

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE)	ORDINANCE NO. 03-1004
REGIONAL SOLID WASTE MANAGEMENT)	
PLAN REGARDING RECOVERY GOALS AND)	
RECOMMENDED WASTE REDUCTION)	
STRATEGIES FOR THE MANAGEMENT OF)	Introduced by: Mark Williams,
BUSINESS, BUILDING INDUSTRIES AND)	Interim Chief Operating Officer,
COMMERCIALY GENERATED ORGANIC)	with the concurrence of David
WASTES)	Bragdon, Council President

WHEREAS, Metro Council adopted Ordinance No. 95-624, "For the purpose of adopting the Regional Solid Waste Management Plan," as a functional plan; and,

WHEREAS, the Plan includes recovery goals and recommendations for the management of wastes generated by businesses in the region; and,

WHEREAS, recovery goals as listed in the Plan need to be updated to reflect changes in State statute; and,

WHEREAS, Metro in cooperation with local governments has developed new waste reduction initiatives for business, building industries and commercially generated organic wastes; and,

WHEREAS, the Plan should be updated to incorporate these new initiatives by amendment; and,

WHEREAS, the Solid Waste Advisory Committee has reviewed the updated recovery goal and new business waste reduction strategies and has recommended that Council adopt the recovery goal and strategies described in this ordinance; and,

WHEREAS, the amendments are consistent with the overall goal of the Regional Solid Waste Management Plan: to continue to develop and implement a Solid Waste Management Plan that achieves a solid waste system that is regionally balanced, environmentally sound, cost-effective, technologically feasible and acceptable to the public; and,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

SECTION 1. The Regional Solid Waste Management Plan's Goal 7, located at page 5-7, is amended to read:

Goal 7 - Regional Waste Reduction Goal. The regional waste reduction goal is to achieve a recovery rate of 62% as defined by state statute by the year 2005. at least a 50 percent recycling rate by the year 2005. Per capita disposal rate and reductions in waste generated attributable to waste prevention programs are also acknowledged to be key waste reduction indicators. ~~The region's interim goal for the year 2000 is the 52 percent recovery rate as defined by state statute.~~

SECTION 2. The introduction to the Regional Solid Waste Management Plan Chapter 7 "Recommended Solid Waste Practices to the Year 2005" located at page 7-1 is amended to include the following as a footnote:

The 2003 Waste Reduction Amendments (Metro Ordinance No. 03-1004):

1. incorporate new waste reduction initiatives to assist the region in meeting its recovery goals;
2. delegate development of yearly work plans for Businesses, Building Industries and Commercial Organics to regional work groups (tonnage objectives required to reach the recovery goals that were previously contained in Chapter 9, "Monitoring and Assessing Plan Performance," will be calculated by Metro on an annual basis and supplied to the work groups); and
3. present waste reduction recommendations as "strategies" rather than "practices." This helps clarify the role of this Regional Solid Waste Management as primarily a planning rather than an implementation document.

SECTION 3. Sections of the Regional Solid Waste Management Plan entitled "Business Waste Reduction Practices" and "Building Industries (Construction and Demolition) Waste Reduction Practices" at pages 7-13 to 7-22 and as amended by Metro Ordinances No. 97-700 and No. 98-761 are repealed.

SECTION 4. Section 4 of this Ordinance is added to and made a part of the Regional Solid Waste Management Plan.

Business Waste Reduction

The following strategies are designed to provide an integrated framework that supports businesses in their efforts to develop sustainable practices promoting environmental protection and resource conservation. These strategies promote the principles of waste prevention, recycling and buy recycled. The strategies will assist the region in meeting the waste reduction goals as specified in the adopted 1995-2005 RSWMP. In addition, these strategies will assist the region in meeting its new 2009 waste shed recovery goal and the State in meeting its waste recovery and generation goals for 2005 and 2009.

Recommended Strategies

1. Provide information and technical assistance about waste reduction designed and adapted to meet the needs of businesses.

Developing effective information and technical assistance services requires understanding of how businesses operate, receive information and respond to waste reduction initiatives. Delivering these services will require, as appropriate:

- Providing commercial technical assistance programs that include on-site visits.
- Coordinating waste reduction information services, including web-based resources.

2. Improve businesses' access to, and ease of use of, business waste prevention, recycling and buy recycled services.

Increasing business use of waste reduction services requires that the services be made easier and more convenient to use. Examples of programs that incorporate this approach may include:

- Coordinating the availability of commercial recycling services across the region, such as standardizing the list of recovered materials.
- Reviewing economic incentives to haulers to maximize recycling service levels.
- Addressing barriers that contribute to low participation by commercial multi-tenant buildings and facilities.
- Conducting projects and providing grants to organizations to build the infrastructure and measurement tools for commercial waste prevention and reuse.
- Developing a program to promote purchases of recycled content products by businesses, including a database of recycled-content products and other efforts to ensure that information on the availability, performance and pricing of recycled-content products is readily available.
- Helping businesses work with suppliers to green the supply chain by having products and services incorporate waste reduction criteria, including waste prevention, recycled content and recyclable materials.
- Promoting design guidelines for recycling areas for new or remodeled buildings.

3. Improve the capture and recovery of materials from the business waste stream.

Studies of the region's waste indicate that significant quantities of recoverable materials remain in the waste stream. Meeting the region's recovery goals may include:

- Targeting specific materials for recovery from business collection programs.
- Ensuring the region's processing system has the capacity and capability to sort additional quantities of recyclables needed to meet the region's recovery goal into commodities that meet the quality requirements of end markets.
- Researching issues with problem materials, such as shredded paper that cause processing and recovery issues for processors.
- Maintaining current Metro fee waivers on recovered material.
- Requiring that processing facilities pay fees to Metro only on disposed residuals.

4. Coordinate outreach efforts and develop a common message for businesses that integrates concepts of waste prevention, recycling and buy recycled.

Businesses today are faced with a barrage of messages and programs urging them to act in socially and environmentally responsible ways. Outreach messages can improve their effectiveness by:

- Promoting an understanding of sustainability as a way of integrating these concepts.
- Promoting multimedia resource efficiency programs that qualify for state recycling rate credits.
- Promoting a region-wide or industry-specific approach, as appropriate, for example, promoting region-wide commingled collection and processing services or targeting real estate firms.
- Providing a business recognition program.

5. Support market development efforts.

Successful business waste reduction programs will increase the supply of recyclable materials. Market development efforts are needed to foster demand for these materials. Regional market development efforts may improve markets for the reuse or recycling of locally generated materials through:

- Expanding markets and marketing efforts for recycled content and reused products.
- Assisting in development of new technologies and products that increase the use of recycled material.
- Providing technical or financial assistance to processors and end users of recovered materials.

Implementation

Implementation of these strategies will be coordinated through the Commercial Waste Reduction Work Group. The Work Group will present its implementation plans for review to the Regional Solid Waste Advisory Committee annually.

Waste Reduction for Building Industries

The following strategies are designed to provide an integrated framework that supports the development of sustainable practices promoting environmental protection and resource conservation in the building industries. These strategies are intended to implement the waste reduction hierarchy by promoting principles of waste prevention and recycling. The strategies will assist the region in meeting the waste reduction goals as specified in the adopted 1995-2005 RSWMP. In addition, these strategies will assist the region in meeting its new 2009 watershed recovery goal and the State in meeting its waste recovery and generation goals for 2005 and 2009.

Note: The term “building industries” includes, but is not limited to, contractors, builders, developers, architects, designers, construction specification writers, property owners and managers.

Recommended Strategies

1. Promote salvage and deconstruction practices within the building industries.

Salvage and deconstruction activities prevent waste and preserve critical natural resources, such as old growth timber. These practices are an efficient and effective way to prevent demolition wastes from entering the waste stream. Support for these practices may include:

- Creating outreach programs to the salvage and deconstruction industry and to those utilizing salvage and deconstruction services.
- Supporting market development activities that assist in the start-up, expansion or ongoing operation of building material reuse organizations.
- Developing public/private partnerships between building material reuse organizations and other government organizations with an interest in reuse.

2. Provide information and technical assistance about waste reduction designed and adapted to meet the needs of the building industry.

Each segment of the building industry needs to be reached with targeted waste reduction information. Developing effective waste reduction information and technical assistance services requires an understanding of how these stakeholders are involved in a demolition or construction project and how best to provide them with waste reduction services. Programs may include:

- Providing technical assistance tailored to the needs of the building industry.
- Producing waste reduction information endorsed by and distributed by local governments, industry associations and other sources.
- Supporting agencies and organizations that promote sustainable building or "green" practices. Support programs that provide model specifications related to salvage, design and selection of materials used in construction.

3. Increase the diversion of construction and demolition wastes from landfills.

Studies of the region's waste indicate that significant quantities of recoverable materials in the C&D waste stream continue to be disposed directly into landfills. Meeting the region's recovery goals may include:

- Continuing to promote the availability of on-site source separation services.
- Creating economic incentives for generators, processing facilities or landfills that divert materials from disposal.
- Developing and promoting C&D (i.e., mixed construction waste) processing facilities within the region.
- Ensuring capacity of local used building material industry.
- Ensuring capacity and reasonable access to mixed construction waste processing facilities.
- Maintaining current Metro fee waivers on recovered material
- Requiring processing facilities to pay fees to Metro only on disposed residuals.

4. Support market development efforts.

Successful business industry waste reduction programs will increase the supply of reusable and recyclable materials. Market development efforts are needed to foster demand for these materials. Regional market development efforts may improve markets for the reuse or recycling of locally generated materials through:

- Expanding markets and marketing efforts for recycled content and reused building industry products.
- Assisting the development of new technologies and products to increase the use and value of recycled building materials.
- Providing technical and/or financial assistance to processors and end users of recovered building materials.

Implementation

Implementation of these strategies will be coordinated through the Construction and Demolition Waste Reduction Work Group. The Work Group will present its implementation plans for review to the Regional Solid Waste Advisory Committee annually.

Waste Reduction for Commercially Generated Organics

The following strategies are designed to provide an integrated framework that supports the development of sustainable practices promoting environmental protection and resource conservation in businesses generating organic wastes. These strategies are intended to implement the waste reduction hierarchy through waste prevention (including food donation and diversion) and organics processing. The strategies will assist the region in meeting the waste reduction goals as specified in the adopted 1995-2005. In addition, these strategies will assist the region in meeting its new 2009 watershed recovery goal and the state in meeting its waste recovery and generation goals for 2005 and 2009.

Recommended Strategies

1. Develop and implement waste prevention and food donation programs for businesses that generate organic waste.

This strategy is designed to prevent the generation of excessive food waste and to target the highest end use for those food wastes generated by businesses. The value of surplus food products to food rescue agencies (food banks and pantries) generally far exceeds the value of the waste as a feedstock for an organic processing facility. Programs diverting edible materials to local food banks are designed to capture some of that value. Support for these programs may include:

- Providing grants to improve the infrastructure of the food donation industry to enable food rescue agencies to build greater capacity to collect, store and redistribute perishable foods that would otherwise be landfilled.
- Delivering outreach and education programs to businesses about preventing food waste and about strategies to donate edible surplus food to food rescue agencies.

2. Develop and provide information and technical assistance to businesses regarding options for their organic waste.

A wide range of business types, including restaurants, food processors and grocery stores generate food wastes. Understanding how these business types operate will assist in developing and delivering effective waste reduction information and technical assistance services to these businesses. Programs may include:

- Delivering on-site technical assistance tailored to the needs of each business type.
- Delivering coordinated information services utilizing a wide range of media designed to reach each business type

3. Assist in developing a processing infrastructure.

Studies of the region's waste indicate that even with increased waste prevention through successful diversion and food donation programs, there will be significant quantities of organic waste left in the waste stream. Development of an organic waste-processing infrastructure to enable the region to meet its recovery goals may include:

- Developing collection and processing services within the region through grants and pilot programs.
- Providing assistance (grants, technical assistance) to existing local processing facilities to enhance their processing capacity and broaden the types of organic materials they can receive and process in an environmentally sound manner.
- Addressing facility siting and zoning issues with local authorities.

4. Increase the recovery of residential food wastes.

Conducting research on the potential for implementing residential food waste collection programs, pending the development of sufficient organics processing capacity for the region.

5. Support market development efforts.

Successful organics recovery efforts will increase the supply of compost and other soil enhancement products from processing facilities. Market development efforts are needed to ensure demand for these products. Regional market development efforts may improve markets for the use of these locally generated materials through:

- Expanding markets and marketing efforts for compost and other soil enhancement products.
- Working with the Composting Council of Oregon on market development in the Metro region.

Implementation

Implementation of these strategies will be coordinated through the intergovernmental Organics Work Group. The Work Group will present its implementation plans for review to the Regional Solid Waste Advisory Committee annually.

Recommended Waste Reduction Contingency Plan

Background

In 1999, faced with evidence that progress toward regional recovery goals had stalled, Metro and local governments created work teams to address the problem. The result was a set of "Waste Reduction Initiatives" that identified opportunities for increasing recovery in the C&D, Commercial and Commercial Organics sectors. The strategies in this Plan chapter integrate those efforts into this Regional Solid Waste Management Plan.

The waste reduction strategies contained in this Plan are primarily based on an "opportunity Model." Under this model, recycling services are required to be available and promoted to businesses, but participation in the programs remains voluntary. The Commercial and C&D Waste Reduction Initiatives

work groups identified strategies that would add additional requirements on generators or facilities to this Opportunity Model. These "required recycling" strategies are not part of this Plan at this time. Although the Commercial Organics work group did not identify specific additional strategies it is recommended that they should be developed.

Contingency Plan

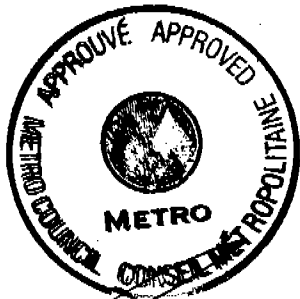
In addition to the strategies contained in the Plan, it is essential that the region have a contingency plan in place if progress toward recovery goals is inadequate. Regional solid waste stakeholders have agreed that if we clearly are not going to reach our 2005 goal, waiting until 2005 to address the problem is not acceptable.

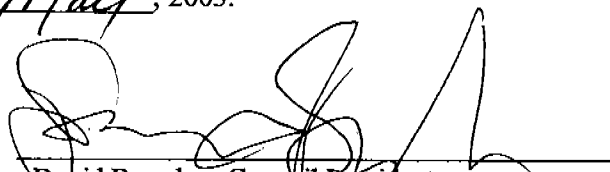
The basic outline of the contingency plan is for a work group to meet to develop a set of feasible and effective strategies to enhance recovery. If progress toward recovery goals is inadequate, these strategies would represent options that could be put in place. Based on the work of the Waste Reduction Initiative teams, these strategies would focus on adding "required recycling" policies to the existing policy framework.

The contingency plan will take the following form:

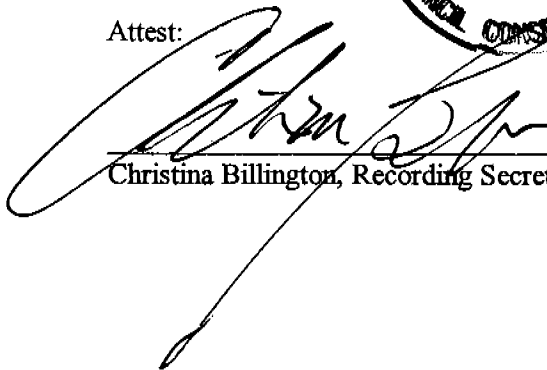
- A work group will be convened to consider methods of increasing progress toward recovery goals through increased recycling requirements.
 - For the Building Industries sector, types of required recycling to be considered will include: (a) requirements on C&D generators to recycle a majority of their recyclable wastes through source separation or at mixed-waste processing facilities; and (b) disposal bans for generators or facilities on selected recyclable materials.
 - For the Business sector, types of required recycling to be considered will include: (a) requirements on generators to recycle at least a majority of their wastes; and (b) disposal bans for generators or facilities on selected recyclable materials.
 - For the Commercially-generated Organics sector, approaches to be considered will include: (a) requirements on business organic generators to source separate on site or send their organic wastes to processing facilities; and (b) develop a common regional approach to increase the efficiency and economic feasibility of organics collection;
- The work group will consider whether such requirements are best implemented through actions of local governments, Metro or the State of Oregon. Combined or joint action by these agencies will be considered.
- The work group will determine whether adoption of these methods would be legally and financially feasible and would enable the region to meet its recovery goals. The work group can consider other methods (e.g., financial incentives or subsidies); such methods must be compared in terms of feasibility and effectiveness with the required recycling approaches.
- The work group will make its recommendations to Metro and the Regional Solid Waste Advisory Committee on or before January 1, 2004.. If sufficient progress toward recovery is not reflected in recovery reports, Metro and the appropriate governments will work to implement the work group's recommendations after that date.

ADOPTED by the Metro Council this 1st day of May, 2003.




David Bragdon, Council President

Attest:


Christina Billington, Recording Secretary

Approved as to Form:


Daniel B. Cooper, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF 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 COMMERCIALY GENERATED ORGANIC WASTES

Date: March 27, 2003

Prepared by: Scott Klag

BACKGROUND

Metro and local governments have developed waste reduction initiatives for business, building industries and commercially generated organic wastes. The purpose of Ordinance No. 03-1004 is to incorporate these initiatives into the Plan by amendment and thereby keep regional policies, strategies and programs aligned. In addition, the State of Oregon Legislature has revised the watershed goal for the Metro region, and the amendments update the Plan to reflect that change.

The proposed amendments update the strategic direction for a major portion of the Plan's waste reduction recommendations. Specific provisions of the amendments:

- Affirm the region's commitment to recovery goals.

The amendments update the region's stated recovery goal to 62% by the year 2005.

- Incorporate the waste reduction initiatives into the Plan.

Under the region's "opportunity model" approach to waste reduction, governments ensure that recycling services are available and promoted, while use of the services remains voluntary. The proposed amendments build upon this approach and contain common strategies: promoting waste prevention; providing information and technical assistance; increasing access and use of services; and supporting market development efforts.

- Recommend a contingency planning process.

The amendments require development of a contingency plan to keep the region on track to its recovery goals. A work group will convene to examine adding required recycling strategies (e.g. disposal bans, generator or facility requirements) to the current opportunity model approach. The contingency plan work group will report to Metro Council by January 1, 2004.

Solid Waste Advisory Committee (SWAC) Review: On March 17, 2003, SWAC reviewed the amendments in draft form and voted to send them on to a Council informal, understanding that the amendments would come back to SWAC in final form as an ordinance and staff report.

ANALYSIS/INFORMATION

1. Known Opposition

None.

2. Legal Antecedents

Council adopted the Regional Solid Waste Management Plan (Plan) as a functional plan by Ordinance No. 95-624, "For the purpose of adopting the Regional Solid Waste Management Plan." The Plan 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).

3. Anticipated Effects

Adoption of the ordinance will ensure that Plan policies and strategies are aligned with waste reduction programs in the region. The amendments to the Plan also call for a work group to be convened that will recommend a contingency plan to keep the region on track to meeting its recovery goals.

4. Budget Impacts

Adoption of the proposed ordinance will not have a direct fiscal impact. Any fiscal impact would occur through Council's regular program planning and budget processes for the Solid Waste and Recycling Department.

RECOMMENDED ACTION

The Chief Operating Officer recommends approval of Ordinance No. 03-1004.

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