

 **Metro** | *Meeting minutes*

**Meeting:** Solid Waste Alternatives Advisory Committee (SWAAC)  
**Date:** August 12, 2015  
**Place:** Metro Regional Center, Council Chambers

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**Members present:**

Dan Blue, City of Gresham  
Paul Ehinger, Metro  
Kathy Kaatz, City of Tualatin  
Scott Keller, City of Beaverton  
Leslie Kochan, Oregon Dept. of Environmental Quality  
Theresa Koppang, Washington County  
Matt Korot, Metro  
Mike Leichner, Pride Disposal  
Amy Pepper, City of Troutdale  
Keith Ristau, Far West Recycling  
Amy Roth, Association of Oregon Recyclers

**Members absent:**

Casey Camors, City of Milwaukie  
Alando Simpson, City of Roses Disposal & Recycling

**Guests:**

Roy Brower, Metro  
Tim Collier, Metro  
Warren Johnson, Metro  
Bruce Philbrick, Metro  
Ken Ray, Metro  
Lyndsey Lopez, CH2M  
Dan Pitzler, CH2M

**1. CALL TO ORDER AND DECLARATION OF A QUORUM**

Chair Matt Korot called the meeting to order and declared a quorum.

**2. COMMENTS FROM THE CHAIR AND SWAAC MEMBERS**

Chair Korot reviewed the agenda items.

Ken Ray invited all to the opening night of the GLEAN art show on August 15, 2015, The show runs through September 6, 2015.

**3. CONSIDERATION OF SWAAC MINUTES FOR JULY 8, 2015**

The minutes of the July 8, 2015 SWAAC meeting were approved.

**4. SOLID WASTE ROADMAP: TRANSFER SYSTEM CONFIGURATION**

Tim Collier, Metro and Lyndsey Lopez of CH2M presented an update on the transfer system configuration project, with the goal of SWAAC members gaining an understanding of the status and progress of the project, as well as identifying additional options for potential consideration.

Project overview: The study is focused on discovering which model of the public-private system of waste transfer stations best serves the public interest now and in the future.

Project Objectives:

- Determine which services the system should provide, by whom and how.
- Ensure the transfer system serves the needs of the region for materials generated within the region.

Project scope: The region's thirteen wet or dry mixed material facilities. The project is not addressing recycling facilities that receive source-separated recyclables.

Questions to answer:

- Are these the right primary services we are looking to provide in the system?
- Are staff and the task force headed in the right direction? Should there be any additions to criteria, methodology, and other considerations?

Progress to date:

- Completed extensive interviews with internal staff, industry and local governments.
- Formed industry task force.
- Drafted evaluation criteria developed based on the Solid Waste Roadmap's six public benefits listed below
  - Protect people's health
  - Protect the environment
  - Get good value for the public's money
  - Keep our commitment to the highest and best use of resources
  - Be adaptive and responsive in managing materials
  - Ensure services are available to all types of customers

Ms. Lopez discussed the methodology behind the study, looking at study boundaries and assumptions, Metro's role in the future, and the funding structure and services to be included. Because advanced material recovery will be looked at separately, it will not be included in this analysis. Multi-objective decision analysis is being utilized, which is a ranking method to select preferred alternatives when multiple objectives are present.

The project schedule moving forward includes:

- Strategy table and alternatives development: August-October
- Task Force to meet every 4-5 weeks through December
- Council work session to review and provide input on alternatives: Fall
- Alternatives draft: December 2015
- Council work session on proposed legislation: January 2016
- Finalize legislation and Council vote: March 2016

#### **Comments from Members:**

Chair Korot sought comments from SWAAC members, addressing the questions above.

1) *Are these the right primary services we are looking to provide in the system?*

Ms. Koppang inquired about gleaning of dry materials of waste streams for sale. Ms Lopez replied this would be similar to the process at Metro Central where staff looks for reusable furniture, etc.

Mr. Walker commented that he feels the list of services is very comprehensive.

Mr. Blue wondered if there are things didn't make the list. Ms. Lopez advised that advanced material recovery was not included, as noted above. Since there is another project looking at this separately, there are no conclusions yet, and the task force is keeping a placeholder for recommendations.

Ms. Roth asked how criteria are being evaluated to ensure adaptability of services. Ms. Lopez outlined four sub-criteria: the ability to align capacity with demand; the ability to provide essential services; the ability to provide optional, but desirable, services now and in the future; and access equity, to minimize time each class of customer has to travel to reach services. Ms. Roth asked also asked about ensuring adaptability in future? Ms Lopez replied that it revolves around maintaining a commitment to the solid waste hierarchy.

Ms. Koppang commented that list seems very comprehensive, but she would like to see advanced material recovery recognized, even if it is not here.

*2) Are staff and task force headed in the right direction? Should there be any additions to criteria, methodology, and other considerations?*

Mr. Walker concurred with the assessment that the system is not broken, but could use improvement, and that it is likely the region will continue with public/private operations. He questioned the word; "likely". Ms. Lopez answered that we are looking at private/public, but not ruling anything out as part of the overall assessment of alternatives. Mr. Walker noted that he wouldn't want to see an all private or all public system. He likes that we are going to have higher expectations and focusing on how we will recover more. This opens the question of sustainable finance, and whether it be investment from Metro or investment from private partners, how it aligns with how we get more recovery out of the system.

Ms. Koppang asked how this methodology will translate into rate-setting and how are we going to build this onto our rate-setting system? How can I assure ratepayers that they aren't paying too much for things like stranded assets? Ms. Lopez replied that the task force has met with local government representatives as part of the stakeholder process. She suggested that the task force could send out updates and get feedback on sub-criteria. Ms Koppang replied the earlier the better. Mr. Collier noted that they are still putting the framework together. The intent is to keep local governments informed.

Ms. Lopez referenced the timeline and the next steps, as above. Mr. Blue asked if Mr. Collier and Ms. Lopez will come back to SWAAC with options before going to Council in the fall. Mr. Collier expects that to be the case.

Mr. Korot asked for public comments on the Transfer System Configuration project and there were none.

## **5. METRO CODE, TITLE V PROPOSED AMENDMENTS**

Roy Brower and Warren Johnson of Metro presented a proposal to change Metro's Solid Waste Code to address consistency, flexibility, protection of health and environment, and minimize nuisance conditions at facilities, as well as provided information on upcoming

opportunities for stakeholder review and comment. These changes are scheduled to be considered by the Metro Council in October.

Mr. Brower said that as the agency tasked with management of the region's solid waste system, Metro has an obligation to the public to ensure that materials intended for reuse, recycling and other purposes are handled properly and sent to the appropriate markets. Over the years, certain facilities have been exempted from Metro's licensing and oversight responsibilities, creating different rules for similar types of facilities and preventing Metro from fulfilling its responsibilities to ensure that discarded materials are handled properly.

Mr. Johnson spoke to the specifics of the proposals in regard to the facilities. The facilities that are proposed to be licensed, and types of waste to be monitored, include:

- Wood waste facilities that grind or otherwise process wood for use as boiler fuel and other purposes
- Wet waste reload facilities that handle garbage
- Material recovery facilities that handle multiple source-separated recyclables (paper, plastic, metals, glass, other types of materials usually from household items) and sell those materials to markets
- Electronic waste processing facilities that shred waste or store it outdoors
- Facilities that handle waste such as roofing and drywall that may leave the region
- Facilities that convert plastics and other materials to energy or fuel

Mr. Johnson noted that with respect to these facilities and the environmental impacts of their activities, Metro is looking to level the playing field and provide consistency in how the facilities are managed.

Mr. Walker sought clarification on outdoor storage of e-waste. Mr. Johnson noted that changes are designed to cover facilities that store e-waste outside or shred these materials, not Goodwill-type facilities that don't process the waste or just disassemble components.

Ms. Kochan asked if these facilities that are not processing, but have outdoor storage, would require licensing, and would there be conditions imposed?. Mr. Johnson stated that the proposal would impose conditions for outdoor stockpiling. If material was contained or enclosed under a roof, licensing would not be required.

Mr. Johnson noted that facilities that manage source-separated materials like residential and commercial curbside recyclables are currently exempted, though they still have potential to cause nuisances and Metro has seen nuisance conditions at some facilities. While there is recognition that these facilities have considerations like market fluctuations, Metro wants to engage with facility operators on these specifics and what licensing would look like at these operations.

Further, certain materials leave the region and are stockpiled and have caused problems in the past, e.g., roofing. Metro would like to have greater ability to know materials like these are being managed appropriately and actually recovered.

Mr. Johnson also noted that the Code did not foresee current conversion technologies when written, so Metro wants to explore ways to ensure material is being managed correctly and recovered as claimed.

Mr. Leichner commented that he understands that the definition of solid waste includes recyclables until they reach fair market value status and become a commodity under state definition. How are you going to adapt to that as these recyclables achieve commodity level pricing? Also, are there big issues with properly run facilities, and are there issues with nuisances that justify regulating them? Mr. Brower reiterated that the goal is to level the playing field. Over time, the types of material recovery facilities taking recyclables have begun to look and act like solid waste facilities. Also, it is difficult to know entirely what's going on; where have been complaints received, but not enough information for Metro to act. There is a need to know better about recyclables and their markets. While we recognize these are different than mixed dry waste materials recovery facilities, the distinction is getting narrower. Mr. Leichner questioned that and wondered if it wouldn't be best for the complaint to go to local authorities at that point? He felt he was misunderstanding the comparison with mixed materials recovery facilities or transfer stations. Mr. Brower stated that as the system and the role of facilities changes there is a need for Metro to know more about these facilities through licensing, inspection and reporting.

Ms. Kochan stated that she sees advanced material recycling happening at non-single-stream materials recovery facilities and transfer stations during inspections. If a clean materials recovery facility actually does this type of recovery, as she has seen, then yes, it would need to be regulated as solid waste facility. Mr. Leichner questioned how far would one take that logic? Goodwill, for example, gets lots of garbage in its customer loads. Would they be regulated and inspected? Mr. Brower replied that he agrees with Mr. Leichner that that the line is harder to draw and the intent is to stay somewhat limited at this time. He also noted that in regard to an earlier comment, Metro has its own definition of solid waste that differs somewhat from the State's. Mr. Leichner stated he is struggling with "moving lines."

Ms. Kochan asked if seeking improved reporting is related to gaining more knowledge about markets and if recyclables are actually getting processed? Mr. Brower stated that the information Metro currently gets from regulated facilities is material reporting – what they get and where it goes. Metro would like to work with clean materials recovery facilities to determine how best to address this need. To that point, a public workshop will be held on September 3, 2015 to initiate a conversation around these issues and after the ordinance is adopted, Metro will work with materials recovery facilities to set specific standards of operation.

Mr. Blue commented that he understands there are administrative costs associated with coming under regulatory umbrella, but asked if there are their other licensing costs, for example, direct fees. Mr. Brower answered that there is a \$300.00 application fee and a \$300.00 annual fee

Mr. Ristau inquired if there is a discussion the about the quality of incoming feedstock? Mr. Brower suggested that it is not a part of this effort, but part of a larger materials recovery facilities project. Mr. Korot noted that this discussion will be part of the follow-up to the recent waste composition study.

Ms. Koppang affirmed that Washington County staff supports the proposed changes to the code. Its code enforcement staff has dealt with these things, but really when too late. For example, roofing shingles that had come from a "recycling facility" were dumped at a facility. Perhaps this could have been avoided with a higher degree of oversight. Washington County has also been struggling with e-waste. The nuisance code has a very broad definition of solid waste and the County has taken a hands-off approach to a lot of solid waste facilities, and transfer sites. It is often a mystery what is going on at these facilities. The County staff would appreciate Metro involvement.

Mr. Leichner asked if a facility is taking material defined as mixed materials, then the licensing and inspection need to be opened up to the Goodwill's or even Providence hospital that is processing recyclables. If the goal is to level the playing field: who's in and who's out? He believes we may be setting up for a problem, with those who ask, "why aren't the others in?" Mr. Blue expressed that while he understands Mr. Leichner's point, one thing different about the Goodwill stores versus clean materials recovery facility is that local governments and Metro aren't involved in getting the material to the Goodwill. He feels some sense of responsibility to ensure these facilities that are part of the system serving local government customers are operating well. Currently there is no ability to inspect or regulate these facilities, so he supports something being done. He believes there is a distinction between someone dropping off a load with garbage in it at the Goodwill, versus material being processed at a recovery facility.

Mr. Walker also feels that there is a distinction. The City of Portland relies on Metro for facility oversight and there is not any right now on clean materials recovery facilities and there are some facilities that may be of concern. Maybe the level playing field approach will help elevate the system.

Mr. Leichner stated that he does not see the system as broken. He feels the players now are performing well.

Mr. Blue stated that he has toured almost all of the materials recovery facilities and there are different levels of performance. He has seen the stockpiles over the past year where the back of the piles haven't been touched for 8 months. He feels local governments have a responsibility to ratepayers to regulate these facilities.

Mr. Johnson spoke to the modifications to in terms and definitions and changes to the Enhanced Dry Waste Recovery Program. In addition, it is proposed that Metro impose a consistent rate for disposing of contaminated soils in landfills and remove its fee exemption for the waste that is sorted through "shaker screens" at material recovery facilities and delivered to a landfill.

Copies of the draft ordinances with the proposed code updates can be downloaded from the Metro website. Ordinance 15-1362 deals with regulation of facilities and flow control, while ordinance 15-1363 proposes changes to regional service fees and excise taxes. It will also be sent out to SWAAC members.

A public workshop will be held on Thursday, Sept. 3, from 9 a.m. to 2 p.m., at which Metro staff will present information about these proposed changes and answer questions from those in attendance.

The Metro Council is scheduled hold a public hearing and receive testimony on these proposed changes at its meeting on Thursday, Oct. 1, which begins at 2 p.m. in the Council chamber at Metro Regional Center. The Metro Council is scheduled to consider and vote on these ordinances at its meeting on Thursday, Oct. 8, which also begins at 2 p.m. in the Council chamber at Metro Regional Center.

## **6. MATTRESS RECYCLING**

Bruce Philbrick of Metro discussed Metro's proposal to implement a fee for mattresses at its transfer stations to recover the cost of disassembly and recycling, and sought feedback from SWAAC members on the potential benefits and implications of the fee and recovery effort.

Mr. Philbrick stated that 2,500 to 3,000 mattresses are brought to Metro's Central and South transfer stations each month. They are quite recyclable once disassembled and this effort would boost recovery.

Exceed Enterprises, which works with developmentally disabled adults brought forward a proposal to take on disassembly in association with St. Vincent DePaul, which would provide expertise and equipment. Recology is receptive to having Exceed perform disassembly at Central. South would transfer its mattresses to Central for disassembly. Having the entire operation at Central is an interim solution, but is seen as a good way to incubate the project. The plan is for Metro to collect the fee, pay the transfer station operators and have them pay Exceed. The proposed fee is \$8 per each unit that comes across the scales. The hope is to move forward this fall. Mr. Philbrick is seeking feedback from SWAAC members on the impact of these fees.

Ms. Kochan recognizes that reuse is challenging, but wonders if there will there be any look at reuse or refurbishing. She also wonders how Metro will address bed bugs and flame retardant exposure to workers.

Mr. Philbrick noted that the high quality mattresses can be set aside for rebuilding. Bedbugs are easily identifiable and obvious; there will be a visual inspection and those inappropriate, wet or filthy would be discarded. We haven't addressed flame retardants in terms of passing through for other recycled uses.

Mr. Blue has heard concerns from haulers about how it will be billed back to them in a route load. For example, a driver may not see a mattress in a multi-family unit compactor. It is not always possible to track the piece back to the consumer. Mr. Philbrick stated that spotters will note mattresses in these loads and will communicate with the scalehouse, and the appropriate hauler will be charged.

Mr. Leichner asked if there is provision for a bulk or discount rate. Mr. Philbrick answered that there has been no consideration of a bulk discount, as not all details have been worked out. Exceed needs \$7.00 per unit for labor. Over time they may be able to do the work in their own facility, which is the goal, so it could be less. The charge of \$8.00 is to make it work for them.

Mr. Walker is supportive of the direction, but would like to know if this is similar in cost to Lane County, which has a well-established program. Mr. Philbrick said that the proposed rate is higher than Lane County's. The County's perspective is that it is a cost avoidance issue, which allows them to do a few mattresses at essentially no additional charge, treating it like garbage. Our contractors at the transfer stations see it the same way.

Mr. Philbrick noted that the garbage rate is about \$2.50 per mattress. Mr. Ehinger stated that Metro would pay about \$7.00 per mattress to Lane County now if we were to send any there.

Mr. Philbrick outlined the next steps, which include further discussions with mattress stores and internal accounting work. The desire is to move forward by November.

Mr. Blue would like to clarify if the per mattress fee would be in addition to the tip fee. Mr. Philbrick stated that if a load were mattresses only, then only a per mattress fee would apply. He feels there is room for clarification and will discuss an option to simplify the process and minimize backup at the scales with regard to mixed loads.

Mr. Blue asked if, before adopting the program, an alternative could be tried where the system absorbs the costs for a limited time, with tip fees overall paying the costs so that we can evaluate the actual and avoided costs and then come back with a confirmed fee.

7. **CITIZEN COMMUNICATIONS TO SWAAC AGENDA ITEMS**

None.

8. **PREVIEW OF THE NEXT MEETING'S AGENDA AND FINAL COMMENTS**

Notification will be made to SWAAC members and to the public online regarding the September meeting.

9. **ADJOURN**

Chair Korot adjourned the meeting at 11:45 a.m.