

SOLID WASTE PLANNING POLICY COMMITTEE

Minutes - October 9, 1987

Members Present: Clifford Clark, Eldon Mills, Steve Larrance, Mike Swanson, Bill Bach, Bill Stark, Barbara Sullivan, Bob Brown, Jim Gardner, Sharron Kelley, Dick Engstrom

Staff: Rich Owings, Bob Baldwin, Becky Crockett, Dennis Mulvihill

I. Introduction Purpose, Product, Process

Jim Gardner: Our purpose is to develop a new Solid Waste Management Plan for this region. To give us an idea of what the solid waste system is going to look like for the next twenty years.

The Solid Waste Management Plan defines what the system is: 1) the type of facilities the system needs; 2) where they should be located; 3) the type of programs needed; and 4) how responsibility should be divided--local and regional.

The most important thing the solid waste plan should accomplish is to integrate the solid waste plan with local comprehensive and other plans, so they work together without conflict.

The process that is in front of us to accomplish starts with the state statutes that give Metro the solid waste management responsibilities for the region. We had an earlier plan of 1974; that plan was a naive assumption, where Metro assumed they had complete control. Yet that plan never was formally updated. It had some revisions, though not acceptable with today's systems. It has too many conflicts and just won't work.

The new plan is going to guarantee that programs, policies and facilities will be consistent with local land use plans. While the plan is being organized, step by step, it will be reviewed by Council, so that it fits with all the elements. When it is done, we will have a policy decision on how to manage solid waste. This plan will be a complete update and revision of the old plan. It will show the best way to deal with solid waste. We have some good ideas, but we need to adopt some new ones.

Specific Issues

1. How many transfer stations do we need?
2. Where should they be located?

3. How big should they be?
4. Who should own and operate?
5. How many material recovery centers should we have in the region?
6. How many yard debris processing centers should we have, and where should they be located?
7. Should there be drop off locations for yard debris at limited purpose landfills?
8. Do we need more limited purpose landfills?
9. How will the region manage to keep hazardous waste out of the landfill?
10. Do we need hazardous waste drop off facilities in the region?
11. Should each jurisdiction provide for hazardous waste collection events?
12. What are the costs and liability associated with doing these kinds of things?
13. How can these costs and liabilities be overcome?
14. What kind of recycling programs should be implemented regionally and locally?
15. Should curbside collection happen weekly in all jurisdictions, instead of the required monthly service?
16. Should there be a mandatory collection of garbage and what is the impact on illegal dumping, and recycling programs?
17. Should there be curbside collection of yard debris?
18. Who is going to pay for the system that we put on-line; how will financing of facilities and programs be achieved?

There are a lot of policy questions still to be answered, a lot of issues to be dealt with. That is the purpose, product, process. This committee has a distinct role in that entire process.

Dick Engstrom (Deputy Executive Officer substituting for Rena Cusma): This planning process is different than any Metro has ever dealt with. This is truly a process of regional cooperation. If it is going to work, we need to recognize the importance of close integration of the regional solid waste management plan and local land use plans. This is no different than other local and regional issues. In terms of committee roles and responsibilities, we need to work toward resolving critical solid waste problems.

II. Status of Landfills

Rich Owings: Here's an update of where we are on the landfill siting and resource recovery, also our intern type facility.

The Bacona Road situation: hearings are back, DEQ staff feels site can be ordered. However, there needs to be more study on leachate which they feel can be completed by the end of this year. The process could go back into hearings and back to the EQC for final ordering in February or March of next year. The EQC will consider that recommendation.

Up for debate is the hearings official's recommendations which indicated that even more study would be needed before the site could be ordered: more work on regional and perhaps even local land sites. The DEQ staff doesn't agree; they feel it is more a design problem. The EQC is considering and will release their findings this morning.

Metro is waiting for that order before it does anything on the development or design on Bacona Road. We are updating our cost estimates of what we think it will take to develop Bacona Road. Indeed, if that site is ordered, and if Council directs us to proceed.

On the opposite front we are looking at out-of-region landfills. There are four vendors that have approached Metro, indicating the desire to develop a landfill operated for Metro on a contractual basis. We have prepared a bid document to solicit those private landfills. We have had several meetings with vendors, discussions with Council Solid Waste Committee and are prepared to issue that bid next Friday. We anticipate after two weeks we would have a bidders' conference to answer questions. We would expect bids back by November 22. That would give two weeks to evaluate bids and report our recommendations to the Executive and Council.

We are headed for a December 10th time frame for bringing those bids to the Council. Council has indicated their desire to start looking at the system's decisions: What's in long term planning? and direction for Metro and the handling of solid waste?

At the December 10th meeting, we will update our estimate of what Bacona Road will cost and have bids from out-of-region landfills. At the same time, we hope to have results of negotiations with the energy recovery vendor. The Council has directed us to prepare a Memorandum of Understanding with Combustion Engineering for the energy recovery project; the RDF type facility in St. Helens, Columbia County. Those negotiations have begun. I hope to update information at the December 10th meeting. If that Memorandum of Understanding is executed by both parties, it would lead to a contract and a notice to proceed. Council has also directed us to prepare a Memorandum of Understanding with Riedel for a mass composting facility in North Portland. Again, we hope for a December 10th target. If that document is executed, it would also lead to a contract and notice to proceed.

On the energy recovery project for St. Helens, the amount of tonnage is 350,000 tons; for the mass composting facility 160,000 tons. That would take care of half of the region's waste stream. There is still a lot of waste we must do something with--either landfills or additional waste recycling activities. We have about a million tons total after current recycling. We still have another 490,000 tons at the landfill or to do additional recycling activities. We are also attempting by December 10th to lay out some additional recycling activities so that Council and region could try and reduce that 490,000. We hope to lay that out in terms of more fixed cost programs that the Council can select. Those waste reduction and recycling activities are already being worked on by the technical subcommittee that reports to this group. One of the technical subcommittees is also a planning group and they have been working hard on trying to design a facility plan. Recognizing that St. Johns Landfill will be closed, there will be something needed in between facilities. They are working hard, trying to develop something. We can't send it all through one place; we're going to need decisions made: what kind of facility we're going to implement.

One thing the staff has been considering is making arrangements with existing facilities in Washington County, Hillsboro or Forest Grove. Is there some interim way to increase availability and capacity of those facilities? Or is there an interim way or RFP facility for a private vendor until the planning is done and what types of facilities would be appropriate? We are considering what can be done between St. Johns' closing and a permanent facility being on line.

Are there any questions? (Response: no.)

III. and IV. Committee Role/Responsibilities Committee By-Laws

Rich Owings: Next on the agenda is to adopt bylaws. These bylaws were formed from JPACT and by looking at Council's previous solid waste bylaws. We tried to combine them in terms of its makeup, voting, recommendations and discussions.

They indicate policies, committee roles, responsibilities. To establish a work program for the project, make recommendations to the Council on specific projects and make recommendations in compliance with the regional plan and state requirements. To make recommendations in compliance to comprehensive plan with local plan, make recommendations on needs and opportunities for solid waste management in the region. Lastly, the bylaws indicate the role and responsibility of the committee is to build regional consensus.

Bylaws of membership: There are various agencies, which associate members may be named, although they do not vote. Regular members are encouraged to attend, and should appoint alternates.

Voting Privileges: Each member has one vote.

Meetings and Conduct: Jim Gardner is acting as Vice-Chair and controls time and place. Robert's Rules of Order will apply. The majority of membership would constitute a quorum. There are currently 14 members on the committee. The Chairperson will need to appoint a Vice-Chairperson.

Subcommittees: A committee may establish subcommittees. The reporting procedures or materials and products of this committee will be reported to the Metro Council. If there are any amendments or bylaw changes, they can only be made by this committee.

Jim Gardner: Are there any questions about the bylaws or suggested changes?

Barbara Sullivan: I just wanted to make sure the alternates have the place to vote.

Jim Gardner: The question of alternates is something we need to talk about briefly. It's not stated, but it's understood that the alternates would have the vote for who they're replacing. Since each committee member is appointed by jurisdiction, the alternate should have an official document (letter) recognizing them as an official alternate.

The Vice-Chair will be appointed now. I'd like it to be Sharron Kelley, who's on both committees.

Eldon Mills: Motion to adopt bylaws as presented.

Jim Gardner: Why don't we amend bylaws to clearly state "that alternates will serve in their absence"? Do we have a motion to amend?

Eldon Mills: I withdraw mine. If you want to, state one.

Bob Koch: I suggest at the end we add "to serve in their absence--with full rights and responsibilities."

Eldon Mills: I second that.

Motion is passed.

Bob Koch: I move that we adopt the bylaws as amended.

Jim Gardner: All in favor; motion is passed.

V. Project Work Program

Rich Owings: Now that we have a feeling of where we're going, we can discuss output of where the product is going.

1. Length of plan--the shortening of the work program has been done, but we've added some items. Hazardous waste, discussing with jurisdictions and our own staff about who does what in hazardous waste.

- who has responsibility
- what the needs are
- if there are any problems providing for needs
- what is appropriate agency to fill and assume responsibility

From industrial waste to hazardous waste, the plan will give us an excellent opportunity to make those kinds of decisions.

2. Special waste--There are a number of wastes that we need to deal with in a special way. The type of material that is not hazardous, but not appropriate for transfer type operations. Those kinds of special waste we will need to identify and inventory; by what's out there and how are we going to handle it.

We have also added to the work program considerations of these ongoing projects. The Council will be considering system decisions in December.

- where will landfill be?
- how large will it be?
- will we have an energy recovery project?
- will there be a mass composting project?

These things must continue while the planning project goes on. Those interim decisions and any facilities associated with them we would envision coming through this work program.

We also face the problem of illegal dumping and health concerns of irregular collection. So one other work item is a consideration of mandatory collection.

- what are the options?
- what are the impacts?
- how would we implement if that is our desire?

So a full analysis has been added on how to handle this.

The Technical Committee has divided into four subcommittees.

- Facilities Subcommittee--which will develop the solid waste system and evaluate privatization options and develop capital improvement programs

- Land Use Subcommittee--will work on siting policies and participate in site selection
- Waste Reduction Subcommittee--already working on product
- Hazardous Waste Subcommittee--

On the work program, we envision a series of White Papers that will be analyzed by the subcommittees. The Technical Committee has asked to revise the range of work to show the path of the subcommittees.

Questions? Any specific about work program or products?

Steve Larrance: I have some concerns about the Technical Committee being ahead on project. I'm apprehensive about them being in wrong direction in fear of wasting time.

Bob Koch: The staff is trying to lead us down the correct path. It's our choice to say whether it is the correct one or not.

Jim Gardner: That's why we're here. Express them now if you have concerns in the work program or the policy framework. At this point, we are just asking you to accept the framework. There will be changes evolving so we're just deciding if they seem okay. But do come prepared to the meetings with your concerns.

Steve Larrance: Work Program #3--we have in Washington County a desire to stay within the existing comprehensive plan. Is that possible? Aren't we precluding the privatization question in a sense? We're asking them to go the other way.

Bill Bach: The other side might be true. Some private people might need help to identify sites--yet have better luck finding one.

Steve Larrance: That may be the case. Though I don't know of any such person. But the people who look for it want less interference with siting. The ability to work with a land use group as opposed to working against; to identify interim sites as Rich Owings suggested.

Bill Bach: If we identify, it doesn't mean those are the only available sites. Maybe we need a set of base sites and private people want to come in--it's acceptable.

Steve Larrance: It's not clear.

Bill Bach: No, it's not clear.

Rich Owings: There is a time sequence. These things aren't necessarily going on at the same time.

The first group of things:

- how do we develop policy plan?

- what are we going to do about private vs. public?
- what will be our guidelines and directive?

Once these have been established, then you can begin work on a siting plan. There's a sequence here we need to follow.

There have been some things suggested as policies that we may want to establish. Specific sites, but leave it open for private sector to come in and suggest their own sites. In some way amend their plan or a procedure to take count.

Bill Bach: Maybe not amend, but take it into consideration, and list it as an identifiable/workable site.

Steve Larrance: I like that concept.

Rich Owings: I like that concept, but the public one being site specific address.

Eldon Mills: Maybe we could consider amending by adding words "not at the exclusion of privatization opportunity." I would like to see them have their chance at solving the problem.

Steve Larrance: It should consider all parts of the plan, sites and facilities.

Jim Gardner: Under Section 1 of the policies is the question: "Public vs. Private Ownership and Operation." We've already decided on policy ownership; the amendment might make it more clear--not limiting, not excluding.

Rich Owings: I would also like to point out that we anticipate private facilities coming forward for your consideration, even while we're going through the process.

Bob Koch: I would like to express my concerns over rank order. We can rank environmental issues in order of importance.

Steve Larrance: Solid waste is a very involved process, more than a few dots. I think the ranking gave importance to some and not others. I'm not sure if the process is valid or necessary.

Rich Owings: It gave our staff a beginning. It was a start on how to address issues, present recommendations to this group for you to accept, reject and/or modify.

Steve Larrance: At the end of the Technical Committee's review, there were some potential policies. They weren't anything we talked about?

Jim Gardner: Except for the end, all are staff's attempt to summarize meetings. Their rank order is how the dots came out--not any rank order by staff, or by us. Just to let us know how the process came out.

Bob Koch: If anything, it is situational on importance. What is important to the people surrounding the site as soon as they realize the incentives it will provide. But until we can identify those regions, we can't go anywhere.

Rich Owings: That insight is important to the committee: to realize the resistances there are going to be when it goes before the Council on a land use decision.

Bill Bach: The privatization goal appears to be a major goal. We should recognize this concern.

Jim Gardner: Looking at policies like this, there may be fewer concerns, if they weren't numbered. The numbers are just a framework of policies and decisions and in no way a list of priorities.

Steve Larrance: I have another concern relayed from the Technical Committee--the structure of the subcommittee, the efforts of setups and how they interlock--don't we need to compare one to the other?

Rich Owings: This is to help make the program shorter. These committees will go on simultaneously. People are certainly welcome to participate in more committees. They ask for input.

One issue raised earlier by Steve is "what is the relationship of this plan and your county's already adopted comprehensive plan?". Here is Bob Baldwin to speak on that issue.

Bob Baldwin: As the work program is designed, early in the process there will be an assessment of what each city and county comprehensive plan says about the way it will be amended and revised. Also what it says about solid waste management. The purpose is to accommodate local actions that will result from this policy plan. So whatever the time frame is for local action, it can be accommodated or at least recognized that it should occur in this area before the next phase begins.

Steve Larrance: Would those changes be made during that local time plan?

Bob Baldwin: Yes, that's the idea--that they would be.

Steve Larrance: But no discussion whether or not it could be built in with the existing plan?

?: Excellent concern, if there are no changes, define what it would take if changes are needed, they try to fit needs to bring the process together. We try to identify with the local concerns, so that the final product will recognize those needs. It's all part of the consensus building process; it works both ways.

Jim Gardner: What's disturbing me is how the regional plan reflects what 20-30 different local plans have to say; some fit and some don't. There will need to be something in them about solid waste management, not just facilities.

The regional should begin by looking at what the local plan has, what exists. Some local plans will need changes. It's all part of the process to try and put together an overall regional plan.

Steve Larrance: What if we went with a private facility/particular area and land? Would it comply with regulations?

Rich Owings: That policy may be adopted that solid waste facilities will always be an industrial zone property--and will comply. What is inventory? Is that how you want to use economic development? What impacts on economic development?

Bob Koch: Self-determination vs. Regional. We have regional goals, needs of that region--we need to set ground rules on how to deal with it.

Rich Owings: There's a practical as well as a legal answer. Practical is there aren't many regions who want to work siting on their own. Legal is that the regional plan takes priority.

Bob Baldwin: It's useful to compare this with statewide--in which state makes all decisions, yet they are inconsistent. Here, in our process, the cities and counties are revising and adopting local plans, while participating at the regional level.

Bob Koch: There are other things coming up that are unclear.

- regional franchise
- stabilizing rates
- what do our jurisdictions want to retain
- what can they legally retain

Bill Bach: I think we need to look at the opposite side. What things can you do from regional differences?

Jim Gardner: We have some issues where everyone is not going to agree. I think it is our task to find the best package of policies. There are going to be some difficult ones, especially where policies infringe on local responsibilities and local plans.

Clifford Clark: That's what Bob spoke of earlier dealing with traffic neighborhood impact. We need to discuss our concerns.

Jim Gardner: These issues all relate back to private vs. public ownership. The whole issue of solid waste is connected. Any time you

divide, you risk making a decision that doesn't fit. Those subcommittees are trying to work so that doesn't happen.

Bob Brown: The Technical Committee is trying to produce the best system possible. If it doesn't fit in, the Technical Committee should know so they get in right direction.

Jim Gardner: Feel free to attend meetings.

Steve Larrance: Is it possible for us to have materials to keep up with process?

Jim Gardner: How about the products that come out of their meetings--or the status reports?

Bob Koch: We may want to set some policies concerning collection of materials. What will and won't be collected. That way we have the abilities to set policies to provide environmental protection.

Jim Gardner: We will already be dealing with that when we talk about "official hazardous waste." But that can certainly be expanded to add waste that has environmental impacts or adverse effects.

- how might we collect?

- and if we collect at all?

We cannot ban this immediately at the local level, but we can examine it.

Bob Koch: We must examine and decide on these issues. What are we or aren't we going to?

Sharron Kelley: We now have a sense of direction to get back into what makes "Hazardous Waste." It's a good point, but a highly complicated issue, about why we should or shouldn't and all the other issues involved. What we need is for the Hazardous Waste Subcommittee to bring forward particular material and discuss it.

Bob Koch: I agree. We need to broaden our definition of hazardous waste. How do the rest of you feel? It is worthy of our consideration.

Clifford Clark: Yes. We should be addressing it. When we start looking at hazardous and toxic waste, whether in the ground or in the air.

Bob Koch: I think it deals with our values; Portland is in position to support burners.

Sharron Kelley: We should also be aware of that regional consensus--no one wants it.

Will Stark: It is possible to get a report on burners?

Rich Owings: Yes, a staff report.

Jim Gardner: Metro has been looking at burners for quite some time. It raises a whole set of questions about toxic dioxins. We are not sure that they are good enough to support. It's very complicated. We have set up an independent group to study impacts.

• how safe or dangerous

That will help us make our own decision.

Rich Owings: We can certainly make that report available to the committee.

Sharron Kelley: There is also a lot of information available from EPA testing.

Bob Koch: So you are updated on dioxin. You tell me is it safe?

Sharron Kelley: Yes, they are very safe.

Bob Koch: Where do dioxins go? Do they collect where they go?

Sharron Kelley: They are out there--we don't know where.

Steve Larrance: We also need to be concerned with what goes into burners.

Sharron Kelley: True, that makes a difference.

Steve Larrance: What changes do we need to do to our project work program?

Jim Gardner: We asked to actually adopt the plan instead of accept. We have some civic changes.

Eldon Mills: Private vs. public ownership "not to the exclusion of" motion.

?: Second.

Passed.

Will be amended.

Clifford Clark: How about hazardous waste?

Jim Gardner: Small business hazardous, toxic, non-including (but not limited to).

Motion. Second. Passed. Amendment accepted.

Jim Gardner: We will adopt work program later.

Bob Koch: Could our specific comments be given to the Technical Committee so they have a better understanding on helping to define hazardous waste?

Jim Gardner: Yes, any comments concerning a particular committee should be given to them. All those in favor of adopting the work program--just as a starting point, as a framework of policies...passed.

Clifford Clark: I move we eliminate rank order.

Accepted by consensus. Passed.