

June 11, 1985



# Agenda

SOLID WASTE POLICY ALTERNATIVES COMMITTEE  
(SWPAC)

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

Date: June 17, 1985

Day: Monday

Time: 12:00 Noon

Place: Metropolitan Service District: A-1. A-2

1. Approval of Minutes - P 3.

2. Discussion on Landfill Siting Legislation

3. Discussion on the Scope of the 1985 Rate Study

4. Solid Waste Director's Update

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SOLID WASTE POLICY ALTERNATIVES COMMITTEE

SWPAC REGULAR MEETING

May 20, 1985

Committee Members Present: John Trout, Chairman; Mike Sandberg, Dick Howard, Howard Grabhorn, Dave Phillips, Robert Harris.  
Ex Officio: Bob Brown

Committee Members Absent: James Cozzetto, Shirley Coffin, Paul Johnson, Gary Newbore, Delyn Kies

Staff Present: Doug Drennen, Mary Jane Aman, Rich McConaghy, Wayne Rifer, Randi Wexler, Bonnie Langford, Ray Barker

Guest: Bill Culham

Convene: 12:08 p.m.

AGENDA ITEM: Minutes of April 15th meeting were approved as written.

Doug Drennen introduced Rich McConaghy, a new staff member in Solid Waste, who will be taking over some of the rate analysis issues formerly handled by Ed Stuhr who transferred into the Executive Management Division at Metro. Rich is a mathematician, has taught school, and recently worked for the State of Alaska in an agency comparable to DEQ. SWPAC will probably hear from Rich next month when 1986 rates are discussed.

AGENDA ITEM: Update on Solid Waste Management Plan

Doug Drennen stated the meeting would mainly center around the Draft report of the Solid Waste Management Plan update for 1985. This document is the third chapter of the plan and covers Alternative Technologies. There is another chapter still in draft form which deals with source reduction and recycling activities. Doug stressed the draft before them was still a working draft subject to change and additional refinement.

Wayne Rifer, Analyst, reported the chapter dealt with the kinds of technologies Metro would plan to implement to reduce waste volumes, and what kind of monies would be involved for source reduction and recycling. This chapter describes various options now ready for technical review and it is Metro's intent to receive comment, additions, corrections, etc. for consideration in the final edition of Alternative Technologies. The Solid Waste department is soliciting major information and technology that we might not have adequately addressed at this point, to present to a panel as to whether these are viable technologies to be considered in the Metro process.

Mr. Rifer reviewed the document with the SWPAC members. Priorities are that Metro will maximize the reduction of the amount of solid waste generated; in some cases be able to reuse materials through legislation; do more recycling; recover energy from materials and continue with landfills as needed. In answer to a question, he stated reuse meant using the same thing again such as a bottle which is simply refilled, while recycling is making something something new out of the material.

On page 2, Wayne said there were some qualitative and quantitative questions and issues that would help a region decide which way it would prefer to go, i.e., how we are going to allocate the solid waste material--what percentage is going to go into what kind of facility? How much will be reserved for recycling or source separation? How much will be allocated to a mass-burn facility or materials recovery facility?

Energy recovery was reviewed by Mr. Rifer. Combustion technologies and mass burning of solid waste on a large scale are considered in the document and Modular incineration advantages and disadvantages are considered. Preparation of refuse-derived fuel (RDF) is explained along with some drawings to better illustrate the theories. Emissions data is included for environmental studies. Mr. Rifer made short explanations of materials recovery, processing Technologies; Shredders; Trommel Screens, Air Classification, Magnetic Separation, Hydrapulping, Optical Sorting, Froth Flotation Units and Pyrolysis, etc.

Doug Drennen called the Committee's attention to page 38 and 39 in the report which gives the financial characteristics of considering energy recovery facilities, their cost and the revenue from such a facility, and energy markets and their potential. Marketability is a prime consideration in any of the recovery projects. Pilot projects should be studied to see if they can be used at that level or could be scaled up. He stated this document will be reviewed first at the technical level and then go out for public examination so the Metro Council can make a final decision to move an alternative technology method to a project status--which can be implemented and how it would be done.

Mr. Drennen referred the committee to the back of the report where there is a list of Resource Recovery Activities in the United States and Canada, compiled twice a year by the United States Conference of Mayors and published in CITY CURRENTS in the April and October issues. The report is on (1) Facilities that are operating, under construction, or nearing construction stages to recover materials and energy from municipal waste; (2) Projects that recover methane gas from municipal solid waste landfills; and (3) jurisdictions that report being committed to some form of resource recovery with facilities in various planning stages.

Doug also asked the members to review a table on page 9 which shows the waste characteristics of what we are recycling and what the impact would be if that recycling effort were increased to about 30 percent.

Dave Phillips asked if the City of Portland's composting operation was selling their product and Wayne answered they were not selling up to their expectations as yet.

Mike Sandberg asked if there had been anything new on the Columbia County quest for a burner? Doug answered he met with the Task Force last Friday and they're working with PGE on the energy markets. They issued a document but

a proposal is not appropriate at this time. Vendors have talked with PGE and the issue raised as to the price--around \$30-35 per ton. At this point the Columbia County group is taking on policy questions to see if this could be a solution to their solid waste problem. If Metro goes to alternative technology, much of the information developed to date would be useful. A lot depends on the market. He repeated this process would not be a replacement for a landfill. The project would affect it but not exclude it. (Doug mentioned one county went through a seven-year study process to locate a five-year site. By the time they were done the site was too small and they had to start over.)

Mr. Harris asked what time frame they had for technical review and Council action? Wayne said we could only give a rough estimate because there were Council decisions that had to be made that would affect that strongly. So far no process has been approved. He added Metro is looking toward the month of July for making determinations based on technical aspects of the technology considerations of solid waste and launching the public consideration of the issues.

Doug Drennen referred to the inside cover of the report where it mentions we expect a technical review of this document up until July 1, 1985. The Council is intended to meet sometime in June to talk about what path we will take and there will be a public review. Mr. Harris asked if the public review would be before or after the fact. Doug stated there had been a limited public review because they wanted some direction or policy decisions that governed our immediate future and some interim policies needed to be made toward the document but there was enough input for the Council to feel comfortable from the input they received.

Mr. Trout stated one of the things that would interface with their decision. If a conclusion is made for mass burning or modular, and we look to compatibility with landfills--aren't the constraints different if you are just looking for residue landfilling?

Doug answered yes, if you make the assumption we are burning every pound of waste and reducing it to ash. In most parts of the country they don't dedicate 100 percent of their waste to a burning facility. Markets reflect on the waste stream and there is a lot of financial risk. From a conservative standpoint it is possible you would only use the facility for 60 to 70 percent of the waste stream so your need for the landfill is still there but some other sites might become acceptable. Doug stressed we would welcome any thoughts from the SWPAC group on what types of things they felt would best inform and bring input to the issue.

Dave Phillips said they had a meeting in Clackamas County and sent out 140 notices, put articles in several newspapers and there were five haulers, and one recycler who attended--the rest were staff. Public interest isn't that great yet. Mr. Trout added apathy was great with the public.

Mr. Culham asked how close we were working with the City of Portland on their composting? He stated there needed to be a real interface between the City of Portland sewage composting and Metro on the use of paper waste. Wayne said waste paper is low on the market just now. It would take only a minor modification of the city's process to take this now.

Doug mentioned everything is a continuous process and there is constant change so decisions are an interim policy but there are actions we have to take in the near future. When the source reduction chapter is done we will have all the technical information we feel are options out to the public and hopefully Metro can finalize a package for discussion and choose some elements of the plan.

Mr. Harris asked if they had considered interest rates and inflation in arriving at the numbers in the report. Doug said we had tried to portray the general characteristics of what each project would do. There are a lot of factors that influence each project. He said the charts in the back of the report represent a type of tip fee and the range is created by the factors Mr. Harris mentioned. They were developed from actual projects and show the deviation in interest rates, property tax, tax credits, etc.

SWPAC members said they would run some copies of the Alternative Technologies Plan through their county committees. Mary Jane Amen stated they would also go to an extensive mailing list. The report is available to those interested by phoning the Solid Waste Department.

#### AGENDA ITEM

#### Old Business

Ray Barker said at last month's SWPAC meeting, Councilor Jim Gardner had passed the draft of possible changes to the Council Management Committee, recommended by SWPAC. The draft went to the Management Committee last week and they seemed to focus on three main categories: (1) that some thought the committee was too large; (2) That the SWPAC recommendations should go directly to the Council and (3) what the specific purpose of SWPAC is to be. The Council Management Committee didn't make any specific decisions but seemed to be satisfied with the eight-citizen, four local government, and four industry representatives for the committee, making a total of 16. The Bylaws when reconsidered will probably state that the SWPAC committee report directly to the Council. Councilor Gardner will work with the staff to arrive at a clear purpose for the SWPAC committee and go back to the June 10th Management meeting with recommendations. The Council hasn't reached any agreement as to whether the Rate Committee will remain a separate committee or will come under SWPAC.

#### AGENDA ITEM

#### Multnomah County Task Force

Dennis O'Neil reported on the Committee meetings. One of the charges of this task force was to critique Metro's 1980 landfill siting process and the criteria used and to make any suggestions for improvement on this issue and any other waste management procedures. Eight members are on this task force: a representative of West Hills and Island Neighbors, Sierra Club, Steam Fitters Local 275, and a County Commissioner. These have all been opponents of the Wildwood site. Four other members are Pauline Anderson, County Commissioner; Chairperson, a representative of a N. Portland citizens group, and two representatives of the Metro Council--Jim Gardner and Larry Cooper.

The task force has produced a first draft of their ideas about a process for siting which is similar to the criteria used by Metro. The task force is also working on solid waste management issues. By the end of June or early July there could be a possible recommendation. Metro has appealed the exclusion of Wildwood in future sites to the Land Use Board of Appeals (LUBA) and that decision will be in the first part of June. Senate Bill 662 is to develop some sort of time table for siting solid waste facilities with a task force and to determine appropriate solutions to other solid waste disposal problems. The SB 662 task force is to recommend solutions by Sept. 1 of 1986 and give them to Metro Council for action. Environmental

Quality Commission may also select a site during this time according to the criteria and there would also be an appeal time. If by Jan. 1, 1987, they determine the siting is not being accomplished, they can issue an order for DEQ to establish a site and the only review is the Supreme Court. The bill also states 50¢ a ton is to be used for rehabilitation of the land in and around the landfill.

John Trout said it would only generate about \$400 thousand a year and he wanted to know the necessity of this since the money is already being extracted in the present rates at St. Johns. Several committee members felt it was in the bill, not because of St. Johns which has this rate already in consideration for end closure, but for future landfill sites which will need to plan for end use.

AGENDA ITEM

Washington Transfer and Recycling Center

Randi Wexler updated the report on WTRC. Last month they had just come back from a public meeting where the Advisory group and staff brought forth three sites for public input. From those three sites, Metro received quite a lot of feedback. Since that time an ad hoc committee of the Sunset Corridor Association --a group of businesses in Washington County, has put together a report evaluating the sites Metro and the Committee had evaluated, plus 16 others based on different criteria than the Advisory Committee. With that input Metro has had three Advisory Group meetings which have compared/contrasted the two types of criteria to meet the problem areas which some felt were not addressed in the original criteria.

Major points of discrepancy were how you decide with which land uses the transfer station would be compatible. In the original analysis the Advisory Committee looked at zoning codes and which areas were changing rapidly and decided some special consideration should be given to the Corridor area even though it didn't have a special land use zone. Since then the Advisory Committee has agreed on a new set of criteria and is finishing the evaluation of a list of 79 sites. 11 sites will be chosen as potential for a transfer station using the new criteria. They will be grouped in areas and the public will be asked where the best place will be for the transfer station. The public meeting will be held later in June.

Meeting adjourned at 1:25

Written by Bonnie Langford

(This was the meeting Mr. Howard complimented the secretary on such good minutes. He said the grammar, text and content was very good and that in their work they read a lot of minutes and most weren't worth recycling. He said "Bonnie should be commended on her minutes".)

1 PROPOSED AMENDMENTS TO A-ENGROSSED SENATE BILL 662

2 On page 1 of the printed A-engrossed bill, line 2, delete "and"  
3 and insert "appropriating money; and".

4 Delete lines 4 through 16 and pages 2 through 5 and insert:

5 "SECTION 1. Sections 2 to 9 of this Act are added to and made  
6 a part of ORS 459.005 to 459.285.

7 "SECTION 2. (1) The Legislative Assembly finds that the siting  
8 and establishment of a disposal site for the disposal of solid  
9 waste within or for Clackamas, Multnomah and Washington Counties is  
10 necessary to protect the health, safety and welfare of the  
11 residents of those counties.

12 "(2) It is the intent of the Legislative Assembly that the  
13 Environmental Quality Commission and Department of Environmental  
14 Quality, in locating and establishing a disposal site within  
15 Clackamas, Multnomah and Washington Counties give due consideration  
16 to:

17 "(a) Except as provided in subsections (3) and (4) of section 5  
18 of this 1985 Act, the state-wide planning goals adopted under ORS  
19 197.005 to 197.430 and the acknowledged comprehensive plans and  
20 land use regulations of affected counties.

21 "(b) Information received during consultation with local  
22 governments.

23 "(c) Information received from public comment and hearings.

24 "(d) Any other factors the commission or department considers  
25 relevant.

26 "SECTION 3. (1) The Department of Environmental Quality shall  
27 conduct a study, including a survey of possible and appropriate

1 sites, to determine the preferred and appropriate disposal sites  
2 for disposal of solid waste within or for Clackamas, Multnomah and  
3 Washington Counties.

4 "(2) The study required under this section shall be completed  
5 not later than July 1, 1986. Upon completion of the study, the  
6 department shall recommend to the commission preferred locations  
7 for disposal sites within or for Clackamas, Multnomah and  
8 Washington Counties. The department may recommend a location for a  
9 disposal site that is outside those three counties, but only if the  
10 city or county that has jurisdiction over the site approves the  
11 site and the method of solid waste disposal recommended for the  
12 site. The recommendation of preferred locations for disposal sites  
13 under this subsection shall be made not later than January 1, 1987.

14 "SECTION 4. (1) Subject to subsections (3) and (4) of section  
15 5 of this 1985 Act, the Environmental Quality Commission may  
16 locate and order the establishment of a disposal site under this  
17 1985 Act in any area, including an area of forest land designated  
18 for protection under the state-wide planning goals, in which the  
19 commission finds that the following conditions exist:

20 "(a) The disposal site will comply with applicable state  
21 statutes, rules of the commission and applicable federal  
22 regulations;

23 "(b) The size of the disposal site is sufficiently large to  
24 allow buffering for mitigation of any adverse effects by natural or  
25 artificial barriers;

26 "(c) Projected traffic will not <sup>significantly contribute to</sup> ~~create~~ dangerous intersections  
27 or traffic congestion, considering road design capacities, existing



1 and projected traffic counts, speed limits and number of turning  
2 points;

3 "(d) Facilities necessary to serve the disposal site can be  
4 available or planned for the area; and

5 "(e) The proposed disposal site is designed and operated to the  
6 extent practicable so as to mitigate conflicts with surrounding  
7 uses. Such conflicts with surrounding uses may include, but are  
8 not limited to:

9 "(A) Visual appearance, including lighting and surrounding  
10 property.

11 "(B) Site screening.

12 "(C) Odors.

13 "(D) Safety and security risks.

14 "(E) Noise levels.

15 "(F) Dust and other air pollution.

16 "(G) Bird and vector problems.

17 "(H) Damage to fish and wildlife habitats.

18 "(2) When appropriate, the conditions listed in this section  
19 may be satisfied by a written agreement between the Department of  
20 Environmental Quality and the appropriate government agency under  
21 which the agency agrees to provide facilities as necessary to  
22 prevent impermissible conflict with surrounding uses. If such an  
23 agreement is relied on to satisfy any approval criteria, a  
24 condition shall be imposed to guarantee the performance of the  
25 actions specified.

26 "SECTION 5. (1) The commission, not later than July 1, 1987,  
27 shall issue an order directing the Department of Environmental  
28 Quality to establish a disposal site under this 1985 Act within

1 Clackamas, Multnomah or Washington County or, subject to subsection  
2 (2) of section 3 of this 1985 Act, within another county.

3 "(2) In selecting a disposal site under this section, the  
4 commission shall review the study conducted under section 3 of this  
5 1985 Act and the locations for disposal sites recommended by the  
6 department under section 3 of this 1985 Act.

7 <sup>(a)</sup>"(3) When findings are issued by the department under  
8 subsection (4) of this section, the commission in selecting a  
9 disposal site under this 1985 Act must comply with the state-wide  
10 planning goals adopted under ORS 197.005 to 197.430 and with the  
11 acknowledged comprehensive plan and land use regulations of the  
12 local government unit with jurisdiction over the area in which the  
13 disposal site is located. <sup>(b)</sup> However, when findings are not issued  
14 under subsection (4) of this section, the standards established by  
15 section 4 of this 1985 Act take precedence over provisions in the  
16 comprehensive plan or land use regulations of the affected local  
17 government unit, and the commission may select a disposal site in  
18 accordance with those standards instead of, and without regard to,  
19 any provisions for locating and establishing disposal sites that  
20 are contained in the comprehensive plan or land use regulations of  
21 the affected local government unit. Any provision in a  
22 comprehensive plan or land use regulation that prevents the  
23 location and establishment of a disposal site that can be located  
24 and established under the standards set forth in section 4 of this  
25 1985 Act shall not apply to the selection of a disposal site under  
26 this 1985 Act.

27 "(4) The department, not later than July 1, 1986, may determine  
28 whether the acknowledged comprehensive plans and land use

1 regulations of the counties in which possible disposal sites being  
2 considered by the department are situated contain standards for  
3 determining the location of land disposal sites that are identical  
4 to or consistent with the standards specified in section 4 of this  
5 1985 Act. If the standards contained in the comprehensive plan and  
6 land use regulations of a county are identical to or consistent  
7 with the standards specified in section 4 of this 1985 Act, the  
8 department shall issue written findings to that effect and shall  
9 submit the findings to the commission.

10 "(5) When selecting a disposal site under this 1985 Act, the  
11 commission may attach limitations or conditions to the development,  
12 operation or maintenance of the disposal site, including but not  
13 limited to, setbacks, screening and landscaping, off-street parking  
14 and loading, access, performance bonds, noise or illumination  
15 controls, structure height and location limits, construction  
16 standards and periods of operation.

17 "(6) If the Environmental Quality Commission directs the  
18 Department of Environmental Quality to establish or complete the  
19 establishment of a disposal site under this section, the department  
20 shall establish the site subject only to the approval of the  
21 commission. Notwithstanding any city, county or other local  
22 government charter or ordinance to the contrary, the Department of  
23 Environmental Quality may establish a disposal site under this  
24 section without obtaining any license, permit, franchise or other  
25 form of approval from a local government unit.

26 "(7) The department shall identify conflicts with surrounding  
27 uses for any disposal site established under this 1985 and, to the

1 extent practicable, shall mitigate or require the operator of the  
2 site to mitigate those conflicts.

3 "SECTION 6. (1) Notwithstanding ORS 183.400, 183.482 and  
4 183.484, exclusive jurisdiction for review of any rules adopted or  
5 decision made by the Environmental Quality Commission under this  
6 section relating to the establishment or siting of a disposal site,  
7 any order to the Department of Environmental Quality to establish  
8 or complete such a site or any findings made by the department  
9 under section 5 of this 1985 Act is conferred upon the Supreme  
10 Court.

11 "(2) Proceedings for review shall be instituted when any person  
12 adversely affected or aggrieved by the order of the commission  
13 files a petition with the Supreme Court. The petition shall be  
14 filed within 30 days following the date on which the order upon  
15 which the petition is based is served. The petition shall state  
16 the nature of the order or decision the petitioner desires reviewed  
17 and shall, by supporting affidavit, state the facts showing how the  
18 petitioner is adversely affected or aggrieved. Copies of the  
19 petition shall be served by registered or certified mail upon the  
20 commission. Within 30 days after service of the petition, the  
21 commission shall transmit to the Supreme Court the original or a  
22 certified copy of the entire record of the proceeding under review.  
23 Review under this section shall be confined to the record, and the  
24 court shall not substitute its judgment for that of the commission  
25 as to any issue of fact or agency discretion. Upon review, the  
26 Supreme Court may affirm, reverse or remand the order of the  
27 commission if the court finds that the order is not supported by  
28 substantial evidence in the record or is unconstitutional.

1 Proceedings for review under this section shall be given priority  
2 over all other matters before the Supreme Court.

3 "(3) Notwithstanding ORS 197.850, jurisdiction for judicial  
4 review of a final order of the Land Use Board of Appeals issued in  
5 any proceeding arising under this 1985 Act is conferred upon the  
6 Supreme Court. The procedure for judicial review of a final order  
7 under this subsection shall be as provided in subsection (2) of  
8 this section.

9 "SECTION 7. (1) Subject to policy direction by the commission  
10 in carrying out sections 3 and 5 of this 1985 Act, the department  
11 may:

12 "(a) By mutual agreement, return all or part of the  
13 responsibility for development of the site to a local government  
14 unit, or contract with a local government unit to establish the  
15 site.

16 "(b) To the extent necessary, acquire by purchase, gift, grant  
17 or exercise of the power of eminent domain, real and personal  
18 property or any interest therein, including the property of public  
19 corporations or local government.

20 "(c) Lease and dispose of real or personal property.

21 "(d) At reasonable times and after reasonable notice, enter  
22 upon land to perform necessary surveys or tests.

23 "(e) Acquire, modify, expand or build landfill or resource  
24 recovery site facilities.

25 "(f) Subject to any limitations in ORS 468.195 to 468.260, use  
26 money from the Pollution Control Fund created in ORS 468.215 for  
27 the purposes of carrying out section 5 of this 1985 Act.

1       "(g) Enter into contracts or other agreements with any local  
2 government unit or private person for the purposes stated in ORS  
3 459.065 (1).

4       "(h) Accept gifts, donations or contributions from any source  
5 to carry out the provisions of sections 3 and 5 of this 1985 Act.

6       "(i) Establish a system of fees or user charges to reimburse  
7 the department for costs incurred under this 1985 Act and to allow  
8 repayment of moneys borrowed from the Pollution Control Fund.

9       "(2) The metropolitan service district shall have the  
10 responsibility for the operation of the disposal sites established  
11 under this 1985 Act.

12       "SECTION 8. (1) The metropolitan service district organized  
13 under ORS chapter 268 shall prepare a solid waste reduction  
14 program. Such program shall provide for:

15       "(a) A commitment by the district to substantially reduce the  
16 volume of solid waste that would otherwise be disposed of in land  
17 disposal sites through techniques including, but not limited to,  
18 rate structures, source reduction, recycling, reuse and resource  
19 recovery;

20       "(b) A timetable for implementing each portion of the solid  
21 waste reduction program;

22       "(c) Energy efficient, cost-effective approaches for solid  
23 waste reduction that are legally, technically and economically  
24 feasible and that carry out the public policy described in ORS  
25 459.015 (2); and

26       "(d) Procedures commensurate with the type and volume of solid  
27 waste generated within the district.

1       "(2) Not later than January 1, 1986, the metropolitan service  
2 district shall submit its solid waste reduction program to the  
3 Environmental Quality Commission for review and approval. The  
4 commission shall approve the program if the commission finds that:

5       "(a) The proposed program presents effective and appropriate  
6 methods for reducing dependence on land disposal sites for disposal  
7 of solid wastes;

8       "(b) The proposed program will substantially reduce the amount  
9 of solid waste that must be disposed of in land disposal sites;

10       "(c) At least a part of the proposed program can be implemented  
11 immediately; and

12       "(d) The proposed program is legally, technically and  
13 economically feasible under current conditions.

14       "(3) After review of the solid waste reduction program, if the  
15 commission does not approve the program as submitted, the  
16 commission shall allow the metropolitan service district not more  
17 than 90 days in which to modify the program to meet the  
18 commission's objections.

19       "(4) Notwithstanding ORS 268.310 (2) and 268.317, if the  
20 commission does not approve the solid waste reduction program  
21 submitted by the metropolitan service district after any period  
22 allowed for modification under subsection (3) of this section, all  
23 the duties, functions and powers of the metropolitan service  
24 district relating to solid waste disposal are imposed upon,  
25 transferred to and vested in the Department of Environmental  
26 Quality and no part of such duties, functions and powers shall  
27 remain in the metropolitan service district. The transfer of  
28 duties, functions and powers to the department under this section

1 shall take effect on July 1, 1986. Notwithstanding such transfer  
2 of duties, functions and powers, the lawfully adopted ordinances  
3 and other rules of the district in effect on July 1, 1986, shall  
4 continue in effect until lawfully superseded or repealed by rules  
5 of the commission.

6 "(5) If the solid waste reduction program is approved by the  
7 commission, a copy of the program shall be submitted to the Sixty-  
8 fourth Legislative Assembly not later than February 1, 1987.

9 "SECTION 9. (1) The metropolitan service district shall  
10 apportion an amount of the service or user charges collected for  
11 solid waste disposal at each general purpose landfill within or for  
12 the district and dedicate and use the moneys obtained for  
13 rehabilitation and enhancement of the area in and around the  
14 landfill. <sup>from which the fee is collected</sup> That portion of the service and user charges set aside  
15 by the district for the purposes of this subsection shall be 50  
16 cents for each ton of solid waste.

17 "(2) The metropolitan service district, commencing on the  
18 effective date of this 1985 Act, shall apportion an amount of the  
19 service or user charges collected for solid waste disposal and  
20 shall transfer the moneys obtained to the Department of  
21 Environmental Quality. That portion of the service and user  
22 charges set aside by the district for the purposes of this  
23 subsection shall be \$1 for each ton of solid waste. Moneys  
24 transferred to the department under this section shall be paid into  
25 the Land Disposal Mitigation Account in the General Fund of the  
26 State Treasury, which is hereby established. All moneys in the  
27 account are continuously appropriated to the department and shall  
28 be used for carrying out the department's functions and duties



1 under this 1985 Act. The department shall keep a record of all  
2 moneys deposited in the account. The record shall indicate by  
3 cumulative accounts the source from which the moneys are derived  
4 and the individual activity or program against which each  
5 withdrawal is charged. Apportionment of moneys under this  
6 subsection shall cease when the department is reimbursed for all  
7 costs incurred by it under this 1985 Act.

8 "(3) The metropolitan service district shall adjust the amount  
9 of the service and user charges collected by the district for solid  
10 waste disposal to reflect the loss of those duties and functions  
11 relating to solid waste disposal that are transferred to the  
12 commission and department under this 1985 Act. Moneys no longer  
13 necessary for such duties and functions shall be expended to  
14 implement the solid waste reduction program submitted under section  
15 8 of this 1985 Act. The metropolitan service district shall submit  
16 a statement of proposed adjustments and changes in expenditures  
17 under this subsection to the department for review.

18 "SECTION 10. ORS 459.049 does not apply to a disposal site  
19 established under this Act.

20 "SECTION 11. This Act being necessary for the immediate  
21 preservation of the public peace, health and safety, an emergency  
22 is declared to exist, and this Act takes effect on its passage."

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6/17/85

SCOPE OF THE 1986 RATE STUDY

SB662 requires that the following be considered in Metro rates:

- DEQ fees
  - \$.50/ton at general purpose landfills for rehabilitation and enhancement in the area of the landfill.
  - \$1.00/ton user charge for landfill siting.
- A rate structure which encourages resource recovery and recycling.

In addition to the standard analysis for assuring that rate revenues cover anticipated costs, the potential effect on rates of the following additional items will be considered in the 1986 rate study:

1. Increases or decreases in waste flows from other landfills. May examine rates and the cost of diverting waste.
2. Removal/reduction of the RTC at limited use sites to encourage diversion of dry loads to KFD and to extend St. Johns (consider along with diversionary effects of SB662).
3. WTRC operation schedule and regional transfer charge adjustment.
4. Adjustment of the user fee.
5. Adjustment of the convenience charge to encourage direct haul.
6. Special waste fee. (*Permit fee, etc.*) or *decommissioning fee*
7. Rate policy recommendations may result from the analysis.

Time frame for rate study

- Finalize scope and rate model by end of June.  
(includes waste quantity and cost projections)
- Provide draft rates for different scenarios and report on related issues by mid July.
- Review of draft rates by Council, SWPAC, RRC, and effected groups during late July and early August.
- Finalize rate study in mid August.
- Council consideration and action end of August through mid September.
- September 26 - Target date for approval of 1986 rates.
- January 1, 1986 - Effective date of adopted rates.

Summary of existing Metro rates

	Base	RTC	User Fee	CC (CTRC)	Total
Commercial (\$/ton)	9.80	2.00	1.68	2.25	13.48 15.73 CTRC
Public (\$/trip)	5.37	1.34	.54	.75	7.25 8.00 CTRC

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ADOPTING SOLID ) RESOLUTION NO. 84-483  
WASTE DISPOSAL RATE POLICIES )  
) Introduced by the  
) Executive Officer

WHEREAS, The Metropolitan Service District (Metro) is empowered to collect funds to pay costs incident to solid waste disposal in the region; and

WHEREAS, Uniform administration of rates from year to year is desirable for the maintenance of equity among users of the disposal system; and

WHEREAS, Four discrete disposal rate elements (base disposal rate, Regional Transfer Charge, convenience charge, user fee) have been established; now, therefore,

BE IT RESOLVED,

That the following rate policies are hereby adopted by the Metropolitan Service District:

1. Users of the disposal system are divided into two groups, commercial and public, and rates for each shall reflect the relative cost of providing service to each.

2. The commercial base disposal rate is used to pay the cost of disposal at the Metro-operated landfill. It is collected at Metro facilities and is applied uniformly at all Metro facilities. The public base disposal rate also pays the cost of disposal and transfer and recycling center capital costs. It is administered in the same way as the commercial rate.

3. The Regional Transfer Charge is used (in conjunction with the convenience charge) to pay for the cost of operating the Metro transfer system, including transfer and recycling centers and transfer of waste to a disposal facility. It is applied to all waste generated in the Metro region, whether it is disposed at a Metro facility or at any other.

4. The public Regional Transfer Charge will only include operating costs of Metro-owned transfer and recycling centers.

5. The convenience charge is used (in conjunction with the Regional Transfer Charge) to pay for the cost of operating the Metro transfer system. It is applied only to waste which is disposed at transfer and recycling centers.

6. User fees are used to pay for solid waste programs (administration, waste reduction, systems planning and development) and activities not directly related to operation of the transfer and disposal system. They are applied to all waste generated in the region.

7. These policies will be reviewed annually by June 30 prior to the beginning of the ratesetting process. .

ADOPTED by the Council of the Metropolitan Service District  
this 23rd day of August, 1984.

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

ES/srb  
1444C/392-C  
08/21/84

List of Firms Submitting PreQualification Applications

Neil Wise  
BFI  
55 Almaden Boulevard  
4th Floor  
San Jose, CA 95114

Nels Johnson  
Rabanco, Inc.  
9 S. Massachusettes St.  
Seattle, WA 98134

Peter Huff  
Waste Management, Inc.  
715 Comstock St.  
Santa Clara, CA 95054

Jack Isola  
Oakland Scavengers  
2601 Peralta St.  
Oakland, CA 94607

Sheryl Smith  
John Sexton Contractors  
1815 S. Wolf Rd.  
Hillside, IL 60162

Alex Cross  
Genstar Waste Technology Group  
8305 SE Monterey  
Suite 204  
Portland, OR 97266

Robert Becker  
Laidlaw  
15 Spinning Wheel Road  
Suite 210  
Hinsdale, Illinois 60521

James T. Masters  
Herzog Contractors Corp.  
6920 Miramar Rd., Suite 207  
San Diego, CA 92121

Edward Johnson  
Kedon Services LTD  
4619 - 6A Street NE  
Calgary, Alberta  
Canada TZE 4BA