



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

Agenda

Meeting: Solid Waste Policy Advisory Committee
Date: June 16, 1986
Day: Monday
Time: 12:00 Noon
Place: Rm 330. Metro

- 12:00
 - Meeting Called to Order
 - Approval of May 27th Minutes
 - Announcement/ SWPAC Reports
 - Attachments:
 - Advertising Memo
 - EQC

- 12:15
 - DEQ Presentation on Landfill Siting Process

- 12:45
 - Rate Incentives - Action Item

- 1:15
 - Certification Report

- 1:20
 - Public Affairs Presentation of Advertising Campaign

SOLID WASTE POLICY ADVISORY COMMITTEE

SWPAC

MAY 27, 1986

Committee Members Present: Teresa DeLorenzo, Kathy Cancilla, Dick Howard, Ed Gronke, Craig Sherman, Bob Brown, Gary Newbore, Dave Phillips, Michael Pronold, Mike Sandberg

Committee Member Absent: Carolyn Browne, Shirley Coffin, Robert Harris, George Hubel, Delyn Kies, Bruce Rawls, Pete Viviano

Staff Members Present: Rich McConaghy, Wayne Rifer, Mary Jane Aman, Pat Vernon, Chuck Geyer

Guest: Bob Brown, DEQ

AGENDA ITEM

CALL TO ORDER/ANNOUNCEMENT

The meeting was called to order by Chairperson DeLorenzo at 12:03 PM.

MOTION

Michael Pronold moved to accept the minutes of the May 12th meeting as written.

Seconded by Dave Phillips, carried unanimously

Kathy Cancilla called members attention to the Metro advertising theme for the Waste Reduction Program "Together We Can Get Out of the Dumps". She feels it carries an inappropriate message and asked members to evaluate it. Some reasons for her concern:

- 1) will make landfill siting difficult
- 2) dump is a bad term, it took too long to get landfill into the publics conscious to use dump now
- 3) we will never be totally out of landfilling - misleading

Dick Howard commented that the above points were very well taken, work has been going on for 15 years to get rid of the stigma of dump

AGENDA ITEM

CERTIFICATION

Wayne Rifer, Metro Analyst, covered the certification memo received with the latest agenda packet, as well as a copy of the letter to Tri County Council from Metro Council Presiding Officer, Dick Waker. The Tri County Council is a group of haulers that represent the tri-county area. This group includes a member from each of the area's major hauling organizations. The effort being taken with regard to the Tri County Council is to get assistance from haulers on the certification program.

Questions and Answers Regarding Certification:

Ed Gronke asked what mechanism will be set up to see that the customers also receive some benefits, not just the hauler.

Wayne answered that this committee may opt to require the franchise, or the rate setting process, to address this problem. Presently, it cost a few dollars less to dispose of waste at the Oregon Processing and Recovery Center (OPRC) than it does at the landfill for high grade loads. The disposal rate in many franchise areas passes directly through to the customer. In order to get an incentive to the hauler, there may need to be a revision in rate structure.

Dave Phillips spoke of the recent provision for this in the franchising system in Clackamas County. A surcharge system is set up so the hauler is compensated for his additional cost of moving a load to OPRC or KFD. The customer pays the hauler that surcharge, but also receives some savings on his/her disposal cost which is passed through. It is up to the customer which way he/she wants to go.

Wayne noted that the most difficult part of the question at hand goes back to the residential customer who is recycling. Metro has seen no proposals to date that look effective as a rate incentive to that person.

Ed Gronke asked if Metro can require rate incentives by law. Wayne answered that Metro feels the rate incentive program and the certification program will achieve the goals and Metro is confident that it is indeed legal.

Dick Howard mentioned that an incentive for a residential customer to recycle has always been in place. That is a significant reduction in their volume of waste, and therefore less pick up, which equals less cost.

Gary Newbore asked how haulers felt about this certification process. Kathy Cancilla answered that most companies have no problem with it, but there is some resistance.

The question came up about the effect of rate increases on roadside dumping. There does seem to be a correlation between

increased rates and increased roadside dumping. Although the increase is not sustained for a long period of time, it confirms the need to deal directly with individuals.

Ed Gronke asked if Metro will be adopting certification standards in July or August, when will the haulers actually be certified so they would see a rate reduction?

Wayne Rifer explained that the 1987 standards will be worked on by this committee in the next few months. We will expect to hear back from the jurisdictions next July as to how they are going to meet those, then rates go into effect January 1988.

Ed Gronke felt that from now until January 1988 there really would be no incentive to the haulers?

Wayne countered that that was not quite accurate, because there will be incentives going to effect to meet SB405. They go into effect January 1987.

Ed Gronke asked if haulers then have to go through all that extra work for a year before realizing rate reduction to reflect that extra load, or are you going to certify them before they go to all the extra work?

Wayne said the difference is six months.

Ed Gronke continued that he thinks this would pose a problem, economically for a company to have to go through a great deal of extra expense and have to wait six months before you give any compensation for that work.

Wayne Rifer felt it is important to keep that in mind when standards are written.

Craig Sherman asked Wayne to please give a dry run on this, assuming franchise area X has two or three haulers - how does the submission etc. work?

Wayne's scenario - If for example this committee decides on a requirement of yard debris collection. That will be sent out to the local jurisdictions, in August and September, the following July, SWPAC will receive back from the jurisdictions, their plan of what they are doing or going to do. The standards will outline the expectations. There are six months then between July 1, 1987 and January 1988 to evaluate and negotiate if necessary, certify, and on January 1, 1988 the new rates will go into effect.

Ed Gronke asked about the hauler who by face value has the program in effect, but in reality, is not separating loads or effectively carrying out the program. What would be the scenario then?

The basis of comparison here would be effectiveness between the haulers of carrying out the program.

Who will judge the degree of compliance? The local jurisdiction will have to look at its haulers. Metro will coordinate with the jurisdiction.

Wayne Rifer asked if SWPAC would like to :

- 1) Receive input from haulers on memo before approving it at the next meeting, or
- 2) Approve it now

MOTION:

Ed Gronke moved to accept the concepts on certification as included in the memorandum Titled: Certification of Units-Background and Guidelines

Seconded by Dave Phillips

yes votes

Teresa DeLorenzo, Kathy Cancilla, Dick Howard, Ed Gronke, Craig Sherman, Dave Phillips, Michael Pronold, Mike Sandberg

abstain

Gary Newbore

AGENDA ITEM

RATE REVIEW REPORT

Rich McConaghy, Metro Analyst, updated committee on Metro's Solid Waste Disposal Franchising Program. The waste management system handles about two and one half pounds of waste for each person in the Metropolitan area per day. The subsystems consist of generator, collectors, recycling industry, regulatory and disposal. Roughly 70% of the waste in the region ends up at St. Johns. Besides the Metro operated components of the system (St. Johns Landfill and CTRC), there are other components which occur within Metro boundaries and are franchised by Metro.

Currently there are 5 disposal operations that Metro franchises. Forest Grove Transfer Station which accepts waste only from the owners collection companies; The Oregon Processing and Recovery Center (OPRC) accepts high grade loads, mostly cardboard and mixed waste paper; Marine Drop Box is a small operation servicing the drydock areas, which recovers wood and metals; Sunflower Recycling accepts food waste and some yard debris. They compost material from this waste which they resell; Killingsworth Landfill, a limited use landfill which accepts any mixed waste except food wastes and hazardous wastes. All of these facilities keep waste out of the St. Johns Landfill

which is key to our program right now. The only facility Metro set rates for is the Killingsworth Landfill.

At this time, The Procedures for Processing Applications and Rate Adjustment Requests and the Disposal Franchise Ordinance are available if members would like a copy. Metro sets rates through these procedures. A Rate Review Committee made up of five members from the public assist in determining rates. Two members of SWPAC are also members of the Rate Review Committee. A request was received from Killingsworth Landfill last March for rate increases. The Rate Review Committee will review the request, submit their views to Council who then votes on adoption of new rates. This committee will be informed on that particular rate request at your June Meeting.

Dan Durig , Metro Solid Waste Director, encouraged SWPAC not to duplicate the work of the Rate Review Committee, but to look more at policy questions as they effect rates. He also encouraged the committee to focus on major issues. SPWAC in previous years has lost some of its impact by becoming too diversified. Mr. Durig asked the committee to keep that in mind when looking at various issues, and being careful not to risk loss of its impact.

ADDED AGENDA ITEM

METRO'S ADVERTISING PLAN

Vicki Rocker, Metro Director of Public Affairs, provided SWPAC with some background on the advertising campaign being under taken with the help of Coates Advertising. The thrust of the campaign is to educate the public on the need for attention to recycling and reuse because of the limited space in the landfill. The tag-line of "Together We Can Get Out of the Dumps" was chosen because it can be used with many themes. The focus is on the masses, not on people like this committee who are involved in and understand the problems of waste disposal.

There was some discussion and opposition from members of the committee on using the term "dump" in an advertising campaign. They cited the fact that many haulers and people in the industry are offended by the tag line, and the question was brought up by SWPAC chairperson if this could be addressed. Also, committee members mentioned that it has taken a long time to remove the term "dump" from vocabulary and replace it with "landfill". Using "dump" may negate all the progress that has been made in this regard. The focus on landfill seems inappropriate - the focus should be on garbage, that's what the people see.

Ms. Rocker reiterated the focus and target group of this program and asked the committee to hold off making judgement until they are able to preview the actual ad at the next meeting.

There was no vote on this issue, but Chairperson DeLorenzo asked Public Affairs to monitor the response to the ad.

Meeting Adjourned at 1:20

NEXT MEETING , June 16th

Submitted by: Pat Vernon

To: Environmental Quality Commission

From: Solid Waste Policy Advisory Committee (SWPAC)
to Metropolitan Service District (Metro)

Re: DEQ Draft Report Approving Metro Waste Reduction Program

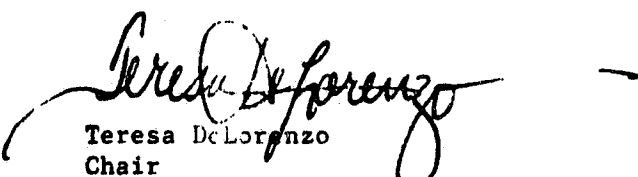
We are very pleased that the Department of Environmental Quality has approved Metro's Waste Reduction Program in its draft report, and urge that the final report also endorse the Metro plan. SWPAC has worked very closely with Metro staff and is very impressed by the thought, planning, and energy that have gone into the waste reduction program plan.

We are, however, puzzled by DEQ's approval "with some reluctance" as it not clear to us the source of this reluctance. This reluctant tone permeates the draft report and seems unnecessary.

Metro has outlined a methodical, well-planned approach to solid waste reduction, and has complied with the criteria as outlined in the draft report, with the exception of a slightly longer timeframe. If certain time goals have slipped in the schedule, it is because of an effort on the part of Metro to do the job right the first time.

For example, language on page nine of the draft report suggesting that the rate incentives portion of the certification program is incomplete and has unduly delayed implementation seems incorrect and inappropriately harsh. We would encourage DEQ staff to more carefully review the Metro program. Comments on page 12 suggest that only one materials recovery center now exists, and that Metro is focusing only on high grade loads for materials recovery. Both these statements are inaccurate. Lastly, language on page 18, "Unfortunately early indicators of Metro's commitment to implement are not encouraging...", seems totally unwarranted. The only results on which it is fair to judge Metro at this point is its effort to produce a viable planning document and its continuing sincere goal to implement a successful waste reduction program. To date Metro has satisfied both the letter and spirit of the law.

Please edit the final report with a view to more careful and accurate phrasing, and change the reluctant approval to a positive approval.



Teresa DeLorenzo
Chair

June 3, 1986

To: Metro Council

From: SWPAC

Re: Advertising Slogan, "Together We Can Get Out of the Dumps"

SWPAC is eagerly anticipating an exciting advertising campaign for solid waste reduction. However, the committee is very concerned about the selection of the above slogan. A telephone survey of the committee which reached 15 of 16 members resulted in 14 members expressing negative reactions to the use of the slogan.

SWPAC urges Metro Council to give serious consideration to abandoning this slogan and requesting the Coates agency to develop a more appropriate approach to the campaign. We realize production work has already been completed on the campaign but believe it is more cost effective to revise the campaign now, before its release to the public, rather than proceed with it in its present form.

Members of SWPAC have a variety of concerns:

- slogan's use of the word "dumps" is negative, confuses dumps and landfills, and undermines Metro's and industry's efforts to use the correct term, landfill.

- slogan erroneously suggests that landfills could be eliminated, potentially compromising Metro's and DEQ's efforts to site a new landfill.

- slogan has caused grave concern among solid waste hauling industry, recycling industry, and Metro solid waste staff.

- slogan uses a negative rather than positive, proactive approach.

SWPAC realizes that an advertising slogan cannot please all people. However, there is a serious problem with the proposed slogan in that it has provoked a remarkable extremity of negative reactions from a wide range of people. This reaction has already consumed a tremendous amount of energy and threatens to jeopardize morale and motivation of staff and industry representatives.

SWPAC applauds Metro's efforts to use an attention-getting slogan, but feels strongly that the current approach is counterproductive.



Teresa DeLorenzo
Chair



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
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Memorandum

Date: June 11, 1986

To: SWPAC

From: Steve Rapp, Metro Analyst

Regarding: Rate Incentives

This week, several members of the Metro Staff are meeting with interested groups to seek input on rate incentive approaches. I will report to you the results of those meetings, and give you time to ask questions and discuss alternatives on June 16. Prior to the meeting, your reading of the staff report on the rate incentive approach, sent to you on May 5, will facilitate this discussion.

Enclosed is a matrix which summarizes the high points, but is not a substitute for the staff report. SWPAC will be expected to make a recommendation regarding rate incentives to Council.

MATRIX OF RATE INCENTIVE OPTIONS

RIGHT STRATEGY	OPTION	AFFECTED PARTIES	EFFECT ON METRO	COST TO METRO	EFFECT ON OTHERS	ADMINISTRATION	ADVANTAGES	DISADVANTAGES	ISSUES
I. Certification	A. DIFFERENTIAL TIP FEE	Haulers, generators	Administration Less ability to forecast revenue	None to moderate	Higher collection costs Small difference in cost to residential generators Greater effect on commercial waste generators	Verification of certification Participation levels determined Cost-effectiveness gauged	Direct & immediate reward to haulers Econ pressure is the driving force	Rates not expected to change people's behavior readily Problems forecasting Metro revenue Additional Metro administrative involvement No assurance that generators will benefit No direct benefit to pass to recyclables collectors if those collectors are different from the waste haulers	Difficulty of setting the differential amount Should rates be offsetting? Responsive to secondary materials market?
	B. Loans/grants Program	Local gov'ts, collectors of recyclables	Administration	Moderate	Financial incentive to local gov'ts Funds generated through rates paid by all disposers	Verify certification Track the funds to be sure spent appropriately, & non-compliers pay Metro back Cost-effectiveness gauged	Financial impacts are predictable Provides incentive directly to local jurisdiction Benefit in form of a lump sum, which might be more visible & effective Flexibility to allow benefit to ultimately pass to recyclables collector, if different from waste hauler	Less direct & immediate incentive for waste haulers & generators Included in the cost is the grant payable to those jurisdictions already complying	How to determine size of loan/grant
	C. Voucher Sys	Haulers, recyclers, generators	Administration Less ability to forecast revenue	Moderate	Direct incentive to deliver recyclables Reduced disposal expenses for certified haulers	Monitor to prevent abuses Cost-effectiveness gauged	Direct, immediate, & proportional reward for offering recycling opportunities Encourages pressure from both generators & haulers to force certification Metro provided a tangible measure of results	Government involvement Requires cooperation & administration by private recyclers Requires Metro to monitor to prevent abuses No advantage given to recyclers not handling waste to be landfilled if benefit is disposal credits Requires paying for those already recycling	Benefit could be disposal credit or cash

note: CAPS in the option column indicate staff recommends that option, or a version of that option

WMT STRATEGY	OPTION	AFFECTED PARTIES	EFFECT ON METRO	COST TO METRO	EFFECT ON OTHERS	ADMINISTRATION	ADVANTAGES	DISADVANTAGES	ISSUES
II. Processing Center Rate Incentives	A. DISPOSAL CREDITS TO HAULERS	Processing centers, haulers, generators	Administration Less ability to forecast revenue	Small to moderate	Increased volumes at processing centers	Monitor processing ctrs to prevent abuse, maintain recycling percentage Gauge cost-effectiveness	Benefits to both haulers & generators (with proper promo & educ)	Less ability to forecast revenues May require regulation of processing center rates	To be considered only after Waste Composition Study indicates a need for further processing ctr recycling
	B. DIVERSION CREDITS	Processing centers	Administration Less ability to forecast revenue	Small to moderate	Allows cheaper tipping fees at processing centers, so more volume	Monitor volumes Gauge cost-effectiveness Regulate rates	Direct aid to recycling Help operator keep fees down	Government subsidizing Requires rate regulation	Amount per ton to pay
	C. TIPPING FEE BREAK FOR RESIDUAL WASTES	Processing centers	Administration Less ability to forecast revenue	Small	Lower operations costs at processing centers	Monitor volumes Gauge cost-effectiveness Regulate rates	Aids processing centers in keeping costs low, to allow low tipping fees there	Requires rate regulation	Size of break
	D. Metro operation of processing facility gatehouses	Processing centers	Increased personnel Increased involvement in private industry	Small to moderate	Metro involvement in processing center operations	Gauge cost-effectiveness Regulate rates	Guaranteed income per ton for process ctrs Guaranteed high-grade percentage Less operations cost for processing ctrs	Government involvement	Level of gov't involvement
	E. MODIFY ORDINANCES TO WAIVE METRO FEES	Processing centers	None	Slight	Guaranteed policy	None	Formalizes existing policy Assures operators of continuation	Loss of potential revenue	None
	III. Reuse Ctr Aids (e.g. Goodwill, Salvation Army)	A. Tipping Fee Break	Reuse ctrs	Administration Minor loss in ability to forecast revenue	Small	Reduce non-profits' operations costs	Take applications from reuse ctrs Gauge cost-effectiveness Monitor volumes	Encourages non-profit reuse centers	Subsidizes illegal dumping at reuse ctr drop-off locations
B. DISPOSAL CREDITS		Reuse ctrs	Administration Minor loss in ability to forecast revenue	Negligible	Increased access of non-profits to reusables Helps lower non-profits' operations costs	Take applications from reuse ctrs Gauge cost-effectiveness	Direct reduction of landfilled waste Cost is small	Possible operational problems Requires commitment from non-profits	None

note: CAPS in the option column indicate staff recommends that option, or a version of that option

WMT STRATEGY	OPTION	AFFECTED PARTIES	EFFECT ON METRO	COST TO METRO	EFFECT ON OTHERS	ADMINISTRATION	ADVANTAGES	DISADVANTAGES	ISSUES
IV. Yard Debris Programs	A. REDUCED DISPOSAL FEE FOR SEPARATED YARD DEBRIS	Haulers, generators	Requires area at transfer station & landfill	Small loss of tipping fee revenue	Incentive to separate & keep separate	Gauge cost-effectiveness Monitor volumes	Financial enhancements to separate & collect yard debris Benefits all types of disposers	Requires judgement & enforcement burden on gatehouse attendant	How big of a reduction Degrees of contamination
	B. Status Quo	None	None	None	None	None	Has support of haulers Less gov't involvement	Yard debris is a resource, & should be used Yard debris comprises a significant portion of landfilled waste, so effort should be made for its diversion	Level of gov't authority to exercise
V. Flat Rate Incentive	A. STATUS QSO	Haulers, self-haulers	No difference	No difference	No difference	No difference	Predictable amount of funds raised Equal impact based on waste generated or disposed	Small increases may not affect landfilled waste volumes much	Purpose of user fees (identified need only?)
	B. Fee Increases	Haulers, self-haulers	Increased revenue	No difference	Reduces disposal costs for collectors, self-haulers	Monitor volumes	Will reduce land disposal to extent people turn to reduce, reuse, recycle to avoid disposal costs	High increase thought to be necessary for significant waste reduction May hurt businesses, the poor May cause increased illegal dumping Generates funds without identified use	User fees based on identified & designated needs only?
VI. Public Recycling Programs	A. Salvage Revenue Credit for Recyclables	Self-haulers	Administration	Small	Lowers disposal cost for self-haulers	Monitor volumes Maintain salvage revenue figures	Allows increased benefit to self-haulers who recycle	Requires close monitoring of secondary markets & public recycling amounts Would compete with buy-back centers	Gov't involvement & competition with private industry
	B. STATUS QSO	No difference	No difference	No difference	No difference	No difference	Less gov't involvement	Direct & specific program for the public	

note: CAPS in the option column indicate staff recommends that option, or a version of that option

LANDFILL SITING HISTORY

- 1968 Rossman's Landfill (1968 to 1983) authorized to accept solid waste. Since then no general purpose landfill has been authorized in the metropolitan region.
- 1971 Oregon Environmental Quality Commission rejects Washington County's application to open a landfill (Porter-Yett) on Scholls Ferry Road.
- 1975 City of Portland proposes to laterally expand St. Johns Landfill.
- 1976 Clackamas County denies land use authorization to a project (Alford's) to remove gravel and refill the pit with solid waste.
- 1977 MSD issues a "Request for Information" about potential new landfill sites.
- 1977 State law passed which effectively limits St. Johns Landfill lateral expansion to 55 acres.
- 1978 Compromise between the City of Portland and U. S. Environmental Protection Agency. St. Johns Landfill may expand 55 acres, but an alternative landfill site must be developed.
- September 1978 MSD Report: "DISPOSAL SITING ALTERNATIVES"; results of first general landfill site search.
- Staff study of information resources available through other agencies; 19 potential sites identified. However, none met all state, federal and local government requirements.
- January 1979 Metro Council adopts "Procedures for Siting Sanitary Landfills."
- July 1979 Technical feasibility study begins on: Durham Pit, Mira Monte and Portland Sand and Gravel.
- December 1979 DEQ decision: gravel pits are unacceptable for use as sanitary landfills.
- Metro Council creates the Regional Landfill Siting Advisory Committee.
- January 1980 to March 1980 Interagency Solid Waste Task Force Technical Subcommittee forms jointly between Metro and DEQ.

Four general geographic search areas identified in the three-county region.

Identification of 46 potential landfill sites.

Development of criteria and a numerical rating system for evaluation of potential sites.

March 1980 Evaluation and ranking of 46 sites.

April 1980 Regional Landfill Siting Advisory Committee reviews Interagency Task Force recommendations.

May 1980 Regional Landfill Siting Advisory Committee limits consideration to three sites.

June 1980 Public hearings near the three sites.

Regional Landfill Siting Advisory Committee limits consideration to the Jeep Trail (Wildwood) site, posing 14 questions to be answered in a technical feasibility study.

July 1980 Metro attends opposition's public meeting.

Metro begins a feasibility study of the Wildwood site.

August 1980 Public workshop.

September 1980 Public meeting with slide presentation.

Briefing for Regional Landfill Siting Advisory Committee.

November 1980 Draft Wildwood Feasibility Study (Volume I).

November 1980 to February 1981 Metro solicits public comment on draft feasibility study.

December 1980 Public meeting.

Re-evaluation of top five sites by total score: Wildwood, Wilsonville Road, Corral Creek, Vandermost Road, Boeckman Road South.

February 1981 REPORT: "Five Potential Sanitary Landfill Sites."

March 1981 Metro Council Regional Services Committee holds a public hearing.

May 1981 Final Wildwood Feasibility Study: Volumes I & II.
Regional Landfill Siting Advisory Committee recommends Wildwood to Metro Council.

June 1981 Public comment before Metro Council.
Council recommends Wildwood site as the regional landfill.

August 1981 Permit application filed with Multnomah County.

October 1981 Revised permit application filed; formal review by Multnomah County begins.

November 1981 County contracts with Foundation Sciences, Inc. for an independent review of the Feasibility Study (Volume I).

February 1982 Foundation Sciences, Inc. releases report which proposes alternate landslide mechanism at Wildwood site.

May 1982 Wildwood Sanitary Landfill Feasibility Study, Volume III, published as the Alternate Conceptual Design Option.

June 1982 Multnomah County Land Use Public Hearing: Hearings Officer's opening remarks, County staff approval criteria, Metro's presentation of the case in support of Wildwood, public testimony.

August 1982 Multnomah County Land Use Public Hearing: Presentation by organized opposition, public testimony.
Multnomah County staff recommends conditional approval for a sanitary landfill at the Wildwood site.

September 1982 Hearings Officer denies approval. Metro appeals this to the Board of County Commissioners.

November 1982 Board of County Commissioners holds a public hearing.

December 1982 Board of County Commissioners hears final arguments and then approves use of the Wildwood site for a sanitary landfill.

January 1983 West Hills and Island Neighbors Organization appeals County Commissioners' approval to the Oregon Land Use Board of Appeals (LUBA).

April 1983 Attorneys representing WHI, Multnomah County and Metro present oral arguments to LUBA.

June 1983 LUBA issues a ruling, remanding the Wildwood matter to Multnomah County. The ruling indicates that the County must strictly interpret its landfill siting criteria or must change the criteria themselves.

July 1983 Metro and Multnomah County appeal LUBA decision to Oregon Court of Appeals. Metro asks Multnomah County to revise landfill siting criteria.

January 1984 Multnomah County Planning Commission receives first draft of ordinance amending the Comprehensive Framework Plan and Zoning Code to establish regional landfill siting criteria. The Planning Commission sets up a review procedure including a hearing.

February 1984 Planning staff presents a second ordinance draft to a work session of the Multnomah County Planning Commission.

County planning staff proposes a third ordinance draft. Multnomah County Planning Commission holds a public hearing on regional landfill siting criteria.

March 1984 Planning staff proposes a fourth ordinance draft.

Continuation of public hearing before Multnomah County Planning Commission.

April 1984 Continuation of public hearing before Multnomah County Planning Commission.

May 1984 Multnomah County Planning Commission reviews various options including amendment of original criteria and begins to decide ordinance language.

June 1984 Multnomah County Planning Commission completes language changes and recommends an ordinance to the Board of County Commissioners.

Oregon Court of Appeals upholds LUBA decision that Multnomah County must either strictly interpret or change its original landfill siting criteria.

August 1984 Metro appeals the Court of Appeals ruling to the Oregon Supreme Court.

September 1984 Public Hearing. First reading of landfill siting criteria ordinance before Board of County Commissioners. Commissioners refer staff proposed amendments to the Planning Commission for review.

October 1984 Multnomah County Planning Commission recommends to the County Commissioners some of the amendments to the siting criteria ordinance proposed by County staff.

Oregon Supreme Court declines to review the Court of Appeals ruling.

November 1984 Public Hearing. Multnomah County Board of Commissioners continues review of landfill siting criteria ordinance and amendments. Additional amendments are proposed.

December 1984 Multnomah County Board of Commissioners approve a landfill siting criteria ordinance with amendments but specifically exclude Wildwood from consideration under this ordinance. The Board overrides a veto by the county Executive.

January 1985 Metro appeals the Wildwood exclusion to the Oregon Land Use Board of Appeals (LUBA).

January 1985 Multnomah County Board of Commissioners creates task force to recommend other solid waste management procedures and improvements in the landfill siting process.

February 1985 Multnomah County task force meets.

June 1985 Multnomah County task force completes its report which suggests a landfill siting process and criteria. The report calls for more County involvement in solid waste management and for alternatives to landfill disposal.

June 1985 The Oregon Legislature passes Senate Bill 662 which makes the Environmental Quality Commission responsible for solid waste facility siting. The bill requires Metro to submit a waste reduction plan acceptable to EQC.

June 1985 The Land Use Board of Appeals denies Metro's appeal of the Wildwood exclusion. Metro decides not to appeal this denial.

DO/gl
1546C/367-10
10/24/85

Enrolled
Senate Bill 662

Sponsored by COMMITTEE ON GOVERNMENT OPERATIONS AND ELECTIONS (at the request of Representative Mike Burton)

CHAPTER 679

AN ACT

Relating to solid waste disposal; appropriating money; and declaring an emergency.

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

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

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

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

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

(b) Information received during consultation with local governments.

(c) Information received from public comment and hearings.

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

SECTION 3. (1) The Department of Environmental Quality shall conduct a study, including a survey of possible and appropriate sites, to determine the preferred and appropriate disposal sites for disposal of solid waste within or for Clackamas, Multnomah and Washington Counties.

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

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

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

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

(c) Projected traffic will not significantly contribute to dangerous intersections or traffic congestion, considering road design capacities, existing and projected traffic counts, speed limits and number of turning points;

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

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

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

(B) Site screening.

(C) Odors.

(D) Safety and security risks.

(E) Noise levels.

(F) Dust and other air pollution.

(G) Bird and vector problems.

(H) Damage to fish and wildlife habitats.

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

SECTION 5. (1) The commission, not later than July 1, 1987, shall issue an order directing the Department of Environmental Quality to establish a disposal site under this 1985 Act within Clackamas, Multnomah or Washington County or, subject to subsection (2) of section 3 of this 1985 Act, within another county.

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

(3)(a) When findings are issued by the department under subsection (4) of this section, the commission in selecting a disposal site under this 1985 Act must comply with the state-wide planning goals adopted under ORS 197.005 to 197.430 and with the acknowledged comprehensive plan and land use regulations of the local government unit with jurisdiction over the area in which the disposal site is located.

(b) However, when findings are not issued under subsection (4) of this section, the standards established by section 4 of this 1985 Act take precedence over provisions in the comprehensive plan or land use regulations of the affected local government unit, and the commission may select a disposal site in accordance with those standards instead of, and without regard to, any provisions for locating and establishing disposal sites that are contained in the comprehensive plan or land use regulations of the affected local government unit. Any provision in a comprehensive plan or land use regulation that prevents the location and establishment of a disposal site that can be located and established under the standards set forth in section 4 of this 1985 Act shall not apply to the selection of a disposal site under this 1985 Act.

(4) The department, not later than July 1, 1986, may determine whether the acknowledged comprehensive plans and land use regulations of the counties in which possible disposal sites being considered by the department are situated contain standards for determining the location of land disposal sites that are identical to or consistent with the standards specified in section 4 of this 1985 Act. If the standards contained in the comprehensive plan and land use regulations of a county are identical to or consistent with the standards specified in section 4 of this 1985 Act, the department may issue written findings to that effect and shall submit the findings to the commission.

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

(6) If the Environmental Quality Commission directs the Department of Environmental Quality to establish or complete the establishment of a disposal site under this section, the department shall establish the site subject only to the approval of the commission. Notwithstanding any other provision of this 1985 Act or any city, county or other local government charter or ordinance to the contrary, the Department of Environmental Quality may establish a disposal site under this section without obtaining any license, permit, franchise or other form of approval from a local government unit.

(7) The department shall identify conflicts with surrounding uses for any disposal site established under this 1985 Act and, to the extent practicable, shall mitigate or require the operator of the site to mitigate those conflicts.

SECTION 6. (1) Notwithstanding ORS 183.400, 183.482, 183.484 and 197.825, exclusive jurisdiction for review of any decision made by the Environmental Quality Commission under this 1985 Act relating to the establishment or siting of a disposal site, any order to the Department of Environmental Quality to establish or complete such a site or any findings made by the department under section 5 of this 1985 Act is conferred upon the Supreme Court.

(2) Proceedings for review shall be instituted when any person adversely affected or aggrieved by the order of the commission files a petition with the Supreme Court. The petition shall be filed within 30 days following the date on which the order upon which the petition is based is served. The petition shall state the nature of the order or decision the petitioner desires reviewed and shall, by supporting affidavit, state the facts showing how the petitioner is adversely affected or aggrieved. Copies of the petition shall be served by registered or certified mail upon the commission. Within 30 days after service of the petition, the commission shall transmit to the Supreme Court the original or a certified copy of the entire record of the proceeding under review. Review under this section shall be confined to the record, and the court shall not substitute its judgment for that of the commission as to any issue of fact or agency discretion. Upon review, the Supreme Court may affirm, reverse or remand the order of the commission if the court finds that the order is not supported by substantial evidence in the record or is unconstitutional. Proceedings for review under this section shall be given priority over all other matters before the Supreme Court.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(4) Notwithstanding ORS 268.310 (2) and 268.317, if the commission does not approve the solid waste reduction program submitted by the metropolitan service district after any period allowed for modification under subsection (3) of this section, all the duties, functions and powers of the metropolitan service district relating to solid waste disposal are imposed upon, transferred to and vested in the Department of Environmental Quality and no part of such duties, functions and powers shall remain in the metropolitan service district. The transfer of duties, functions and powers to the department under this section shall take effect on July 1, 1986. Notwithstanding such transfer of duties, functions and powers, the lawfully adopted ordinances and other rules of the district in effect on July 1, 1986, shall continue in effect until lawfully superseded or repealed by rules of the commission.

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

SECTION 9. (1) The metropolitan service district shall apportion an amount of the service or user charges collected for solid waste disposal at each general purpose landfill within or for the district and dedicate and use the moneys obtained for rehabilitation and enhancement of the area in and around the landfill from which the fees have been collected. That portion of the service and user charges set aside by the district for the purposes of this subsection shall be 50 cents for each ton of solid waste.

(2) The metropolitan service district, commencing on the effective date of this 1985 Act, shall apportion an amount of the service or user charges collected for solid waste disposal and shall transfer the moneys obtained to the Department of Environmental Quality. That portion of the service and user charges set aside by the district for the purposes of this subsection shall be \$1 for each ton of solid waste. Moneys transferred to the department under this section shall be paid into the Land Disposal Mitigation Account in the General Fund of the State Treasury, which is hereby established. All moneys in the account are continuously appropriated to the department and shall be used for carrying out the department's functions and duties under this 1985 Act. The department shall keep a record of all moneys deposited in the account. The record shall indicate by cumulative accounts the source from which the moneys are derived and the individual activity or program against which each withdrawal is charged. Apportionment of moneys under this subsection shall cease when the department is reimbursed for all costs incurred by it under this 1985 Act.

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

SECTION 10. ORS 459.049 does not apply to a disposal site established under this Act other than for the purposes of ORS 215.213 (1)(i).

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

Passed by Senate June 3, 1985

Repassed by Senate June 18, 1985

Maribel Casmus

Secretary of Senate

[Signature]

President of Senate

Received by Governor:

11:05 A.M. July 11, 1985

Approved: 8:59 A.M. 7-13, 1985

[Signature]

Governor

Filed in Office of Secretary of State:

9:30 A.M. 7-15, 1985

[Signature]

Deputy Secretary of State

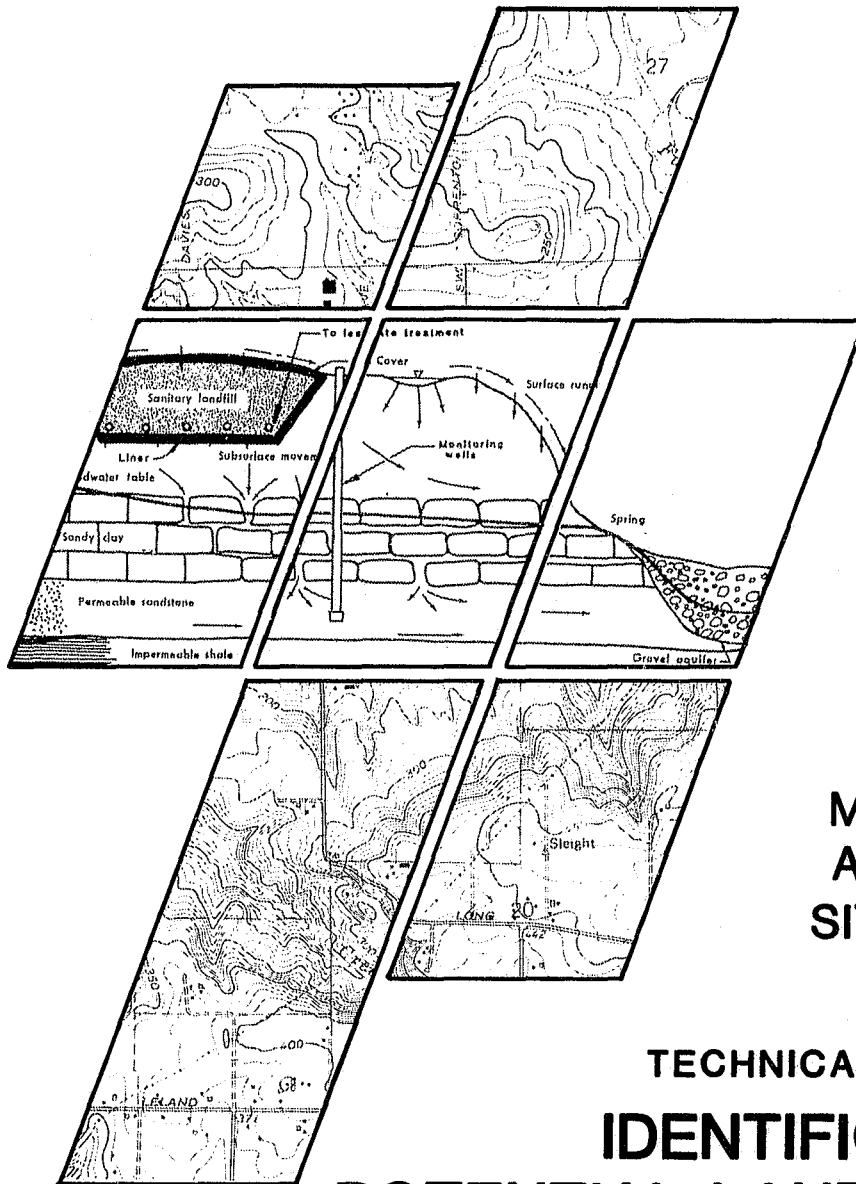
Passed by House June 17, 1985

Vera Katz

Speaker of House



OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY



EXECUTIVE SUMMARY

PORTLAND METROPOLITAN AREA LANDFILL SITING PROJECT

TECHNICAL MEMORANDUM IDENTIFICATION OF POTENTIAL LANDFILL SITES

MAY 1986

BC BROWN AND CALDWELL
CONSULTING ENGINEERS

EXECUTIVE SUMMARY
IDENTIFICATION OF POTENTIAL
LANDFILL SITES

The Oregon Department of Environmental Quality (DEQ) is faced with the challenge of siting a landfill for the Portland metropolitan area as part of its comprehensive solid waste management program. This executive summary discusses one stage in that landfill siting process: the identification of a large number of site areas which will be evaluated for suitability as potential landfill sites. The summary describes the process used to map the DEQ's landfill siting criteria and thereby screen out unsuitable areas from further consideration. The process of site identification from those maps is discussed and the results of this screening process are shown on overall study area maps. This summary also describes the next stage of the landfill selection process, the evaluation of the potential site areas and selection of the best 12 to 18 sites for further study.

Background

The 1985 Legislature, through passage of Senate Bill 662, gave the DEQ and the Environmental Quality Commission (EQC) the responsibility and authority to site a solid waste disposal facility to serve the Portland metropolitan area. The siting of a sanitary landfill is only one part of that legislation, which also requires the development and implementation of a comprehensive waste reduction program for the Portland region. The timely siting of a landfill is seen as critical because St. John's Landfill, the Portland area's existing landfill, is expected to be full by 1989.

In response to Senate Bill 662, the DEQ has begun a process that will lead to the selection by the EQC of an environmentally acceptable landfill site. The time frame for the site selection process calls for the development of a comprehensive list of potential sites by May 1986; the completion and submission to the EQC of a study identifying 12 to 18 preferred and appropriate sites in June 1986; and the recommendation by the site selection consultant of three finalist sites by October 1, 1986. Each finalist site will receive a detailed feasibility analysis that includes a comprehensive geotechnical investigation, preliminary design and site planning, on- and off-site mitigation planning, and cost analysis. This work will culminate in the issuance by the EQC of an order to establish a site or sites by July 1, 1987, as required by Senate Bill 662.

The DEQ realizes that any site will have some environmental or technical shortcomings, but has designed its site selection process to identify those sites that are most suitable for development as

a municipal sanitary landfill. To ensure that a suitable site is selected, the DEQ, with a team of consultants, has developed a comprehensive set of landfill siting criteria, which has been reviewed through a number of expert peer review sessions and public hearings. These criteria are described in detail in the report entitled "Portland Metropolitan Area Landfill Siting Criteria," dated April 1986. Three categories of criteria are included: pass/fail criteria, site evaluation criteria, and final decision criteria.

The purpose of the pass/fail criteria is to bring potential sites into focus by eliminating areas that are obviously incompatible with landfill development. If an area passes an individual pass/fail criterion, it may be suitable for consideration as a landfill. If an area fails the criterion, it is automatically eliminated from further consideration.

The second set of criteria, site evaluation criteria, was established to assist in identification of potential sites and to screen the initial list so that only the most suitable sites are given further consideration. The site evaluation criteria will be used to evaluate and rank all of the potential sites, and ultimately to identify the three finalist sites. The last set of criteria, final decision criteria, will be used to evaluate the three finalist sites.

Potential Landfill Site Identification Process

The study area for the initial stages of the site identification process included all of the area within Washington, Multnomah, and Clackamas Countys, where Senate Bill 662 grants the EQC broad-ranged siting authority. Specific sites within Columbia, Marion, or Yamhill Countys were retained for evaluation only if they had received prior land-use approval. Because of the large land area involved, identification of potential landfill site areas began with a process, based on the DEQ's pass/fail and site evaluation criteria, of systematically screening out areas unfavorable for landfill location. This screening allowed the project team to focus on the remaining potentially suitable areas.

The mapping started with team members collecting base data for criteria related to their individual fields of expertise. Criteria were then mapped which had available data that could be represented as areas of about 20 acres or more. Smaller areas were retained for evaluation on a site-specific basis. Data were entered on a computerized mapping system. The product of this step was in the form of map overlays, on which the specific criteria of interest were displayed as a set of hatched-out failed areas. All other areas remained as possible site areas.

Identification of potential sites involved a three-step process. First, pass/fail criteria were mapped. Those areas which failed any single pass/fail criterion were eliminated from further consideration. Next, the worst characteristics described under the site evaluation criteria (those characteristics with a rating of 1) were mapped. No single site evaluation criterion was

used to eliminate any area. However, those undesirable areas where the worst characteristics of a number of criteria overlapped were identified and screened out. Finally, after the mapping process was complete, potential sites were identified using computer-generated map overlays showing excluded and remaining areas on 7.5- and 15-minute U.S. Geologic Survey (USGS) maps.

In designating site boundaries, the project team did not limit the maximum size of the sites. For example, if no obvious segregating or distinguishing features existed in an area based on established criteria, the entire area was considered a site regardless of size. In addition, if two or more potential sites adjoined one another and had very similar characteristics, they were considered one site area. The purpose of this procedure was to carry the largest area possible through the evaluation process before narrowing the list of sites for more detailed evaluation. With this method, a very large site area may later be split into more than one site, or the ideal location for siting a landfill within the area will be established later through field review of the entire area.

There has been a strong emphasis during the course of this study on the integration of public and private input to the process. The general public and private industry were asked to forward their suggestions for landfill sites within the study area. These suggested sites not lying in excluded zones were entered for subsequent application of evaluation criteria.

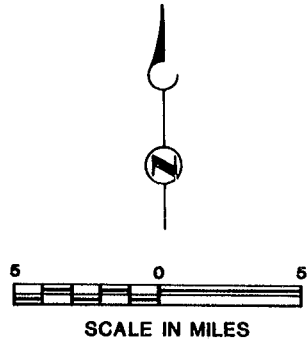
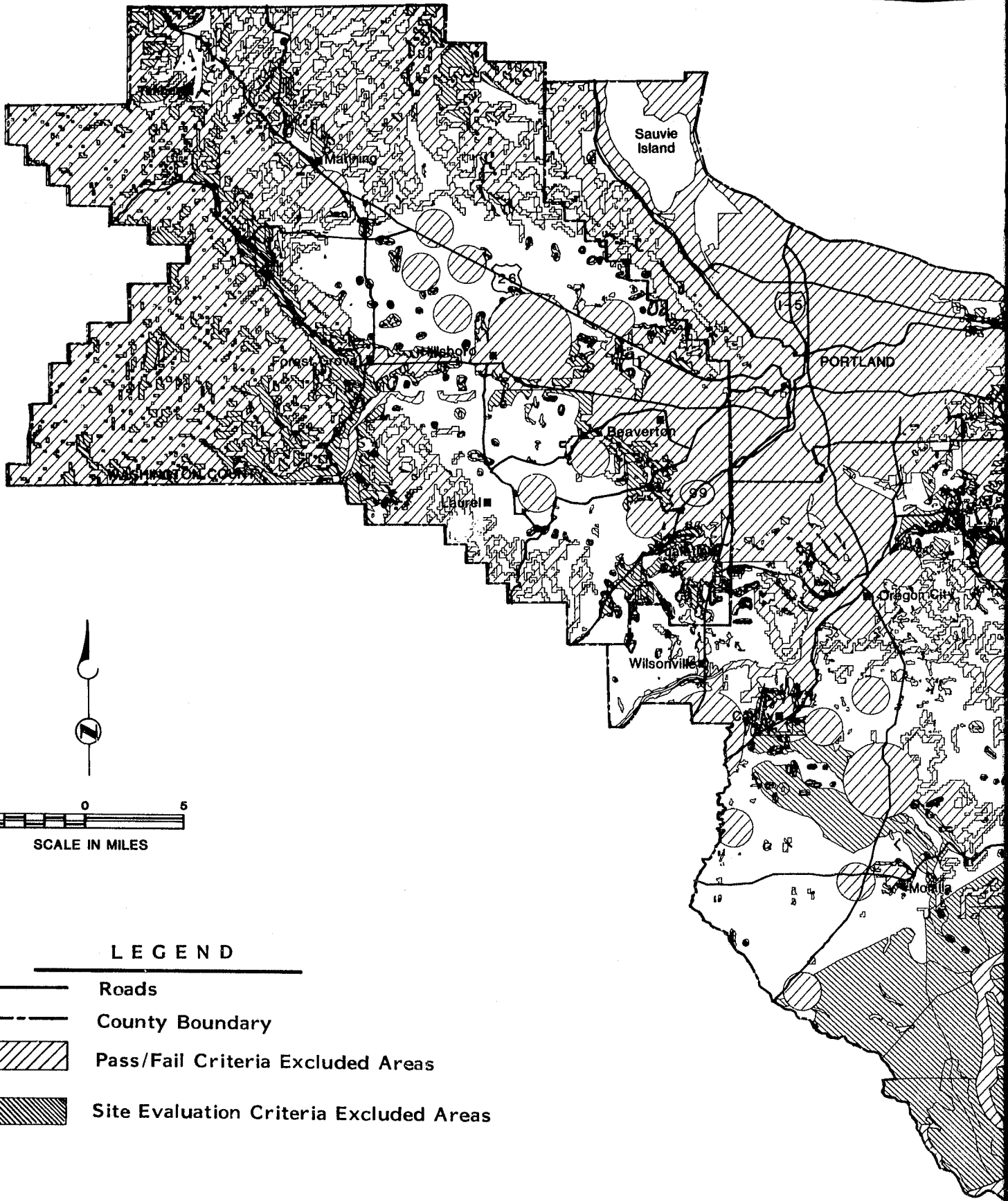
In addition to the sites identified by the public at large and by private industry, it was anticipated that city and county agencies might have sites (existing or new) to propose for addition to the list of possible sites. These sites were placed in the evaluation system in the same manner as other suggested sites.

The results of the study area mapping process and the general locations of identified potential site areas are shown on the two attached maps.





Description of the Next Phase of the Project

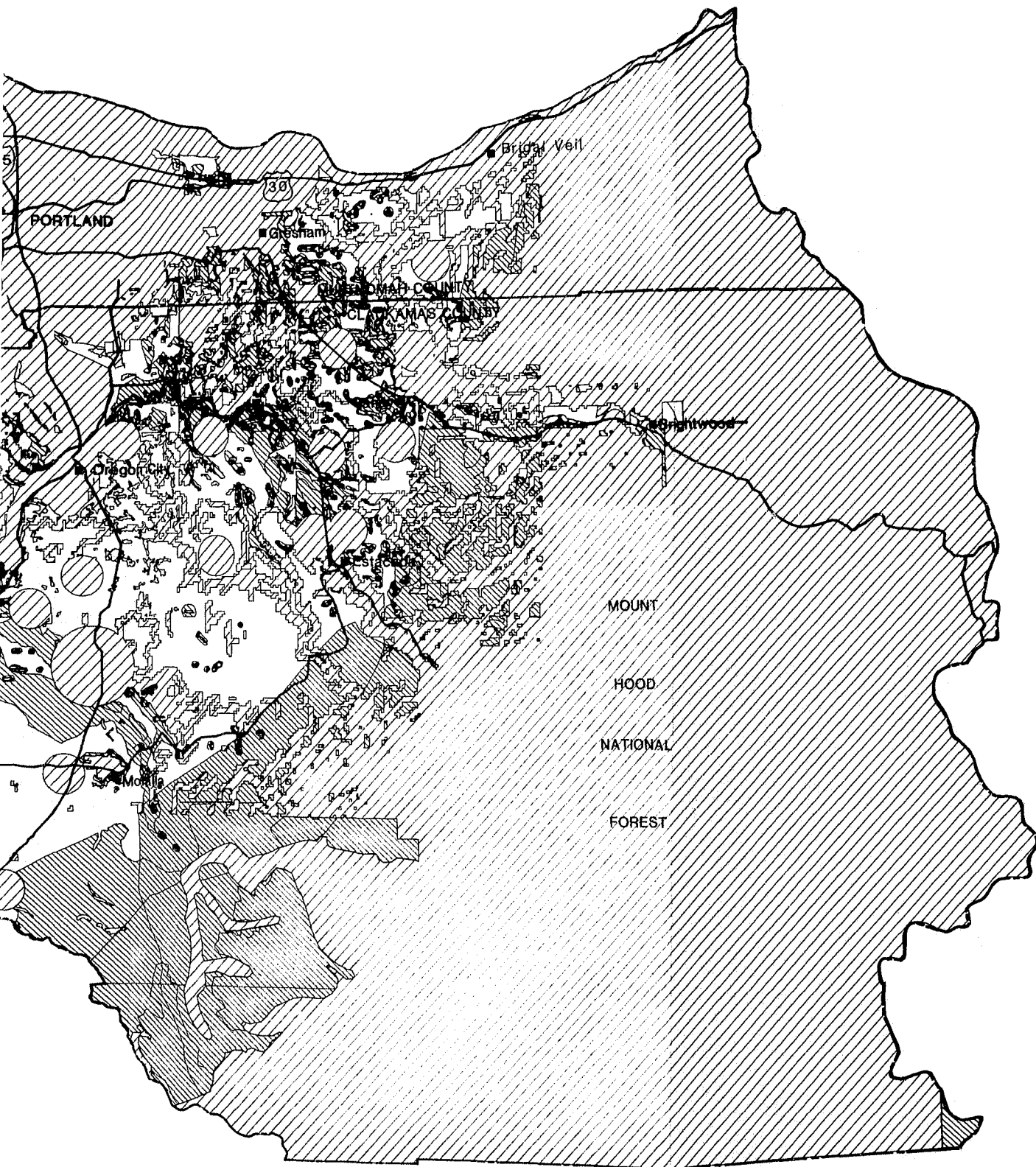
The next step in the site selection process is to compare the large number of potential site areas identified in this report by using the site evaluation criteria. Each site area will be given a rating for each criterion. The rating will reflect the site's relative suitability for a landfill with respect to that criterion. In assigning the ratings, the project team members will rely on a wide variety of sources including published maps, reports, file data, personal communications, and aerial and satellite photographs. Aerial videotaping will be used where needed to confirm recorded site data or collect additional data not available from existing records.

After criteria ratings are completed for the site areas, the total site scores will be tabulated and compared. The top 12 to 18 sites will be selected for further in-depth evaluation including on-site field investigations.

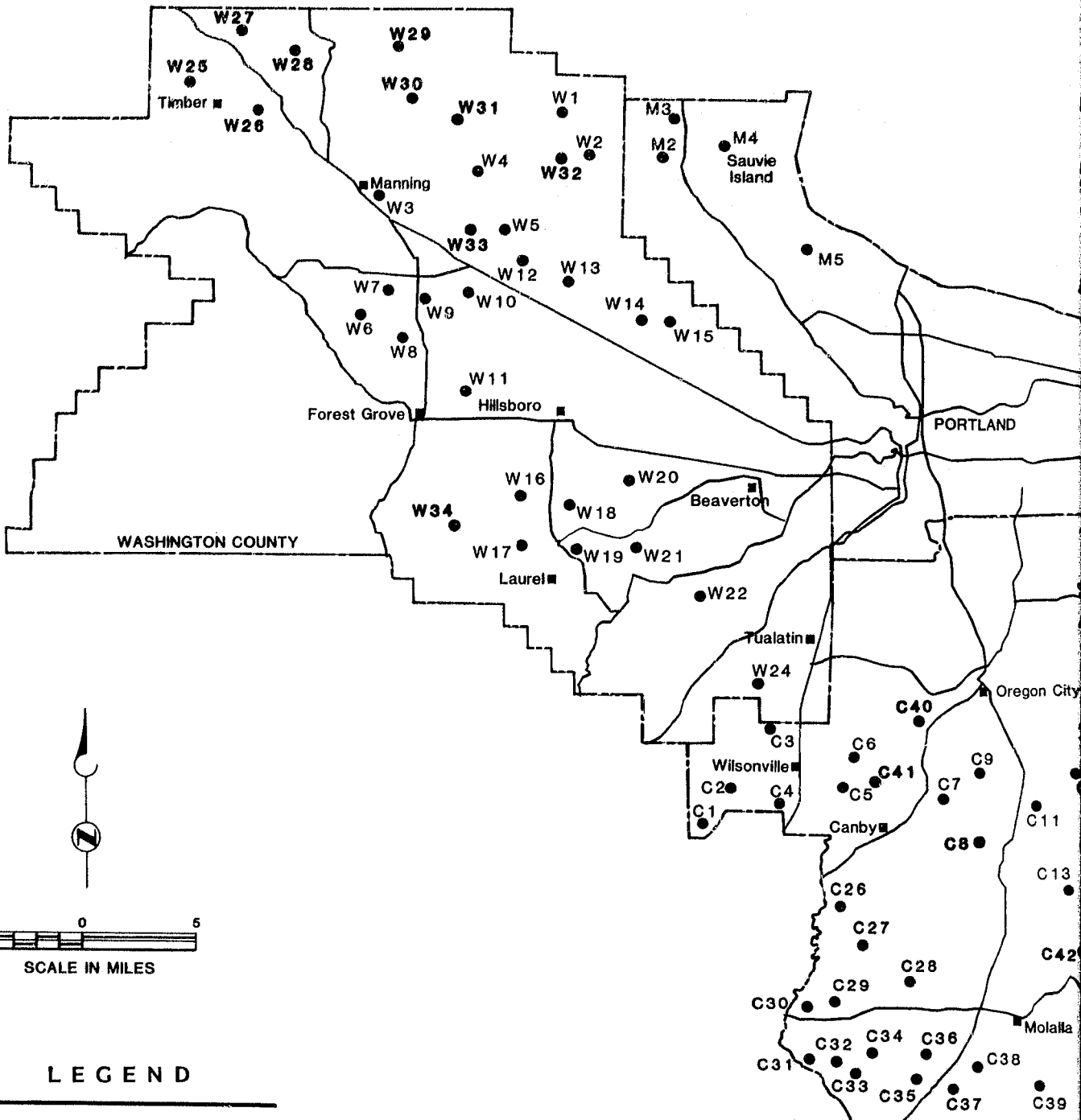


LEGEND

-  Roads
-  County Boundary
-  Pass/Fail Criteria Excluded Areas
-  Site Evaluation Criteria Excluded Areas

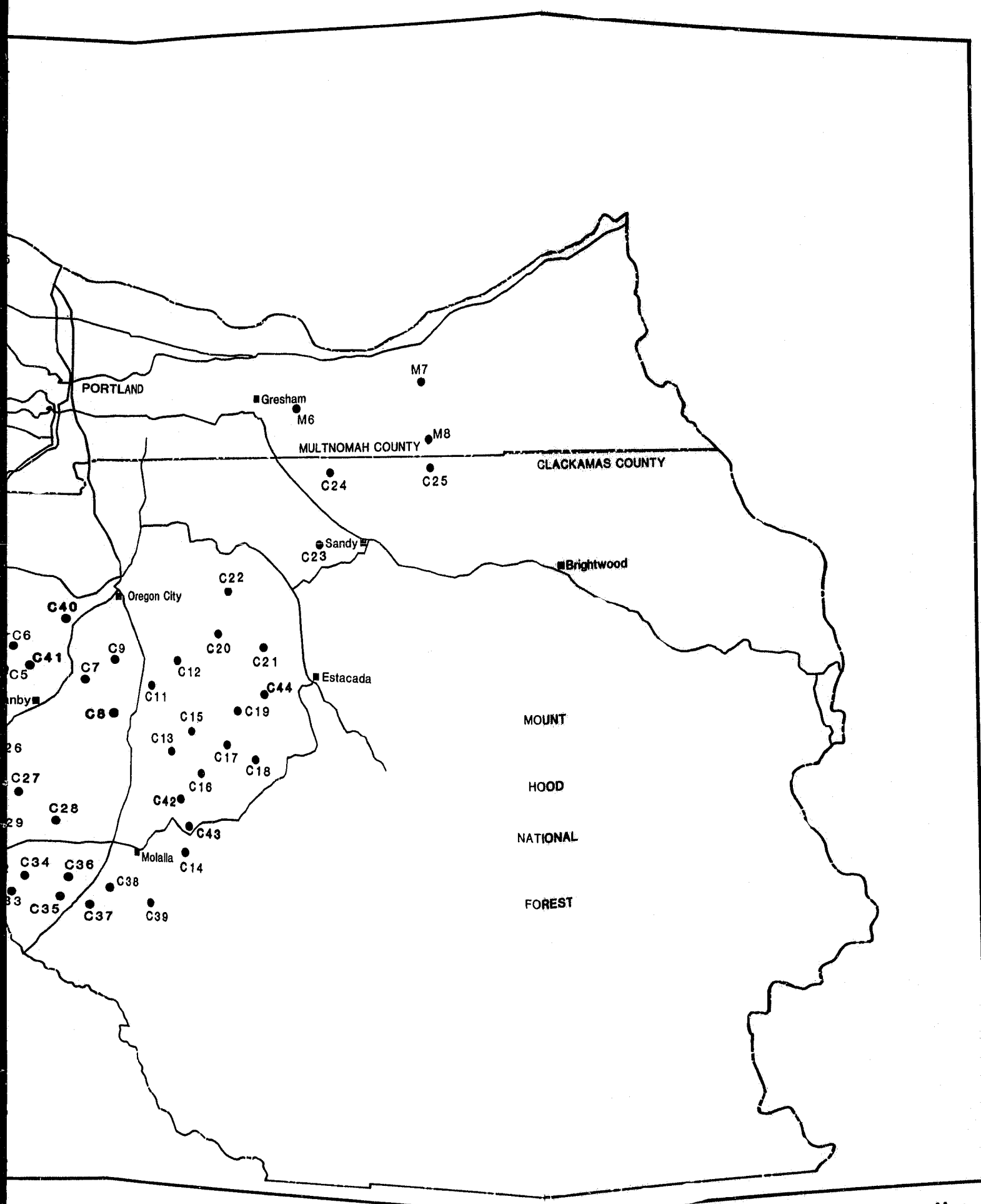


Site Evaluation Criteria Maps -
Three County Study Area

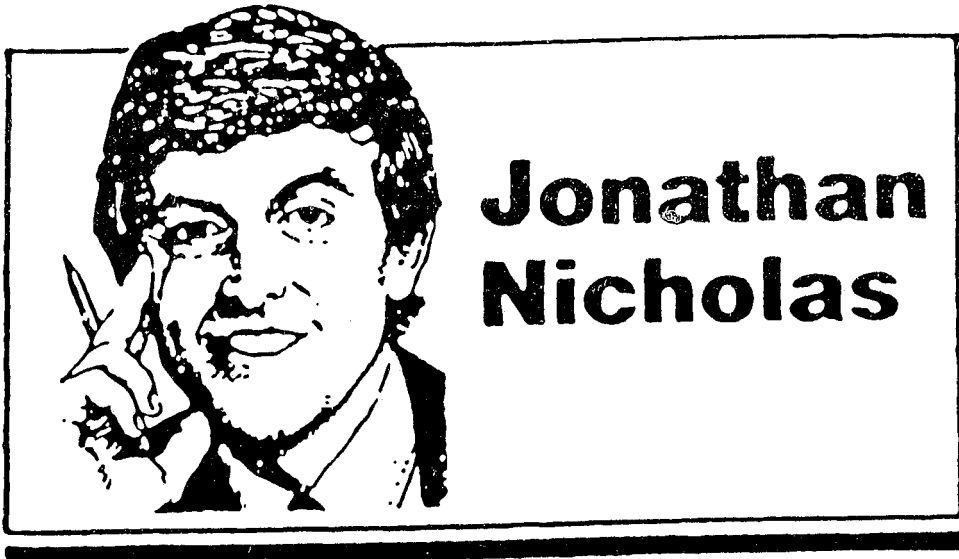


LEGEND

- Roads
 - - - County Boundary
 - Potential Site Location
- C12



Potential Site Location Map



BRACE YOURSELVES, I'm about to say something nice about Metro. Kudos to the agency's Public Affairs Director Vickie Rocker and her colleagues for the "Together we can get out of the dumps" campaign, prelude to next month's big drive toward recycling in the Portland area. As of July 1, state law will require all communities with more than 4,000 people to provide curbside pickup of newspapers, glass, cans etc. Remember, the reason we call them landfills is that they eventually get to be full.

Nation running out of places to put mountain of trash

Nearly all localities resist new landfills

This is the first of two articles. The second will appear on this page Tuesday. Peter Steinhart is a contributing editor of *Audubon*, the magazine of the National Audubon Society, in which this article originally appeared.

By PETER STEINHART

Most of the time we think of garbage as a joke. It brings to mind scavengers and ragpickers, shuffling men who don't speak the language and can't see the gleaming ease of the nation's promise. Interest in garbage is deemed eccentric. Waste is by definition irrelevant, like the air behind the rainbow. Ask about the town dump at a cocktail party and chances are you'll be laughed out of the room.

But start talking about where we intend to put the garbage of the future and mirth will turn to anger. At a public hearing in San Diego, Terry Trumbull, then a member of the California Waste Management Board, recalled: "We had people yelling and screaming at us. We had a woman crying, point-

ing at her skin and saying, 'You see this skin? It's going to fall off!' A little girl about 6 years old came up to me and asked, 'Why are you trying to kill me?'"

"Four percent of the landfills are known to be or threaten to be polluting."

In Columbus, Ohio, Franklin County Commissioner Jack Foulk gets death threats. At night an anonymous caller marks "You S.O.B., we're going to kill you for putting a landfill next to us."

These are the rumblings of an approaching crisis. You can hear them in Palm Beach and Phoenix, in Centerville, Tenn., and Morris County, N.J., where citizens are skirmishing over proposed new landfills. You can hear them in every state. We are running out of places to put garbage.

Traditionally, we tossed garbage over our shoulders and let soil bacteria turn it into something colorless and benign. The first municipal refuse collection system in the United States, Philadelphia's, consisted of slaves towing into the Delaware River to waste bales of trash into the current.

Municipal dumps opened

Eventually, we outlawed the trashing of rivers and opened municipal dumps. The cities found these dust heaps drew rats and vermin, so they burned the trash. But in the 1970s, to protect air quality, we stopped burning and began to close the open dumps to stop breeding rats and end the sickly odor of decay. Today we are imposing new safeguards against the contamination of surface water and groundwater by landfills. The added cost of new controls or of damage to health if we don't impose them has led towns to close their dumps by the thousands.

Since 1978, according to Environmental Protection Agency figures, we have closed 3,500 landfills. There are 15,000 left, but the number is declining fast. New York State had 1,600 landfills in the mid-1960s and 518 in 1982, but it has only 327 today, 92 of which are operating under consent orders requiring them to upgrade or close.

A Massachusetts official predicts that by the end of the decade his state

will have lost 75 percent of its existing landfills and 66 percent of its disposal capacity. California officials predict that by 1990 the state will have lost half its present capacity. Los Angeles will run out of space by 1991. New York City has 13 years left.

Nobody wants dump

Municipalities are trying to find new dump sites. But nobody wants a dump next door. Citizens have ample reason to fear dumps. Our laws governing landfills developed at a time when the most we feared from garbage was rats and cockroaches. But in recent years a new concern has arisen.

Explained Nancy Moore of the Ohio Environmental Protection Agency: "We're just beginning to become aware that household waste has hazardous wastes in it. They include paint, motor oil, pesticides, the asbestos we're cleaning out of old schools."

At community hazardous-waste collection days organized in the San Francisco area recently, householders lined up to deliver bottles of DDT, chloroform, Rustronem, paint stripper, plastic cement, popper pellets, carbon tetrachloride, pentachlorophenol, even old medical prescriptions.

Said Michael Borden of Safety Specialists, a Santa Clara chemical consulting service volunteering to put the wastes into barrels and ship them to a safe landfill: "Most of this material is being stored in homes. If people want to get rid of it, it goes into garbage cans. A lot of them aren't aware that they shouldn't do it."

Small businesses, which are not subject to the same disposal regulations as major chemical consumers, regularly use municipal dumps. In Tampa, Fla., 8,000 small businesses, including automotive shops, dry cleaners, printers and electroplaters, dump 4.3 million pounds of hazardous waste a year into town dumps. The practice is especially dangerous, said Bob McVey of the Florida Bureau of Waste Management, because, "You can dig a hole in most Florida and hit water in less than a foot." That's the water most Floridians drink.

Dump operators, especially municipal sanitation departments, the budgets of which are often slighted, have been guilty of poor management. In Phoenix wastes were dumped for decades into gravel pits in the dry bed of the Salt River. But the Salt floods regularly, and today monitoring wells show a frightening tally of cancer-causing and other dangerous chemicals: methylene chloride at 4,000 times the human health standards, vinyl chloride, DDT, lead, cyanide, arsenic.

Landfills pollute water

In Massachusetts, said Nancy Evert of the Bureau of Solid Waste Disposal: "Four percent of the landfills are



Seagulls swarm for odorous goodies as a trash hauler dumps another load of garbage in a landfill.

either known to be or threaten to be polluting. Seven towns have had to close water supplies because the landfills are polluting. In some of the sites you can actually see the leachate coming out of the ground, but it hasn't been tasted."

So when municipalities look for new dump sites, citizens are anything but hospitable. The search pits neighbor against neighbor, citizen against elected official, town against town. On a warm August evening, several hundred people filled the Contra Costa County Board of Supervisors' chambers in Martinez, Calif. They were retirees in faded shirts, laborers in boots and denim, professional men in business suits, mothers with infants in arms. They crowded the aisles and spilled out into the hall. They waved signs saying "No Dump in My Yard" and "Don't Destroy Our Homes!" They shouted like spectators at a football game, as if noise might count in the final score. They were angry about the garbage.

Contra Costa County has closed most of its dumps, and of the three remaining, one will close in 1987 and another by 1995. By the end of the decade, the county will have lost 74 percent of its disposal capacity. The

supervisors have made no attempt to site a new public landfill because, they say, they can't force private collection companies to use such a site and therefore don't want to undertake the financial risks of development. Private disposal companies have proposed three sites and are asking the supervisors for their approval.

The proposed sites are hard to defend. One is within 300 feet of existing homes and close by 1,000 homes being constructed. Another is between two parks and adjacent to Contra Loma Reservoir, a source of drinking water. An anguished mother told the supervisors: "Every household is a user and disposer of toxic materials. What guarantees can you give me that these toxic materials won't contaminate my yard?" Other citizens fear their neighborhoods will suffer because of the constant rumble of garbage trucks arriving at the dump, that wind will blow the smell of trash over their lives, that their city will become the butt of jokes. They fear property values will fall.

All the proposed sites are on the east side of the county, in a blue-collar neighborhood that is apprehensive of the white-collar commuters who live in the central part of the county and work in San Francisco office buildings.

Said Mike Tucevich, organizer of an east county coalition called WHEW (We Have Enough Waste): "Whenever there are undesirable things to be located, if there is a dump or a jail, where do you look? East county is it fair that east county citizens be the recipients of all the garbage for the rest of the county?"

Problem with supervisors

The supervisors listen without comment. They glower or sigh, as if the fill of civic temper were due to unnecessary crankiness or neighborhood parochialism. But the problem is clearly with the supervisors, who suffer from an attitude that plagues most officials. Garbage is an issue that does not excite them. They are afraid of being ridiculed for getting bogged down in trash while constituents are thinking in glass and chrome and clamoring for building permits and zoning variances. And garbage is a risky proposition for a politician. In a landfill decision there are bound to be losers, and they are bound to be angry.

Said Jack Faulk: "It scares a lot of politicians to death. They won't vote for a landfill because they don't want to face the political reality that they may be thrown out of office for it."

And in conflict after conflict, oppo-

nents of a proposed landfill have fought tenaciously and resourcefully. In Solano County, Calif., citizens charged that a proposed county landfill would be used chiefly to receive garbage from San Francisco, 70 miles away, and thereby defeated the proposal in a referendum. In Los Altos Hills, Calif., citizens defeated a proposed landfill in their neighborhood by getting their city council to stop funding the planning agency considering the site. In Franklin County, Ohio, citizens filed 14 different lawsuits and then got the Legislature to pass a law which had the governor not vetoed it, would have given local residents power to reject any landfill proposal.

Few landfills approved

Local leaders who take the issue seriously enough to try to develop community support for a proposed landfill may find that local civic and environmental groups are not interested. Environmental groups are reluctant to enter landfill controversies because dumps are environmental insults and because support for a landfill might put the issue in the position of condoning wasteful habits and unwise development. So the usual means of dealing with environmental problems may not be available to officials.

Because of the dogged resistance,

"They won't vote for a landfill because they may be thrown out of office for it."

very few virgin-site landfills are approved. California has sited only one major new landfill successfully since 1979. Massachusetts has opened four, Ohio two, New Jersey one. Ever since Illinois set up local siting boards to approve new landfills, said Tom Cavanaugh of the state's Department of Solid Waste Management, "The urban counties have been unable to get the necessary votes to site anything and if they did get the votes, it probably would be struck down in the courts." Reports from officials in other areas are similar.

• In Massachusetts: "Realistically, we are assuming that we won't be siting new landfills."

• In New York City: "Siting new landfills is probably an impossibility." Some new disposal capacity will come from expansion of existing sites. But it won't be enough.

• In Pennsylvania: "We are rapidly approaching a crisis." • In Contra Costa County: "The garbage clock is ticking, and each day that goes by, the solution to the crisis becomes more elusive."

Already we have the spectacle of nomadic garbage — of cities exporting garbage to whatever distant landfill will take it. The City of San Francisco ran out of disposal sites in 1968. For 10 years it hauled its waste 32 miles south to Mountain View. But once that city had enough fill to turn its dump into a city park, it sent San Francisco packing. San Francisco now trucks its refuse 55 miles east to Altamont Pass. • In Contra Costa County: "We're in a bind. We're in a bind to renew San Francisco's contract in 1986. San Francisco is paying Solano County, to the north, \$2.5 million for an option on future dump space."

Philadelphia once dumped its trash into New Jersey. But New Jersey closed its doors and now, said Charles Johnson, "They are dumping everywhere": Salinas, Harrisburg, Scranton. It's a spot market. They don't have any long-term commitments from anyone." • NEXT: Recycling and incineration.

MJ

Potential of garbage recycling unrealized

Lack of steady market for recycled materials cited as factor

This is the second of two articles. Peter Steinhart is a contributing editor of Audubon, the magazine of the National Audubon Society, in which this article originally appeared.

By PETER STEINHART

Fifteen years ago, America planned to solve its garbage crisis by reducing the volume of waste. We would recycle. We would make more careful consumer choices. The Resource Recovery Act of 1970 declared it national policy to separate, recover, and recycle reusable items from the trash heap. It wasn't exactly a revolutionary idea: In the 1930s, Los Angeles recovered 30 percent of its solid waste, and in World War II, America recycled 43 percent of its newspaper. Studies in the 1970s showed that garden waste accounted for 19 percent of municipal and commercial refuse. That could be composted. Glass accounted for 11 percent, metals 10 percent, and paper 30 percent, and most of that could be recycled. There seemed to be enormous potential.

Today, however, we recycle only about 10 percent of our waste. And despite a number of communities that recycle newsprint, glass and metal and manage to make a profit, the trend in recycling hasn't been encouraging. The real problem has not been to convince householders to save cans and bottles; it has been to convince industry to use recycled materials. Industry has been set up to use virgin materials, and managers are reluctant to try recycled stock. In part they worry about getting uniform quality; in part they worry about dependable delivery. And if recyclable materials overcome those hurdles, they must face another: Virgin materials get special tax benefits. There are, for example, depletion allowances of 15 percent for iron ore and 22 percent for oil, aluminum, and natural gas. Timber companies can treat forests they harvest as a capital gain. There is no free market for recyclables.

In the end there is no sure market for all the newsprint, metal, and glass that we householders carefully separate and stack on our suburban curbs. Only one American company, the Garden State Paper Company (of Richmond, Va.), converts newspapers into newsprint.

In some years most of our recycled newsprint is exported. There is little market for the steel in recycled cans because it is low-grade scrap. There are 800 million tons of higher-grade steel sitting on the ground in old automobile bodies and other junk, and we manage to use only 40 million tons of that a year.

Convenient packaging

Says Charles Johnson, technical director of the National Solid Wastes Management Association, "I have been shocked at the number of times that the things people have put out for recycling go off to the landfill anyway." Margaret Brown, a waste management consultant based in Washington, D.C., concludes "I don't think this country has any concept of recycling. And I don't think it ever will."

In the 1970s we also thought we could get citizens to reduce waste by being more thoughtful consumers. We thought we could convince ourselves to buy fewer goods or to avoid those goods sold inside extra layers of packaging. We could reuse paper bags at the supermarket, buy vegetables without plastic wrap, cereals in bulk, and beverages in returnable containers. But that hope now seems to have been naive. Most of our advertising stresses the convenience of packaging, the easy-pour spout, the lightweight plas-



Jeff Ayers examines newspapers at Far West Fibers in Beaverton last year.

The Oregonian/ROBERT BACH

tic bottle, the extra liner to preserve freshness.

"Consumers," says Terry Trumbull, a former member of the California Waste Management Board, "are more willing to buy products with convenience factors." Our per capita consumption of beverage containers, for example, doubled between 1966 and 1976.

As long as marketers spend billions convincing us to buy packaging, it will be hard to convince consumers otherwise. The packagers themselves fight these efforts. In 1982 bottlers spent \$6 million to defeat beverage container deposit legislation in California. In Minnesota the legislature gave the state environmental department power to ban packaging, and the department rushed in and banned plastic milk containers. The packaging industry appealed the order all the way to the Supreme Court. Minnesota won, but at a cost of \$250,000 in legal fees and a lot of frustration. In the end the state never implemented the ban and the legislature conceded that trying to change consumer habits wasn't worth the effort.

Burn vs. bury

In an odd change of definition, the term "resource recovery," which by statute meant separating and recycling materials, now means burning them to recover energy. If we're not going to reduce the volume of waste or put trash in water or bury it on land, the only place left to put it is the air. The big hope in many cities and counties is to build incinerators and send most of that garbage up smokestacks. Scrubbers now enable us to meet the particulate emission standards that shut down incinerators in the 1970s.

Today incinerators consume about 5

percent of the nation's waste. There is a major effort under way to build more of them. New York City just approved a mass burning facility at the Brooklyn Navy Yard and hopes to construct four others by the end of the century and thereby dispose of 50 percent of its waste. Massachusetts officials hope to build enough incinerators to reduce the volume of waste headed for landfills by 50 percent. California is considering a dozen such plants.

But incinerators face the same objections as landfills. Neighbors worry about the noise of garbage trucks, the whine of machinery, the smell, declining property values. They worry about air emissions. There is evidence that incinerators broadcast dioxins and other toxins. Incinerators can be designed to burn at high enough temperatures to destroy such pollutants. But like sewage works and power plants, incinerators break down. They stop when workers go on strike. They depend on a steady supply of garbage, and if that fails the results can be disastrous.

Two years ago tiny Lassen Community College at Susanville in northeastern California contracted to run the state's first waste-to-energy plant. Lassen hoped to make a profit. But a contract with the neighboring county to deliver its garbage was never signed, and then the plant proved unable to burn wood wastes as originally expected. Today Lassen must import garbage 80 miles, from Reno, Nev., to keep the plant operating, and the energy produced is not paying its cost. The college is facing bankruptcy.

Even if the best scenarios are now writing for waste management come to pass — if we recycle 25 percent of the waste and burn 50 percent

— we'll still have 25 percent sitting around in ash and non-combustible wastes. We will still need landfills. And that takes us back to the original problem: Nobody wants one next door.

It is in fact possible to design and operate a safe landfill. It requires double clay liners with leak detection equipment to discover leachate before it pollutes ground water. It requires careful monitoring. It requires efforts to see that dangerous concentrations of methane gas don't build up as microbes consume the buried garbage. It requires heavy equipment to cover the dump with earth daily. It requires education of the public and programs to see that we don't routinely dispose of flammable, caustic, and poisonous substances along with the paper plates, junk mail, table scraps, discarded plaster, rose cuttings, and old shoes. Technically, it can be done.

Class conflict

But that technical simplicity is itself part of the siting problem. Most of the debate over a dump focuses on the geological report and the likelihood of ground water contamination. Yet that is clearly not all that is on people's minds when they oppose a dump. More often, it is not chemical pollution but pollution of other sorts that the public fears.

Garbage has in our society been handled by the disadvantaged — by slaves in old Philadelphia or poor Italian immigrants in the 1920s. We identify trash with the voiceless and unfranchised. That's one reason landfill crises are so often argued as if they were class conflicts. Citizens of eastern Contra Costa County in California saw themselves as victims of wealthier neighbors. Residents of southern Franklin County in Ohio felt they were

being victimized by north county swells when a landfill was located among them. Neighbors of the Brooklyn Navy Yard cried racism when the Sanitation Department proposed an incinerator there.

A few siting procedures have recognized this shortcoming and opened discussions that allowed neighbors of a new landfill to salvage some of their dignity. In Riverside, Calif., for example, neighbors of a proposed landfill negotiated with landfill operators to secure guarantees of their property values, to open the landfill operator's records to scrutiny by neighbors, and to install a system of rebuttable presumptions. In this way, if ground water became contaminated and any neighbors suffered health effects, the operations would compensate them without a courtroom contest. The agreement also called for the rest of the county to reduce the volume of trash generated.

Says Trumbull, whose consulting company helped negotiate the agreement, "People were willing to accept the landfill if everyone else was going to recycle and there was going to be a composting facility."

The State of Wisconsin has sited several landfills under a program that separates the environmental and equity questions. A landfill proposal may be defeated during the technical review but not during a later round of community negotiations. However, the later negotiations allow neighbors to extract compensations and guarantees.

Unseen companion

Given our ignorance of garbage and our desire not to think about it, such techniques are not likely to be employed widely. Perhaps the most serious aspect of the crisis is the fact that government agencies have been devoting less and less attention to it. The 1976 Resource Conservation and Recovery Act set up an Office of Solid Waste in the Environmental Protection Agency and gave it funds to help states and local agencies reduce waste, promote recycling and plan for future landfills.

Says Susan Mann of EPA, "We had a pretty active program of technical assistance, which gave \$32 million to the states in three years." But the Reagan administration stopped funding the state programs. In part it was a budgetary decision. In part it was a change of emphasis. According to Mann, "The main thrust at EPA now is hazardous waste, which is a national priority." Most of the officials who once worked on solid waste now work on Superfund cleanup activities. EPA no longer gathers data on how much waste we generate, and no longer promotes recycling.

The result of the shift has been catastrophic for local efforts. "In the first two years after the Reagan administration pulled out of RCRA," Trumbull says, "all the states pulled out of what they were doing." California, for example, once budgeted \$1 million for public relations and \$6 million for grants to local communities to help reduce waste. It does that no longer.

And so the crisis deepens. As our civilization grows more and more complex, it produces more waste. And we seem less and less able to think about it. Trash is the unseen companion of progress, perhaps its inevitable result. Maybe because we like the idea of progress more than the actuality, we don't look close enough to see the paradox. We think joyfully about cars and toasters, cheeseburgers and cleansers, and the packaging that goes around it all. But it may take braver or tougher minds to think about the garbage. Right now, we just don't seem to know where to put it.

MEMORANDUM

DATE: June 13, 1986

TO: SWPAC

FROM: Wayne Rifer

REGARDING: Meetings with Tri County Council

You will recall that the Tri-C has been requested by the Metro Council and Executive Officer to provide input to Metro and SWPAC from the hauling industry concerning the Certification Program, et al. Two meetings have been held with them, and I will summarize the major issues discussed. Further meetings will be held and, as relevant issues are addressed, they will also be speaking directly to the committee.

Meeting June 5 between Tri-C and Rick Gustafson, Metro Councilors Waker, Kirkpatrick and Gardner, Metro staff members, Fred Hansen (DEQ director) and Lorie Parker (DEQ):

* The collectors expressed high frustration with the City of Portland decision (which came the day before) on the recycling program. The collectors will have little involvement with the program (except for the collection of newspapers), but they will be paying for it through a permit fee.

* Collectors reasserted their opposition to the certification program and their belief that it is unworkable.

* Whether the rate differential was a "rate benefit" or a "rate penalty" was discussed.

Meeting June 12 between Tri-C and myself:

* The collectors cautioned that certification rates, and the programs required under certification, could create (in an unfranchised area) a competitive disadvantage for complying haulers versus non-complying haulers. That there exist "raiders" and other "outlaw" haulers was emphasized. They questioned whether the City of Portland could be depended on to enforce certification requirements.

* They questioned that the public is willing to pay additional garbage expenses for waste reduction costs. They fear that garbage customers will be lost to illegal dumping and self-haul.

In general, both meetings indicated great frustrations by haulers with the changes being brought by SB 405 and Metro's Waste Reduction Program.



METRO

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Facts about certification

What is Metro's certification program?

The certification program is a mechanism in the Metropolitan Service District's (Metro) waste reduction program which coordinates the solid waste collection and disposal systems toward a common purpose. Metro has authority for the processing and disposal of waste, while local governments regulate its collection. The primary areas of focus are expected to be:

- * The removal of yard debris from the waste system
- * The generation of processible, high-grade loads of commercial waste and their delivery to processing facilities
- * The establishment of effective programs of source separation and curbside collection of recyclable materials.

Why is certification important?

Waste from some types of sources can be readily processed for recovery of recyclable materials. For example, it is economically feasible to remove cardboard by hand from department store waste. A major effort of the program will be to keep such processible waste separate from non-processible waste and thereby generate "high-grade" loads.

Metro estimates that the full waste stream could be reduced by as much as 18 percent if commercial waste could be collected in high-grade loads and processed for recycling. Another 10 percent could be reduced if yard debris could be separated from mixed waste and processed into compost. The resulting 28 percent reduction is in addition to the current recycling rate of approximately 22 percent.

What is Metro's role in the program?

Metro is seeking to accomplish the state mandate of waste reduction while maintaining the private enterprise system of recycling and local control of collection.

Local jurisdictions will maintain exclusive regulatory control of collection services in their area. Metro's function will be only to define program standards for collection services, which, when met, will result in the reduction of waste going to the landfills and disposal rate benefits to the haulers.

Who will develop the standards?

Yearly standards will be developed cooperatively with local jurisdictions and the collectors of waste. Metro's Solid Waste Policy Advisory Committee will play a central role in development of the program. The standards will set out what is required of collection services for certification.

(over)

Who is responsible for implementing the program?

The responsibility is divided between local jurisdictions, the Metro executive officer (Metro staff), the Local Government Advisory Committee on Certification (LGACC), the Solid Waste Policy Advisory Committee (SWPAC) and the Metro Council. For example:

- * The designation of local certification units is done by local jurisdictions and submitted to Metro; SWPAC reviews and approves.
- * The development of yearly certification goals is the responsibility of the executive officer, who submits draft goals to council. The goals are reviewed by SWPAC and LGACC and adopted by the council.
- * SWPAC develops yearly certification standards with the assistance of Metro staff and LGACC. Recommendations go to council for adoption.
- * Local jurisdictions work with waste collectors to develop programs to comply with standards. Evidence of compliance is submitted to Metro staff for review and staff issues findings. SWPAC recommends certification to council, which issues determination.

Is certification mandatory?

Participation in the program by collectors and local governments will be voluntary. Each collector from a certified unit will pay a substantially reduced fee for disposing of waste at Metro facilities. The program will be structured so that determinations regarding certification and the rate incentives are applied equitably. Local jurisdictions will be responsible for designating certification units which assure that collectors are not unjustly rewarded nor penalized through the rate structure.

What is the Metropolitan Service District?

The Metropolitan Service District (Metro) was authorized by the state legislature and created by tri-county voters in 1978. It began functioning in 1979 with 12 elected councilors and an elected executive officer. Metro's purpose is to provide regional services to one million residents of the urban areas of Clackamas, Multnomah and Washington counties. These services include management of solid waste disposal, operation of the Washington Park Zoo, transportation planning, administrating the urban growth boundary and providing local governments with technical and data services.

Where can I get more information?

Contact Wayne Rifer in Metro's Solid Waste Department, 221-1646.

6/86

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TO INTERESTED PARTIES AND LOCAL GOVERNMENT REPRESENTATIVES:

You are invited to attend a meeting of the Solid Waste Policy Advisory Committee (SWPAC) and Rate Review Committee (RRC) at 4:30 PM on Monday, July 28, 1986, in room 330 of the Metro offices, 2000 SW First Avenue, Portland. The committees will be deciding on their joint recommendation to Metro Council regarding 1987 solid waste disposal rates policies.

The Oregon State legislature directed Metro to reduce waste, with a heavy emphasis of rates as the driving force, to reduce the region's dependence on landfills. As a result, Metro staff has considered numerous options, and is recommending several to encourage recycling. Differential tip fees would allow commercial haulers operating in areas meeting specified standards for waste reduction efforts to pay less to dispose at the landfill than those operating in areas not meeting the standards. Secondly, an option to promote these standards is being considered. Rate structures are suggested to benefit materials processing and recovery centers, and non-profit reuse centers such as Goodwill. Another recommended option is a disposal break for yard debris uncontaminated with other waste, to be placed in a separate yard debris pile for mulching.

You are welcome to attend this meeting to learn about Metro's rate incentives and take a couple of minutes to express your views. If you would like further information, you may write the Metro office, or call Steve Rapp at 221-1646.

Metro Council

Richard Waker
Presiding Officer
District 2

Jim Gardner
Deputy Presiding
Officer
District 3

Bob Oleson
District 1

Corky Kirkpatrick
District 4

Tom DeJardin
District 5

George Van Bergen
District 6

Sharron Kelley
District 7

John Frewing
District 8

Hardy Myers
District 9

Larry Cooper
District 10

Marge Kafoury
District 11

Gary Hansen
District 12

Executive Officer
Rick Gustafson

COMMITTEE MEETING TITLE

SWPAC

DATE

6-16-86

NAME

AFFILIATION

Teresa DeLorenzo

SWPAC

Carilyn Browne

SWPAC - Mult. Co.

Cathy Sherman

Weyerhaeuser

DeLyn Kies

City of Portland

Pete Whinnans

Collection

Shirley Coffey

Wash Co Public

D. F. DURIG

METRO SOLID WASTE

Norm Wisting

Metro SW

George Hubel

Rate Review

Markus Linnell

SWPAC - MULTNOMAH CO.

Dave Phillips

Clackamas County DTD

Dirk Howard

Mult Co DES

Ed George

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CLACKAMAS CO