

November 13, 1984



# Agenda

SOLID WASTE POLICY ALTERNATIVES COMMITTEE

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

*Date:* November 19, 1984

*Day:* Monday

*Time:* 12:00 noon

*Place:* A-1 & A-2 Metro Conference Rooms

Minutes of the October 15, 1984 meeting

Agenda Item:

- I. Introduce New Employees
- II. Oregon Waste Management
- III. Franchise Update
- IV. WTRC Update
- V. Diversion from St. Johns

b1

SOLID WASTE POLICY ALTERNATIVES COMMITTEE

SWPAC REGULAR MEETING

October 15, 1984

Committee Members Present: John Trout, Chairman, Shirley Coffin, Dave Phillips, Robert Harris, Howard Grabhorn, Paul Johnson

Committee Members Absent: Dick Howard, Delyn Kies, James Cozzetto, Gary Newbore, Mike Sandberg

Staff Present: Dan Durig, Doug Drennen, Mary Jane Aman, Bonnie Langford

12:10 p.m. Convened Meeting called to order by Chairman, John Trout

Minutes of Meetings: Minutes of August 20, 1984, and September 24, 1984, were approved as written.

Dan Durig presented a Solid Waste update. SWPAC sent a recommendation to the Council that the rates not be changed during the next year, after much discussion the Council accepted the concepts of the recommendation. Staff will prepare a Resolution for Council to act on. Mr. Trout suggested they insert a note in the billings that go out next month informing the haulers of the Rate Resolution as approved.

Mr. Durig mentioned the news media would be reporting on the PCB possibilities at St. Johns, and gave background information on the issue. Crosby and Overton, a clean-up firm, had been contracted to clean up some tanks that contained oil taken from the holds of ships, etc. One of the persons they hired for this, cut a hole in the tank to clean out the sludge. He broke out in a rash, went to a doctor and a lawyer and alleges the tank may have had some PCB's. Many people became involved--DEQ, EPA, Metro, etc., and an agreement was reached with Crosby and Overton to share the cost of drilling at St. Johns. Seventeen core samples will be taken from the location where our records show the material was placed. A DEQ staff person will be present, and Dennis O'Neil from Metro will observe the drilling process. Drilling will take about a week and deposits will be tested for PCB's. If any are found, Metro will put together a clean-up plan, however, it will take over a week to get results of the lab tests. In answer to questions on how this situation could be handled if the test is positive, Mr. Durig stated it would be very expensive to relocate them in a safe environment like Arlington. We could try to contain them in the site with the installation of barriers and sealing that part of the landfill off and not using it again. It would be a matter of what the EPA would find acceptable. To move a cubic yard of that type of material, with precautions, would potentially be about \$175.00 per yard.

Mr. Durig commented that Metro is not in the hazardous waste business but when you handle three-million pounds of waste a day, something like this could happen. He reviewed the files and we had complied with all the policies. He commended Dennis O'Neil for following all the procedures necessary--lab reports and back-up material--as well as DEQ's confirmation for dumping the material. All rules were carried out. Discussion followed with SWPAC members on these problems.

Mr. Durig stated during the past week Solid Waste had gone through an interview and selection process to fill four positions in the department. He commented they were trying to find people with a little more background than just solid waste and they were pleased with the quality of the people who were applying.

At the next SWPAC meeting, Mr. Durig would like to discuss the types of things the Committee would like to do regarding the shifting of waste to limited-purpose sites. The Council gave SWPAC the assignment of coming up with ideas and options and he asked that the members call Mary Jane if they had ideas they wished to discuss.

Doug Drennen reported on the Methane gas project. The Council read the reports and felt the circumstances were good for either marketing gas through an upgraded technology to Northwest Natural Gas Company or possibly selling gas of medium BTU to individual customers. Metro has developed, with EMCON and Associates, an RFP which will be sent to potential customers to determine the conditions of the purchase agreement for that gas. Once this is established, Metro will make a recommendation on which way to go. On October 25th, staff will ask the Council for a waiver on public bidding rules. The marketing of gas is considered real property. Anytime a public agency wishes to sell a commodity of that nature, it is subject to competitive bidding rules except where certain exclusions are provided. Because we have limited markets in either situation, our legal counsel has suggested the competitive bid process be waived and we solicit specific proposals and prices through the RFP process.

Mr. Durig stated it was conceivable that we could end up selling all the gas to Northwest Natural at a lower unit price, as opposed to selling a portion of it in a medium BTU to one of the industries. The highest price may not mean the most revenue. A customer might want to build their own pipeline which might lower the unit price on the actual gas. If we build the pipeline the cost will have to be added on. This issue will be going to the Council on October 25. There are two additional issues connected with the methane decisions at this time. First, Metro and the City of Portland must come to a long-term agreement for putting this equipment on the landfill; secondly, how will the gas collection integrate with the end use? Discussion followed concerning capital expenditures, revenue sharing, etc. Mr. Durig added the existing lease provides 50 percent of the profits to the City.

Shirley Coffin reported for the Advisory Group on the Washington County Transfer and Recycling Center. Metro brought a list of 54

sites (many contiguous on a parcel) and they rated them according to certain criteria. Ratings ranged from 12-23 so the cut off became 20 points and above for the second stage of plans. This left 33 sites--some contiguous to each other. Virtually all are industrial. These will be narrowed down at the next meeting according to criteria and options. Doug Drennen added that once a site is chosen the County Planning Office assesses the application and applies conditions according to their standards. The information is mailed to people within a 250 foot radius of the proposed site and they must make comment within 14 days. After the 14 days are over the application is processed by the County. Shirley Coffin stated in stage three there is a <sup>waiting</sup> factor that deals with the availability of the site and Dan asked that this system be circulated to SWPAC for the next meeting.

Agenda Item

Discussion of Landfill and Transfer  
Chapter of the Systems Plan

Dan Durig referred to the handout containing the staff reports and resolutions which will eventually become part of the Systems Plan. Metro has adopted the 1st Resolution on interim landfill strategies and the Council followed SWPAC's recommendation almost to the letter. The two Resolutions being reviewed at today's SWPAC meeting are another part of that effort. One deals with long-term landfill strategies and lays out the policy and direction Metro is going. The other Resolution contains policies and directions for transfer stations that are contained in the Transfer Chapter of the systems Plan. Three more chapters will be coming out; one on Alternative Technology/Resource Recovery, which is now in draft form. There is a chapter on Waste Reduction--Teri Anderson is the program manager. The final chapter will be called Management and Finance Issues and will discuss various management strategies as well as financial issues. Metro will solicit comment on these chapters and come back with a staff report and resolution. The six reports and resolutions, when merged at the end of the process, will in effect be the Solid Waste Management Policies adopted for Metro.

Doug discussed the reports and resolutions with SWPAC. He stated we would continue to develop the three transfer stations; Clackamas, the construction of the Washington Transfer and Recycling Center, and a third station to be constructed in the City of Portland area upon the closure dates of St. Johns Landfill. Resolutions will be forthcoming to establish policies and strategies for these stations and long-term landfill strategies. He referred to the Alternatives Table in their packet and our role with DEQ Supersiting.

John Trout mentioned the problems of waste disposal were statewide and that coastal cities such as Seaside would be hauling their waste as far as Raymond, Washington--which is 145 miles round trip. He stressed the need for a state agency that would be responsible for siting landfills--a state board that could get the job done. Dan Durig agreed this was a frustrating issue and that at some point they needed to deal with it since the cities and towns couldn't go on like this.

SWPAC Meeting  
10/15/84

-4-

The Committee discussed policies that would deal with limited-use sites and commitment of wastes to other sites and our long-term, general-purpose landfill.

MOTION: Dave Phillips moved the SWPAC Committee recommend adoption of both Resolutions to the Council.

Seconded: Howard Grabhorn

Vote: Motion carried unanimously.

Dan commented that the SWPAC Committee was well informed on the issues that had confronted Metro over the past few years and added Metro appreciated their recommendations.

Old Business: Reminder that meetings are the 3rd Monday of the month. November meeting is 19th  
December meeting is 17th

Meeting adjourned

Written by Bonnie Langford

STAFF REPORT

Agenda Item No. \_\_\_\_\_

Meeting Date \_\_\_\_\_

CONSIDERATION OF RESOLUTION NO. 84-522, FOR THE  
PURPOSE OF GRANTING A PROCESSING FACILITY  
FRANCHISE TO OREGON WASTE MANAGEMENT, INC., AND  
GENSTAR CONSERVATION SYSTEMS, INC.

Date: November 29, 1984

Presented by: Edward K. Stuhr

FACTUAL BACKGROUND AND ANALYSIS

Oregon Waste Management, Inc. currently operates a source-separated buy back center for recyclable materials at 701 N. Hunt Street in Portland. On October 16, 1984, the company initiated an application for a non-exclusive franchise to operate a processing facility at that location as well. The application was accepted as complete on November 23, 1984. The operator of the business wishes to enter into a joint venture with Genstar Conservation Systems, which will allow upgrading the facility so it can accept selected loads of mixed waste from commercial haulers. Only loads which contain a significant percentage of recyclable materials (primarily corrugated cardboard and other paper products) would be accepted.

As the process is planned, mixed loads will be placed on a conveyor belt which will move the material past sorters who will separate out recyclable materials by hand. The recyclable materials will then be warehoused for sale and the remaining solid waste will be taken to a disposal site. The operator anticipates that approximately 7,200 tons of recyclable materials per year will be extracted from the waste stream by the processing facility. The operator also intends to continue the buy back center for source-separated recyclables. It is estimated that there are about 35,000 tons per year of corrugated cardboard in the Metro region's waste stream that currently escape recycling.

Variance Requested from Collection of User Fees and Regional Transfer Charge (RTC) on Mixed Waste

Under Sections 5.02.045 and 5.02.050 of the Metro Code, the operator of a facility which receives mixed waste is required to collect user fees and the RTC on all material which is received. When the remaining waste is disposed of, User Fees and the RTC are charged at the disposal facility. The operator then receives a credit for the charges which were collected at the disposal facility.

The net result of this process is that Metro charges are collected on both the recyclable materials and the disposed materials. The applicant asks that Metro charges not be collected

on material that he receives, but only when the remaining material is taken to a disposal facility. The variance request is attached (Exhibit A).

Using the applicant's projected volumes (24,000 tons per year) and projected 30 percent recyclable recovery rate, the revenue loss to Metro of this variance taken by itself is 7,200 tons x \$3.68, or about \$26,500. At a 50 percent recovery rate, the revenue loss becomes \$44,160 per year.

The applicant bases the request for variance on the grounds that the extra cost would prevent him from being competitive in the market place. There is no adequate way to verify that assertion since no financial data is presented. A logical argument can be made, however, that the fact that Metro charges are only collected on recyclable materials which are not source-separated would be a disincentive to the kind of business being proposed here.

#### Variance Requested from Rate Regulation

Section 5.01.180 of the Metro Code requires that the Council set rates for franchised facilities. The applicant requests a variance to the Code requirement under Code Section 5.01.110 on grounds that (1) the facility will operate in a competitive climate; (2) disclosure of proprietary agreements as part of rate setting would be detrimental to the business; and (3) the nature and complexity of the business makes empirical rate setting inaccurate. The applicant claims, therefore, that adherence to the Code would be inappropriate because of conditions beyond his control and because it would result in "substantial curtailment or closing down of the business." Detailed arguments are presented in the attached variance request (Exhibit B).

This variance, taken by itself, would have no fiscal effect on Metro. A key operational consideration for the applicant is that he must charge enough less than available disposal facilities to attract customers.

The Solid Waste Rate Review Committee has considered the applicant's requests for variances from rate regulation and from collection of User Fees and Regional Transfer Charges on incoming material. The Committee recommends approval of both variances, provided that the approvals will be reviewed after one year of operation, in accordance with standards to be set by the Executive Officer.

#### EXECUTIVE OFFICER'S RECOMMENDATION

The operation being proposed by OWM/GCS is a positive step for waste reduction in the Metro area. The Council should adopt Resolution No. 84-522, to allow the District to enter into a franchise agreement with OWM/GCS.

The applicants' request for a variance to be exempt from

VARIANCE REQUESTUSER FEE & TRANSFER CHARGE

OWM/GCS is requesting a variance to Metro Code Section 5.02.045 (user fee) and Section 5.02.050 (transfer charge) eliminating the Metro sur-charges on recycled material. By granting this request, the objectives of the State of Oregon's Opportunity to Recycle Act of 1983, Metro's Disposal Franchise Ordinance and Waste Reduction Plan will be met. In addition, this action will allow for the establishment of a major recycling effort which would otherwise not be economically feasible.

The 63rd Oregon Legislative Assembly passed the Opportunity to Recycle Act (SB 405) which requires that the "opportunity to recycle" be made available to all Oregonians. The Act requires in ORS 459.170 (2)(a) through (g) that the following criteria be considered in developing the administrative rules.

1. The purposes and policy stated in ORS 459.015.
2. Systems and techniques available for recycling, including but not limited to existing recycling programs.
3. Availability of markets for recyclable material.
4. Cost of collecting, sorting, transporting and marketing recyclable material.
5. Avoided cost of disposal.
6. Density and characteristics of the population to be served.
7. Composition and quantity of solid waste generated and potential recyclable material found in each wasteshed.

The Act further states in ORS 459.015;

- (1) The Legislative Assembly finds and declares that:
  - (a) The planning development and operation of recycling programs is a matter of state-wide concern.
  - (b) The opportunity to recycle should be provided to every person in Oregon.
  - (c) There is shortage of appropriate sites for landfills in Oregon.
  - (d) It is in the best interests of the people of Oregon to extend the useful life of existing solid waste disposal sites by encouraging recycling and reuse of materials whenever recycling is economically feasible.
- (2) In the interest of the public health, safety and welfare and in order to conserve energy and natural resources, it is the policy of the State of Oregon to establish a comprehensive state-wide program for solid waste management which will:



collecting User Fees and the Regional Transfer Charge from incoming waste should be reviewed with the following questions in mind:

1. Would their imposition have a significant impact on the viability of the project?
2. Will the loss of this revenue source have a significant impact on the Metro solid waste program?
3. Should the Metro fees be applied to any material which will be removed from the waste stream prior to final disposal?

The Solid Waste Department staff has evaluated the economic viability of this project and, at least for the short-term, agrees with the applicant that the imposition of the Metro fees could have a significant negative impact. Current revenues indicate that, during the next year, the loss of an estimated \$25,000 to \$40,000 in Metro fees from this project will be offset by higher than projected volumes. The Executive Officer's recommendation is to grant the requested variance from the User Fee and Regional Transfer Charge for one year, or until the Council has reviewed the policy of exempting recyclable material at any point prior to disposal for the entire region and adopts policies to apply regionwide.

While the agreement would be a non-exclusive franchise, and while the operation will take place in a somewhat competitive environment, it is recommended that a variance be granted to OWM/GCS such that the variance would be reviewed by the Executive Officer annually, according to the criteria contained in Schedule E of the Franchise Agreement. If the Executive Officer determines by the review process that the variance is no longer appropriate, the variance will be brought back to the Council.

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- (a) After consideration of technical and economic feasibility, establish priority in methods of managing solid waste in Oregon as follows:
- (A) First, to reduce the amount of solid waste generated;
  - (B) Second, to reuse material for the purpose which it was originally intended;
  - (C) Third, to recycle material that cannot be reused;
  - (D) Fourth, to recover energy from solid waste that cannot be reused or recycled, so long as the energy recovery facility preserves the quality of air, water and land resources; and
  - (E) Fifth, to dispose of solid waste that cannot be reused, recycled or from which energy cannot be recovered by landfilling or other method approved by the Department.
- (j) Encourage utilization of the capabilities and expertise of private industry in accomplishing the purposes of ORS 459.005 to 459.105 and 459.205 to 459.285.

Metro's long term waste reduction goal as stated in the Waste Reduction Plan approved by the Council on January 8, 1981, is to "reduce the amount of solid waste disposed by 83 percent:

- by assuring the handling, processing and reclamation of all separated yard debris;
- by reducing the residential and commercial solid waste by 30 percent through the recovery of all available recyclable materials; and
- by reducing the remaining residential and commercial processible solid waste by 75 percent through resource recovery." (emphasis added)

In addition, Metro's Waste Reduction Policy Statement states:

1. Waste generators possess the primary responsibility for waste reduction.
2. The resources of private industry and local governments should be utilized to reduce waste volumes.
3. The use of incentives for waste reduction is preferred over the use of regulations; if incentives are ineffective in reducing waste volumes, mandatory measures should be adopted.
4. The full costs of disposal should be the basis for

disposal rates; the basis for incentives for waste reduction should be reduced landfill dependence and a positive economic impact.

5. The reduction in the amount of solid waste generated is the highest and best use of resources over other solid waste management options.
6. Waste recycling and reuse is the best use of solid waste over mechanical processing or landfilling of waste.
7. The mechanical processing of solid wastes for the recovery of energy and materials is a better use than disposal.

The OWM/GCS proposal is consistent with the State of Oregon's Opportunity to Recycle Act and in particular ORS 459.015 1(b), 1(d), 2(a)(B), 2(a)(C) and (j) and Metro's Waste Reduction Goals and Waste Reduction Policy Statement especially elements 2, 3, 4, 6 and 7.

In the past, Metro has imposed the user fee and transfer charge on the few small permitted processing centers in operation. These fees are paid by the processing centers based on incoming tonnage and a credit is given for non-recyclable material taken to a disposal site. The effect of this practice is to impose the user fee and transfer charge in the amount of \$3.68 on all recycled material. In some cases, this burdensome sur-charge may eliminate the recovery of recyclables from the waste stream and compound the disposal problems facing Metro today.

In keeping with Metro's goal to encourage recycling and to reduce the amount of material being landfilled, the Council adopted Ordinance 83-163. Among other things, this ordinance waved certain fees for persons delivering recyclable material along with waste to the St. Johns Landfill or to the Clackamas Transfer and Recycling Center. For example, an auto delivering recyclable material and waste to the St. Johns Landfill, the fee will be reduced from \$6.50 to \$3.25. At the CTRC, the fee will be \$3.60 instead of \$7.25.

Metro's Disposal Franchise Ordinance, Section 12, provides that the Council may grant specific variances if they find that the "...purpose and intent...can be achieved without strict compliance and that strict compliance:

- (a) Is inappropriate because of conditions beyond the control of person(s) requesting the variance; or
- (b) Will be rendered extremely burdensome or highly impractical due to special physical conditions or causes; or
- (c) Would result in substantial curtailment or closing

## Variance Request - Rate Setting

The rate setting policies and methodologies adopted by Metro to date have been established for facilities designed solely for solid waste disposal or transferring. Public facility rates have essentially been formulated according to an average cost method, while private facility rates have been set using the marginal cost plus profit method. In both cases, the cost for solid waste disposal and transferring have been allocated to the appropriate user and converted into applicable rates, such as per ton, per yard or per trip.

Application of the cost plus rate setting method to OWM/GCS's operation cannot be done effectively. Major differences exist between disposal and processing/recycling operations that make previously used methods of setting rates inaccurate and cumbersome when applied to non-disposal facilities. Three of the primary problem areas are discussed below.

First, OWM/GCS financial success will be based not only on its operational cost efficiency (similar to a landfill) but more importantly, its ability to maximize revenue from the recycled material. These revenues will fluctuate day to day and order by order as the price per ton for each of the materials recovered changes with the secondary markets. For example, the price of cardboard has fallen approximately 30% over the last few months. Any attempt to guess these revenues for any extended period of time and then allocate individual materials' revenues to the appropriate haulers of mixed loads would be complicated and inevitably inaccurate. The majority of the business revenue is derived from the sale of secondary materials and not from disposal fees.

Second, OWM/GCS's proficiency at generating greater revenues lies in its ability to negotiate the best purchasing contracts with the buyers of the recovered material. Such contracts are invaluable to a processing center and are the main financial advantage OWM/GCS has over its competitors. The disclosure of these contracts to Metro, required in a typical marginal cost analysis, will damage OWM/GCS ability to maintain the proprietary value of such agreements. Further, buyers have prohibited such disclosures.

Third, the distribution of costs and revenues between mixed waste and recyclables and source separated material that will occur makes a marginal cost rate setting process difficult and speculative.

In addition, OWM/GCS is not requesting a monopoly or an exclusive franchise. On the contrary, other disposal options are available within a few miles of the recycling facility. The requested rate is lower than that charged for disposal at the St. Johns Landfill.

VARIANCE REQUESTRATE SETTING

OWM/GCS is requesting a variance to Metro Code Section 5.01.180 (Determination of Rates). This will eliminate the necessity for Metro to establish a disposal fee to be charged at the recycling facility, provided said fee is less than the disposal rate charged at the nearest Metro authorized solid waste disposal site and that the major source of revenue generated by the OWM/GCS facility is realized from the recycled material.

In order to maximize the recovery of recyclables from the waste stream, the OWM/GCS operation must be able to offer a rate that is lower than conventional disposal, meets operational costs, is flexible enough to reward those haulers for loads with fewer contaminants and recognizes higher than anticipated recovery rates.

As part of the implementation of its Solid Waste Management Plan, Metro adopted the Disposal Franchise Ordinance in 1981. In the Ordinance's Findings & Purpose Statements (Section 3 [2]) the "... council declares it to be in the public policy of the District and the purpose of this Ordinance to establish an exclusive franchise system for disposal of solid waste...in order to:

- (a) Provide a coordinated regional disposal program...to benefit all citizens of the District.
- (c) Ensure that rates are just, fair, reasonable and adequate to provide necessary public service.
- (h) Reduce the volume of waste that would otherwise be disposed of in a landfill through source reduction, recycling, reuse and resource recovery." (emphasis added)

Under Metro's established definition, the OWM/GCS facility is defined as a Processing Center since the primary purpose of the operation is to alter the content of solid waste.(1) In accordance with Metro's Solid Waste Disposal Franchise Ordinance, OWM/GCS must submit and have approved a franchise application before the facility may accept solid waste for processing.

As part of the franchising process, Metro must establish the rate to be charged by OWM/GCS for mixed solid waste. The rate is regulated by Metro to ensure that it is "...just, fair, reasonable and adequate to provide necessary public service".(2) The theory of franchise rate setting and the need to review detail financial information is to insure that the public is not over charged for services provided by government approved monopolistic private business.

(1) Metro's Disposal Franchise Ordinance, Section 2 (13) & (14)

(2) Ibid, Section # (2) (C)

down of a business, plant or operation which furthers the objectives of the District." (emphasis added)

OWM/GCS is requesting a variance to Metro Code Sections 5.02.045 (user fee) and Section 5.02.050 (transfer charge) eliminating the imposition of user fees and transfer charges on the recyclables recovered from mixed loads received and processed. User fee and transfer charges will be paid on all waste not recycled and taken to an authorized disposal site.

Metro initially imposed the user fee at disposal sites for the purpose of generating revenue to operate its solid waste program. At that time it was Metro's only source of revenue and very little, if any, was derived from recycled material. However, since the late seventies, a great deal more emphasis has been placed on recycling as a major part of Metro's overall solid waste program strategy. For example, the Waste Reduction Plan was adopted which, among other things, recommended that economic incentives be used as a method of encouraging recycling. As stated above, Metro adopted an ordinance reducing disposal fees at their facilities in order to encourage recycling. Section 3, (2)(h) of the Disposal Franchise Ordinance, Findings and Purpose, states that it is public policy to "reduce the volume of waste that would be otherwise disposed of in a landfill through source reduction, recycling, reuse and resource recovery."

The regional transfer fee was imposed at all solid waste disposal sites in order to lessen the impact of hauling waste from the CTRC to St. Johns Landfill on the users of the transfer station.

If the Metro sur-charge of user fees and transfer charges are imposed on the recycled material processed at the OWM/GCS facility, the disposal fee that must be charged will be greater than that levied at the landfills. This is contrary to Metro's goal to encourage recycling, will eliminate the economic advantage necessary to operate the recycling center and will result in the closing of the business.

In conclusion, OWM/GCS is requesting that a variance be granted to Metro Code Section 5.02.045 and Section 5.02.050 eliminating the user fee and transfer charge on recycled material recovered at the OWM/GCS facility. This action is consistent with the Oregon Opportunity to Recycle Act of 1983, Metro's Waste Reduction Plan, adopted Metro policy and furthers the

objectives of the District. Imposing the sur-charges on recycled material creates an economic disincentive to recycling and will result in the elimination of this recycling proposal.

Given these important factors, it is clear that a full financial analysis of the operation and a marginal cost plus profit rate setting process would serve little or none of its intended purpose. Such an analysis and rate setting process would be technically difficult, potentially damaging to the business and would not be necessary to establish "just, fair and reasonable" rates.

Metro's Disposal Franchise Ordinance, Section 12, provides that the Council may grant specific variances if they find that the "...purpose and intent...can be achieved without strict compliance and that strict compliance:

- (a) Is inappropriate because of conditions beyond the control of person(s) requesting the variance; or
- (b) Will be rendered extremely burdensome or highly impractical due to special physical conditions or causes; or
- (c) Would result in substantial curtailment or closing down of a business, plant or operation which furthers the objections of the District." (emphasis added)

OWM/GCS is requesting a variance to Metro Code Section 5.01.180 (Determination of Rates) for the following reasons:

- (1) The Disposal Franchise Ordinance was adopted to insure the proper disposal of solid waste through the imposition of an exclusive franchise system which includes disposal rate regulations. This is demonstrated by the phase-in plan for the Killingsworth Fast Disposal Landfill and the possible future use of the Waybo Pit and Metro's current policy pertaining to the Washington County Transfer and Recycling Center. At these and other exclusive facilities Metro controls or will control the rates.

The OWM/GCS request is not for an exclusive franchise. While the operation furthers the objectives and policies of both Metro and the State of Oregon by maximizing the recovery of recyclables from solid waste and reduces the impact on the area's landfills, its existence is not as vital as a disposal site or regional transfer station. In addition, the Metro Solid Waste System will continue to function with or without this recycling facility.

- (2) Since the recycling facility will not hold an exclusive franchise, it must compete with other disposal sites regulated by Metro. Therefore, OWM/GCS must charge a rate which is lower than conventional disposal fees.



- (3) Unlike conventional disposal sites, the major source of revenue will be derived, not from the disposal fee, but from the sale of recyclable material. The selling price of secondary material fluctuates order by order and is dependent on a dynamic market place. It is impossible to accurately estimate long term selling prices.
- (4) One of OWM/GCS major financial advantages lies in its purchasing agreements. Disclosure of the terms of these agreements which is necessary in Metro's rate setting process is prohibited by the buyers of the secondary material. Therefore, without a variance, this recycling business which furthers the objectives of Metro, will not be able to operate.

In conclusion, the Disposal Franchise Ordinance was adopted to insure a systematic program of providing vital solid waste disposal facilities. To accomplish this, the Council declared it to be public policy of the Ordinance to establish an exclusive franchise system along with rate regulation.

Recognizing that certain conditions or proposals may be forthcoming that will not fall within the context of the Ordinance but still fulfill its intent and objectives, the Council made provisions to grant variances to specific requirements if strict compliance is inappropriate because of conditions beyond the control of persons requesting the variance or would result in the curtailment of a business that furthers the objectives of the District.

The granting of the variance request recognizes the uniqueness of the OWM/GCS proposal and its difference as compared to the existing monopolistic disposal system. This action is consistent with Oregon Opportunity to Recycle Act of 1983, Metro's Waste Reduction Plan, Metro's Franchise Ordinance, adopted Metro policy and furthers the objectives of the District. Failure to grant the variance will prohibit the recycling business to operate.

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF GRANTING A ) RESOLUTION NO. 84-522  
FRANCHISE TO OREGON WASTE MANAGE- )  
MENT, INC. AND GENSTAR CONSERVA- ) Introduced by the  
TION SYSTEMS, INC. FOR THE PURPOSE ) Executive Officer  
OF OPERATING A SOLID WASTE PRO- )  
CESSING FACILITY )

WHEREAS, Section 5.01.030 of the Metropolitan Service District (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, Oregon Waste Management, Inc. and Genstar Conservation Systems, Inc. (OWM/GCS) have jointly applied for a non-exclusive franchise to operate a processing center at 701 N. Hunt Street, Portland, Oregon; and

WHEREAS, OWM/GCS has submitted evidence of compliance with Metro Code Section 5.01.060 requirements for franchise applications and operational plans except in areas relating to rate regulation and collection of User Fees and Regional Transfer Charges as discussed in the Staff Report; and

WHEREAS, OWM/GCS has applied for variances from Metro Code sections relating to rate regulation and collection of User Fees and Regional Transfer Charges pursuant to Metro Code Section 5.01.110; and

WHEREAS, OWM/GCS has met the purpose and intent of Metro Code Section 5.01.180 and has met variance criterion (3) under Metro Code Section 5.01.110 as set out in its application for a variance from rate regulation; and

WHEREAS, OWM/GCS has met the purpose and intent of Metro Code Sections 5.02.045 and 5.02.050 and has met variance criterion (3) under Metro Code Section 5.01.110 as set out in its application for a variance from collection of User Fees and Regional Transfer Charges; and

WHEREAS, The variances are granted subject to annual review by the Executive Officer because the innovative nature of the proposed operation makes it impossible to determine that the criteria of the Metro Code will continue to be met; now, therefore,

BE IT RESOLVED,

1. That the Council of the Metropolitan Service District authorizes the District to enter into the attached Franchise Agreement with Oregon Waste Management, Inc. and Genstar Conservation Systems, Inc. within ten (10) days of the adoption of the Resolution.

2. That the requested variances from the Metro Code are granted, but they shall be reviewed by the Executive Officer one year from the date of issuance of the Franchise. If, in the opinion of the Executive Officer, the variances warrant review they shall be reconsidered by the Council.

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

\_\_\_\_\_  
Presiding Officer

ES/srs  
2449C/402-3  
12/04/84

Franchise No. \_\_\_\_\_

Date Issued \_\_\_\_\_

Expiration Date \_\_\_\_\_

SOLID WASTE FRANCHISE  
issued by the  
METROPOLITAN SERVICE DISTRICT  
527 S.W. Hall Street  
Portland, Oregon 97201-5287  
(503) 221-1646

ISSUED TO: Oregon Waste Management, Inc. and Genstar Conservation Systems, Inc.

NAME OF FACILITY: Oregon Processing and Recovery Center

ADDRESS: 701 N. Hunt Street, Portland, Oregon 97217

LEGAL DESCRIPTION: Blocks 1 and 2, Swinton. Block 3, Swinton except south 72.5'. Plus vacated portions of N. Albina and N. Kirby Streets.

CITY, STATE, ZIP: Portland, Oregon 97217

NAME OF OPERATOR: Oregon Waste Management, Inc.

PERSON IN CHARGE: Merle Irvine

ADDRESS: P. O. Box 17561

CITY, STATE, ZIP: Portland, Oregon 97217

TELEPHONE NUMBER: (503) 285-5261

This Franchise will automatically terminate on the expiration date shown above, or upon modification or revocation, whichever occurs first. Until this Franchise terminates, Oregon Waste Management, Inc., and Genstar Conservation Systems, Inc. are authorized to operate and maintain a solid waste processing facility located at 701 N. Hunt Street, Portland, Oregon 97217, for the purpose of accepting and processing solid waste in accordance with the Metro Code and the attached Schedules A, B, C, D and E, and in accordance with the provisions specified in the Solid Waste Disposal Site Permit No. 245 issued by the State of Oregon, Department of Environmental Quality. 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.

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Merle Irvine  
President  
Oregon Waste Management, Inc.

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Rick Gustafson  
Executive Officer  
Metropolitan Service District

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Alex Cross  
Vice President & Regional Manager  
Genstar Conservation Systems, Inc.

ES/srs  
2461C/401-3  
12/04/84

FRANCHISE CONDITIONS

Franchise Number: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

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SCHEDULE A

AUTHORIZED AND PROHIBITED SOLID WASTES

- SA-1 The Franchise Holder is authorized to accept for processing select loads of mixed solid waste containing at least 30 percent, by weight, of recyclable material. No other wastes shall be accepted unless specifically authorized in writing by Metro supplementary to this Franchise.
- SA-2 The following types of materials are specifically prohibited from the processing facility:
- a. Bulky combustible material, car bodies, dead animals, tires, sewage sludges, septic tank pumpings and hospital wastes.
  - b. All chemicals, liquids, explosives, infectious materials and other materials which may be hazardous or difficult to manage, unless specifically authorized by Metro.
- SA-3 Public dumping of mixed waste is not allowed. Dumping by commercial solid waste haulers is allowed. No commercial hauler will be excluded from this site except when the load contains less than 30 percent, by weight, recyclables. Loads of solid waste in compactor trucks and compacting drop boxes or containers will be accepted if said loads contain at least 30 percent, by weight, recyclables.
- SA-4 Salvaging is authorized, if controlled so as to not create unsightly conditions or vector harborage.
- SA-5 Non-recovered material shall be removed from the processing facility and shall be transported to a franchised or authorized disposal site. Storage and transportation shall be carried out to avoid vector production and bird attraction.
- SA-6 The Franchise Holder shall perform litter patrols to keep the facility free of blowing paper and other material on at least a daily basis or more often if necessary.
- SA-7 The Franchise Holder shall operate the processing facility in accordance with the Application and Operation Plan dated October 16, 1984, and the supplemental data in the letter from Merle Irvine to Ed Stuhr dated November 9, 1984.
- SA-8 The Franchise Holder shall not, by act or omission, discriminate against, treat unequally or prefer any user of the processing facility in the fees or the operation of the facility.

- SA-9 All solid waste transferring vehicles and devices using public roads shall be constructed, maintained, and operated so as to prevent leaking, sifting, spilling, or blowing of solid waste while in transit.
- SA-10 All mixed loads containing food waste shall be processed and the reject material removed within 24 hours of receipt to a Metro authorized disposal site.
- SA-11 All mixed waste will be stored in an enclosed structure.

FRANCHISE CONDITIONS

Franchise Number: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

SCHEDULE B

MINIMUM MONITORING AND REPORTING REQUIREMENTS

SB-1 The Franchise Holder or his/her Contractor shall effectively monitor the processing facility operation and maintain records of the following required data to be submitted to Metro:

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

<u>Item or Parameter</u>	<u>Minimum Monitoring Frequency</u>
c. Tons of solid waste delivered by commercial collection vehicles	Daily
d. Number of commercial collection vehicles	Daily
e. Unusual occurrences affecting processing facility operation	Each Occurrence
f. Tons of reject material disposed at an authorized disposal site	Monthly
g. Disposal rate charged for mixed solid waste	Daily
h. Tons of waste salvaged by type of material	Monthly
i. Signature and title of the Franchisee or its 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 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-4 The Franchise Holder shall report to the District any changes in excess of five (5%) percent of ownership of the Franchisee's corporation or similar entity, or of the



partners of a partnership within ten (10) days of such changes of ownership.

- SB-5 The Franchisee may contract with another person to operate the disposal facility 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.
- SB-6 The Franchisee shall establish and follow procedures designed to give reasonable notice prior to refusing service to any person. Copies of notification and procedures for such action will be retained on file for three (3) years by each Franchisee for possible review by the District.
- SB-7 The Franchisee shall maintain during the term of the franchise public liability insurance in the amounts set forth in SC-1 and shall give thirty (30) days written notice to the District of any lapse or proposed cancellation of insurance coverage or performance bond.
- SB-8 The Franchisee shall file an Annual Operating Report detailing the operation as outlined in this Franchise on or before \_\_\_\_\_ (anniversary date of Franchise) of each year for the preceding year.
- SB-9 The Franchise Holder shall submit a duplicate copy to the District of any information submitted to, or required by the Department of Environmental Quality pertaining to the solid waste permit for this facility.
- SB-10 The Franchise Holder shall report to Metro the names of solid waste credit customers which are sixty (60) days or more past due in paying their disposal fees at the processing facility. Such report shall be submitted in writing each month on Metro approved forms. For the purposes of this section sixty (60) days past due means disposal charges due, but not paid on the first day of the second month following billing.
- SB-11 In the event a breakdown of equipment, fire 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.

SB-12 In the event that the processing facility 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.

SB-13 The Franchisee shall file a monthly report on forms approved by the District indicating the types (wood, paper, cardboard, metal, glass, etc.) and quantities (tonnage/cubic yards) of source separated and non-source separated solid wastes accepted at the facility and not disposed at the franchised site.

FRANCHISE CONDITIONS

Franchise Number: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

SCHEDULE C

GENERAL CONDITIONS

- SC-1 The Franchise Holder shall furnish Metro with public liability insurance, including automotive coverage, 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. Name the District as an additional insured in this insurance policy.
- SC-2 The Franchise Holder shall obtain a corporate surety bond in the amount of \$25,000 guaranteeing full and faithful performance during the term of this Franchise of the duties and obligations of the Franchisee under the Solid Waste Code, applicable federal, state and local laws, rules and regulations.
- SC-3 The term processing facility is used in this Franchise as defined in Section 5.01.010(n) of the Metro Code.
- SC-4 The conditions of this Franchise shall be binding upon, and the Franchise Holder shall be responsible for all acts and omissions of, all contractors and agents of the Franchise Holder.
- SC-5 The processing facility operation shall be in strict compliance with the Metro Code regarding storage, collection, transportation, recycling and disposal of solid waste.
- SC-6 The Franchise Holder shall provide an adequate operating staff which is duly qualified to carry out the reporting functions required to ensure compliance with the conditions of this Franchise Agreement.
- SC-7 Metro may reasonably regulate the hours of site operation as it finds necessary to ensure compliance with this Franchise Agreement.
- SC-8 At least one sign shall be erected at the entrance to the processing facility. This sign shall be easily visible, legible, and shall contain at least the following:
- a. Name of facility;

- b. Emergency phone number;
- c. Operational hours during which material will be received;
- d. Disposal rates;
- e. Metro information phone number; and
- f. Acceptable materials.

SC-9 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.

SC-10 Authorized representatives of Metro shall be permitted access to the premises of the processing facility owned or operated by the Franchise Holder at all reasonable times for the purpose of making inspections and carrying out other necessary functions related to this Franchise. 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, such notice would defeat the purpose of the entry.
- d. That there has been a significant change in the quantity or character of solid waste received or the method of solid waste processing.

SC-11 This Franchise Agreement is subject to suspension, modification, revocation or nonrenewal upon finding that a Franchisee has:

- a. Violated the Disposal Franchise Ordinance, the Franchise Agreement, 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, Annual Operating Report, or other information required to be submitted to the District;
- c. Refused to provide adequate service at the franchised site, facility or station, after written notification and reasonable opportunity to do so.
- d. That there has been a significant change in the quantity or character of solid waste received or the method of solid waste processing.

SC-12 This Franchise Agreement, or a photocopy thereof, shall be displayed where it can be readily referred to by operating personnel.

SC-13 The granting of a Franchise shall not vest any right or privilege in the Franchisee to receive specific types of quantities of solid waste during the term of the Franchise.

- a. To ensure a sufficient flow of solid waste to the District's resource recovery facilities, the Executive Officer may, at any time during the term of the Franchise, without hearing, direct solid wastes away from the Franchisee. In such case, the District shall make every reasonable effort to provide notice of such direction to affected haulers of solid waste.
- b. To carry out any other purpose of the Metro Disposal Franchise Ordinance, the Executive Officer may, upon sixty (60) days prior written notice, direct solid wastes away from the Franchisee or limit the type of solid wastes which the Franchisee may receive.

Any Franchisee receiving said notice shall have the right to a contested case hearing pursuant to Code Chapter 2.05. A request for a hearing shall not stay action by the Executive Officer. Prior notice shall not be required if the Executive Officer finds that there is an immediate and serious danger to the public or that a health hazard or public nuisance would be created by a delay.

FRANCHISE CONDITIONS

Franchise Number: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

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SCHEDULE D

WASTE REDUCTION PLAN

The Franchisee shall implement the following waste reduction plan:

SD-1 To fulfill the requirements of the Waste Reduction Plan as stated in Section 5.01.120(k) of the Metro Code, the Franchisee shall continue to operate the existing recycling buy-back center as outlined in the application dated October 16, 1984, and supplemental data submitted November 9, 1984.

FRANCHISE CONDITIONS

Franchise Number: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

SCHEDULE E

DISPOSAL RATES

SE-1 In accordance with the variance granted by the Metro Council, the rates charged at this facility will be exempt from Metro regulations, Metro User Fee payments and Metro Regional Transfer Charge payments, except that the Executive Officer shall annually review the rates according to the following data and formula to determine whether the variances should be continued for the following year.

- Disposal Revenue collected at the facility.
- Salvage revenue will be calculated based on reports from OWM which indicate quantities of recovered materials by categories consistent with the "San Francisco Board Price Yellow Sheet" publications and product price will be determined from the same publications.
- Disposal cost will be calculated from the reported quantities delivered to Metro authorized landfills.
- Transfer cost will be based on actual hauling contracts negotiated by OWM.
- Inflation shall be based on the Consumer Price Index for the state of Oregon.
- Volume adjustment shall be 1 percent for each 1 percent increase over 24,000 tons of mixed waste processed at the facility annually.

The following formula will be used to review the disposal rate annually in conjunction with the annual report to be submitted under Schedule B, Item 8.

$$\text{Disposal Revenue} + \text{Salvage Revenue} - \text{Disposal Cost} - \text{Transfer Cost} = (\text{Operating Cost} + \text{Profit}) \times (\text{Inflation Adjustment}) \times (\text{Volume Adjustment})$$

The base (operating cost + profit) which is based on the projections submitted in the application, equals \$480,000.

ES/srs  
2496C/401-3  
12/04/84

WTRC SITING CRITERIA

<u>CRITERIA</u>	<u>DESCRIPTION</u>	<u>PT. SYSTEM</u>	<u>WT. FACTOR</u>	<u>SITES/AREA</u>
<u>STAGE I</u>				
1. Distance from Center of Waste	Center of waste generation is based on distribution of population and employment in the west service area. 1980--located east of Murray and north of Allen. 2000--projected growth would shift center to Murray Road and slightly south.	Less than 2 MI RAD. - 5 More than 6 MI RAD - 1	1	
2. Land Use and Zoning	Site is considered desirable if permitted outright and least desirable if zone changes are required.	. Permitted use - 5 to . Zone change - 1	2	
3. Transportation Access	Transportation routes to sites are based on shortest paths of collection vehicles to the site and of transfer vehicles to Hwy. U.S. 26 and state Hwy. 217 or <u>major</u> arterials.	. Direct access - 5 to site by major arterials and highways  to  . Encourages - 1 transportation thru congested areas	2	
<u>STAGE II</u>				
1. Size of Site	Total acreage available (Note: Some sites greater than maximum that can be parcelled and smaller parcels with available adjacent parcels will be considered further.	. Most desirable - 5 5 to 7 acres to . Least desirable < 5 acres >10 acres	1	
2. Total Travel Time	Estimated haul times for commercial vehicles, plus the travel times for transfer vehicles. Haul times are based on number trips made from traffic zones in the service area. Each traffic zone is a subset of a census tract with known population and employment figures.	. Least Total Travel Time - 5 to . Most Total Travel Time - 1	2	



STAGE II (continued)

3. Local Traffic Impacts	Access to the site by local collection vehicles and public. Favorable conditions require access by most collection vehicles using minor arterials or a higher road classification; unfavorable requires primary access using residential streets.	Most Desirable - 5 to Least Desirable - 1	2
4. Compatability of Site to Adjacent Property	Assessment of the suitability of the site to neighboring land use and development.	Most Desirable - 5 to Least Desirable - 1	1
5. Physical Characteristics of Property	Assessment of shape of property, topography and relation to floodplain.	Most Desirable - 5 to Least Desirable - 1	1

STAGE III

1. Cost of Land and Development	Land value and any cost to construct access or other major physical constraints.	Least Cost - 5 Most Cost - 1	1
2. Environmental Impacts	Assessment of any special off-site impacts of noise, minor odor or litter.	Most Desirable - 5 to Least Desirable - 1	1
3. Traffic Impacts	Assessment on local access roads and primary intersections using average daily traffic and/or peak hourly traffic.	Most Desirable - 5 to Least Desirable - 1	2
4. Availability of Utilities	Location and accessibility to water, sewer power. Rail is desirable as an option for future hauling.	Most Desirable - 5 to Least Desirable - 1	1
5. Geotechnical Considerations	Assess geological conditions from existing data to determine if site can be developed anticipating appropriate structural loading	Most Desirable - 5 to Least Desirable - 1	1
6. Availability of Site	Sites are favorable when sufficient acreage can be acquired with few transactions and site acquisition is not a time-consuming and expensive process.	Most Desirable - 5 to Least Desirable - 1	1
7. Other Criteria	Consideration of other factors identified during the selection process.	Most Desirable - 5 to Least Desirable - 1	1

# SUMMARY MATRIX LANDFILL MANAGEMENT STRATEGY

MANAGEMENT STRATEGY	POTENTIAL EFFECT IN MONTHS	SYSTEM COST	METRO COST	APPROVALS REQUIRED	TIME FRAME TO IMPLEMENT	EASE OF ADMINISTRATION	AFFECTED PARTIES	RELIABILITY	MAJOR PRO'S	MAJOR CON'S
I.A. Divert limited use landfills 1. Voluntary	0-3 months	Probably increase hauling cost	Primarily higher cost per ton for lower volumes at landfill	Metro	30 to 90 days	Difficult to have significant impact without extensive work Requires constant monitoring	Haulers and their customers	Low	Leaves decision to haulers Easy to state policy	Very limited impact
I.A. Divert to limited use landfills 2. Flow control	3 months	Increase hauling cost	Primarily higher unit cost for lower volume at landfill	Metro	90 days	Adopt an ordinance and monitor to assure compliance (difficult) and requires enforcement	Drop box haulers and their customers	High	Decreases traffic at St. Johns; Relatively clear distinction in loads; i.e., drop box vs compactors	Local rate policies; Heavy handed; Could increase putrescible wastes at limited-use sites; Limited impact; Some drop box loads will continue to use Metro sites
I.A. Divert to limited use landfills 3. Rates	3 months	Metro costs and increased hauling cost	\$252,000/yr Full RTC \$126,000 1/2 RTC	Metro	90 days	Adopt and implement new rates	All haulers in region	Moderate	Relative ease of implementation; Allows hauler to make decision; Improves efficiency of smaller sites	Limited impact on life of St. Johns; Rates at Metro facility will be higher; No guarantee of effectiveness. Fills up limited use sites sooner.
I.B. Increased recycling	To be reviewed	In Waste Reduction Chapter			To be reviewed in	Waste Reduction Chapter		To be	Reviewed in Waste Reduction Chapter	
II.A. Divert to general purpose landfills from Metro facilities	Up to 60 months	Same as Metro cost	\$3.9 million per year of expansion	Metro Receiving Jurisdiction Receiving Landfill	6 months	Secure agreements with other landfill and local jurisdictions, negotiate change order with contractor	All ratepayers, Local jurisdiction, Receiving Landfill	Moderate	Quantities under control of Metro, Coordinates well with West Transfer Station; Uses efficiency of transfer system	Must have a site willing to accept large quantities; Unit cost for Metro will be higher; Need to change tipper system; Longer haul distances
II.B. Divert to general purpose landfills 1. Voluntary	Variable	Possibly increased hauling cost	Higher unit cost for lower volume if effective	Metro	30 to 90 days and constant pressure	Difficult to have a significant impact without extensive work	Perimeter haulers Perimeter Landfills	Low	Same as I.A. 1	Must have a site willing to accept larger quantities; No guarantee of effectiveness
II.B. Divert to general purpose landfills 2. Flow control	Variable	Metro cost and increased hauling cost	Higher unit cost for lower volume at landfill	Metro	90 days	Adopt an ordinance and monitor compliance (Relatively easy)	Perimeter haulers Perimeter Landfills	High	Decrease traffic at St. Johns; Relatively easy to monitor, i.e., by company; Very effective method	Other sites must be willing to accept; potential problems with competition; Heavy handed; Potential court challenge; Transfer system may be more efficient
II.B. Divert to general purpose landfills 3. Rates	Variable	Increased distance for haulers	\$380,000/year Full RTC \$190,000/year 1/2 RTC	Metro	90 days	Adopt and implement new rates	All haulers in the region	Moderate	Same as I.A. 3	Limited impact on life of St. Johns; Rates at Metro will be higher; No guarantee of effectiveness; Other sites must be available; Competition with West Transfer Station
III.A. Increase capacity 1. Up to 10' vertical expansion	24 months	\$3.97 million	\$3.97 million	City of Portland DEQ	6 months	Prepare a grading plan, potentially remove final cover and methane system	City of Portland North Portland Residents	Moderate	Maintains efficiency of scale; can be implemented in stages; longer use of existing facilities; delays the need for east transfer station	City of Portland willingness; Past promises to north Portland; Decreases land value of the property; Cost does not include community trade offs;
III.A. Increase capacity 2. Vertical expansion over 10'	Up to 60 months	\$3.97 million	\$3.97 million	City of Portland DEQ	Approximately one year	Requires conditional use change in addition to III A.1	City of Portland North Portland Residents	Moderately Low	Same as III. A 1	City of Portland willingness; Past promises to north Portland; Requires Land-use changes; Cost does not include community trade offs; Decreases usable space of property.
III.B. Increase capacity 1. Horizontal expansion (2 years)	24 months	\$2.85 million	\$2.85 million	Ore. Legislat. City of Portland, DEQ, Division of State Lands, EPA, Corp of Engineers	Approximately 3 years	Difficult to change State laws and obtain conditional use permit and Comprehensive Plan Amendment	City of Portland North Portland Residents	Moderately Low	Same as III. A 1	Requires legislative changes; City of Portland willingness; Past promises to North Portland; Requires land-use changes; Cost does not include community trade offs
III.B. Increase capacity 2. Horizontal expansion (5 years)	60 months	\$5.15 million	\$5.15 million		3 years	Same as III. B 1	City of Portland North Portland Residents	Moderately Low	Same as III. A 1	Same as III. B 1
III.B. Increase capacity 3. Dike realignment (4 acres)	4 months	\$300,000	\$300,000	City of Portland, DEQ, Div. of State Lands; Corp of Engineers	2 years,	Same as III. A 2 and also Requires engineering plans	City of Portland North Portland Residents	Moderate	Same as III. A 1 and also improves a problem leachate seep	Same as III. A 2
IV. Change in Technology (Baling)	Minimal			Metro City of Port. DEQ	1 to 2 years	Financing, contract administration, and land use permits	Rate payers	Moderate	Balefills generally use less cover and cheaper landfill equipment. Could be accomplished at Trans. Sta. Potential sorting before baling	Does not substantially increase life; Higher cost

(1) Excludes cost of daily cover, as it is a cost to any disposal alternate  
Excludes cost of land

August 9, 1984  
MWB1

CONSIDERATION OF RESOLUTION NO. 84-491 FOR THE  
PURPOSE OF ESTABLISHING AN INTERIM MANAGEMENT  
STRATEGY FOR THE ST. JOHNS LANDFILL, THE REGION'S  
ONLY GENERAL PURPOSE SANITARY LANDFILL.

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Date: August 6, 1984

Presented by: Daniel F. Durig

FACTUAL BACKGROUND AND ANALYSIS

In March 1984 the first chapter of the Solid Waste Management Plan-Update 84 was completed by the Metro Solid Waste Department. The "Landfill Chapter" discussed the existing solid waste disposal system in which the St. Johns Landfill is the cornerstone. The report also discusses the need for a replacement site and the time frame required to gain the necessary permits for the Wildwood site.

The report shows that the time frame to receive final permits and complete construction of the Wildwood site may be longer than the current projected life of the St. Johns Landfill. Because that situation is unacceptable, the report outlines several alternatives to extend the life of the St. Johns Landfill. The alternatives discussed are:

- I. Diverting certain materials from the St. Johns Landfill.
  - A. Diverting non-putrescible waste to limited-use landfills
    1. By voluntary diversion
    2. By using Metro's flow control authority
    3. By using the fee structure
  - B. Diverting through increased recycling
- II. Diverting mixed waste to other general purpose landfills.
  - A. Diverting waste directly from Metro facilities
  - B. Diverting haulers from the periphery of the region
    1. By voluntary diversion
    2. By using Metro's flow control authority
    3. By using the fee structure

### III. Increasing the capacity of the St. Johns Landfill.

#### A. Vertical expansion

1. 10-foot vertical expansion
2. More than 10-foot vertical expansion

#### B. Lateral Expansion

1. Two-year lateral expansion
2. Five-year lateral expansion
3. Dike realignment (four acres)

### IV. Change in technology.

In order to clearly and concisely review the various interim strategy alternatives, the attached matrix summarizes the text of the landfill chapter and serves as the basis for the following analysis.

In analyzing the alternatives available to extend the landfill and recognizing that conditions and time frames change over time and that the cost of diversion may be high, the following scenario seems to be an appropriate course of action.

- I. Efforts should be made to remove material from the St. Johns Landfill waste stream that can be sent to limited-use landfills. Of the three options to achieve this it is recommended that the rate structure be modified to encourage drop box haulers to use limited-use sites whenever possible. While the exact effect of a rate change cannot be predicted it is reasonable to assume that most haulers will deliver materials to the site that is most economical considering haul distance and disposal cost.

The two other alternatives for diverting waste to limited use landfills should not be used at this time. Depending on voluntary diversion will probably not achieve any meaningful results and may disrupt an already competitive collection system. Enforcement problems along with the potential for increasing putrescible waste at the limited-use sites make the flow control alternative one that should not be used at this time.

- II. As discussed in the report, recycling an additional 2 percent per year (current short-term goals) would result in an increased life of three months for the St. Johns Landfill. This is a moderate benefit but because of the instability of secondary material markets it is less predictable than other alternatives. The

existing waste reduction programs should be continued and encouraged and any future programs and Metro's future role for increasing recycling will be discussed in the chapter of the Solid Waste Management Plan entitled Waste Reduction.

- III. The two major problems with diverting mixed waste to other landfills is the cost to transport it and finding a site and local jurisdiction who are willing to take the required quantities. Two options exist to accomplish this alternative. Waste could be diverted in relatively small quantities over long periods or relatively large quantities over shorter periods. As the impact would be the same for either option it is appropriate that the decision to divert be delayed. In order to have the option for this alternative in the future Metro should begin to secure permission from another site to take waste in the future if and when it becomes necessary.

If and when it becomes necessary to transport waste out of the region the transfer station system should be used as it is much more efficient than transporting in individual refuse trucks. They can also be managed directly by contract rather than using other less effective techniques.

- IV. Metro should pursue further evaluation and review with the City of Portland, Department of Environmental Quality and the residents of north Portland the potential for a phased increase in elevation of 10 feet as allowed by the Portland Planning Commission. As Subareas 1, 2 and 3 are either completed or will be soon and have received final cover, the first phase to receive the 10 extra feet of waste would be the 55-acre expansion area. Filling has just begun and there is adequate time to have a new grading plan approved before final grades are reached and final cover required. After the expansion area is finished if more space is required we would remove the final cover one subarea at a time and refill 10 feet. The final cover would then be replaced.

By sequencing the proposed increase in height Subareas 1, 2 and 3 would not be raised unless a replacement site is not available. Increasing the height by 10' would increase the amount of side slopes on the finished landfill and decrease the usable top surface from 170 acres to approximately 155 acres.

In addition to having minimal visual impact on the area, filling with an additional 10-foot lift is also the most efficient and cost-effective alternative. Technically the increase in height is not difficult to achieve, the City of Portland would receive lease payments longer, more methane gas revenues could be received

by the City of Portland and Metro, and as a back-up alternative the region would have time to adequately prepare a new site.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer's recommends adoption of Resolution No. 84-491 which sets out a strategy to manage the remaining capacity of the St. Johns Landfill.

NW/srb  
1747C/392-4  
08/14/84

CONSIDERATION OF RESOLUTION NO. 84-491 FOR THE  
PURPOSE OF ESTABLISHING AN INTERIM MANAGEMENT  
STRATEGY FOR THE ST. JOHNS LANDFILL, THE REGION'S  
ONLY GENERAL PURPOSE SANITARY LANDFILL

Date: August 30, 1984

Presented by: Daniel F. Durig

FACTUAL BACKGROUND AND ANALYSIS

This report is a supplement to one dated August 6, 1984. That report and Resolution No. 84-491 were considered at the August 23, 1984, Council meeting. At that meeting, public testimony was received from the City of Portland, Mr. Mike Burton, Portland Association of Sanitary Service Operators (PASSO), and Metro's SWPAC. The result of that testimony and the Council discussion is included in three proposed changes to the original resolution.

Paragraph 1. The change in this paragraph has the effect of endorsing the concept which would send more waste to limited-purpose landfills, and requests that SWPAC develop the specific techniques to carry out this general goal of diversion to limited-purpose sites. An increase in operating hours, a rate differential for "fluff loads," and the siting of additional limited-purpose landfills in the region were suggested as possible techniques to meet the goal of more effective diversion of material to these sites.

Paragraph 3. This change was suggested by Councilor Hansen. It places emphasis on initially developing a process for undertaking a discussion on the future development of St. Johns Landfill rather than proposing a specific solution and then seeking public and organizational comment.

Paragraph 4. This is a new paragraph which clearly states Metro's commitment to waste reduction as an integral part of the solution of extending the life of the landfill. It includes a specific commitment which would urge all affected parties to implement provisions of the 1983 Recycling Opportunity Act (SB 405) as soon as possible. The act is not mandatory until July 1, 1986. It is felt that a timely and early implementation of curbside collection of source-separated material is one of the most effective and comprehensive waste reduction techniques that could be employed at this time. It also recognizes that the law is in place, the work on implementation is underway, and that time is the primary hurdle yet to be cleared. It is recommended that Metro take the opportunity to insert this policy statement in its testimony to DEQ when the October public hearing is held.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 84-491 with all amendments as proposed.

DFD/srb  
1909C/392-2  
08/31/84



BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ADOPTING AN ) RESOLUTION NO. 84-491  
INTERIM MANAGEMENT STRATEGY FOR )  
THE ST. JOHNS LANDFILL ) Introduced by the  
 ) Executive Officer

WHEREAS, ORS 268 designates the Metropolitan Service District (Metro) to be the provider of solid waste disposal facilities in the Portland metropolitan area; and

WHEREAS, The Council of the Metropolitan Service District has identified the site known as "Wildwood" to be the next general purpose sanitary landfill when the St. Johns Sanitary Landfill is filled to its design capacity; and

WHEREAS, Due to delays encountered in receiving final approval for the use of Wildwood as the region's next general purpose landfill, it now appears that Wildwood will not be available upon the anticipated closure of the St. Johns Landfill; and

WHEREAS, The Metro Council recognizes the need to ensure uninterrupted access to an environmentally sound and conveniently located general purpose sanitary landfill as a manner of acceptable public health practices; now, therefore,

BE IT RESOLVED,

That the following interim management policies and strategies for the St. Johns Landfill are adopted for the purpose of extending the useful life of this limited resource in order to provide Metro additional time to secure final approval from appropriate governmental bodies for the Wildwood Sanitary Landfill site.

1. Metro will attempt to divert additional drop box material to limited use landfills based upon discussions with and suggestions made by the Solid Waste Policy Alternatives Committee (SWPAC).
2. Metro will begin to explore and secure permission from other authorized sites accessible to the Metro region for the disposal of municipal solid waste. The Executive Officer will report to the Metro Council on the progress of these discussions at the Council's first regularly scheduled meeting in February of 1985.
3. Metro will consult with the City of Portland, the Department of Environmental Quality and the residents of north Portland to develop a process of assessing future development of the St. Johns Landfill to correspond with the opening of the next general purpose regional landfill.

ADOPTED by the Council of the Metropolitan Service District  
this 13th day of September, 1984.

  
\_\_\_\_\_  
Presiding Officer

NW/gl  
1747C/392-8  
09/18/84

## INTERIM EXTENSION OF ST. JOHNS LANDFILL SITE LIFE

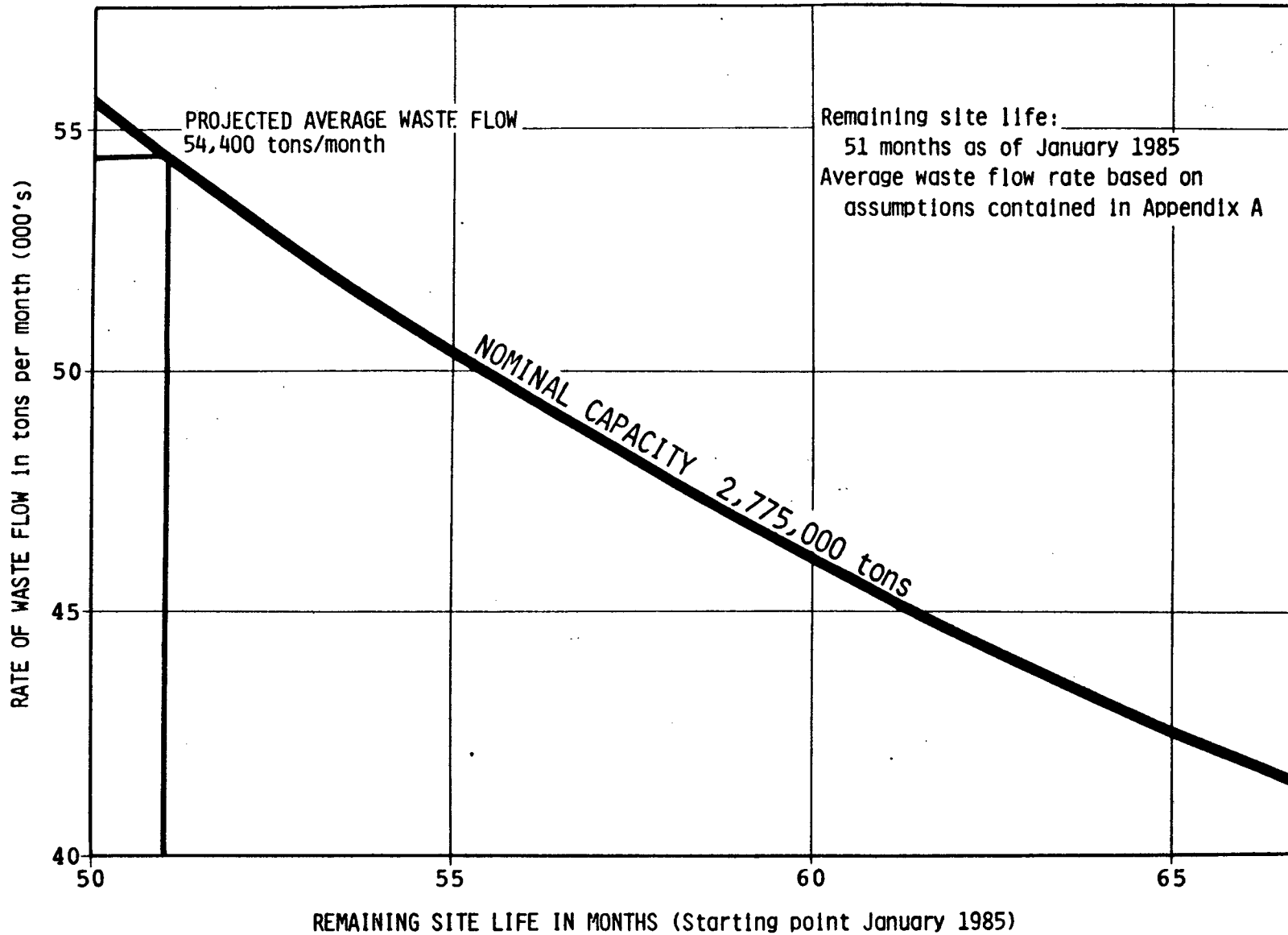
As noted in the last section, delays in implementing the proposed Wildwood Landfill may result in the site not being ready to accept waste by the expected closure of the St. Johns Landfill. Therefore, Metro must examine methods to extend the site life of the St. Johns Landfill, including reducing the flow rate into the landfill through the diversion of waste, or increasing the capacity of the site for waste disposal. Programs that could be implemented include:

1. Diverting certain materials from the St. Johns Landfill
  - a. Diverting non-putrescible waste to limited-use landfills
  - b. Diverting through increased recycling
2. Diverting mixed waste to other general purpose landfills
  - a. Diverting waste directly from Metro facilities
  - b. Diverting haulers from the periphery of the region
3. Increasing the capacity of the St. Johns Landfill
  - a. Lateral or vertical expansion
  - b. Change in technology--baling of solid waste

Figure 3-6 illustrates the relationship between the rate of waste flow into the St. Johns Landfill and remaining site life. It depicts the relationship as it is projected to be in January 1985, which is used throughout this section as the base date for beginning site life extension programs. The nominal capacity of the St. Johns Landfill is shown to be 2,775,000 tons as of January 1985. The projected average waste flow rate of 54,400 tons per month results in a remaining site life of 51 months from the January 1985 date. The assumptions used in projecting capacity and waste flow rate are the same as those included in Appendix A. Figure 3-6 can be used to show the results of alternative programs for the extension of the St. Johns site life. The programs' effects on the rate of waste flow or nominal capacity can be calculated, showing resultant increases in site life.

Preliminary cost estimates of some of the alternative programs for extending the site life of St. Johns are included in Appendix B.

Depicted as of January 1985



## DIVERT CERTAIN MATERIALS FROM THE ST. JOHNS LANDFILL

### Divert Non-Putrescible Waste to Limited Use Landfills

Some extension in the life of the St. Johns site would be obtained by diverting legally permissible waste to limited use sites. Limited use landfills are restricted to disposing of non-food municipal waste and demolition debris. It is assumed that some portion of uncompacted drop boxes currently delivered to St. Johns and CTRC would not be contaminated with food waste and could be disposed of at limited use sites. Approximately 10 percent of St. Johns tonnage and 20 percent of CTRC tonnage consists of uncompacted drop box waste. If it is assumed that waste from 50 percent of all uncompacted drop boxes could be diverted from St. Johns and CTRC beginning January 1, 1985, approximately 33,500 tons of waste per year (or 2,800 tons per month) could be diverted. Figure 3-7 shows that a waste flow reduction of 2,800 tons per month would produce a gain in site life of approximately three months. As the implementation of such a diversion program is delayed, a proportionate decline in the amount of life extension can be expected.

Diversion to limited use landfills could be accomplished in several ways:

#### Voluntary Diversion (program coordinated by Metro)

This method would be administratively easy and inexpensive to implement. On the negative side, the effects of voluntary programs are often weak and unpredictable. Haulers would have to be persuaded that it is in their interest to divert, either directly through financial motivation or indirectly through appeals to civic duty.

Metro tried a voluntary diversion program to reduce waste flow to CTRC in order to meet the maximum tonnage requirements of Oregon City. There was not sufficient evidence to conclude that the program was effective.

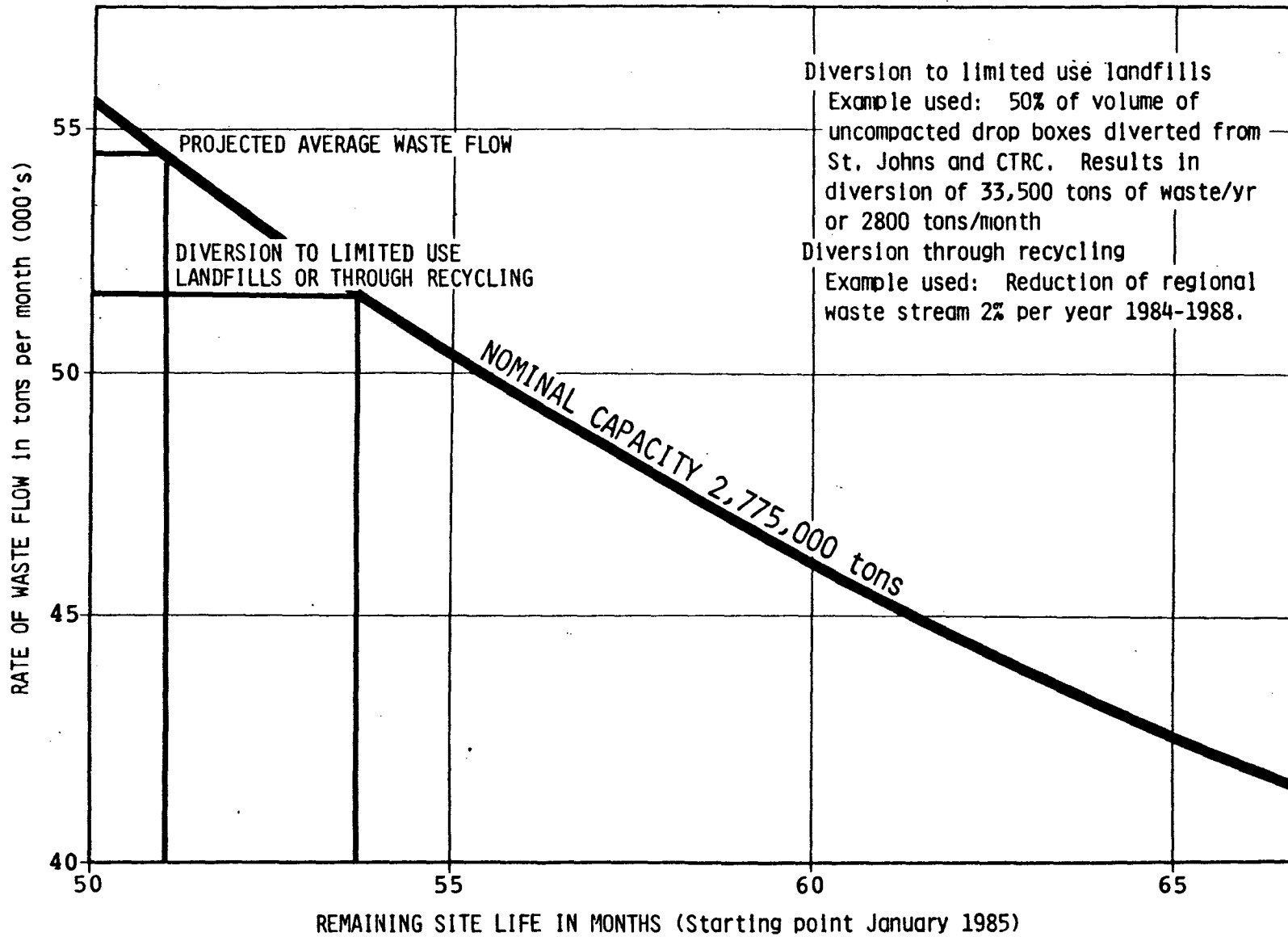
As it is assumed that haulers are currently making the best economic choice in disposal sites, a voluntary program is not expected to result in diversion of large volumes of waste.

#### Fee-Driven Diversion

By altering its rate policies, Metro could adjust disposal rates to levels which would cause more customers to use less expensive disposal sites. This is an administratively simple option, and, with experience, can produce relatively predictable results. The hauling industry would be likely to resist the rate increases necessary at some sites to implement fee-driven diversion.

Fee-driven diversion would be a departure from existing Metro rate policies which are moving towards a regional uniform rate. Rates

Depicted as of January 1985



### Extension in St. Johns Site Life

Based on alternatives to reduce waste flow rate by diverting certain materials

Fig. 3-7

have been based primarily on revenue requirements to meet the cost of service to different user groups, rather than on the need to implement certain management policies such as waste diversion.

The difference in rates charged at St. Johns Landfill and CTRC gives some information on diversion of waste between Metro facilities. Rates charged at CTRC are higher due to the assessment of a "convenience" charge. The fact that CTRC is experiencing a higher than expected flow rate may indicate that the convenience charge is not high enough to divert flow. A recent increase in the convenience charge (effective January 1, 1984), should provide further information about using rates to divert waste flow.

Other results of fee-driven diversion in the region are illustrated in Figure 3-8, which shows the relationship of waste flows to rates between St. Johns and Rossman's Landfills from 1980-1983.

Logically, a fee-driven diversion program would work only if the differential would cancel any cost savings or other perceived benefits gained by the current situation. In the case of CTRC, the question would be what value haulers place on the amenities provided by the facility.

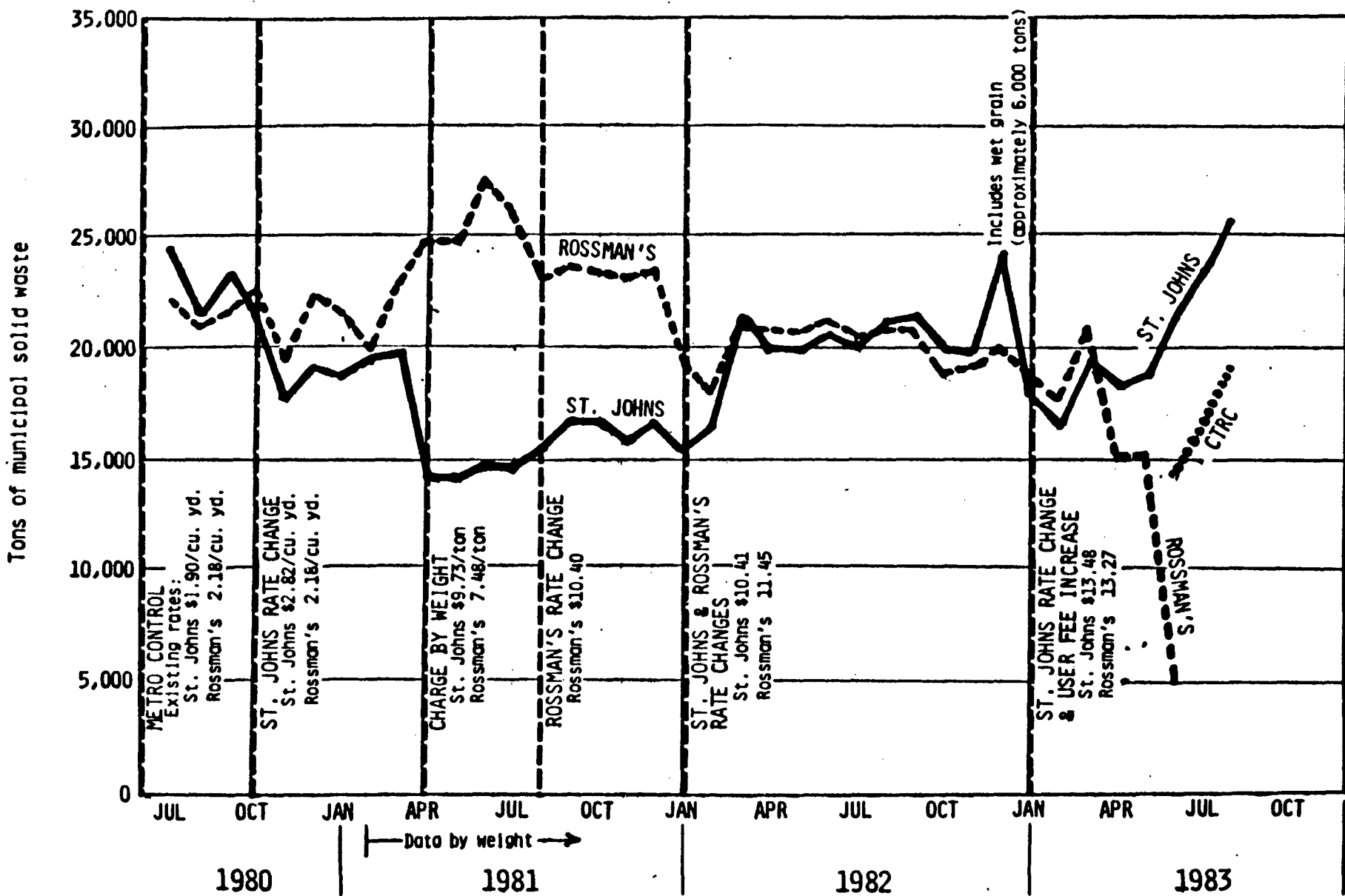
#### Mandatory Diversion (Flow Control)

Mandatory diversion is a powerful and precise option which Metro can use with considerable flexibility to gain the results it seeks. However, flow control would probably encounter resistance and would be difficult to administer equitably. Forcing a hauler to go to a more expensive site would cause his costs to increase, forcing him to take a smaller profit or increase prices to the public. If one hauler is forced to raise retail prices and his competitor is not, his ability to compete is affected. Competitive problems are reduced in franchised areas, but the public in one area may be forced to pay higher prices for the same service level than another area. Equity is clearly the primary issue with this option.

#### Location and Capacity of Limited Use Landfills

The capacity and location of facilities affects the ease of implementing and expected results of a program to divert waste to limited use landfills by either voluntary, fee-driven, or mandatory programs. Diverting waste to a limited use landfill will have the desired result of extending St. Johns site life only if the limited use site has a longer life than St. Johns or if replacements are available.

If limited use landfills were located conveniently in different parts of the region, voluntary diversion would occur more easily, fee-driven diversion would require less difference in rates to make up for transportation costs, and mandatory diversion would cause fewer inequities.



**History of Commercially Hauled Solid Waste**  
St. Johns & Rossman's Landfills

**Fig. 3-8**



Currently, two limited use landfills operate in the Metro region: KFD in northeast Portland and Hillsboro Landfill in western Washington County. The Grabhorn Landfill in Washington County is permitted by DEQ to accept only land clearing and demolition debris. (See Figure 3-1.)

KFD received approximately 8 percent of the region's waste in 1983 and is projected to reach capacity in 1988-91. Possible replacements for KFD are nearby Waybo/Roselawn or Porter Yett gravel pits. As discussed earlier, these gravel pits are in areas classified by DEQ as being possibly acceptable environmental locations. However under DEQ rules, these sites would likely be permitted to accept only non-putrescible waste due to their location within 10,000 feet of the Portland International Airport. This restriction would be due to possible hazard to aircraft from birds attracted to the sites. Waybo/Roselawn has received land use approval from Multnomah County to operate a limited use landfill. As these are the only known gravel pits with possibly acceptable environmental conditions, the use of gravel pits for limited use landfills under present regulations and technology may have a limited application in the future.

Hillsboro Landfill received approximately 3 percent of the region's waste in 1983. Through recent operational modifications, the site is now projected to reach capacity in 1985 to 1987. (The assumptions and method of projecting the site life of the Hillsboro and KFD sites is included in Appendix A.) There is no replacement site known to be available in the Washington County area at this time. It is unknown whether the DEQ would allow Grabhorn Landfill to take a greater variety of waste. A transfer station is planned for Washington County, to be operational by the closure of the Hillsboro Landfill. Waste is currently planned to be transferred for final disposal at the St. Johns Landfill.

The southeast portion of the region has no limited use landfill. Presumably, some waste that could be disposed in a limited use landfill is now being taken to CTRC, where it is transferred for final disposal at St. Johns.

In considering a program to divert non-putrescible waste to limited use landfills, the Metro Council should examine whether actions are necessary to encourage development of new facilities. Actions the Metro Council could pursue include: stating Metro's interest in franchising new limited use landfills, issuing a request for proposals for private industry to site additional facilities, or undertaking a Metro siting effort.

#### Divert Materials Through Increased Recycling

Some extension in the St. Johns site life could be gained by diverting materials through increased recycling. Figure 3-7 shows an example, using the region's short-term goal of reducing the solid waste stream 2 percent per year by increased recycling. The rate of waste flow into St. Johns could be reduced by approximately 2,800

tons of materials per month, resulting in a site life extension of approximately three months. Recycling is an appealing method to increase landfill life, as it accomplishes other worthwhile goals such as reduced energy consumption in production of new materials and reduced depletion of raw materials.

While it is difficult to translate a certain need for site life extension into a recycling program which will be known to gain that extension, it does provide additional justification for a commitment to increase the level of recycling. An analysis of options Metro has for implementing programs to help increase recycling levels is included in the waste reduction chapter. Generally, diversion of recyclables can be encouraged in the same ways as other diversion efforts through voluntary, fee-driven or mandatory programs, with the methods having the same advantages and disadvantages.

### DIVERT MIXED WASTE TO OTHER GENERAL PURPOSE LANDFILLS

#### Diversion Directly from Metro Facilities

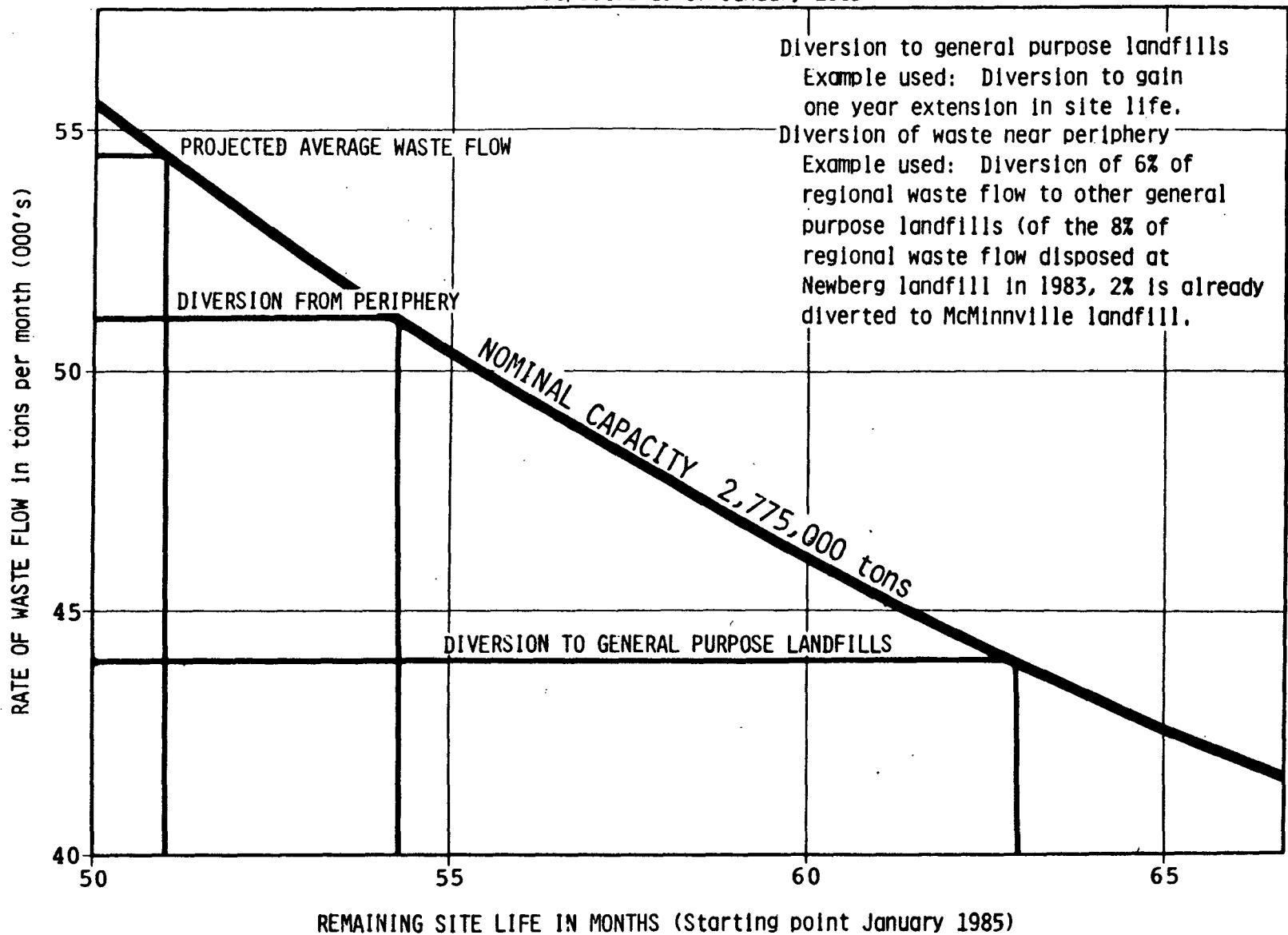
Another option to reduce waste flow into St. Johns and increase the site life is to divert mixed waste received at the region's transfer stations to other general purpose landfills outside the district. There are general purpose landfills operating outside the Metro region which could, on the basis of site life, receive some waste from Metro facilities. Potential sites in terms of the closest haul distances include Riverbend Landfill at McMinnville, the Woodburn Landfill, and a potential site at Ridgefield, Washington. The Ridgefield site, Circle C, is presently permitted to operate only as a limited use landfill, but is applying for approval as a general purpose facility. It is not known whether any of these sites would be willing to receive increased waste from the metropolitan area.

In determining the amount of waste that would need to be diverted to gain a certain site life extension, the date of implementation is important. For example, if diversion began in January 1985, the waste stream into the landfill would need to be reduced by about 19 percent in order to gain a one-year extension in site life. If diversion efforts were put off two years, a 30 percent reduction would be needed to gain the same one-year extension. Figure 3-9 shows that in order to gain a one-year site life extension at St. Johns when diversion is begun in January 1985, the fill rate would need to be reduced by approximately 10,000 tons per month.

#### Divert Haulers at Periphery

Currently, a portion of waste in the periphery of the region is disposed of at the Newberg and Hillsboro Landfills. In 1983, Newberg received approximately 8 percent of the region's waste, while Hillsboro received approximately 3 percent. With the Newberg Landfill expected to close in 1984 and Hillsboro in 1985-1987, haulers will be making a new choice of disposal sites.

Depicted as of January 1985



Diversion to general purpose landfills  
Example used: Diversion to gain one year extension in site life.  
Diversion of waste near periphery  
Example used: Diversion of 6% of regional waste flow to other general purpose landfills (of the 8% of regional waste flow disposed at Newberg landfill in 1983, 2% is already diverted to McMinnville landfill).



### Extension in St. Johns Site Life

Based on alternatives to reduce waste flow rate by diverting mixed waste

Fig. 3-9

Since current rates for compacted waste at Riverbend Landfill in McMinnville are less than at Metro facilities, haulers near the periphery might find it to their advantage to haul or transfer compacted waste to McMinnville. Haulers are required to receive Metro approval to leave the District. Metro could encourage the program on a voluntary or mandatory basis, in coordination with the receiving landfill and affected local jurisdictions.

A recent example of diversion at the periphery is the Metro Council's approval of Forest Grove Disposal Company's franchise request for a transfer station. The company plans to transfer about 2 percent of the waste that was going to Newberg to the Riverbend Landfill.

The projected average waste flow into St. Johns shown in Figure 3-9 includes the assumption that the remaining 6 percent of the Newberg waste will come to St. Johns when Newberg closes. Figure 3-9 shows that if this waste was diverted to other general purpose facilities outside the region, the St. Johns waste flow would decrease by approximately 3,300 tons per month, extending the site life slightly over three months.

#### INCREASE CAPACITY AT ST. JOHNS

The site life of St. Johns can be extended by acquiring new capacity through vertical or lateral expansion or by increasing effective capacity through changed technology.

#### Lateral or Vertical Expansion

Increased capacity at St. Johns can be obtained by expanding laterally through filling of new areas or vertically by adding lifts. Figure 3-12 shows the site life extension which would be gained by different vertical and lateral expansions. A discussion of required permits for either vertical or lateral expansion is presented on pages 21-22.

As discussed in that section, the height limitation set by the land use permit for the St. Johns Landfill is 80 feet mean sea level (msl). The landfill is presently being filled in accordance with the operation plan approved by the City of Portland and DEQ, to an average peak elevation of 70 feet msl. Adding a 10-foot layer of fill over the entire landfill to bring it to the current height limitation would result in additional capacity for approximately 1.44 million tons of solid waste. Figure 3-10 shows that at projected waste flow levels this would increase site life by approximately two years. A 10-foot vertical expansion would require the least number of permits. However, approval of a new operations plan by the City of Portland Engineer and a DEQ solid waste disposal permit would be required.

Vertical expansion over 80 feet msl would require additional permits, including land use approval by the City of Portland to change the height limitation of the current permit.

DEPARTMENT: Solid Waste/Waste Reduction

*to Rice  
10-23-85*

Problem

- . No incentive for manufacturing industry to produce less waste
- . Cost of implementing promotion education elements of SB 405
- . Lack of advocacy service role being demonstrated by Metro for local jurisdictions

Solution(s)

- a. Creation of an excise tax on certain packaging materials e.g., plastics, McDonalds, blister packs, etc.,... dedicate to cities, counties, MSD for promotion/education of recycling and waste reduction.
- b. Dedication of a percentage of cigarette tax to same use

IMPACTS

- a. Cities, counties, haulers, environmentalists, recyclers and small businesses would be favorable to such a law. Recycling participation is directly related to promotion education. The higher the participation rate the lower the costs of the collection program and an individual generators bill (avoided costs and sales of material).
  - a-1. Would raise costs of manufacturers product relative to competitors.
- b. Cities and counties may view the application of some of this "new" revenue source to meeting SB 405 as a good use. Better a sumptuary tax than raising garbage collection rates.

ISSUES

- a. Impact of excise tax on Oregon's business attitude climate - economic development.
- b. Cigarette tax not related to landfilling costs. Reduces cost of landfilling creating less of incentive to reduce, reuse or recycle.

SOLID WASTE ADVISORY COMMITTEE  
GUESTS AND ADVISORS IN ATTENDANCE

DATE 11-19-84

GUEST OR ADVISOR

AFFILIATION

GUEST OR ADVISOR	AFFILIATION
DENNIS O'NEIL	Metro
MERLE IRVINE	OREGON WASTE MANAGEMENT
BOB BROWN	DEQ
Alex Cross	Genstar
Alan Purves	Genstar
Randi Wexler	Metro
<del>John</del>	Metro
Bob Harris	Clackamas Co - Public
JOHN TRAUT	COLLECTION INDUSTRY
Mike Sandberg	Wash. Cty.
Shirley Cossin	Wash. Co. public
Norm Wieting	Metro
Ed Stuhr	Metro
DeLyn Kies	City of Portland
Philip Moez	Metro
Chuck Gezer	Metro
Howard Galhorn	Fordfil Wash. Co.
Wayne Ruff	Metro
Bonnie Sampford	Metro sev.