

Metro | Agenda

Meeting: Solid Waste Alternatives Advisory Committee (SWAAC)
Date: Wednesday, September 10, 2014
Time: 10 a.m. to 12 p.m. (noon)
Place: Metro, Council Chambers

The purpose of the Solid Waste Alternatives Advisory Committee is to develop policy options that, if implemented, would serve the public interest by reducing the amount and toxicity of waste generated and disposed, or enhancing the effectiveness and sustainability of the system through which the region's solid waste is managed.

10 AM **1.** **CALL TO ORDER AND DECLARATION OF A QUORUM** **Matt Korot, Chair**

10:02 AM **2.** **COMMENTS FROM THE CHAIR AND COMMITTEE MEMBERS**

10:07 AM **3.** ****** **CONSIDERATION OF SWAAC MINUTES FOR AUGUST 13, 2014**

10:10 AM **4.** ****** **UPDATE ON COMMUNITY ENHANCEMENT PROGRAM CHANGES** **Roy Brower, Metro**
Bill Metzler, Metro

Purpose:

- To update SWAAC on the progress of changes to the Solid Waste Community Enhancement Program.
- To get members' input on proposed program elements that have been added since SWAAC last discussed the changes.

Outcomes:

- SWAAC members understand the process through which the changes will be reviewed by stakeholders and considered by the Metro Council.
- Input from SWAAC on new proposed program elements.

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- 10:30 AM** **5. ** OREGON DEPT. OF ENVIRONMENTAL QUALITY'S DRAFT MATERIALS MANAGEMENT LEGISLATIVE CONCEPT** **David Allaway, DEQ
Leslie Kochan, DEQ
Andy Sloop, Metro**
- Purpose:*
- To inform SWAAC about DEQ's draft 2015 legislative concept that would update waste reduction goals and the Recycling Opportunity Act, and provide funding to implement the 2050 Materials Management Vision and Framework.
 - To get members' input on the potential impacts of the draft legislation on the regional solid waste system and its stakeholders.
- Outcomes:*
- SWAAC members understand DEQ's draft legislative concept.
 - Input from SWAAC to DEQ.
 - Input from SWAAC that will be shared with the Metro Council, particularly in response to these questions:
 - a. What do you think about DEQ's specific proposals for recovery and waste generation goals for the Metro region?
 - b. What do you think would be the implications of the draft legislation for the Metro region's solid waste system?
 - c. How would the proposed legislation specifically affect your jurisdiction and its residents, or your business and industry?
- 11:50 AM** **6. CITIZEN COMMUNICATIONS TO SWAAC AGENDA ITEMS**
- 11:55 AM** **7. NEXT MEETING'S AGENDA AND FINAL COMMENTS** **Matt Korot, Chair**
- 12 PM** **8. ADJOURN**

- * Material available on the Metro website.
 ** Material will be distributed in advance of the meeting.
 # Material will be distributed at the meeting.

Upcoming SWAAC Meetings:

- Wednesday, October 8 from 10 a.m. to 12 p.m. (noon) at the Metro Regional Center
- Wednesday, November 12 from 10 a.m. to 12 p.m. (noon) at the Metro Regional Center

For agenda and schedule information, call Matt Korot at 503-797-1760, e-mail: matt.korot@oregonmetro.gov.
 To check on closure or cancellations during inclement weather please call 503-797-1700.

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Metro | *Meeting minutes*

Meeting: Solid Waste Alternatives Advisory Committee (SWAAC)
Date: August 13, 2014
Place: Metro Regional Center, Council Chamber

Members present

Dan Blue, City of Gresham
Kathy Kaatz, City of Tualatin
Scott Keller, City of Beaverton
Leslie Kochan, Oregon Dept. of Environmental Quality
Theresa Koppang, Washington County
Matt Korot, Metro
Mike Leichner, Pride Disposal
Keith Ristau, Far West Fibers
Alando Simpson, City of Roses Disposal & Recycling
Bruce Walker, City of Portland

Members Absent

Amy Pepper, City of Troutdale
Amy Roth, Association of Oregon Recyclers

Guests

Doug Anderson, Metro
Ken Ray, Metro

1. CALL TO ORDER AND DECLARATION OF A QUORUM

Chair Matt Korot called the meeting to order and declared a quorum.

2. COMMENTS FROM THE CHAIR AND COMMITTEE MEMBERS

Chair Korot review the agenda items and reminded members that Susan Milhauser had resigned from the committee.

3. CONSIDERATION OF SWAC MINUTES FOR JULY 9, 2014

The minutes of the July 9, 2014 Solid Waste Alternatives Advisory Committee meeting were approved as written. A motion to approve was made and seconded.

4. LET'S TALK TRASH UPDATE

Ken Ray, Metro Communications, presented an update on Metro's Let's Talk Trash series, through which Metro is trying to reach a broader base of individuals who want to be engaged in the discussion of solid waste management. Since May, multiple events have engaged people across the region, with additional events scheduled for fall, including the Let's Talk Trash Film Contest,

in partnership with the Northwest Film Center, and an event currently in the planning process that will focus on the region's food waste. More information can be found on Metro's website, www.oregonmetro.gov/letstalktrash. Mr. Ray said he welcomes input and suggestions for speakers, places to go, topics, and sharing information through social media channels. Mr. Ray can be reached at 503-797-1508 or ken.ray@oregonmetro.gov.

5. SOLID WASTE ROADMAP: TRANSFER SYSTEM CONFIGURATION PROJECT

Doug Anderson, Metro, spoke about the Transfer System Configuration project (see presentation).

Bruce Walker, City of Portland, asked for clarification of the phrase "vertically integrated companies" on slide 27. Mr. Anderson replied that the project is not regarding vertically integrated in any strict sense. If you have two or more legs of the system (collection, transfer, landfill), that would fall within the definition. Mainly, he said, we're trying to ascertain differences between the truly independent hauler and those with other functions to see where points of view converge or don't. In the reconnaissance phase, we are trying to understand all points of view.

Mr. Walker also asked for clarification on the work groups. He asked how Mr. Anderson is anticipating addressing issues in such subgroups. Mr. Anderson replied that he is still flexible, because until the reconnaissance phase is done he won't know the hot button issues. Metro is committing to a work group-type process, but the actual form won't be known until later.

Theresa Koppang, Washington County, asked for clarification of the phrase "content of regulatory instruments" on slide 37. Mr. Anderson replied that a primary example of this is the tonnage caps, in which Metro sets the amount of wet waste that private transfer stations can accept. The caps issue is a shorter term one that we know we have to address. It may or not relate to the post-2019 situation.

Alando Simpson, City of Roses Disposal & Recycling, asked for confirmation of the question "Are there alternatives that would do a better job?" on slide 16. Mr. Anderson reminded the committee that this is why we are doing the reconnaissance phase. Nothing's been decided and that's why we want an open dialogue with stakeholders.

Dan Blue, City of Gresham, stated that the project title implies Metro is looking at status quo in terms of transferring material away from the region. Is that an accurate description or, if you are truly looking at all alternatives, does transfer away from the region have to be highlighted? Mr. Anderson replied that it does not have to be just about transfer, so there may be a labeling issue to which he had not been sensitive.

Mr. Simpson asked for confirmation of the word "internalization" on slide 20. Mr. Anderson replied that internalization is a measure of the degree to which a vertically integrated company directs the waste it controls to its own landfills. Conventional wisdom is that landfills are potentially very high profit entities. Mr. Anderson stated that it's his belief that if nothing is done, the forces of internalization will help shape what the system looks like after the 90% tonnage guarantee to Waste Management goes away after 2019, because there are other players that may come in with a motive to acquire haulers and transfer stations to feed large regional landfills. It's a dynamic that's sitting in the closet and is on our radar screen.

6. CITIZEN COMMUNICATIONS TO SWAAC AGENDA ITEMS

Thane Tienson, representing NatureWorks, asked for confirmation about the role of the Metro Council, whether advisory or decision-maker. Mr. Anderson replied that the Metro Council has a decision-making role in terms of both short-term issues and adoption of long-term policies. The

plan now is to forward recommendations to the Council in November/December 2015. Mr. Tienson noted that his client does not fit into the initial group of stakeholders, and asked what role they will play in the process. Mr. Anderson replied that the stakeholders he mentioned today are just an initial group and additional stakeholders will continue to be identified and included throughout the process. Mr. Anderson asked Mr. Korot to speak to how this integrates with the food scraps capacity project process. Mr. Korot responded that we have an engagement with Council at a work session in November to share the initial set of options for increasing capacity. At that point, Council will give us direction on where they want staff to focus its research. We would come back to Council for actual decision-making in 2015.


Doug Drennen, JR Miller, referenced the Metro South alternatives study and was curious how that study and its process and progress dovetails with the current project. Mr. Anderson replied that the Metro Council has asked to hear the Solid Waste Roadmap projects in order of Food Scraps, Long Term Management, Transfer System, Metro South and Finance, in that order (see slide 6), to better understand higher level system issues and to get an idea of what policies might be coming out of the transfer station project that may affect Metro South.


7. PREVIEW OF THE NEXT MEETING'S AGENDA AND FINAL COMMENTS

Mr. Korot said the September 10, 2014 SWAAC meeting will be a discussion of the components of DEQ's draft Materials Management legislative packet, including goals and measures for the Metro region, potential changes to the Recycling Opportunity Act and some of the financial elements. The reason for holding this discussion at SWAAC is that the Metro Council develops its legislative priorities prior to each session and we want to be able to provide Council with your input and staff's analysis to inform Council's decision on whether to make the DEQ package a priority. Leslie Kochan and David Allaway will present on the package and then our discussion will hone in on the potential impact to the Metro region. In addition, Roy Brower and Bill Metzler will give an update on changes to Metro's community enhancement grant programs.

8. ADJOURN

Chair Korot adjourned the meeting at 11 a.m.

 Metro | Memo

Date: September 10, 2014
To: Solid Waste Alternatives Advisory Committee (SWAAC)
From: Roy W. Brower, Solid Waste Compliance and Cleanup Manager 
Re: Final Draft Updates to Metro's Solid Waste Community Enhancement Program

I want to thank you for your assistance and input to Metro as we developed proposed updates to the Solid Waste Community Enhancement Program. In October, the Metro Council will be considering final changes and adoption of this program. The purpose of this memo is to update you on the proposed changes and solicit any final comments you may have at the upcoming September 10 SWAAC meeting.

In our previous presentation to you at the March 12, 2014 SWAC meeting, we described Metro's existing program and discussed several proposed program updates (see attached **Summary of Key Program Elements**). These changes have now been more fully developed for consideration by the Metro Council in October (tentatively set at the October 30 meeting). Prior to making a decision, the Metro Council will hold a public hearing on the proposed recommendations. This matter will also be considered at the Metro Policy Advisory Committee on September 10, 2014.

For your reference and review, I have attached a **summary of the key program elements** for updating the solid waste community enhancement program.

The following three additional items are available upon request:

- **Draft Metro Code Chapter 5.06 – Solid Waste Community Enhancement Program.** This is the “high-level” constitutional changes to Metro Code Chapter 5.06.
- **Draft Administrative procedures.** These are the detailed implementation provisions for the program and work in conjunction with Metro Code Chapter 5.06.
- **A draft intergovernmental agreement (IGA) template.** This will serve as the basis for an agreement between Metro and a local government that chooses to directly implement a solid waste community enhancement program.

These items are being shared with other stakeholders (e.g. host local governments, industry representatives and targeted neighborhood associations) and are intended to work together to re-set the solid waste community enhancement program, establishing a framework for future program implementation and administration.

You will recall that under the current program, a fee (\$0.50 per ton) is collected on solid waste at Metro Central Station, Metro South Station and the Forest Grove Transfer Station. The funds are used for community enhancement grant projects in the vicinity of each of these solid waste facilities. Effective July 1, 2015, the proposal will increase the fee at existing facilities to the state maximum of \$1 per ton, and expand

the program to include other eligible solid waste facilities located in Troutdale, Sherwood, Wilsonville, and Portland (see Table 1 below).

Table 1 – Solid Waste Community Enhancement Program

Solid Waste Facility	Community	Currently Collected (FY 2014-15)	To Be Collected (FY 2015-16 estimated)
Metro South	Oregon City	\$133,000	\$266,000
Metro Central	Portland	\$130,000	\$260,000
Forest Grove Transfer Station	Forest Grove	\$ 54,000	\$108,000
Willamette Resources, Inc.	Wilsonville	\$ 0	\$ 70,000
Pride Recycling	Sherwood	\$ 0	\$ 70,000
Troutdale Transfer Station	Troutdale	\$ 0	\$ 70,000
Recology Suttle Road Recovery	Portland	\$ 0	\$ 12,000

Implementing a community enhancement fee of \$1.00 per ton at all eligible facilities will result in about a 75 cent per year increase to a typical residential ratepayer (or around 6 cents per month) in curbside disposal charges. [This increase is based on an estimate of a typical household in the region disposing of 1,500 pounds or 0.75 tons of solid waste each year. The impact on commercial rates will vary based on the type of business, volume of recycling and disposal each year.]

Key Question for SWAAC

- Does SWAAC have questions or comments about the newer proposed program elements (refer to attached Key Program Elements Summary #6 through #10)?

Next steps:

1. September 10. Metro Policy Advisory Committee (MPAC) briefing.
2. September 30. Staff will file Ordinance with Council office.
3. October 16. Metro Council meeting - first reading of the ordinance.
4. October 21. Metro Council work session to discuss program changes.
5. October 30. Metro Council meeting – second reading, public hearing and decision on the ordinance.
6. Nov. 2014 – May 2015. Staff will negotiate IGAs with local governments or enhancement committees.
7. July 1, 2015. Fee increase and new fee collection begins. Program fully implemented.

Key Program Elements Summary

Metro's Solid Waste Community Enhancement Program Update

Solid Waste Alternatives Advisory Committee - September 10, 2014

The following is a summary of the key program elements for updating Metro's Solid Waste Community Enhancement Program - Metro Code Chapter 5.06. Updates will also include administrative procedures and an IGA template that will guide program implementation. Metro staff has presented these key program elements to Metro Councilors and various local government, industry and community stakeholders for discussion and policy guidance. Program elements #1 through #5 were previously shared with local government and industry stakeholders, while program elements #6 through #10 were recently added to complete the program framework.

Previously reviewed program elements (#1 through #5)

The key elements of the updated program will:

1. Be based in state law.

- Update and improve Metro's existing program (Metro Code Chapter 5.06) based on state law (ORS 459.284). Future program changes will be guided by the state statutory framework.

2. Specify which solid waste facilities and activities are eligible.

- Eligible facilities include landfills, transfer stations, energy recovery, reloading and composting facilities.
- Ineligible facilities under state law include reuse, recycling and material recovery facilities.
- Yard debris-*only* reload and composting facilities are not included pending further evaluation.

3. Be implemented at all eligible solid waste facilities inside the Metro region.

- An enhancement fee will be collected at all eligible solid waste facilities.
- Enhancement fees will be collected on each ton of putrescible waste delivered to the facility (including food waste mixed with yard debris). Funds will be used for enhancement of the area around the facility.
- An enhancement program will be set up for each eligible facility. An advisory committee will be established to determine the enhancement boundary and to select projects for the enhancement area.

4. Increase the enhancement fee from \$0.50 to \$1.00 per ton.

- Increase the amount of the fees from \$0.50 to \$1.00 (maximum allowed under current state law) on July 1, 2015 (based on inflation since 1988).

5. Provide options for program implementation and coordinate with the host local government.

- Establish a process to implement and administer programs at eligible facilities. Options include:
 - *Metro-administered committee.*
 - *Local government-administered committee.* Host local government to establish or serve as the enhancement committee and administer the program via an intergovernmental agreement (IGA) with Metro. Host Metro councilor involvement as the committee co-chair or committee participant.
 - *Metro contract with non-profit or neighborhood organization.* When a local or a Metro-administered committee is not practical.

Newer program elements added after April 2014 (#6 through #10)

6. Allow administrative cost reimbursement from the fund.

- The funds may be used to reimburse actual administrative costs, for local governments or Metro, up to 20% based on the amount of the annual enhancement program fund (but no more than \$50,000 for any committee or local government administering the program).
- Administrative costs in excess of the cap shall not be borne by the enhancement fund.

7. Allow local governments to sponsor projects from the fund.

- Funding criteria will allow use of program funds for local government projects and other publicly sponsored projects on a case-by-case basis.
- The total amount available to one or more local government sponsored projects will be up to fifteen percent (15%) of the funds in each funding cycle, or as otherwise established in an IGA with the host local government.
- Local government-sponsored projects will be treated like all other applicants with the same application and review procedures set forth by the committee.
- *The direct transfer and use of enhancement fees to a local government general fund will not be allowed.*
- Program funds cannot be used to replace other readily available federal, state or local funds.

8. Establish general program funding eligibility criteria.

- Broad regional funding criteria applicable to all program applicants. They are based largely on time-tested criteria used in existing programs; providing flexibility to meet the needs of different host communities.
- Allows local adoption of more narrow criteria to meet needs of host community.

Examples of funding criteria:

- Be within the boundary specified by committee.
- Non-profits, neighborhood associations, charitable organization, schools are all eligible.
- Local government access to funds for sponsored projects.
- All applications must go through the committee review process.

9. Establish general program funding goals.

- Based on existing time-tested program funding goals used by the Metro Central Enhancement Committee.
- A committee may adopt additional goals to meet needs of the host community.

Examples of funding goals:

- Result in improvement to appearance or environmental quality of area.
- Benefit populations most directly impacted by facility, including underserved populations.
- Broad coverage of projects e.g. reduce toxicity, increase reuse/recycling, rehabilitation of property, enhance wildlife, riparian or wetlands, improved recreational opportunities.

10. Provide a dispute resolution process.

- Metro's Chief Operating Officer reviews and notifies host local government, committee and host councilor about nature of dispute, and sets process and timeframe in which to resolve any dispute.

Summary of Proposed (Draft) Materials Management Legislative Concepts
Prepared by Oregon DEQ for Metro Solid Waste Alternatives Advisory Committee
August 28, 2014

At its September 10, 2014 meeting, the Metro Solid Waste Alternatives Advisory Committee (SWAAC) will discuss legislative concepts that DEQ is developing for possible introduction in 2015. This paper summarizes key elements of the proposed legislation.

Background

In December 2012 the Environmental Quality Commission adopted *Materials Management in Oregon: 2050 Vision and Framework for Action*. This document meets the statutory requirement that the state periodically update its statewide solid waste management plan. While the *2050 Vision* addresses solid waste management, it does so in the context of a broader framework, a shift from narrow “solid waste management” to broader “materials management.”

The 2050 Vision is: *Oregonians in 2050 produce and use materials responsibly – conserving resources – protecting the environment – living well*. The *Framework for Action* describes a set of actions necessary to realize this positive vision of the future.

Following adoption of the *2050 Vision and Framework for Action* DEQ prioritized these actions. One project identified as a high priority action for the near term is to update Oregon’s existing statutes in the areas of recycling opportunities, goals and measures, and stable, sustainable funding for DEQ.

In 2013 DEQ convened a Materials Management Workgroup and three sub-groups (recycling opportunities, goals and measures, sustainable funding) to identify, evaluate, and recommend potential statutory changes. These four groups, involving over ninety participants, have met in total 19 times (to date). The Materials Management Workgroup will meet again in November to review draft legislation. DEQ is also meeting with representatives of government and industry, as well as community members, across the state to discuss the draft legislative concepts. The Metro SWAAC meeting scheduled for September 10 is one of more than thirty such meetings across the state.

This document provides a summary of DEQ’s current thinking regarding proposed legislation, with a focus on changes that may impact local communities (as opposed to “housekeeping” or administrative changes). Feedback provided by stakeholders in the Metro watershed, as well as the rest of the state, will help shape DEQ’s final legislative proposals.

Recycling Opportunities

Proposed changes address two issues: 1) “program element” requirements of local governments, and 2) providing tenants of rented/leased buildings the opportunity to recycle.

Statute currently requires that each city with a population of more than 10,000 or that is within a metropolitan service district (regardless of population) must implement 4 or 5 “recycling program elements” (such as curbside recycling, yard debris composting, expanded education, etc.) chosen from a list of 9 options. Other cities with populations over 4,000 must implement 3 recycling program elements.

Counties must do the same for unincorporated areas inside the urban growth boundaries of those cities. Cities and counties may also comply by obtaining approval for an "alternative" program.

DEQ's current proposal includes the following:

- Maintain existing program elements.
- Modify the expanded recycling education element to include actions to reduce contamination in recyclables.
- Add 4 new recycling elements that cities and counties can choose from:
 - Commercial recycling program requiring source-separation of recyclables by businesses that meet certain criteria.
 - Residential curbside food waste collection program.
 - Dry waste recovery program targeting construction and demolition materials.
 - Mandatory food waste collection program requiring non-residential generators meeting certain criteria to source-separate food waste for recovery.
- Add 8 new waste prevention and reuse elements as a separate track. These 8 elements are taken from the best of the existing "2 percent recovery rate credit programs
- Increase the number of required elements, based on population and distance to major commercial centers/markets:
 - In the Metro district, all cities would be required to implement 3 new recycling program elements for a total of 7 or 8 program elements from a list of 13 (up from today's requirement of 4 or 5 elements from a list of 9), and would also need to implement 5 of the waste prevention and reuse elements.
 - Other cities of more than 50,000 population within 180 miles of Portland would need to implement 2 new recycling program elements (total of 6 or 7), and also 5 of the waste prevention and reuse elements.
 - Other cities between 10,000 and 50,000 population within 150 miles of Portland would need to implement 1 new recycling program element (total of 5 or 6) and also 3 of the waste prevention and reuse elements.
 - Other cities between 4,000 and 9,999 population within 120 miles of Portland would either have to implement 1 new recycling program element (total of 4) or 3 new waste prevention and reuse elements.
 - Cities of more than 50,000 population that are more than 180 miles from Portland would need to implement 5 waste prevention and reuse elements, but would not have any additional recycling program elements.
 - All other cities would not have any additional program elements required, but could substitute 3 waste prevention and reuse elements for one of the existing recycling program elements.

Many cities are already offering more services and programs than currently required by law. DEQ's preliminary evaluation shows that while cities within the Metro district are already providing more programs than currently required, some additional effort might be necessary to fully implement 5 of the New Waste Prevention & Reuse Program Elements. These new program elements can be implemented at the city or county level or Metro-wide.

Separately, DEQ also proposes clarifying the meaning of "opportunity to recycle." Under current law, the "opportunity to recycle" includes a requirement that all collection service customers must be provided with on-route recycling collection. For multifamily or multi-tenant commercial properties though, the "collection service customer" is currently considered to be the owner or property manager rather than the tenants, so tenants may not be provided with recycling collection. DEQ is proposing to amend the definition of "collection service customer" in this part of statute, effective July 1, 2022, to include the tenants as well as the property owner – both to increase waste recovery and as a matter of equity. DEQ proposes supporting enhanced multi-tenant recycling with new staff and research to identify and support implementation of best practices. DEQ is interested in understanding what effect, if any, this change might have for Metro area tenants in residential and commercial properties considering that Metro area cities already have requirements as part of the multifamily recycling program and the Business Recycling Requirements.

Goals and Measures

Goals are important for a variety of reasons, not the least of which that they signal what is important. Oregon currently has statutory statewide goals for waste recovery and waste generation, and goals at the level of individual “wastesheds” for recovery.

DEQ’s proposal for statutory changes to goals includes the following:

- Update the statewide and wasteshed recovery goals.
- Provide alternative, outcomes-based wasteshed recovery goals, with associated alternative methods for estimating recovery rates. In summary, this would involve calculating wasteshed recovery rates both measured in tons (current practice), and also measured in one or more environmental outcomes (such as energy savings). Wastesheds (including Metro) would then have more than one pathway by which to achieve goals. The intent of this proposal is to focus effort on those materials and practices that yield more significant environmental benefits, as opposed to the current system, where all materials and waste recovery methods are treated equally.
- Add new statewide waste recovery goals for specific materials (food waste, plastic, and carpet).
- Eliminate 2% recovery rate credits (for waste prevention, reuse, and home composting) and replace them with waste prevention and reuse program elements, and updated waste generation goals (see next bullet point).
- Update the statewide waste generation goal, and consider adding a waste generation goal for Metro, the state’s largest wasteshed.

In addition to these proposed statutory changes, DEQ also proposes providing wastesheds and others with several informational measures, including the climate and energy impacts of both recovery and waste generation, updated waste composition studies (including a measure of “good stuff” remaining in the waste stream), updates to Oregon’s consumption-based greenhouse gas emissions inventory, and an extension of that inventory model to include other environmental measures, starting with Oregon’s ecological footprint.

DEQ is seeking input from each wasteshed regarding possible new recovery goals.

Metro Wasteshed Recovery Goal

Currently, Oregon's statewide recovery goal is 50% (including credits); for 2012, Oregon's statewide recovery rate was 53.4% (including credits) and 49.7% (without credits). Metro's current goal is 64% (including credits). For 2012, Metro's recovery rate was 62.2% (including credits) and 56.2% (without credits). These goals were set by the Legislature in 2001 for calendar year 2009.

DEQ is proposing updated statewide recovery goals of 52% by 2020 and 55% by 2025. Both goals exclude two percent credits for prevention, reuse, or home composting. These proposed goals are based on a review of waste composition and generation, expected future changes in waste generation, existing material-specific recovery rates, and an assessment of potential recovery rates for specific materials in the future.

Achieving higher statewide recovery rates requires an increase in recovery in Oregon's different wastesheds. DEQ believes that the greatest potential for increasing recovery lies in the urban communities of the Willamette Valley, and is proposing that the state's three largest wastesheds (Metro, Lane and Marion) do more to increase recovery than other parts of the state. Specifically, DEQ is discussing with each of these three wastesheds an increase in local recovery goals such that goals would be 8 – 10 percentage points higher in 2025 than recent calculated (without two percent credits) 2012 recovery rates.

For Metro, this translates into a possible 2025 recovery goal of 64 – 66% up from 56% in 2012 (both numbers omit credits for waste prevention, reuse, and home composting). DEQ is not proposing to set interim (2020) goals for wastesheds. DEQ further proposes that wasteshed goals be largely aspirational. With the exception of communities with approved "alternative" recycling opportunity programs, DEQ proposes no future regulatory consequences for wastesheds that do not achieve their goals. In the case of the Metro region, DEQ believes that a higher goal will support ongoing efforts to strive for improvements in waste recovery. DEQ would work with Metro (and other wastesheds) to achieve this goal.

Metro Waste Generation Goal

Waste generation, the sum of recovery and disposal, is a crude proxy for materials use. Generation is reduced through waste prevention and reuse, the two highest-ranked methods of managing waste in Oregon's statutory waste management hierarchy.

Oregon's existing waste generation goal is awkwardly written and can be interpreted in several different ways. In essence it calls for no increase in future waste generation. This goal expresses a philosophy that the state should "not get worse", even if existing levels of materials use and waste generation are not environmentally sustainable.

DEQ is proposing new statewide goals for waste generation as follows:

- Total waste generation 15% below 2012 levels by 2025.
- Total waste generation 40% below 2012 levels by 2050. This is comparable to reducing waste generation to 1990 levels by 2050.

These proposed goals somewhat mirror existing statewide goals for reducing greenhouse gas emissions. The state's goals for reducing emissions include a goal of emissions to be 75% below 1990 levels by

2050. Oregon has a related goal to reduce transportation-related emissions by the same amount; in other words, the transportation sector should contribute proportionately to the state's emissions reductions. If the materials/waste sector were to do the same, then the emissions associated with materials/waste would need to be 75% below 1990 levels by 2050. These emissions can be thought of as the product of two variables: the *quantity* of materials (waste generation) multiplied by the average *emissions intensity* (emissions per ton) of materials, which in turn is a function of the mix of materials, how they're made, and how they're managed at end-of-life. For example, if waste generation can be returned to 1990 levels, and the emissions intensity of materials/wastes can be reduced to 75% below 1990 levels, then overall reductions in materials/waste emissions would contribute proportionally to the state's greenhouse gas reduction goals. As it turns out, Oregon does not have a formal accounting of 1990 waste generation levels (recordkeeping started in 1992) but a projection of 1990 waste generation equates to roughly 40% below 2012 waste generation.

DEQ recommends that Metro consider a wasteshed generation goal that is comparable to the state's. As with the wasteshed recovery goal, this goal would be entirely aspirational, with no regulatory consequences if the goal were not met. DEQ would work closely with Metro to achieve these shared goals.

Funding

DEQ's Materials Management Program is funded almost exclusively by per-ton fees on waste disposed in Oregon. These fees were last set in 1991 and have never been adjusted for inflation. Throughout much of the last 23 years, waste disposal tonnages rose alongside inflation. However, since 2008, disposal tonnages have fallen significantly, and are now within 10 percent of baseline (1992) levels. As a result, DEQ has been forced to make significant cuts, including approximately 24% of staff positions in the Materials Management Program and almost all grants and household hazardous waste services. Even if disposal tonnage stops falling and remains stable, the ongoing effects of inflation will lead to additional cuts. Rather than making progress towards the 2050 Vision, Oregon will move backwards.

To reverse this trend, restore recent funding cuts, and provide a stable foundation from which to work towards achieving the 2050 Vision, DEQ proposes the following:

- Increase solid waste disposal tipping and permit fees.
- Reduce the waiver of solid waste disposal tipping fees currently allowed for wastes used in alternative daily cover.
- Apply the full solid waste disposal tipping fee to demolition landfills and tire landfills.

DEQ proposes that the solid waste disposal tipping and permit fees be changed effective 2016, with the other fees effective in 2019. A fee adjustment mechanism (to respond to future inflation and fluctuations in disposal tonnage) would provide funding stability within the constraints of spending limitations established every two years by the Legislature and Governor. Recognizing the long-term unsustainability of relying exclusively on disposal tonnage, DEQ's proposal would also require a report to the Legislature on longer term funding options (by 2022) and would allow for a small per-ton fee on compost facility feedstocks if certain conditions are met (primarily, if disposal tonnage continues to fall).

Funding would be used to stabilize DEQ's budget, avoid further cuts in programs and services, restore several recently cut services, and add several new services. Proposed restored and new services include:

- Expanded efforts to increase waste recovery.
- Restored collection of high-impact toxic chemicals.
- Enhanced waste prevention and “upstream” work, including programs to reduce the generation of food waste, expand the state’s reuse and repair infrastructure, improve procurement and material selection in public sector purchasing and the building industry (for example, to reduce toxic chemicals in products), and work to help Oregon businesses prevent waste and reduce the environmental impacts of production, materials and design (including use of recycled materials, where appropriate).
- New goals and measures, statewide capacity building for environmental life cycle analysis, and improved statewide education and information.

DEQ's proposed funding request would generate approximately \$3.5 million annually (in today's dollars) once fully phased in (2019). This would include funds for grants to local governments to support recovery, hazardous waste, and waste prevention projects. If current disposal trends continue, approximately 40 percent of this new revenue would ultimately be paid by out-of-state waste generators that send waste to Oregon for disposal.



Discussion of DEQ Draft Materials Management Legislative Concept

Metro SWAAC

September 10, 2014



Background

- EQC adopted DEQ 2050 Vision/Framework in 2012
- Near-term priority actions include updating ROA, goals/measures, funding
- DEQ convened Materials Management Workgroup in 2013 to evaluate and recommend potential statutory changes
- DEQ seeking stakeholder feedback from wastesheds on draft legislative concept
- Metro preparing to set 2015 legislative priorities

Purpose

- Inform SWAAC about DEQ's draft 2015 legislative concept that would update goals, ROA and funding
- Get SWAAC members' input on potential impacts of legislation on regional solid waste system and stakeholders.

Desired Outcomes

1. SWAAC members understand DEQ's draft legislative concept
2. Input from SWAAC to DEQ
3. Input from SWAAC that will be shared with the Metro Council

Agenda Details

Topic	Time
DEQ Background Presentation	10 mins
Q&A on DEQ Presentation	10 mins
SWAAC Discussion	45 min
Public Input	5 mins



DEQ Overview of Draft Legislative Concept

David Allaway, Policy Analyst, DEQ

Leslie Kochan, Waste Reduction Specialist, DEQ NW
Region



Discussion Questions

1. What do you think about DEQ's specific proposals for recovery and waste generation goals for the Metro region?
2. What do you think would be the implications of the draft legislation for the Metro region's solid waste system?
3. How would the proposed legislation specifically affect your jurisdiction and its residents, or your business and industry?

Question #1

What do you think about DEQ's specific proposals for recovery and waste generation goals for the Metro region?

Question #2

What do you think would be the implications of the draft legislation for the Metro region's solid waste system?

Question #3

How would the proposed legislation specifically affect your jurisdiction and its residents, or your business and industry?

Post-SWAAC Process

- Staff discuss legislative concepts with Metro Legislative Affairs Manager Randy Tucker.
- Senior management and Council identify concepts of most interest to Metro.
- Council refines its legislative priorities and establishes them by resolution



**Draft DEQ Materials Management
Legislative Proposals**

**Metro SWAAC
September 10, 2014**

Oregon Department of Environmental Quality

**David Allaway
Leslie Kochan**

Materials Management: Draft Legislative Proposals

Outline

- Background:
 - 2050 Vision
 - Materials Management Workgroup
- Draft Legislative Proposals:
 - Recovery
 - Goals and Measures
 - Funding



State of Oregon
Department of
Environmental
Quality

Materials Management: Draft Legislative Proposals

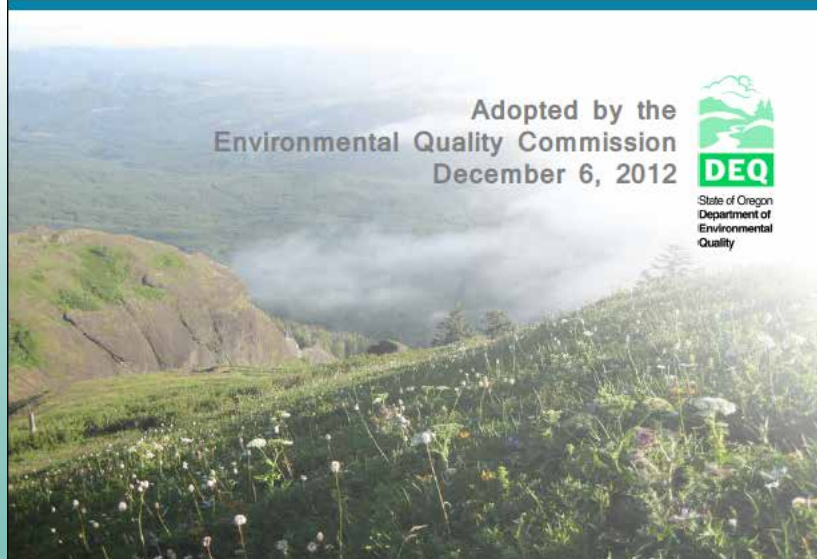
Materials Management in Oregon

2050 Vision and Framework for Action

Adopted by the
Environmental Quality Commission
December 6, 2012



State of Oregon
Department of
Environmental
Quality





Materials Management: Draft Legislative Proposals

2050 Vision Statement

*Oregonians in 2050 produce and use materials responsibly
conserving resources · protecting the environment · living well*





Materials Management: Recycling Opportunities Subgroup Meeting 5



Existing Recycling Opportunity Elements (with proposed change)

- a. Curbside recycling container
- b. Weekly curbside recycling
- c. Expanded recycling education and promotion program [with practices to reduce contamination](#)
- d. Multi-family dwelling (MFD) recycling
- e. Yard debris collection and composting
- f. Commercial recycling
- g. Expanded recycling depots
- h. Weight-based garbage collection rates
- i. Institutional and commercial food waste collection and composting





Materials Management: Recycling Opportunities Subgroup Meeting 5



Multi-Tenant Recycling Opportunities – by July 1, 2022

- Add a provision to the law that after July 1, 2022, the term “collection service customer” as used in ORS 459A.005, shall include residential and commercial tenants where the landlord or property manager provides solid waste disposal services for tenants.



Materials Management: Draft Legislative Proposals

Goals and Measures

Proposed Statutory Changes

1. Updated statewide, wasteshed recovery goals
 - Statewide: 52% by 2020, 55% by 2025
 - “2 percent credit” program moved to program elements
 - Alternative, “outcome-based” measurement
2. New recovery goals for food waste, plastics, and carpet
3. Waste generation: updated goals for state; new goal for Metro?

Recovery Goals

- Statewide:
 - 2012 recovery rate (without credits) 49.7%
 - Proposed goals:
 - 52% recovery by 2020
 - 55% recovery by 2025
- Metro:
 - 2012 recovery rate (without credits): 56%
 - Proposed goal: 64 - 66% by 2025
 - Comparable increases proposed for Lane and Marion wastesheds

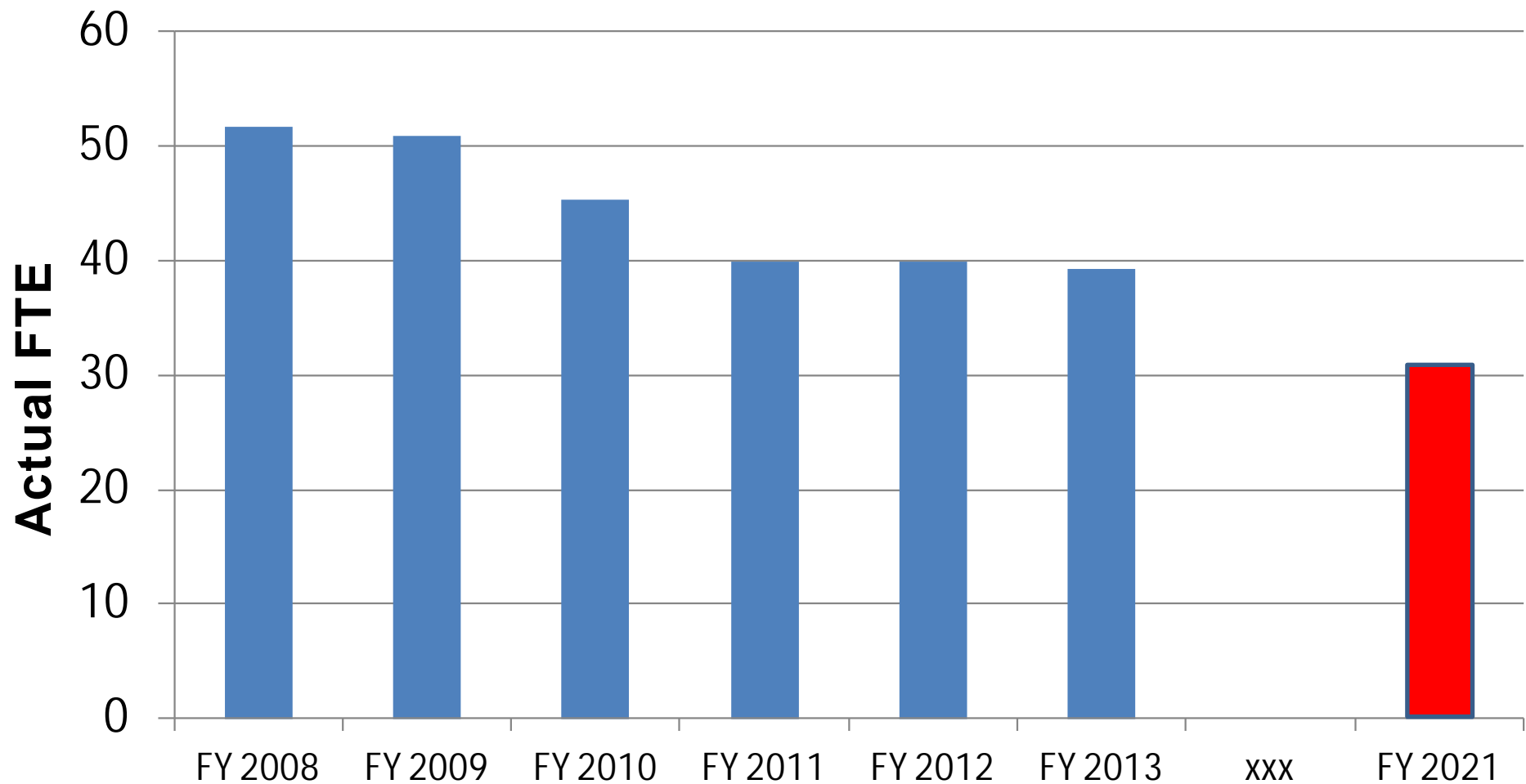
Waste Generation Goal

- Statewide proposed goals:
 - 15% below 2012 levels by 2025
 - 40% below 2012 levels by 2050
- Metro:
 - Similar goals as Oregon



Materials Management: Draft Legislative Proposals

Funding and Work





Materials Management: Draft Legislative Proposals

Draft Legislative Concept: Funding

1. Increase the solid waste disposal tipping fee
2. Reduce waiver of tipping fees currently allowed for alternative daily cover
3. Apply the full tipping fee to special purpose landfills and tire landfills
4. Phase in fee changes
5. Add fee adjustment mechanism for tipping fee; potential fee on compost feedstocks
6. Require a report to the Legislature on longer term funding options by 2022
7. Other changes, clarifications, and housekeeping items

Materials Management: Draft Legislative Proposals

Funding the Right Work

- HHW, mercury, school lab cleanouts, etc.
- Maximizing benefits of recovery
- Food waste prevention
- Procurement and material selection
- Reuse and repair
- Other sustainable production & consumption
- Goals and measures
- Life cycle analysis
- Education and information
- Facility oversight





Thank you

Oregon Department of Environmental Quality

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Outcome-Based Wasteshed Recovery Rates

- Start with energy savings
- Adopt wasteshed energy-based recovery goals, calculation methods. Includes:
 - Energy savings from recycling and composting
 - Energy recovery from disposal
 - Energy-savings practices implemented as part of solid waste infrastructure
- Wastesheds can meet goals using weight-based or outcome-based rates
- Adopt additional metrics (greenhouse gases, etc.) and revise methods, goals as state of knowledge develops

Materials Management: Draft Legislative Proposals

Oregon's Statutory Greenhouse Gas Emissions Goals

- ü Stop increasing emissions by 2010
- ü By 2020, reduce emissions to 10% below 1990 levels
- ü By 2050, reduce emissions to 75% below 1990 levels

How to get to 2050 goal?

One pathway:

- Return tons of materials to 1990 levels, and . . .
(“2050 waste generation 40% below 2012 levels”)
- . . . reduce emissions per ton by 75 percent

$$\begin{aligned} &\text{GHG emissions of} \\ &\text{materials and waste} = \\ & \quad (\text{tons of materials}) \\ & \quad \quad \quad \times \\ & \quad (\text{emissions per ton}) \end{aligned}$$