

Feb. 21, 1984



Agenda

SOLID WASTE POLICY ALTERNATIVES COMMITTEE
SWPAC

METROPOLITAN SERVICE DISTRICT 527 S.W. HALL ST., PORTLAND, OREGON 97201 503 221-1646
Providing Zoo, Transportation, Solid Waste and other Regional Services

Date: February 27, 1984

Day: Monday

Time: Noon - 2:00 p.m.

Place: Metro Office, Conference Room A-1, A-2

I. Roll Call

II. For Recommendation:

- A franchise for a transfer station located in Forest Grove

III. For Information:

- Proposal to extend terms of current SWPAC members for six months
- Updates on Fee issue, methane project, budget preparation, Wildwood

SWPAC REGULAR MEETING

January 23, 1984

SOLID WASTE POLICY ALTERNATIVES COMMITTEE

Committee Members Present: Shirley Coffin, Vice Chairperson
Gary Newbore, Dave Phillips,
James Cozzetto, Mike Sandberg,
Howard Grabhorn, Norman Harker -
Ex Officio

Committee Members Absent: John Gray, Robert Harris, Dick
Howard, Paul Johnson, Delyn Kies,
Edward Sparks, John Trout,
Kelly Wellington, Bob Brown -Ex
Officio

Staff Present: Daniel Durig, Dennis O'Neil,
Dennis Mulvihill, Ray Barker,
Bonnie Langford

Vice Chairman Shirley Coffin, called the meeting to order at 12:10 p.m.

The minutes of the December 19, 1983 SWPAC meeting were approved as written. The December 5, 1983 special meeting notes were also approved.

Agenda Item I

Current Solid Waste Department
Activities

Dan Durig brought the Committee up to date on what was happening in the Solid Waste Department. He added there was no particular action required on any of the items at this point.

Mr. Durig introduced Ray Barker, the Council Assistant and the Members would hear later in the meeting of his assignment with the Solid Waste Staff.

Mr. Durig passed around reports of St. Johns Landfill - present and future, published in November 1983; Clackamas Transfer & Recycling Center Annual Report 1983 and reviewed some of their aspects. The project manager for the St. Johns report was Dennis O'Neil. Metro felt with St. Johns reaching capacity in 1988 that they wanted to do quite a thorough job on the report since it will be used as a reference until then. It is comprehensive and covers operations, plans-revised, status of the gas project, future possible expansion of St. Johns, etc. He cautioned the Committee not to quote the report as being something Metro is going to do. The report is a research piece that explores alternatives.

The second report--part of which is included in the St. Johns booklet, is on the recovery of Methane gas and they are doing more detailed work on that project. This budget year Metro is looking at the analysis of the gas project and hope to have the system in the ground and recovering gas in the next fiscal year. The Project Manager for this was Doug Drennen and the Project Director was our engineer, Buff Winn.

SWPAC Regular Meeting
January 23, 1984

Unlike the transfer station, which is relatively simple, Methane recovery is still new enough and there are enough questions and enough risks that Metro is going to hire a consultant to review our work and share with us in the Services Committee what he/she feels is the proper way to go. The risks and rewards are high enough that we would like to have a second opinion.

Mr. Durig said this was probably one of the more exciting projects we would be working on. To show the size of the project he asked the Committee to look at the financial page that showed the potential income of hundreds of thousands of dollars of potential revenue. On the other hand, risks are there and you could lose money. That is why an outside consultant will be hired to review our present studies on the project and make some general evaluations on where we should go. The less we sell the gas for, the less attractive it is for us to be directly involved, the less risk the more likely that Metro will be involved. The RFP is 95 percent completed and will go out to consultants and we expect to have it back in February so we can make a selection. The consultant chosen will have about 120 days to complete the study, so about the middle of the summer we should have a report ready for the Services Committee. The other project is to try to negotiate energy contracts to see what the gas is worth.

Alternatives that are available to us on what type of management mechanism we use to recover the gas; whether we do it ourselves, whether we sign an agreement to go into a partnership with somebody, or we contract it out. If we can end up selling this gas at 80 percent of the natural gas rate, the potential return begins to climb into a substantial amount of dollars. If we end up being able to negotiate a contract for only 20 percent of what natural gas is worth then it becomes a lot less attractive to become involved in it.

Mr. Sandberg asked where Portland fit into this? Mr. Durig answered they were working closely with Delyn Kies, Solid Waste Coordinator, and John Lang, Head of the Department. Their staff reviewed our report very thoroughly, and they've assigned a member of their staff to work with us. They will eventually end up with the property, plus they end up with 50 percent of the net profits from recovery so they have reason to be interested. We will consult them all the way through the process and we're getting good cooperation from them.

Mr. Cozzetto asked if they had an ongoing researcher for this in their sewage plant. Mr. Durig said they had developed some expertise in this line which didn't exist a few years ago so they do have some people who are now knowledgeable about the methane project.

Mr. Durig encouraged the Committee to attend the meetings that will occur on the project with the Consultant.

Mr. Durig stated one of the conditions of the Land Use Permit in Oregon City, was to produce the annual report. Mr. Durig pointed out various aspects of the report and reminded the Committee that this actually covered the nine-month operation since it hadn't been a full year but they went to extra effort to address every issue that had come up in Oregon City since Metro went into the transfer business. There had been a lot of misinformation around and the booklet helps deal with this issue being an accurate, professional job. Norm Wietting would present the report to the Oregon City Planning Commission on January 24th.

The tonnage limitation, which has occupied a lot of time, is received quite well and the average is down to 730 tons per day, which is well under the 800 tons per day limit set by the Commission.

Recycling is doing extremely well at CTRC and shows about \$3,000 to 4,000 per month we are selling out of that facility. We reported the facts from the environmental impacts, traffic impacts, that were subjects at the hearings. Mr. Durig concluded with the amount of media attention we have received on both the local and national level, and commented on the number of groups and individuals that have toured CTRC. Government, plus representatives from Washington, Canada, Minnesota, Virginia, Texas, California and others, as well as cities in Oregon, have toured the facility. Articles from the Oregonian and from the national magazine, Waste Age are included in the report as well as the new rate schedule.

Brochures on both St. Johns and Clackamas Transfer and Recycling Center were handed out to the Committee.

Mr. Durig commented Metro had been involved with DEQ in a discussion about their shift to user fees. Metro understood their problem of needing revenue for administering their program and when the first schedule came out it looked relatively fair. However, when the smaller landfill owners complained of the raise in rates, the DEQ changed the initial proposed fee, which was \$10,000 in Metro's case, to a proposed alternative fee of \$60,000 for 500,000 tons and over-- as we have at St. Johns landfill. This is an annual compliance fee being charged to ensure that we comply with the standards as set forth by DEQ. There are other fees involved such as a filing fee, and a fee for monitoring wells. Small owners were being charged \$150 in comparison and were complaining vigorously. Everybody else in the state then went down and Metro went from fair to thousands of dollars over the original recommended fee. Metro listed their objections and will go before the E-Board in hopes of reducing the fee, on February 2, 1984.

Discussion followed on various aspects of Mr. Durig's review. Mr. Durig stated in the future he would get more information to the Committee on Metro happenings. He handed out a quarterly report that goes to the Executive Officer and summarizes the six individual programs in Solid Waste: A summary of events, then individual reports on Management and Administration, St. Johns Landfill, CTRC, Waste Reduction, Systems Planning, and Wildwood.

Mr. Durig stated he was impressed with the number of committees the solid waste department has to attend. He enumerated that he had the SWPAC group, Regional Services Committee, Metro Council, and Executive Officer, Full Council, on numerous occasions one of three hauler groups in the county, the Rate Review Committee, and sometimes extra meetings of these groups as well as the department meetings in Solid Waste. Mr. Durig said at first he thought Solid Waste would be able to produce something within a couple of months but he hadn't taken into account all the committees and people the department was accountable to before producing results. We do a lot of operations people don't understand and we touch base with a lot of people and all this takes time, effort and money.

The report shows the things we are still working on and the things that have been accomplished. Metro Solid Waste has selected a Consultant for inspection services at St. Johns for a three-year period. We are working on a five-year financial plan, EMCON and Associates will be the inspectors at St. Johns. In the past it was done by CH₂M Hill. We have completed the Operating permit at St. Johns, We awarded the contracts for the Washrack, developed the new rate brochures, have completed the staff analysis on yard debris, and completed the rough drafts of the landfill station options report.

There were a number of issues in the report that popped up and were not anticipated or budgeted but had to be worked in. We are changing so fast and that's why we are doing systems planning after five years into the system. We rebid the washrack totally because the contractor did not meet the requirements (MBE). The extensive work on the Washington County transfer and recycling center was not budgeted and neither were the many hours on the recycling program. These are discrepancies they hope to eliminate as much as possible in the future. We've learned much from this and we have three things up and running. we've provided alternatives other than landfills.

Discussion followed on these points by members of the committee and issues were clarified for the committees further information.

The Washington Transfer and Recycling has received a lot of interest and Mr. Durig reported he had been very well received with his talk and slides telling about Wildwood and St. Johns and what we are doing. We will go before the Services Committee in February to discuss full service or conventional approach to the Washington County Transfer Station. The staff report is being written now and we have started the process of siting. The newspapers asked if the landfill sites being planned by some of the smaller towns and haulers was a rebellion, and Mr. Durig stated that some of their plans had been in existence before this became an issue this year. Forest Grove was one of these and he had been in the business before. It will cut down hauling distance for some and is also compatible with the system because we know that Hillsboro and Forest Grove having a center will result in St. Johns having a longer life.

SWPAC Regular Meeting
January 23, 1984 - continued

Mr. Durig reported Systems Planning was coming together and he told the SWPAC members he wanted them to be actively involved in the plans and would be giving them information soon. The Service Committee will be reviewing Landfills and Transfer Stations. They won't take public testimony while they do their work sessions, but at their April 10th meeting there will be a public comment session. On April 17 will be an informal work session with processing and energy recovery technologies and on May 8th public comment is accepted on this. Everyone on our mailing list will be asked to come and share with us. Sometime in July or August it will go out to the public at large for a series of formal public hearings. This will be very important to this agency and this department. This will be the plan we hope will guide us through the next--ten years.

Several members of the Council have asked to review the role of advisory committees. Meaning this group--SWPAC--and the Rate Review Committee. They are not sure specifically what the two groups do, where their responsibilities overlap and what their role should eventually be. The Rate Review Committee has become involved in some very heavy Policy questions.

Mr. Barker has the responsibility to do the initial report and the Solid Waste Department will be working with him. Both committees have good, solid people on them, although the SWPAC attendance leaves something to be desired. As we get some of the policy questions out of the way your committee will have less to do. Your heaviest years are behind you. The more you get into operations the less policy you will have to make.

We're working with Multnomah County, Mr. Durig said, and they had attended two meetings working toward the comprehensive plan which will make it possible to site a landfill. You will hear opposition on changing the rules to site a landfill but at present the rules are absolute and there is no way to site in the County.

The public hearing before the Planning Commission is on the 27th of February. Lorna Stickel and Bill Adams are working with Metro from City.

Meeting adjourned at 1:35 p.m.

Written by Bonnie Langford

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF GRANTING A)	RESOLUTION NO.
FRANCHISE TO AMBROSE CALCAGNO, JR.)	
FOR THE PURPOSE OF OPERATING A)	Introduced by the
SOLID WASTE TRANSFER FACILITY)	Regional Services Committee

WHEREAS, Section 5.01.030 (a) of the Metro Code requires a Metro franchise for any person to establish, operate, maintain or expand a disposal site, processing facility, transfer station or resource recovery facility within the District; and

WHEREAS, Ambrose Calcagno, Jr. has applied for a Metro franchise to operate a solid waste transfer station at 1525 "B" Street, Forest Grove, Oregon, to accept waste from Forest Grove Disposal, Pacific Garbage Service, Lou & Chuck's Sanitary Service and Eager Beaver Sanitary Service; and

WHEREAS, Ambrose Calcagno, Jr. owns a controlling interest in all four companies; and

WHEREAS, A west transfer station has not yet been built and Metro determines that there presently is a benefit to the region for a limited quantity of solid waste to flow to other solid waste disposal sites to avoid shortening the life of the St. Johns Landfill; and

WHEREAS, The recycling of newspaper, corrugated, waste paper, etc. is in conformance with the Metro Waste Reduction Plan; now, therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District authorizes the District to enter into the attached Franchise

Agreement with the following conditions:

1. The Portland area Boundary Commission approves the annexation of the transfer station property by the city of Forest Grove.
2. The transfer station may accept waste only from the four companies listed above and only while the franchisee retains majority ownership.

The Council will again evaluate this franchise according to the criteria in Metro Code 5.01.070 (b) before this franchise is renewed.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1984.

Presiding Officer

DO/gl
0751C/373
02/23/84

FRANCHISE NO.:
DATE ISSUED:
EXPIRATION DATE:

SOLID WASTE FRANCHISE
issued by the
METROPOLITAN SERVICE DISTRICT
527 SW Hall Street
Portland, Oregon 97201
503-221-1646

ISSUED TO:

NAME OF FRANCHISEE: Ambrose Calcagno, Jr.

ADDRESS: 1525 "B" Street
P. O. Box 8

CITY, STATE, ZIP: Forest Grove, Oregon 97116

NAME OF OPERATOR: Ambrose Calcagno, Jr.

PERSON IN CHARGE: Ambrose Calcagno, Jr.

ADDRESS: 1525 "B" Street

CITY, STATE, ZIP: Forest Grove, Oregon 97116

TELEPHONE NUMBER: (503) 357-9222

This Franchise agreement shall not become effective until the proposed transfer station property is annexed to the city of Forest Grove and this annexation is approved by the Portland Area Boundary Commission.

This Franchise will automatically terminate on the expiration date shown above, or upon modification, revocation or suspension, whichever occurs first. Until this Franchise terminates, Ambrose Calcagno, Jr. is authorized to operate and maintain a transfer station located at 1525 "B" Street, Forest Grove, Oregon 97116, for the purpose of accepting and transferring solid waste in accordance with the Metro Code and the attached Schedules A, B, C and D. This Franchise may be revoked at any time for any violation of the conditions of this Franchise or the Metro Code. This Franchise does not relieve the Franchise Holder from responsibility for compliance with ORS Chapter 459 or other applicable federal, state or local laws, rules, regulations or standards.

Ambrose Calcagno, Jr.

Presiding Officer, Council
Metropolitan Service District

FRANCHISE CONDITIONS

Franchise Number:

Expiration Date:

SCHEDULE A

AUTHORIZED AND PROHIBITED ACTIVITIES

- SA-1 The Franchise Holder is authorized to accept solid wastes as defined in Metro Code Chapter 5.01 from his own collection vehicles, in order to consolidate waste in drop boxes for delivery to a Metro franchised or authorized disposal facility and to separate out recyclable materials such as wastepaper, cardboard and newspaper.
- SA-2 The Franchise Holder may accept solid waste as defined in Metro Code Chapter 5.01 only from businesses owned or controlled by the franchisee. These businesses include Forest Grove Disposal, Eager Beaver Sanitary Service, Ambrose Calcagno and Son dba Pacific Garbage Service and Public Sanitary Service Inc. dba Lou and Chuck's Sanitary Service, all of which are owned and controlled by Ambrose Calcagno, Jr.
- SA-3 The Franchise Holder may not accept mixed solid waste from the public including the franchise holders solid waste collection customers at the transfer facility.
- SA-4 The Franchise Holder may accept source separated solid waste from the public.

FRANCHISE CONDITIONS

Franchise Number:

Expiration Date:

SCHEDULE B

MINIMUM MONITORING AND REPORTING REQUIREMENTS

SB-1 The Franchise Holder shall effectively monitor the transfer station operation and maintain records of the following required data to be submitted to Metro:

- a. Name and address of the Franchise Holder
- b. Month and year of each report

<u>Item</u>	<u>Minimum Monitoring Frequency</u>
a) Cubic yards or tons of solid waste deposited at the transfer station by the Franchise Holder's collection vehicles classified among compacted, noncompacted, and special loads	Daily
b) Number of truck loads received at the transfer station.	Daily
c) Detailed explanation of any adjustments made to the amount of fees pursuant to SB-3 below.	Each Occurance

Signature and title of the Franchise Holder or his agent.

SB-2 Monitoring results shall be reported on approved forms. The reporting period is the calendar month. Reports must be submitted to Metro by the 20th day of the month following the end of each month.

SB-3 In accordance with the provisions of Metro Code 5.01.150 and Metro Code 5.02.045 (user fee) and 5.02.050 (transfer charge), the Franchise Holder shall submit to Metro on an approved form a monthly User Fee statement and payment. The Franchise Holder shall pay Metro user fee for all mixed solid wastes which are not separated at the source and which are accepted by the franchisee at the facility. The statement and payment shall be submitted on or before the 20th day of each month following the preceding month of operation. User fee schedules are subject to revisions in accordance with Metro ordinances, rules and regulations promulgated after the date of this franchise agreement.

- SB-4 From the total user fee discussed in SB-3 the Franchise Holder may deduct user fees paid by the Franchise Holder to District approved disposal sites for solid wastes delivered by the Franchise Holder. Such deductions shall be supported by proof acceptable to Metro.
- SB-5 The Franchise Holder shall pay an annual franchise fee established by the Council within 30 days of the effective date of the franchise agreement.
- SB-6 The Franchise Holder shall report to the District any changes in excess of five (5%) percent of ownership of the Franchise Holder's corporation or similar entity, or of the partners of a partnership within ten days of such changes of ownership.
- SB-7 The Franchise Holder will file monthly with Metro a report indicating the types (wood, paper, cardboard, metal, glass, etc.) quantities (tonnage/cubic yards) and selling price of source separated and non-source separated solid wastes accepted at the facility and not disposed of at a District approved site.

FRANCHISE CONDITIONS

Franchise Number:

Expiration Date:

SCHEDULE C

COMPLIANCE CONDITIONS AND SCHEDULES

- SC-1 The Franchise Holder shall furnish Metro with proof of public liability insurance including automotive coverage within ten (10) days after receipt of the order granting this franchise. Said insurance shall be in the amounts of not less than \$300,000 for any number of claims arising out of a single accident or occurrence, \$50,000 to any claimant for any number of claims for damage to or destruction of property and \$100,000 to any claimant for all other claims arising out of a single accident or occurrence or such other amounts as may be required by State law for public contracts. The District shall be named as an additional insured in the policy.
- SC-2 The franchise insurance set forth in SC-1 shall be maintained during the term of the franchise. The Franchise Holder shall give thirty (30) days prior written notice to the District of any lapse or proposed cancellation of insurance coverage.
- SC-3 The Franchise Holder shall obtain a corporate surety bond in the amount of \$25,000.00 within ten (10) days after receipt of the order granting this franchise. Said bond shall guarantee full and faithful performance by the franchisee during the term of this franchise of the duties and obligations of this franchise agreement.
- SC-4 The franchise corporate surety bond in the amount set forth in SC-3 shall be maintained by the Franchise Holder during the term of the franchise. The Franchise Holder shall give thirty (30) days written prior notice to the District of any lapse or proposed cancellation of the bond.
- SC-5 All non-putrescible solid wastes accepted by the Franchise Holder at the facility and not recovered for reuse or recycling shall be delivered at the end of each work day to a Metro approved or franchised solid waste facility.
- SC-6 The Franchise Holder shall not stockpile mixed loads of food waste, food containers, or material contaminated by putrescible waste for more than one working day. Mixed waste from commercial vehicles temporarily stored at the site shall be delivered at the end of each working day to a Metro approved or franchised general purpose solid waste facility. For the purpose of this regulation, waste from compactor trucks shall be assumed to contain putrescible solid waste.

- SC-7 The Franchise Holder may not lease, assign, mortgage, sell or otherwise transfer, either in whole or in part, its franchise to another person without prior approval by the District.
- SC-8 The Franchise Holder may contract with another person to operate the processing center only upon ninety (90) days prior written notice to the District and the written approval of the Executive Officer. If approved, the franchisee shall remain responsible for compliance with this franchise agreement.

FRANCHISE CONDITIONS

Franchise Number:

Expiration Date:

SCHEDULE D

GENERAL CONDITIONS

- SD-1 All notices required to be given to the franchisee under this franchise agreement shall be given to Ambrose Calcagno, Jr., Forest Grove Disposal, 1525 "B" Street, P. O. Box 8, Forest Grove, Oregon 97116. All notices and correspondence required to be given to Metro under this franchise shall be given to the Solid Waste Director, Solid Waste Department, Metro, 527 S.W. Hall, Portland, Oregon 97201.
- SD-2 The conditions of this Franchise agreement shall be binding upon the Franchise Holder, and the Franchise Holder shall be responsible for all acts and omissions of all contractors and agents of the Franchise Holder.
- SD-3 In the event that the transfer station is to be closed permanently or for an indefinite period of time during the effective period of this Franchise, the Franchise Holder shall provide Metro with written notice, at least ninety (90) days prior to closure, of the proposed time schedule and closure procedures.
- SD-4 The Franchise Holder shall submit a duplicate copy to the District of any information required by the Department of Environmental Quality (DEQ) pertaining to the processing facility during the term of the Franchise. Such information shall be forwarded to the District within two (2) working days of their submission to DEQ.
- SD-5 In the event a breakdown of equipment, flooding, fire, sliding or other occurrence causes a violation of any conditions of this Franchise Agreement or of the Metro Code, the Franchise Holder shall:
- a. Immediately take action to correct the unauthorized condition or operation.
 - b. Immediately notify Metro so that an investigation can be made to evaluate the impact and the corrective actions taken and determine additional action that must be taken.
- SD-6 If the Executive Officer finds that there is a serious danger to the public health or safety as a result of the actions or inactions of a franchisee he/she may take whatever steps necessary to abate the danger without notice to the franchisee.

SD-7 Authorized representatives of Metro shall be permitted access to the premises of the waste disposal facility owned or operated by the Franchise Holder at all reasonable times for the purpose of making inspections, surveys; collecting samples; obtaining data; examining books, papers, records and equipment; performing any investigation as may be necessary to verify the accuracy of any return made, or if no return is made by the franchisee, to ascertain and determine the amount required to be paid; and carrying out other necessary functions related to this Franchise and the Metro Code. Access to inspect is authorized:

- a. during all working hours;
- b. at other reasonable times with notice;
- c. at any time without notice where, at the discretion of the Metro Solid Waste Division Director, when such notice would defeat the purpose of the entry.

SD-8 This Franchise Agreement is subject to suspension, modification, revocation or nonrenewal upon finding that a franchisee has:

- a. Violated the Disposal Franchise Ordinance, the Metro Code, ORS Chapter 459 or the rules promulgated thereunder or any other applicable law or regulation; or
- b. Misrepresented material facts or information in the franchise application or other information required to be submitted to the District;
- c. Misrepresented the gross receipts from the operation of the franchised site, facility or station; or
- d. Failed to pay when due the fees required to be paid under this Ordinance.

SD-9 This Franchise Agreement, or a photocopy thereof, shall be displayed where it can be readily referred to by operating personnel.

SC-10 The granting of this franchise shall not vest any right or privilege in the franchisee to receive specific types or quantities of solid waste during the term of the franchise.

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02/23/84

STAFF REPORT

Agenda Item No. _____

Meeting Date _____

CONSIDERATION OF A FRANCHISE FOR AMBROSE CALCAGNO,
JR., TO OPERATE A SOLID WASTE TRANSFER STATION

Date: February 15, 1984

Presented by: Dennis O'Neil

FACTUAL BACKGROUND AND ANALYSIS

Ambrose Calcagno, Jr., has applied for a Metro franchise to operate a solid waste transfer station at 1525 "B" Street, Forest Grove, Oregon. This transfer station is similiar in design and is about 40 percent as large as the public transfer station at the St. Johns Landfill. According to the applicant he will not accept solid waste from the general public, but will accept waste in compactor trucks from the four companies listed below:

<u>Company</u>	<u>Estimated Tons Per Day</u>	<u>Estimated Tons Per Year</u>
Forest Grove Disposal	15	4,000
Pacific Garbage Service	10	2,550
Lou & Chuck's Sanitary Service	15	4,000
Eager Beaver Sanitary Service	10	2,550
Total	50	13,100

The transfer station will receive solid waste from about 36 compactor trucks per week for transport in 45 cubic yard drop boxes to the Riverbend Landfill near McMinnville. The applicant proposes to remove and recycle about 15 percent of the mixed waste as corrugated, newspaper and waste paper.

Metro Code 5.01.120(1) requires that a franchise for a transfer station not be issued to anyone connected in any way with a collection company unless the transfer station "only receives waste collected by the franchisee." This subsection was included at the request of the collection industry. It can be argued that a variance from this subsection would not be necessary because the franchisee is Ambrose Calcagno, Jr. himself. Since Mr. Calcagno owns controlling interest in all four companies, his transfer station would be receiving waste collected by the franchisee.

A transfer station in Forest Grove does not conflict with the Solid Waste Management Plan, the COR-MET Plan adopted in 1975. When the Hillsboro Landfill closes there will be no solid waste disposal facility serving the collectors or the public which is located in

western Washington County. Also, commercial recycling at this station will foster the goals of the Waste Reduction Plan.

Metro proposes to build a transfer station in eastern Washington County in the Beaverton area. Three of the above companies (except Forest Grove Disposal) are located in this general area. Pacific Garbage Service collects waste as far east as S.W. 35th Avenue, Portland. It could be asked whether customers would best be served if the Metro transfer station were used for these three companies rather than by hauling waste to Forest Grove and then to McMinnville.

The applicant argues that the transfer station will improve business efficiency because it is currently less costly to transport waste from these companies to Forest Grove for transport to the landfill near McMinnville than it is to dispose of this waste at the St. Johns Landfill. Also there is a need to reduce solid waste quantities entering the St. Johns Landfill to extend its life. Finally, there will be no effect on existing disposal sites within the Metro boundary because all four companies are currently hauling their waste, except drop box waste, outside the Metro region. In addition, the Metro user fee and regional transfer charge is collected on solid waste from Metro which enters the McMinnville landfill.

Because no west transfer station yet exists and because there is a need to divert some flow to extend St. Johns Landfill life, it can be argued that the minimum allowable five-year franchise is needed and would not seriously conflict with Metro's overall solid waste plans. However, the Council should review this franchise when it terminates to decide if any conflict then exists.

Finally, land use approval is required before the Council can consider a franchise application. The city of Forest Grove has recently annexed the land for the transfer station and approved its use for this purpose. However, the Portland Metropolitan Boundary Commission has not yet approved this annexation. Therefore, the attached franchise agreement states that it does not take effect until the Boundary Commission approves the annexation.

EXECUTIVE OFFICER'S RECOMMENDATION

Grant to Ambrose Calcagno, Jr. a franchise for five years to operate a transfer station accepting solid waste from Forest Grove Disposal, Pacific Garbage Service, Lou & Chuck's Sanitary Service and Eager Beaver Sanitary Service with the following conditions:

1. The franchise does not take effect until the Portland Metropolitan Boundary Commission ratifies the decision by the city of Forest Grove to annex the transfer station property.
2. The transfer station accepts waste only from the four companies in which Ambrose Calcagno, Jr. owns a majority interest.

3. Before the franchise is renewed the Council again evaluates the franchise according to the criteria in Metro Code 5.01.070(b) to determine whether or not it should be renewed.

COMMITTEE CONSIDERATION AND RECOMMENDATION

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02/23/84

1. Metro and Multnomah County have appealed the LUBA decision to the Oregon Court of Appeals. At issue is how much latitude do local officials have, to interpret the language of their landuse regulations? Briefs and rebuttals have been filed and oral arguments will be heard soon. However, the Court of Appeals has no time limit to reach a decision on this particular case.
2. Metro has asked Multnomah County to revise its standards and process to allow siting of a sanitary landfill. If this can be accomplished a subsequent request to reissue the conditional use permit for Wildwood will be made. Whether or not the Wildwood site is approved, the revised standards would allow other possible sites to be considered in the County.

The Multnomah County Staff is currently drafting an ordinance which revises the land use approval standards and process for a regional landfill. The Multnomah County Board of Commissioners delegated initial review of this ordinance to the Multnomah County Planning Commission. The Planning Commission held a public hearing February 27th and will further consider the draft ordinance on March 26th. This effort provides one more opportunities to examine a basic question. Is the local land use approval process adequate to locate a solid waste disposal facility, a basic necessity to local citizens, in the face of determined opposition by nearby residents?

STAFF REPORT

Agenda Item No. 1

Meeting Date Jan. 17, 1984

INFORMATIONAL PRESENTATION TO ADVISE THE REGIONAL
SERVICES COMMITTEE OF CURRENT STATUS OF METHANE RECOVERY
PROJECT

Date: January 10, 1984

Presented by: Buff Winn

FACTUAL BACKGROUND AND ANALYSIS

A three-phase feasibility study, to investigate the economic/engineering viability of commercial landfill gas recovery at the St. Johns Landfill, was completed in July, 1982.

The results of the feasibility study indicate that landfill gas production and the energy market place, definitely provide the basis for economically viable alternatives for commercial landfill gas recovery. The study further states that adequate recoverable gas for a project to go on stream, will coincide with the completed filling of Sub-areas 1, 2 and 3.

In keeping with these recommendations, the Metro staff has completed the attached report which quantitatively compares various landfill gas marketing/procurement options.

The findings of this report are the result of work based on numerous conversations with potential medium-BTU customers, Northwest Natural Gas Company, and the City of Portland.

In order that Metro pursue the optimum marketing/procurement option available, it is staff's intent to obtain consulting services from a firm experienced in commercial landfill gas recovery. Consulting services will be directed towards technical and financial advice, risk assessment and assistance in energy contract negotiations.

Consultant recommendations will be used to implement the design and construction phases of the project.

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Memo

METROPOLITAN SERVICE DISTRICT 527 S.W. HALL ST., PORTLAND, OREGON 97201 503 221-1646
Providing Zoo, Transportation, Solid Waste and other Regional Services

Date: March 2, 1984

To: Interested Citizens

From: Dan Durig, Solid Waste Director

Regarding: Wildwood Landfill Siting Effort, Background and Current Status

In 1979, Metro began a lengthy effort to site a new regional landfill to serve the 900,000 residents in the Tri-County area. Despite a comprehensive process that has included technical studies and extensive public involvement, residents of the region have no guaranteed place to put their garbage after the St. Johns Landfill reaches capacity in the late 1980's.

THE PROBLEM

Following a review of 46 potential sites in 1981, the Metro Council designated Wildwood as the new regional landfill site. The Multnomah County Board of Commissioners granted a conditional use permit in December 1982. This action was appealed to the Land Use Board of Appeals (LUBA) by a citizens' group who argued that the landfill does not meet the County's zoning standards. LUBA agreed and remanded the case to the County.

The County standards say, among other things, that there may be no adverse impacts, no inconsistency with the surrounding area and no possibility of hazardous conditions. A strict interpretation of these standards simply precludes the siting of any sanitary landfill in Multnomah County. In remanding the case, LUBA suggested that the strict standards were unrealistic and should be changed to give the County flexibility in meeting the solid waste disposal needs of its citizens. LUBA noted the "severe problems in locating unpopular, yet necessary uses."

APPROACHES TO A SOLUTION

Because of the LUBA decision, the Metro Council is concerned about whether a landfill could be sited anywhere in Multnomah County or even elsewhere in the region. With time running out, as more and more landfills near capacity and close, Metro is addressing the landfill siting problem from two approaches:

COMMITTEE MEETING TITLE _____

DATE 2/27/84

NAME

AFFILIATION

BARRY GRAHAM

FOREST GROVE DISPOSAL

Paul H. Johnson

CONSTRUCTION

Dave Phillips

C. C. DES

Mike Sandberg

Wash Co.

R. Z. Howard

Mult Co

JOHN TROUT

COLLECTION INDUSTRY

Shirley Coffin

Wash. Co Public

Howard Galbraith

Wash Co Landfill

May 1982, Revised

SOLID WASTE POLICY ALTERNATIVES COMMITTEE

2/27/84

NAME	REPRESENTING	ADDRESS	PHONE	TERM OF OFFICE
James Cozzetto	Collection Industry	P.O. Box 11457 Portland, OR 97211	285-0576	Feb. 1982-84
Shirley Coffin Vice Chairman	Public, Washington County	65 SW 93rd Portland, OR 97225	292-9338	Feb. 1982-84
Howard Grabhorn	Landfill Operators	Route 1, Box 849 Beaverton, OR 97007	628-1866	Feb. 1982-84
Joan Gray	Public, Multnomah County	3918 SE 116th Portland, OR 97266	288-7086	Feb. 1982-84
Robert Harris	Public, Clackamas County	32660 Lake Point Ct. Wilsonville, OR 97070	794-2370	Feb. 1982-84
Dick Howard	Multnomah County	Dept. of Public Works 2115 SE Morrison Portland, OR 97214	248-3623	No Limit
Paul Johnson	Construction Industry	Copenhagen Utilities and Construction P.O. Box 429 Clackamas, OR 97015	654-3104	Feb. 1982-84
Delyn Kies	City of Portland	Office of Public Works 621 SW Alder St. Portland, OR 97205	248-4390	No Limit
Gary Newbore	Landfill Operators	c/o Reidel Internat'l P.O. Box 3320 Portland, OR 97208	222-4210	Feb. 1982-84
Dave Phillips	Clackamas County	Dept. of Env. Services 902 Abernethy Rd. Oregon City, OR 97045	655-8521	No Limit
Mike Sandberg	Washington County	Dept. of Public Health 150 N. First St. Hillsboro, OR 97123	648-8609	No Limit
Edward Sparks	Recycling Industry	Publishers Paper Co. 4000 Kruse Way Pl. Lake Oswego, OR 97034	635-9741	Feb. 1982-84
John Trout Chairman	Collection Industry	Teamsters Local 281 1020 NE Third Ave. Portland, OR 97232 5015 SW Dusk Rd. 1513 SE Ash, #2 Portland, OR 97204	236-8171	Feb. 1982-84
Kelly Wellington	Public, City of Portland	Portland, OR 97204	239-5083	Feb. 1982-84
Bob Brown Ex Officio	DEQ	P.O. Box 1760 Portland, OR 97207	229-5157	No Limit
Norman Harker Ex Officio	Clark County	Clark Co. Public Works P.O. Box 5000 Vancouver, WA 98668	(206) 699-2451	No Limit

*N Member
doesn't come
says 20' Rail*

W. W. W.