver from Washington County, who has spent the last 15 years on Washington County's SWAC and was the Director of Health & Safety at Tecktronix for 28 years. Mr. Deaver is currently a consultant; and JoAnne Herrigel, from the City of Milwaukie is the new Clackamas County Committee Member.

Mr. Warner has begun preparing Director's Updates which he will do every two weeks for the Council's use, and he will make these updates available in the monthly SWAC packet. This update is for December and Mr. Warner gave a brief update of the issues that are being considered now. Mr. Warner has been dealing with Change Order No. 7, Budgets, Reorganization, staffing directions from the Executive Officer, a Rate Review for A. C. Trucking and the Forest Grove Transfer Station, Illegal disposal of hazardous materials at our transfer stations; and we are dealing with a major storm and the debris which was created. Council has authorized \$200,000 from contingency to help with the cleanup from the storm or the region in the form of essentially free disposal of wood debris as a result of the ice storm for two weekends. Mr. Warner thanked City of Portland for taking some of the load off of Metro in this effort. And citizens in the region who have flood debris disposal will have reduced fees at Metro's transfer stations during the next two weeks. Sue Kiel from the City of Portland stated that the City of Portland will go over the \$200,000 just within the City of Portland, and that is just looking at the real costs that Environmental Services incurred, not the support from the Maintenance Bureau and Parks.

In the last month there have been three incidents of illegal dumping at the Stations, one resulting in an injury. A.C. Trucking rate setting meeting will be Committee members will try to bring closure at that meeting.

REM Budget has been submitted. There has been a reorganization in the Department, actually consolidating some divisions and we will have five fewer employees in the department. The rate discussions will continue as the budget process proceeds. Chair McFarland reminded the SWAC that they as well as the Rate Review Committee were integral to the Metro Council as being representative of the whole solid waste community and those things which should concern us.

Mr. Warner went on to discuss Change Order No. 7. The Council will consider the Resolution at their meeting January 16. The new rate schedule has a declining rate and the contract is about a \$37 million dollar savings over the life of the contract. This will have the biggest impact in the rate discussion we will have later on next month.

Councilor McFarland stated that the months in processing Change Order No. 7 has cost Metro about \$150,000. Mr. White said that the Tri-County Council has a question regarding who will get the cost savings. Chair McFarland said that if her present reading of this issue is correct, she believes that Council is prepared, through resolution, to pass this savings on to the next in line. This of course will be ultimately decided by your individual franchiser, local government or whoever is running the show. Mr. White said a question with regard to franchise renewal was the high cost of disposal and whether we get a profit on it on disposal costs, etc. There was a lot of discussion on reducing the cost of disposal. There was discussion on how the rate change will reflect in different jurisdictions if it does not change until August. Sue Kiel stated that if the rate isn't set by May it won't reflect in the rate.

Mr. White said that his question is that if it is a tiered rate structure, do you average the rate, or? Chair McFarland said Metro charges a specific amount in the tipping fee and that is the only place we can effect it. Bruce Warner said Metro would look at the tonnage forecast, and the actual waste flow relative to the forecast to determine if our forecast is correct. Our staff recommendations so far is that we would be looking at the best guesstimate of what the tonnage for the coming year will be based on the previous years tonnage forecast. We equalize that and add in the average value over the year and we set our rates accordingly. Jim Cozzetto, Jr. stated that the tiered rate seems to be a controversy to Metro based

on waste reduction goals. This means that as we recycle more, we are going to pay more. He just doesn't understand why we would consider something that is so contradictory.

Chair McFarland stated that every time we encourage recycling and rate reduction, we always shoot ourselves in the foot. Councilor McFarland stated that the people (of the region) who are paying for the garbage are subsidizing the recycling without their permission and without their agreement and without a vote. Jeff Murray agrees that the first tons out of the system are Metro's cheapest tons now. And we have a concern that people may not want to push as hard to get those tons out because of the cheaper tons. If it was truly being offered as a savings, the Committee is wondering why it can't just be a flat rate versus having to dispose all of this garbage at that type of a rate?

Chair McFarland said that these are philosophical questions that Council has to consider, but her number one concern is that person who pays to have their garbage hauled off, who is subsidizing recycling and has since the first day it started. They have never voted on this, they have never agreed to it and we just do it to them. I've got to believe that they need to have a voice.

Sue Kiel said the primary consideration of the city is that the savings be passed on to the rate payers and she appreciated your comments about the savings. I believe we are talking about 1/3rd of the tipping fee and we are up well beyond the price to most of the country in terms of \$75/ton. Ms. Keil wonders if that is enough to really influence behavior relative to recycling on a \$75/ton tipping fee. Councilor McFarland stated that translates to about \$.30 per can and her guess is that she doesn't know many people who will change their habits very much for \$.30 per month. Sue Kiel has made a commitment that whatever savings is reflected in the tipping fee from Metro will be passed on to the citizens. Jeanne Roy stated that regarding whether this reduction in tip fee would be a disincentive to recycling, the issue is not with the residential customer, but with the construction/demolition site contractors. That's where it will make the big difference. The processors are in competition with the landfill tip fee. The other thing is that it will affect what Metro does at the transfer stations, because right now they are trying to recover a lot of materials that has not been separated out. We are real interested in composting as a new process for a significant amount of waste reduction in the future, so we think it might affect that.

Merle Irvine, said that something else which has not been discussed here is in respect to the MRFS. We look at where our residual goes and we find that since it is a dry material, we find a landfill and in our case that is Coffin Butte, and that rate is \$18/ton so that gives us some margin between Metro's rate which savings help run our facility. The concern that we have is that Metro now comes, after this change order is adopted, and says to us, the 11,000 or 12,000 tons of residual we are taking to the landfill every year can no longer go to Coffin Butte but has to go out to Arlington to go out to that pot of waste that will help decrease the rate overall. And going to that higher rate of disposal would be devastating to, for example, our facility

Loreen Mills said that Susan Keil had raised the issue of scrap paper, and in Tigard and some of the other Washington County cities, there is great concern that if there is a reduction in the tip fee that we pass it on to our customers, however at the same time, industry seems to ask what are we going to do with it – stuff it in a barn someplace, there is concern with the market. But at what point do you reduce a rate and then take away scrap paper which pushes people into a higher can. I would encourage Metro to review that market issue and look for alternatives.

2. **Approval of Minutes**

McFarland

Diana Godwin asked if there was no longer a list for guests attending the SWAC. Ms. Nelson said that Connie Kinney, SWAC's clerk has been out with back surgery and she can amend that list when she returns. (Harold) and I was included as voting and they were not allowed to do so as they are not SWAC members). Please check this out. Approved as corrected.

Facility Regulation

3. Andy Sloop, Franchise Administrator, Metro said that at the last SWAC meeting, there were two vacant positions remaining on the Code Revision Task Force, one being the local government position and the other a citizen representative. Two persons have been confirmed for those positions: Ken Speigel, Clackamas County, and Jerry Powell with Resource Recycling. The orientation meeting is set for tomorrow, which will get the members acquainted with each other, talk about the impetus for the project, limits, expectations and the schedule. The staff team doing some of the preliminary work has continued to meet and has been dealing with the matters dealing with applications process, definitions, enforcement provisions, etc. Also, we have briefed Mr. Warner on the regulatory sheriff's program and we expect to continue to define the scope for this project.

4. **Food Waste Processing Facility Franchise Application**
American Compost / Oregon Soil Corporation

Bill Metzler

This is a unique application. It will be the first franchise for a food waste recovery facility in the Metro region to process source-separated commercial food waste. Many of you have heard of the Oregon Soil Corporation who are using the vermi-processing method to process food wastes. Vermi-processing uses special worms to eat and digest vegetative food wastes, resulting in a very good soil product. OSC is teaming up with Don Chappell of American Compost and Recycling located on Columbia Blvd. The applicant for the franchise is Don Chappell with OSC as a subcontractor.

The franchise agreement is for the entire site and will include the existing yard debris composting operation and the new vermi-processing facility. The site is zoned heavy industrial / industrial sanctuary. A land use review was conducted by the City of Portland, and effective Oct. 16, 1996, a conditional use permit was granted with an adjustment request. The land use review case was uncontested. A DEQ permit is now pending the Metro Franchise Agreement.

Both operations are exempt from Metro User Fees, and the applicant is requesting a variance from Metro's rate setting authority and restrictions on accepting waste from non-affiliated haulers. The franchise will authorize two operations to be conducted at the site 1) the new vermi-processing facility which is projected to eventually accept a total of 18,000 tons per year, and 2) the existing yard debris composting operation which will compost up to 50,000 cubic yards per year. Both operations will be kept separate, food waste will not be composted with the yard debris.

Operating requirements are covered in the franchise agreement for both operations. Major areas of concern for these operations are odor and vectors. To keep the potential for these problems from occurring, the vermi-processing facility will be completely enclosed, a biofilter will be used, and the food waste will be processed within 2 hours of receipt. Mr. Metzler said that Metro has been working with OSC and American as part of the Metro pilot project for recovering commercial food waste. Metro is currently in contract negotiations with OSC. Mr. Metzler described the expected timeline for facility ramp-up and Council review of the franchise. It is expected to go before Council for adoption in late February.

Lorreen Mills -- What happens to the current Oregon Soils Operation? Mr. Metzler said there was a small reactor in Clackamas County at this time and they are planning on abandoning that site, and move their reactor to the new site.

Lee Barrett -- What is the status of the two pilot projects, I understand you have signed a contract with one and when do you expect these projects to begin and do they run for a year? Mr. Metzler said there were two contracts and one has been signed and it will last approximately one year; we are currently in negotiations with Oregon Soils for the other. We are cautiously optimistic about this type of facility, needless to say we want to make sure it is done right. I would expect that half way through we would have a very strong indication on how successful these are.

Tom Miller: In the event this is not successful, what happens to the material that are currently designated as throughput, if the system goes away? Mr. Metzler said the material that would revert to the general wastestream, unless some of the materials could be earmarked for animal feed or hog fuel. Mr. Miller said

that the principal has entered into some contracts with franchised haulers to access this material out of their current wastestream and if the project is unsuccessful in dealing with that material then, my perception is that it should go back to the original hauler for further disposition.

Regional Solid Waste Management Plan Implementation

FY 1997-98 Metro / Local Government. Waste Reduction Work Plans -- Jennifer Erickson / Bryce Jacobson
Jennifer Erickson: What is Year 8? The Annual Waste Reduction Program Plan was established in 1990 (and was formerly known as Metro Challenge) in order to assist with the development and implementation of waste reduction and recycling programs in order to reach regional and state mandated goals.

- The program has transitioned into one of many implementation tools for the RSWMP. The table from the RSWMP illustrates what step we are at with Year 8. These colors represent several implementation tools used to put RSWMP into action. Year 8 is represented by the green square. We would like to take these tasks into the implementation stage represented by the next block down.
- Results of past efforts can be seen via long-term behavior changes elicited in the region through past cooperative program implementation. One indicator is the regional recycling level which has increased from 28% in 1989 to 43% in 1995, a significant improvement.
- The RSWMP provides the larger long-term framework for the region in **all** elements of solid waste management. The Year 8 Plan provides a one-year framework for a **portion** of the RSWMP--namely local government and Metro waste reduction and recycling programs.
- The framework for Year 8 comes from RSWMP recommended practices which are designed to guide programs, not to dictate their exact implementation methods or design.
- You will see that some elements of the Year 8 plan are contingent upon amendments to the RSWMP. These will remain in a "draft" stage during the passage of Year 8 and will be incorporated into Year 8 as they are adopted. Year 8 and RSWMP amendments are on a parallel track along with other issues that will impact Year 8 such as measurement issues, waste evaluations and alternative practices.
- The Year 8 plan is NOT driving RSWMP amendments. As with any planning process, closer examination of a framework and applying it to actual implementation is not always smooth. Some changes are inevitable and are not just due to the planning process but also outside forces such as market fluctuations and private sector initiatives such as the rapid growth in MRFs. The RSWMP and the Year 8 Plan are living documents that must be capable of change in response to changing environments and conditions. Suggested RSWMP amendments have come from several forums.
- While the RSWMP amendment process was intended to be on a nearly exact parallel to the Year 8 plan, it will follow adoption of Year 8 by a few months but will be completed in ample time for adjustments to be made to Year 8 and allow for planning time for metro and local government staff. We wanted to assure that appropriate processes were used in making RSWMP amendments.
- ALL changes made to the RSWMP will be incorporated into Year 8.
- Year 8 adoption should not be delayed to wait for finalization of RSWMP amendments for the following reasons:
 - the adoption date for the plan was intentionally moved up to accommodate tight local government and Metro budget cycles.
 - in order for appropriate resources to be allocated and implementation timeframes met, an ample planning window must be available.
 - measure 47 has made resources tighter and there are the same programs competing for fewer dollars.
- We bring to you what we consider the final draft of Year 8 pending RSWMP amendments and other committee and work group decisions (waste level, measurement, alternative practices). As you are

aware, there has been significant public input through a formally established process begun on October 1, 1996 and concluding December 18, 1996.

- You have had two opportunities as a committee to review and comment on drafts of the Year 8 plan and review the public input received and the responses prepared by staff. We are here today to request SWAC recommendation for Year 8 to be forwarded to the Council REM Committee for adoption.

Bryce Jacobson is here to give you more information on the public process and the results of public input received.

Bryce Jacobson: I would like to start by going over some of the objectives we originally had for the public involvement process that we have just completed:

1. Provide a channel for constructive input from the public on the regions waste reduction and recycling programs
2. Sustain and improve the publics buy-off on the plan by giving them the chance to make suggestions and feel some ownership of the final product.
3. Generate public awareness, understanding and interest in the plan.
4. All of these listed goals work towards creating a superior final draft of the plan by involving as many outside parties in the process as possible.

In the two rounds of public comment, we received a total of 15 letters of comment, 6 of these in the final round of comment: Clearly, the commercial recycling and waste reduction section of the plan generated the majority of the comments received. Changes fell into three main categories:

- The setting of benchmark goals
- Measurement logistics including the methods of collecting information and the type of information collected
- How waste evaluations should be carried out.

Metro staff responded to every letter on a point-by-point basis. These written responses are summarized in Attachment B in the SWAC packet. We took the comments received very seriously. In some cases we even phoned the person that submitted the letter to get a clarification or to communicate more complex background information and responses.

As you can see from the number of edits made to the FY 1997-1998 plan, this process was a success in that the plan was significantly refined and improved from it's original draft form. Much staff time went into making this public involvement process a successful one. And I would appreciate any feedback you might have on this process and possible improvements that could be made to any similar efforts in the future.

In closing, I would like to mention that we received three letters of comment after the close of the public involvement process. The letters all focused on the commercial sections of the plan. The letters were from Recycling Advocates, OSPIRG and The city of Wilsonville. Although these letters were received outside of the public involvement process, Jennifer Erickson and I would like to address some of the main points made in these letters:

Two of these letters state the same concern over the proposed changes in the building industry recycling section, item 1.a) on page 9 of the plan. The original language read, "Local governments assure availability of on-site services for two or more materials." Local governments commented that the original language in draft 1 was confusing and did not adequately describe what "availability" meant. Local governments also said that without exception, haulers were currently able to offer on-site services for two or more materials. Staff feels that this item has been implemented and the timeline listed for this item is now not needed. This is why the implementation dates have been changed to on-going.

Jennifer Erickson:

Waste Evaluation Services Provision Plan issues:

- Available resources to implement
 - requirements/clarifications
 - measurement standards
1. A waste evaluation work group initially met December 13 to address these issues. The group will convene again to finalize the service provision plan on February 7th. Once the group has finalized the plan, it will be incorporated into year 8.

Recommended practices are just that – recommended, not mandated. Some local governments are concerned that, due to budget cuts, resources will be allocated to other public services. Alternatives may always be proposed, we are not mandating actions.

Any measurement issues that cannot be resolved by the Work Evaluation Group will be addressed by the measurement team convened to deal with RSWMP measurement practices development.

2. Business Sector Recycling:

Issues -- additional suggestions for wording changes regarding material collected

- MRF's and source separation
- Markets
- again, these are recommended practices, not required, alternatives are always welcomed. The goal is an equal amount of waste diverted must be demonstrated.
- growth in MRF's and market fluctuations are a big issue right now.
- Year 8 is a framework, not a dictated or required list of activities. Local Governments will be responsible for working out specific implementation details for their local circumstances.
- While the RSWMP encourages source-separation, it is not required. The object is recovery of material for recycling -- the plan is flexible for these very reasons.

Susan Ziolkowski made a motion that SWAC forward to Council. The motion was seconded and a brief discussion followed.

Bruce Warner said that some of the problem is that the RSWMP sets broad goals. The annual work programs should not be part of the big document. Need to answer the question of how this all fits. Recommended practices projected tonnage reductions. RSWMP made provisions for local governments to have alternative approval process.

Motion to send to Council REM passed. Jeanne Roy voted no.

Regional Solid Waste Management Plan Development
6. RSWMP Amendments

Marie Nelson requested that SWAC approve a process for consideration of proposed amendments and language clarifications to the Regional Solid Waste Management Plan (RSWMP).

She reported that since the plan's adoption a year ago, government representatives responsible for implementing the plan and other individuals had identified areas where clarifications or amendments should be considered. It had been suggested that some changes to the plan would remove implementation barriers and allow staff to get on with the work of achieving more waste diversion, she explained. She then reviewed the types of clarifications and amendments proposed.

Staff recommended that SWAC appoint a subcommittee -- with regional interests represented -- to review the proposals and return to SWAC with the recommendation. The subcommittee would also conduct a

public involvement process. SWAC's recommendation would then be forwarded to the Metro Executive Officer and Council for final consideration and amendment into the RSWMP, she said.

Tom Miller moved that the subcommittee be appointed. The motion was seconded and passed unanimously. The following individuals volunteered to serve on the subcommittee: Jeanne Roy, Tom Miller, Lee Barrett, Susan Ziolko, and Dave Kunz. Susan Ziolko suggested that Estle Harlan be contacted about serving since she was a member of the subcommittee who developed the RSWMP update.

7. Illegal Dumping Plan

Marie Nelson explained that the action requested of the Committee was to recommend Metro Council adoption of the Illegal Dumping Plan, Final Draft, as developed by the Regional Illegal Disposal Task Force. Approval of the Plan would result in its incorporation into the Regional Solid Waste Management Plan. The Task Force further recommended that SWAC appoint an implementation work group to begin implementing key elements of the Plan calling for regional coordination and cooperation.

Ms. Nelson reported that the Plan had undergone an extensive public involvement process. A summary of that process along with language revisions made as a result of comments from interested parties, were included in the agenda packet.

Tom Miller asked to what extent had neighborhood associations been involved in the Plan development process. Ms. Nelson responded that all neighborhood associations in the region were sent letters about the process along with invitations to offer comments and suggestions. Mr. Miller thought it important that the associations be involved. Ms. Nelson agreed and explained that Metro and local governments had plans to involvement them, especially when public information campaigns were being developed.

Ms. Nelson said the Illegal Dumping Task Force wanted SWAC's specific advice on the criteria by which Metro would provided dump site clean up services. SWAC discussed the criteria, particularly the criteria "undue hardship." After discussion, SWAC recommended the following: 1) the plan language be amended to clarify that the criteria applied to victims of illegal dumping on private property; and 2) the regional work group charged with implementing plan resolve any issues related to the criteria.

Tom Miller suggested that the region's franchised haulers be involved in disposing of dumpsite cleanup debris.

Susan Ziolko moved to recommend approval the plan as amended. The motion was seconded and passed unanimously.

Marie Nelson thanked members of the Regional Illegal Dumping Task Force for their contributions to the plan development project.

8. Other Business / Citizen Communications

McFarland

Paul Slyman is a new employee at DEQ

Adjourn

10:15