
Metropolitan Service District

527 SW Hall Portland, Oregon 97201 503/221-1646

Agenda

SOLID WASTE POLICY ALTERNATIVES COMMITTEE

Date: April 13, 1981
Day: Monday
Time: 12:00 - 2:00 p.m.
Place: Metro Offices, Conference Room A1 & A2

- I. Approval of Minutes of March 30, 1981

- II. FOR INFORMATION --
--Update on Yard Debris Program

- III. FOR DISCUSSION --
--Bills currently under consideration by the Legislature
which are related to solid waste. See note below

DMO:pp

Note: A list of bills related to solid waste is attached. Metro staff is especially interested in SWPAC advice on certain bills, copies of which are attached. If any committee member desires that copies of the other bills be available at the meeting, please call Patti Polly at 221-1646.

The purpose of the discussion is to inform Metro of the concerns of various interested individuals and groups. Input by SWPAC members will help Metro in taking a position and lobbying on these bills.

SOLID WASTE POLICY ALTERNATIVES COMMITTEE

March 30, 1981

Members

Bob Harris
Bruce Walker
Shirley Coffin
Bill Culham
John Trout
David Phillips
R. Howard

excused absent:

Warren Rosenfeld
Mike Sandberg
Howard Grabhorn

Staff

Dennis O'Neil
Norm Wietting
Terilyn Anderson
Patti Polly

Guests

Bob Brown, DEQ
Charlie Gray, DEQ
Jerry Powell

I. MINUTES TO THE MEETING OF MARCH 16, 1981

The minutes to the meeting of March 16, 1981 were approved as written.

II. COUNCIL CONSIDERATION OF DISPOSAL FRANCHISE ORDINANCE

Dennis O'Neil explained the status of the Disposal Franchise Ordinance within the Executive Management office and Terilyn Anderson gave the Committee the tentative time-line for the Ordinance.

| | Dates |
|--|---------|
| Regional Services Committee reviews Ordinance | April 7 |
| Regional Services Committee approves Ordinance | May 12 |
| Hearings by Metro Council | May 28 |
| Adoption by Metro Council | June 25 |

Bill Culham asked the Committee to confirm the ballot which was mailed out to Committee members by signifying aye or nay. The Committee agreed to this request by unanimous voice vote. The confirmed motion and vote are shown below.

MOTION: SWPAC recommends that the above language be inserted in Section 13, subsection 11, of the Disposal Franchise Ordinance in place of all language recommended previously.

VOTE:

| | |
|----------------|-------------|
| Mr. Cooper: | No |
| Mr. Cozzetto: | Yes |
| Mr. Culham | Yes |
| Mr. Grabhorn: | Yes |
| Mr. Harris: | Yes |
| Mr. Howard: | Yes |
| Mr. LaVelle: | Yes |
| Ms. Coffin: | Yes |
| Mr. Phillips: | Yes |
| Mr. Rieck: | Yes |
| Mr. Rosenfeld: | No response |
| Mr. Sandberg: | No response |
| Mr. Trout: | Yes |

III. RECYCLING GUIDELINES FOR DISPOSAL FRANCHISE ORDINANCE

Dennis O'Neil explained the guidelines as a step to

implement Ordinance Section 13, subsection 10. The guidelines could be included in each franchise agreement.

Some Committee members said that a reduced fee may be required for recycling at disposal sites because the cost to implement these guidelines might exceed revenue from recycled materials.

A suggestion was made that the detailed information required by guideline 6a be considered as confidential business information and not subject to disclosure under the Oregon law concerned with public records. It was suggested that guideline 8c be changed to make it clear that Metro pays for promotional material.

Bill Culham asked staff to rework the guidelines and return them to the Committee.

IV. YARD DEBRIS DEMONSTRATION PROGRAM

Gus Rivera was not available to speak. He was rescheduled to appear at a later date.

V. LANDFILL SITING

Dennis O'Neil updated the Committee on the landfill siting process and the schedule for the next few months. The final draft of the Wildwood Feasibility Study will be issued in early May. Review and action by the Regional Landfill Siting Advisory Committee and Metro Council will occur in May and June. Dennis O'Neil invited Committee members to take copies of the report Five Potential Sanitary Landfill Sites.

VI. OTHER BUSINESS

Dennis O'Neil asked if the Committee would be interested in discussing current State legislation related to solid waste. In general, Committee expressed desire to have proposed legislation presented at the next meeting if possible.

There being no further business, the Solid Waste Policy Alternatives Committee adjourned at 1:10 p.m.

SOLID WASTE BILLS

Waste Reduction

- SB 126 - Changes state requirements on procurement of recycled paper; allows 5% price preference. Sen Env/Land use hearing, 2/25.
- SB 138 - Allows DEQ grant/loans to be used for waste reduction planning. Tabled by rule in Sen Env/Land Use.
- *SB 743 - Requires for material recycling collection in Metro; allows local jurisdictions to transfer garbage collection franchise authority to Metro. Sen Land Use and Env.
- HB 2793 - Requires local jurisdictions to provide waste reduction programs for at least 30% reduction; waste reduction plan must be prepared biennially. House Energy & Env hearing 4/3.
- HB 3056 - Removes waste reduction plans as a requirement for landfill siting in EFU. Requires local jurisdictions to prepare waste reduction programs. House E & E.

Bottle Bill

- SB 473 - Increases minimum deposits to 5¢ and 10¢ (from 2¢ and 5¢); provides 1¢ handling fee. Sen Bus. and Cons. Affairs work session 3/19.
- HB 2096 - Includes wine cans in bottle bill; require plastic carriers for all beverage containers to be biodegradable. House E & E tabled by rule 3/13.
- HB 2781 - Allows dealer to refuse 1) contaminated containers and/or 2) unreasonable quantities of containers. House E & E.
- HB 3021 - Allows dealer to reject more than 50 containers for redemption at one time. House E & E.

Landfills

- HB 2287 - Requires fee for DEQ landfill permit. Tabled by rule in House E & E.
- HB 2288 - Requires fee to process application for Pollution Control Facility tax credit. Passed House E & E. Sent to Ways and Means.
- *HB 2794 - Restricts Metro's condemnation authority to within its boundaries. House Intergovt. Affairs.

*HB 2852 - Requires an agreement between a local assessment committee and a landfill developer prior to issuance of DEQ permit; allows arbitration for disputes between parties. House E & E hearing 4/3.

SB 144 - Requires posting of a bond for restoration of a landfill. Sen Env/Land Use Hearing 2/11.

SB 479 - Marion County Solid Waste powers and long-term contracts. Sen Env/Land Use.

Resource Recovery

SB 138 - Allows loans up to 100% from Pollution Control Fund. Tabled in Sen Env/ Land Use

SB 142 - Raises limit of Pollution Control Bonds. Ways and Means.

SB 147 - Reduces pollution control tax credit from 5% to 4%. Senate Revenue.

HB 2813 - Limit interest rates on public bonds to 10%. House HUD.

Misc.

SB 327 - Prohibits a ban on backyard burning. Sen Env/ Land Use hearing 3/4 and 3/10.

SB 852 - Metro's lifeblood bill: local dues; some changes on election procedures. Sen Local Govt. hearing 4/13.

Senate Bill 743

Sponsored by Senator HALLOCK

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Allows city or county within metropolitan service district to authorize district to provide, regulate or grant a franchise or contract for solid waste collection service. Requires city or county within district and authorized district to provide curbside collection of solid waste that reasonably may be subjected to recycling. Prohibits extra user fee for service.

Allows city, county, district or private party to require sorting of solid waste that reasonably may be subjected to recycling. Allows city, county, district or private party to charge user who sorts specified solid waste lower fee than that charged user who does not sort specified solid waste.

A BILL FOR AN ACT

1

2 Relating to solid waste disposal.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** Section 2 of this Act is added to and made a part of ORS 459.005 to 459.285.

5 **SECTION 2.** (1) A city or county located wholly or partially within a district may grant that district the
6 authority to provide, regulate or grant a franchise or contract for solid waste collection service in the portion of
7 the city or county that lies within the district's boundaries.

8 (2) A city or county located within a district and a district that is granted authority pursuant to subsection
9 (1) of this section shall, not later than June 1, 1982, provide curbside collection of source separated materials
10 that can be recycled, including, but not limited to, glass, tin cans, newspaper and aluminum. The collection
11 service shall be made available on not less than a monthly basis in all areas where the city, county, district or
12 any private party provides solid waste collection service.

13 (3) A city, county, district or private party shall require that a user of the service required by subsection (2)
14 of this section sort by type materials that can be recycled.

15 (4) A city, county, district or private party shall not charge a user of the service required by subsection (2)
16 of this section a fee in addition to a fee also paid by a user of the solid waste collection service who does not
17 utilize the service required by subsection (2) of this section. However, the city, county, district or private party
18 may charge a user who sorts the solid waste a lower user fee than the fee charged to a user of the solid waste
19 collection service required by subsection (2) of this section who does not sort the solid waste.

20 (5) As used in this section:

21 (a) "District" means a metropolitan service district established under ORS chapter 268.

22 (b) "Recycled" means subjecting a source separated material to recycling.

NOTE: Matter in bold face in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted; complete new sections begin with **SECTION**.

House Bill 2794

Sponsored by Representative KATZ, Senator HALLOCK

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Limits condemnation power of metropolitan service district to property within boundaries of district.

A BILL FOR AN ACT

1
2 Relating to metropolitan service districts; amending ORS 268.340.

3 **Be It Enacted by the People of the State of Oregon:**

4 Section 1. ORS 268.340 is amended to read:

5 268.340. (1) To the extent necessary to provide a metropolitan aspect of a public service, a district may
6 acquire by purchase, [*condemnation,*] devise, gift or grant real and personal property or any interest therein
7 within and without the district, including property of other public corporations, [*In so doing the district may*
8 *proceed under ORS chapter 35.*]

9 (2) To the extent necessary to provide a metropolitan aspect of a public service, a district may acquire by
10 condemnation real and personal property within the boundaries of the district, including the property of other
11 public corporations. *In so doing the district may proceed under ORS chapter 35.*

12 [~~(2)~~] (3) A district may lease and dispose of property in accordance with ORS 271.300 to 271.370.

13 [~~(3)~~] (4) For purposes of surveys necessary for its proper functioning, a district may enter upon land, after
14 giving the owner thereof reasonable advance notice of the entry.