

SOLID WASTE POLICY COMMITTEE

July 12, 1991

Committee Members Present

Ruth McFarland, Acting Chair, Metro Council
Jack Adams, Cities of Multnomah County
Stephanie Hallock, DEQ
Shirley Huffman, Cities of Washington County
Susan Keil, City of Portland
Sharron Kelley, Multnomah County
Delyn Kies, Washington County
Dave Phillips, Clackamas County

Staff Members Present

Mark Buscher, Planning and Development
Rich Carson, Director of Planning and Development
Becky Crockett, Planning & Development
Karla Forsythe, Council Staff
Chuck Geyer, Solid Waste
Jim Goddard, Solid Waste
Debbie Gorham, Solid Waste
Steve Kraten, Solid Waste
Ron Nagy, Planning and Development

Visitors Present

Mike McKeever

Protocols

Acting Committee Chair Ruth McFarland brought the meeting to order. There were no committee member or citizen communications.

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Becky Crockett referred to page three of the Policy Committee minutes dated May 10, 1991, to clarify the purpose and intent of Marion, Yamhill and Clark Counties as members of the Solid Waste Policy Committee. She stated that all three counties had participated when the Committee was started and that their interest was in looking at the Metro region as an alternative for disposal options for their solid waste systems. The counties were not a party to concerns regarding the burner. They were in support of Metro in regard to the burner.

Ms. Crockett clarified that the Policy Committee approves their own Bylaws and that the Bylaws do not go to the Metro Council for approval as stated in the minutes of May 10, 1991.

The minutes for the May 10, 1991 Policy Committee meeting were unanimously approved.

Updates

Ms. Crockett stated that the Illegal Dumping Chapter went to the Council Solid Waste Committee, who requested that substantial changes be made to the Chapter (changes recommended by Council staff). Staff agreed that the Chapter should go back to the Illegal Dumping Subcommittee to answer questions that were brought up the Council Solid Waste Committee. The Solid Waste Policy Committee will be approved of the changes to the Chapter.

Sharron Kelley stated that the Illegal Dumping Subcommittee was meeting on July 24, 1991, at 3:00 p.m. and all were welcome to attend. She stated that the Subcommittee felt it was necessary to identify the reasons for illegal dumping to be able to put together a marketing plan.

Jack Adams stated Gresham is stepping up their education so that citizens understand that they are paying for recycling through their dump fees whether they use it or not.

Ms. Crockett updated the Committee on the Special Waste Chapter. The Chapter was approved by the Policy Committee and adopted by the Council. The Solid Waste Department has examined how to implement the Special Waste Chapter and will be holding a joint meeting of the Facilities and Waste Reduction Subcommittees on July 17, 1991, where they will talk about their strategy for implementation.

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Ms. Crockett updated the Committee on the Model Siting Ordinance for Solid Waste Facilities. The document was approved by the Policy Committee and the Council Solid Waste Committee. Metro's Legal Counsel identified some concerns with the document and are presently making revisions. After these revisions, the document will go back to the Land Use Subcommittee. Depending on the changes it may be brought back to the Policy Committee for review.

Ms. Crockett explained that Metro wanted local governments to apply only clear and objective standards when evaluating sites for solid waste facilities. Local governments liked the option of referencing the DEQ standards so that they could cover the environmental issues that citizens have. The DEQ standards as related to environmental impact issues are not clear and objective, they are very subjective. Metro's legal counsel did not feel comfortable putting themselves in the position of saying that these were clear and objective.

Action Item - Approval of Washington County Chapter of the Regional Solid Waste Management Plan

Rich Carson introduced the Washington County Chapter to the Committee as an action item. He mentioned that Metro's legal counsel raised several issues that caused amendments to the Chapter. He went on to review the changes with the Committee. All additions are redlined, all deletions are lined out.

Mr. Carson referred major changes as follows:

Page two, Item 3, Transfer/Material Recovery Facility Service Areas, as the major amendment to this Chapter. Then explained that the assignment of haulers within a franchise area is the responsibility of the cities and counties. The assignment of franchise haulers to a service area needs to be the responsibility of Metro. Metro will work with cities and counties to determine which franchise areas would be in which service area. Metro, as the issuer of bonds, needs to be the one to designate the service area as Metro is responsible for the correct tonnage delivery to the facility as the delivery of tonnages financially underwrites the facility. Therefore the language was changed to include an addition to the second sentence "and will be based on the year 2003 tonnage projections for the watershed" and striking the last sentence.

Page 13, Findings Item 3, an addition to the third sentence was made, "there is joint responsibility for regulatory oversight of the hauling industry, cooperation and consultation between local governments who have prepared the local government solution pursuant to Policy 16.0 and Metro is important as each exercises its ongoing responsibilities," with the remainder of the sentence deleted.

Page 14, Conclusion Item 3, was changed to read "The service area boundaries will establish which haulers will be directed to which facility. Local governments will continue to control local franchise area assignments."

Page 37, the second paragraph was added "The analysis above illustrates that the preferred form of facility ownership of transfer facilities in the west watershed is private. However, if the private sector is unable to meet criteria established during the procurement process, public ownership of the facilities is an option."

Page 37, Findings Item 4 was added "The local government solution recognizes that public ownership is an alternative if private ownership proposals do not meet the criteria established in the procurement process."

Page 37, Conclusions Item 4 was added "If no private ownership proposal is received that meets the procurement criteria public ownership is an alternative."

Pages 47 and 48, "commercial haulers" was added for clarification as flow control is not being used with the self haulers.

Shirley Huffman moved for Approval of the Washington County Chapter of the Regional Solid Waste Management Plan.

Ms. McFarland asked for discussion.

Dave Phillips stated that "Clackamas County has always had a problem with the rates with the local government solutions, feeling that any additional costs associated with that should be borne by the rate payers of Washington County and not by the region. It appears small and if it remains small there is really not a big issue, but if in the procurement process it becomes far larger, I think it does become more of an issue."

Ms. McFarland explained that an amendment was added stating that it would not be more expensive than if it were done by the public which then would become the region's concern.

Mr. Phillips stated that Clackamas County was not opposing the Plan because of that issue; this is different than the original agreement and wanted the statement on record.

Mr. Carson stated that the increase in terms of financial side of it was small. He stated that Public Financial Management (Metro's financial consultants) reported that Metro could easily lose the same amount of money if Metro kept going the way it had been.

The Washington County Chapter of the Regional Solid Waste Management Plan was unanimously approved.

Discussion

Senate Bill 66

Delyn Kies reviewed Senate Bill 66 with the Committee. The Bill was passed unanimously by both the House and the Senate, and became law on July 1, 1991. Senate Bill 66 sets a recycling goal for the State of 50 percent waste recovery by the year 2000. It also requires individual recovery rates for groups of wastesheds throughout the State that range from 7 to 30 percent. The Portland metropolitan area is required to achieve a recycling rate of 45 percent by 1995. Local communities can meet these goals in various ways:

- weekly curbside recycling collection on same day as garbage collection with containers, and promotion and education
- apartment or multi-family recycling
- commercial and business recycling
- collection and composting of yard debris
- rate incentives to encourage recycling
- expanded depots

The Bill has three major provisions in market development.

1. **Recycling Markets Development Council** - A group of 12 people appointed by the Governor, funded by industry assessments, who are to develop plans, funds and strategies for improving materials markets (primarily plastics, paper and glass) that are needed in Oregon.
2. **Minimum recycled content requirements** for newsprint, telephone directories, glass and plastic containers made or sold in Oregon. This should encourage the use of the materials that we collection in the manufacture of products.
3. **Targets and price preferences** for government purchase of recycled products.

Other major provisions in the Bill:

- DEQ to develop a statewide solid waste management plan.
- Labeling of all rigid plastic containers solid in Oregon with recycling codes to make it easier to recycle them.
- Retail establishments must offer paper as well as plastic bags to customers.
- A ban of vehicles, large appliances, used oil, tires and lead acid batteries from landfills.
- Apartment units of five or more units are required to provide recycling containers, collection and promotion to tenants.
- Integrating a recycling and waste reduction component into the required curriculum for grades K-12.
- DEQ to develop camera ready art and copy, informational materials, teacher workshops and AV materials for use by schools and local governments.

The Recycling Markets Development Council and most of the minimum content work will be funded by industry. DEQ's administrative and other State agencies statewide responsibilities will be funded by \$2.4 million per biennium that is generated from: a) an increase of 35¢ in the existing 50¢ per ton that is collected statewide for DEQ programs; b) approximately 10¢ per ton from solid waste disposal fees; and c) approximately 5¢ per ton from the General Fund. The bulk of the program will be paid by the rate payers. The basic program (weekly, same day as garbage, containers and promotion) would be an average of \$1.50 to \$2.50 per month, per household. The additional programs (multi-family, business and yard debris recycling, and expanded depots) would be an additional \$4.00 to \$5.00 per month, per household.

Ms. Kies reiterated that the 50 percent figure is a statewide goal and that there are specific target areas (the Portland metropolitan area is one) that have specific targets that they are required to meet by 1995. The 50 percent by 2000 is a goal for the State as a whole. In the areas where the 1995 target is 7-15 percent (areas in the eastern and southern portions of the State), the targets were set were based on their closeness to markets, the types of recyclable material that they had in their wastestream and anything that affects their ability to reach that goal. The penalty, by 1995, is simply to do more recycling.

Regional Policy Advisory Committee

Mr. Carson explained that the Urban Growth Management Policy Advisory Committee recommended to the Council their final draft of the Regional Urban Growth Goals and Objectives (RUGGO). The Oregon Revised Statutes charged Metro to adopt regional goals and objectives for planning. Metro decided, as part of Periodic Review, to create and adopt a new set of goals and objects. At that same time, local governments requested that Metro incorporate into the goals and objectives the process that outlined how the goals would be amended, how new functional plans would originate or existing plans be modified. The document is not only an overview of

regional planning, but a document within a document that outlined how Metro would do business with local governments in the future in terms of regional planning. The goals and objectives in this document are only binding on Metro. Metro articulates what is in the goals and objectives either through functional plans (Solid Waste Management Plan) or through amendments to the Urban Growth Boundary. The document itself is not directly binding on local governments, but sets the Metro Council policy on how Metro will create functional plans and how Metro will amend the Urban Growth Boundary. The document creates a new entity, the Regional Policy Advisory Committee. This Policy Committee becomes Metro's Planning Commission. The Committee will consolidate a lot of the existing policy committees into one. As plans are completed, Metro will dismiss current policy committees and the maintenance and updates of the plans will be handled by the new Regional Policy Advisory Committee. The Solid Waste Policy Committee still has chapters of the Regional Solid Waste Management Plan to complete before it will be phased out.

Ms. McFarland stated that she felt consolidation of committees is necessary.

Susan Keil stated that she has heard from smaller entities that they have difficulty getting Metro to hear their perspectives. She felt that this translates into not cutting the number of opportunities for that kind of perspective to be heard. When you consolidate you have less opportunities for interface. When the topics are consolidated for a single committee, she felt that you expand the workload for the committee members and they are less technically expert.

Mr. Carson stated that the technical committees would be retained and would report to the Regional Policy Advisory Committee. He felt that it is not the case that Metro doesn't listen, it is that we do not have a very good communication system set up between Metro and local governments. Metro is considering an idea that Washington County is using, the counties become a place to caucus on regional issues.

Ms. Huffman stated that there is a concern that Metro not hurry itself into functional plans which then become law prior to the drafting of the Home Rule Charter because there might be a way to negotiate or to alleviate some of the concerns of local government about what will be in that Charter and how it affect the integrity and autonomy of counties and cities within the region. She hoped that functional plans, at least in connection with RUGGO, would not be adopted until the draft of the Home Rule Charter is available.

Mr. Carson stated that the goals and objectives are not a functional plan, not directly binding on local governments and they do not call for the initiation of new functional plans. The only functional plan discussion that he was aware of has to do with the Metropolitan Greenspaces Program. There are three function plans in place, the Solid Waste Management Plan, the Transportation Plan and the Water Quality Plan, and the plan for Greenspaces is presently under discussion.

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Mr. Carson stated that the goals and objectives would not be in place until fall 1991. The Solid Waste Policy Committee could not fold any sooner than the fall of next year due to the work scheduled on the Solid Waste Management Plan. He will update the Committee when the Council has made their final decision on RUGGO.

Ms. McFarland stated that the next meeting is scheduled for August 9, 1991, at 7:30 a.m.

The meeting was adjourned.

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