

Solid Waste Technical Committee
July 23, 1992

Members Present:

Estle Harlan, OSSI - Tri-County Council
John Drew, Far West Fibers
Delyn Kies, Washington County
Dave Phillips, Clackamas County
Meganne Steele, City of Portland
Emilie Kroen, City of Tualatin
Bob Kincaid, City of Lake Oswego
Lynda Kotta, City of Gresham

Metro Participants

Bob Martin, SW Director
Mark Buscher, SW Department
Terry Petersen, SW Department
Steve Kraten, SW Department
Mike Huycke, SW Department

Chair Bob Martin brought the meeting to order.

Approval of May 28 Meeting Minutes
Approval of June 26 Meeting Minutes

Mr. Martin introduced and welcomed two new members of the Solid Waste Technical Committee: Emilie Kroen of City of Tualatin and Bob Kincaid, City of Lake Oswego.

Estle Harlan made a motion to approve both meeting minutes and John Drew seconded the motion.

Delyn Kies asked for a correction on the May 28th meeting: Page 1, last paragraph: "taking up the matter of the Washington County Transfer fee . . ." should be Transfer RFF

With that correction, the Minutes were approved unanimously.

Updates

Mr. Martin announced that Terry Petersen's division is now fully staffed. He said after filling one or two staffing vacancies in one of the other divisions he will be able to complete the organizational chart as requested by the Committee.

Mr. Martin said the Request for Franchise for the transfer station which will serve the eastern portion of Washington County has been completed. Metro received only one Franchise application, from Willamette Resources. We are currently in the process of analyzing that application. The results of this analysis and its presentation to Council for action should be completed within the next couple of months.

Mr. Drew asked if there appeared to be any "organized" opposition to the construction of the transfer station to the southeast portion of Washington County, and what is the general feel of the Metro Council and other interested parties to this issue.

Mr. Martin did not feel there was any organized opposition, but felt there were some issues with regard to the proposal (or any proposal) that will be important to the Council when it comes forward, what it might do to the overall system rate, the amount of processing that is involved in the facility, how that processing is done and how it relates to recycling activities which already exist.

Mr. Martin said we have recently completed an update on the progress of Metro's activities in compliance with the longstanding DEQ order which has directed some of Metro's activities in the area of waste reduction. Mr. Martin said there were only two items remaining uncompleted in the order and Metro and DEQ are discussing issues related to those items. Mr. Martin said he felt confident that DEQ would agree that Metro has done a good job of maintaining the commitment to achieve the schedule of progress contained in the order. The next report is due in January and is scheduled to be the final report but Mr. Martin envisions a "progress report" will continue to be submitted to define Metro's progress for the next period of time and will address the Waste Reduction Work Program.

Estle Harlan asked if there was any consideration for establishing a "pelletizing" facility at Metro Northwest, or any other facility.

Mr. Martin said there were a number of people interested in the issue of producing a refuse derived fuel out of some component of the wastestream. He said the operator of the Metro Central facility has looked at some preliminary economics of doing that but has not made a conclusion as of this date. He said there was also a private company looking at the possibility of building such a facility in Newberg to supply refuse derived fuel to the SMURFIT plant, their main interest being to acquiring some dedicated portion of flow from the region. He said there had been a variety of persons looking at acquiring and reopening the Compost facility and combining that operation with a pelletizing operation. Residual from the Compost facility would be used to make a refuse fuel.

Ms. Harlan asked if a peletizing operation were to occur at any of the Metro franchised facilities, would it be an open process and bids let or would someone just take on the operation?

Mr. Martin said he had not given a lot of thought to that process as no one had approached him with a proposal at this point nor has Metro solicited proposals. Mr. Martin said it was hard for him to envision how you would open something like that independent of the current contract operator of one of our facilities. Mr. Martin added that there were problems associated with such an operation, i.e., somebody would have to install equipment and capitalize that equipment while Metro owns the facility and obviously the equipment will stay with the facility, although the contract can be renegotiated in two years. Mr. Martin said that any peletizing at the compost facility would most probably be linked with whoever comes in and attempts to operate that facility. However, Metro does not own that facility. Whether or not we would allow them to produce fuel pellets would depend on whether they do it competently, and whether they are pelletizing things that can't otherwise be recycled, etc.

Ms. Harlan said there were rumors concerning fuel pellets. Ms. Harlan said she had been specifically requested to ask the question and the individual was hoping that industry would have a chance to become involved with an open bid process.

There were no further updates

Discussion of the 1992-93 Metro Challenge Grant Program

Mr. Steve Kraten was introduced and gave a presentation of the Annual Waste Reduction Program and the Metro Challenge Grant Program. He said the Challenge Program is basically a grant program whereby funds are granted to local governments to help defray the costs of administering their annual waste reduction programs. Eligibility requirements require local governments to submit, adopt and implement an annual waste reduction program and must have substantially have completed their previous year's programs.

Mr. Kraten said upon the establishment of the grant program, a Resolution was passed specifying that appropriated funds would be allocated to local governments based on population. Population was determined by counting residents within cities which were within each County as well as within the Urban Growth Boundary (UGB). We are now proposing (by way of resolution) to make the entire 3-county area eligible for the grants as long as their waste is going into Metro's system. This is partly due to the Recycling Act establishing the three-county area as a single waste shed and also because those cities residents living outside the UGB are still contributing by way of fees to Metro for the waste being placed in our system. This would also apply to a couple of related grant programs: the Multi-family Container program and the Neighborhood Cleanups.

Dave Phillips commented that he definitely supported the new resolution in that he felt there had been inequities in the past, especially in unincorporated Clackamas County, especially inasmuch as Clackamas County has been offering the same type programs to everyone in the county including many of the cities outside the UGB.

Mr. Drew agreed that if you paid for the service (through taxes) you should reap some benefit or representation. Mr. Drew said that he noticed when DEQ had made a similar grant available for recycling and solid waste planning they had been received by more or less remote Oregon jurisdictions and he saw this as a similar service through the Metro challenge grants. Mr. Drew asked Mr. Kraten if he could give some examples as to parties that would be ineligible for this type of grant.

Mr. Kraten said that the primary criteria for eligibility would be that the waste is coming into our system and that they are within the tri-county boundaries. It would take in cities like Sandy, but off the top of his head could not indicate a city which sent its waste out of the region. He asked Mr. Phillips if he knew of any cities sending their waste outside the region.

Mr. Phillips said that part of Canby's waste went to Yamhill County.

Mr. Martin said that some of the cities outside the UGB were inside the tri-counties and were using the system so they would be remain eligible for the Metro challenge grant.

Mr. Phillips said that if a city did not submit their work program and appropriate reports for the year they would be ineligible for the funds.

Mr. Kraten said that a city outside UGB would either submit its own annual waste reduction program to Metro and have it approved, or go in on a joint program with another city or county.

Meganne Steele asked if there were other communities outside the Metro boundaries but within the tri-county area which only had a portion of their waste coming into the system and if so, how would Mr. Kraten accommodate an adjustment for grant eligibility.

Mr. Kraten said that taking Canby as an example, there were several possibilities: yes, no, or it could be divided up on the basis of how much of the waste is coming into our system and reduce the grant by the resulting percentage.

Bob Kincaid asked Mr. Kraten what, for instance, Lake Oswego would receive under the new formula vs. the old formula.

Mr. Kraten said he had run the program with two formulas, one showing the allocations as they would be if areas outside the boundary were not eligible and one using, for each county, the entire population of the unincorporated county. Mr. Kraten said he did not include cities outside the boundary. Mr. Kraten said there is a reallocation under those

circumstances from the cities to the counties. He said the amount each city loses is relatively small for most cities, somewhere between \$500 and \$1,000, most likely not enough to cause a serious impact on their programs. He said the effect on Washington County, for instance, where there is a joint program and all of the Metro challenge grants go directly to the county, it is virtually unchanged. He said that Clackamas county benefited considerably, about \$25,000, and the largest impact being on the City of Portland which would receive approximately \$18,000 less, this being the case because the City of Portland had the largest proportion of the funds. Mr. Kraten said that if cities sought to receive their Metro challenge funds directly, in that event counties might not benefit, but most likely they would.

Delyn Kies said that in the rural areas, if the monies were available to be spent, would they be able to implement some different kinds of programs? Ms. Kies said that in Banks (Washington County) they prefer a depot over roadside collection but would like to expand their depot, have it staffed more frequently, etc. If they could reach the same amount of recycling called for, would that be allowable?

Mr. Kraten said that one overriding factor is that everyone is required to meet the provisions of the Recycling Act and the Annual Waste Reduction Program. Mr. Kraten said that with regard to the Annual Waste Reduction Program is something everyone works on together and come to a consensus about and said it was his opinion they would do the same thing on the issue Ms. Kies was concerned with.

Ms. Kies asked what the timeframe was on applying for funds.

Mr. Kraten said they wanted to make the grants available to local jurisdictions at the earliest date possible. He said the programs were due July 1, 1992 and because of the new method of allocation it was critical that interested jurisdictions submit their programs as soon as possible in order that the funds could be released in this fiscal year. Mr. Kraten said they would discuss these programs at the next Waste Shed Programs.

Ms. Kies felt it was difficult to carry on with the implementation of programs without a definite idea as to funding allocations

Mr. Kraten said he had distributed a worksheet showing allocations to counties. Mr. Kraten said he didn't think the distribution of funds would vary enough to have a great impact on implementing programs. Mr. Kraten said that for Washington County the allocation was within a few hundred dollars of the original figure.

Ms. Steele said she was concerned with the equity issue related to the jurisdictions outside of the UGB and although she thought it was a reasonable proposal to open up the challenge grant program to the populations which are using the transfer facilities but felt there was a disproportionate benefit for those communities outside the UGB if the revenues were received based on tonnage and the allocation made based on population. Ms. Steele said her support for the change would be contingent upon some assurance that

there would be some adjustment factor if less than the whole community's waste was coming through the system. Ms. Steele asked if Mr. Kraten had considered moving to a tonnage based allocation screen for the entire regional area since revenues were coming in on a tonnage basis.

Mr. Kraten said they had not considered that alternative. He said that because of the way the trucks cross boundaries, it is difficult to get good numbers.

Estle Harlan added that commercial tonnage would be mixed in there as well.

Mr. Phillips pointed out that a tonnage based system would be inconsistent with the philosophy of offering incentives to reduce waste.

Mr. Martin presented the next agenda item: **Review and Comment on the Model Zoning Ordinance for Mixed Solid Waste and Recyclables Storage Areas in New Multi-Unit and Non-Residential Buildings.**

Mark Buscher introduced Mary Dorman, a consultant who helped develop the Model Ordinance.

Mr. Buscher said the purpose of the ordinance was to provide space in new development and any major expansion for solid waste storage and recyclable storage by providing physical space. Mr. Buscher said most of the focus heretofore with regard to recycling had been on single family housing. Mr. Buscher said Metro's goal was to help local governments in an effort to reduce duplication of developing research and background information necessary to implement the ordinance. Mr. Buscher said Metro was desirous to implement uniformity of standards throughout the region which would help developers respond to requirements for siting solid waste and recyclable storage areas and incorporate the provisions in their architectural plans. Mr. Buscher said the ordinance was fashioned more towards a guide. The input received from local governments indicated that sight plan review and zoning ordinances vary significantly in their format and it was hoped that this approach would facilitate fitting the model ordinance standards into local site plan review ordinances.

Mr. Buscher said he had been working with the Joint Land Use and Waste Reduction Subcommittee in order to receive input from local governments and the hauling community on how to best develop the model ordinance so it can be implemented efficiently and so that the resultant storage areas can be served efficiently. In addition, inquiries were sent to local governments to determine if they had existing recycling standards in their ordinances, and if not, what ideas they would like incorporated in the development of an ordinance. Mr. Buscher said their research indicated very few ordinances existed within local governments which deal with recycling standards. He said they received overwhelming comments indicating they desired an ordinance with objective and measurable standards in it rather than an ordinance geared toward performance

standards. Local governments desired something easy to review and implement within the site plan review process which is often times lengthy and complicated.

Mr. Buscher said the committee also developed four focus groups for multi-family, retail, institutional, and industrial development. He said individuals from these groups were interested in an aggressive ordinance. Mr. Buscher said after they developed the draft ordinance they requested input from other development groups to determine they were not unduly impacting the development community and issues related to taking away space dedicated for retail sales, industrial development and apartment complexes.

Mr. Buscher said the ordinance was being presented to the Solid Waste Technical Committee members for any new input they might have and that they were continuing to receive input from other sources as well. Mr. Buscher said there was no adoption action necessary for the document. He said it would be presented to local governments and that implementation of the ordinance would be through local governments taking the ordinance and putting it into their site plan review ordinances.

Ms. Dorman commented that the initial objective of the project was to keep everything as simple as possible. Ms. Dorman said that in addition to the minimum standards approach there was a desire for some alternative options for compliance. Ms. Dorman said this may have added more volume and complexity to the document than was originally desired.

Ms. Dorman said they focused on the threshold of five dwelling units to define multi-family because that was consistent with the State of Oregon (Senate Bill 66). Ms. Dorman said non-residential would be anything else from retail to office, industrial, institutional. Ms. Dorman said that rather than trying to regionally design the ordinance was designed to key in to whatever the local government requirement was in terms of full site plan review, the assumption being on new construction or extensive expansion.

Ms. Dorman then proceeded through the ordinance as submitted to the committee.

Mr. Drew asked if there were any type of standards similar in nature to the ones contained in the ordinance for defining solid waste collection in buildings.

Ms. Harlan said that in Clackamas County there was design review but nothing for existing structures.

Mr. Phillips said that basically if it was outside storage it received design review. Mr. Phillips said there had not been adequate review on the collection issue, especially on interior spaces. Mr. Phillips said the design review standards had been changed about a year ago to place a requirement that the waste hauler be contacted and receive an okay from him on the location (both for recycling and garbage collection).

Mr. Drew asked if it was customary to have a disclosure that says . . . the foregoing document or ordinance can be amended or superseded by more strict standards, or can be

amended by federal or state or Metro or local government standards, do you ever put any qualifying comment at the end of the document to indicate it is susceptible to further modification, or is that understood.

Mr. Buscher said it was understood, and it was not necessary to insert that language in the document. Mr. Buscher said there would be a cover document to local governments explaining the objectives and Metro's intention that it serve as a guide

Mr. Drew commented that on Section D "Franchised Hauler", that some local governments tend to "match the assets of the haulers with the requirements of their customers". He said that some commercial activities provide their own carriage vehicles for that material separate from the franchise hauler and sometimes other haulers besides the "franchised hauler" end up hauling the recyclables.

Mr. Buscher said they had dealt with that problem via the "waste assessment method" recognizing that larger businesses have specific means of handling their waste. The "franchised hauler method" was to avoid the need of having to obtain a zoning variance in order to erect their building.

Ms. Steele said she was concerned that a lot of staff time by people outside of the general fund areas might need to be expended and would it be appropriate to set a specific fee to recover costs in their refuse fund operations.

Mr. Buscher commented that concern might be addressed by alerting local governments to change their site plan review fees. He said they endeavored to minimize that work load by suggesting the solid waste coordinator review the ordinance.

Ms. Kies commented that some jurisdictions do not have a separate solid waste fund.

Mr. Phillips suggested it may save work for governments to conduct a review on the assessment followed by the waste audit a week after the establishment is opened up.

Emilie Kroen said it had been her experience that in establishing the multi-family depots, that the most successful depots were those that were not co-located (garbage and recyclables) because there was no contamination and there are so many more garbage enclosures vs. recycling enclosures. Ms. Kroen wondered if co-location was something Metro was firm on or could local governments make their own choice.

Mr. Buscher said they could state that although recyclables and garbage containers need not be together in the same enclosure, the enclosures should be placed next to one another. Mr. Buscher again stated that the model ordinance was a guide or tool, if you will, and that local governments could choose what worked best for them. Mr. Buscher said the model ordinance was an effort to bring some standardization so developers have an understanding they have to meet certain standards.

Ms. Kroen said another question is how they might incorporate within the model ordinance something to help solve the problem of "the use that changes -- or the need that will change tomorrow".

Ms. Dorman said there was consideration for that problem when establishing the minimum standards for containers and enclosures.

Mr. Buscher urged committee members to call him with any comments, suggestions or changes they might have.

Mr. Martin suggested that the meeting was running late and the last agenda item be postponed until the next meeting, August 28.

Mr. Martin asked Mr. Buscher what the next step was for the Model Ordinance.

Mr. Buscher said the model ordinance would be presented to the Solid Waste Policy Committee for comment and review, and then to the Council for an update. Mr. Buscher said there was no action required, no adoption.

The meeting was then adjourned.