



# METROPOLITAN SERVICE DISTRICT

6400 S.W. CANYON COURT PORTLAND, OREGON 97221 (503) 297-3726

## BOARD OF DIRECTORS

### MINUTES OF AUGUST 9, 1974 MEETING

#### BOARD MEMBERS IN ATTENDANCE

Robert Schumacher, Chairman  
Mel Gordon  
Charles Becker  
James Robnett

APPROVED METROPOLITAN  
SERVICE DISTRICT  
BOARD OF DIRECTORS

#### ADVISORS IN ATTENDANCE

Dean Gisvold, Attorney  
Bill Culham, SWC  
Bill Deming, SWC  
Gary Grimes, DEQ  
Bob Brown, DEQ  
Bill Young, Direction Committee  
Dave Phillips, SWC  
Mike Kennedy, COR-MET

ACTION NO. 24-187

DATE 8-30-74

BY Jean M. Woodman  
CLERK OF THE BOARD

#### GUESTS ADDRESSING THE BOARD

Gene Bunch, Industry  
John Knapp, Resource Recovery Byproducts  
Harold Alexander, Resource Recovery Byproducts  
Larry Burright, Oregon Recycling  
Kenneth Novack, Schnitzer Investments

#### STAFF IN ATTENDANCE

Charles Kemper  
Merle Irvine  
Rena Smith  
Jean Woodman

There being a quorum present, the Board considered the following items of business:

#### I. MINUTES

Commissioner Gordon moved to approve the minutes of July 26, 1974 as submitted. Mayor Robnett seconded the motion. The motion carried unanimously.

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## II. PUBLIC COMMUNICATIONS

This agenda item provides the public with an opportunity to address the Board on subjects not specified on the meeting agenda. Commissioner Schumacher asked if anyone in the audience wished to address the Board, and there was no response.

## III. DIRECTION COMMITTEE REPORT

Mayor William Young, Direction Committee Chairman, presented the Board members with his committee's findings and recommendations in Board membership structure and future areas of MSD responsibility. The Board members thanked Mayor Young for his presentation and the committee's efforts in preparing the report. Commissioner Gordon felt that the report should be considered by a full Board and each item discussed and adopted separately. The Board was in agreement.

Commissioner Gordon moved to accept the MSD Direction Committee report as submitted. Mayor Robnett seconded the motion. The motion carried unanimously.

## IV. RESOURCE RECOVERY BYPRODUCTS TRANSFER STATION RECOMMENDATION

Mr. Dave Phillips, Chairman of the sub-committee considering Resource Recovery Byproducts' application for transfer/processing station, address the Board with a review of the sub-committee's findings listed on Page 17 of the staff report. The full Solid Waste Committee and staff are recommending approval of the sub-committee recommendations.

Mr. Knapp, of Resource Recovery Byproducts, submitted written comments on the sub-committee's findings indicating that he feels the operation fits into MSD's Action Plan on an interim basis. Mr. Knapp also requested that item 2 of the recommendation be amended to read that mixed loads not be accepted after activation of the "North Portland Station" rather than the "first" station. He felt that withdrawing an interim permit after activation of the "first" transfer station would impose a financial burden on his organization.

The sub-committee felt that in order for the MSD Action Plan to succeed, all waste generated in the area should be processed through one of the four proposed stations. Mr. Knapp's operation is located between the two proposed stations in the North Portland area. The sub-committee's findings also indicate that the shredder and air classifier at this location are presently in violation of DEQ's air quality standards. Mr. Grimes of DEQ, was concerned with the putrescible wastes contained in the mixed loads being accepted by Resource Recovery Byproducts and that this operation is listed as a recycling center in the Action Plan and not for receipt of mixed loads. Commissioner Gordon questioned a 1971 complaint against the property for failure to maintain grades on the access roads, and Mr. Knapp responded that the complaint was not relevant to the application under discussion as it was against the owners of the property and not against Resource Recovery Byproducts.

The Board members were in agreement to amend item No. 1 of the sub-committee recommendation on Page 17 to read: "This facility does not appear to fit into the long range MSD Solid Waste Action Plan as a mixed refuse processing center."; and item No. 3.E. to read: "No tires should be accepted until a tire permit is granted."

Councilman Becker moved to approve the Solid Waste Committee recommendation listed on Page 17 of the staff report as amended and authorize distribution of the report to the DEQ. Commissioner Gordon seconded the motion. The motion carried unanimously.

#### V. SECOND SCRAP TIRE PROCESSING CENTER RECOMMENDATION EMERGENCY ORDINANCE NO. 18

Mr. Irvine, MSD staff, reviewed the Board's previous action in permitting one general scrap tire processing center at the Rossman site in Oregon City. Staff with Solid Waste Committee approval, was requesting a moratorium on additional general scrap tire processing center permits until such time as a second center is considered justifiable. Staff is also recommending amendments to Ordinance No. 3, Ordinance No. 11 and Ordinance No. 12 which will allow for a special project scrap tire processing center for the purpose of processing scrap tires in existence before implementation of the MSD Tire Program. These ordinance amendments are in the form of Emergency Ordinance No. 18.

Commissioner Schumacher opened the Public Hearing for consideration of Emergency Ordinance No. 18, an ordinance amending Ordinance No. 3, Ordinance No. 11, and Ordinance No. 12 in order to allow for the authorization of special project scrap tire processing centers for the processing of scrap tires existing before the MSD Tire Program, deleting the requirement that at least two general processing centers be authorized, and declaring an emergency.

Commissioner Schumacher asked if anyone in the audience wished a copy of the ordinance that did not have one, and there was no response.

Commissioner Gordon moved to have Ordinance No. 18 read by title only. Councilman Becker seconded the motion. The motion carried unanimously.

Mr. Kemper read Ordinance No. 18 by title.

Commissioner Schumacher asked for public testimony, and the following testimony was received:

A. Larry Burright  
Oregon Recycling

Testimony attached.

Mr. Irvine explained that the special project scrap tire processing permit would only allow Mr. Burright to grind tires at the one location specified in the permit.

Commissioner Gordon question how the special projects would be policed, and suggested that staff identify the existing piles of tires in the area. Mr. Irvine stated that letters are being sent to the jurisdictions requesting any available information on the subject.

B. Gene Bunch  
Bunch Tire Baling

Testimony attached.

Mr. Bunch was concerned with the Ordinance stipulation that as a general tire carrier he must haul his tires to the Oregon City, Rossman site for processing rather than haul them outside of the area for use in a fish habitat reef program. Mr. Irvine, MSD staff, stated that the Ordinance had been amended to allow a carrier to obtain authorization from the District to take tires outside the boundaries for salvage purposes. He also stated that Mr. Bunch had been informed of this and that the District would require an accounting of the number of tires, the destination and assurance that they did in fact arrive at the destination.

C. John Knapp  
Resource Recovery Byproducts

Testimony attached.

D. Kenneth Novack, Attorney  
Schnitzer Investment

Testimony attached.

The Public Hearing was called to an end, and the Board, in discussion felt that it was in order to act on the Ordinance.

Commissioner Gordon moved to adopt Ordinance 18 and declaring an emergency. Mayor Robnett seconded the motion. The motion carried unanimously.

Commissioner Gordon moved to accept staff recommendation and place a moratorium on additional General Scrap Tire Processing Centers until such time as reasonable capacity is available to justify another facility; and when the quantity of scrap tires justifies another facility, it should be located in the north portion of the region.

Mayor Robnett seconded the motion. The motion carried unanimously.

#### VI. SCRAP TIRE CARRIER PERMIT AUTHORIZATION

Mr. Irvine reviewed staff's report indicating that it is recommended that Carl Miller be issued a 60-day permit for service area one, as a general scrap tire carrier and Bill Stone and Junk Tire Haulers be issued additional service areas one and four as a general scrap tire carrier. It is also recommended that C & R Supply be issued a 60-day permit with a letter of special salvage authorization. Northwest Retreaders, Inc. and Industrial Tire Service are recommended for permit as individual scrap tire carriers.

Mr. Irvine was also recommending that the following applicants previously denied permits because they were not members of the Tire Association, now be permitted: Clyde Ellis, Oregon Drop Box Association, and Lucy Binger.

Mr. Gisvold, Attorney, responding to staff's inquiry, stated that the tire permits should go to the person actually performing the job rather than an association and that permitting an association may be viewed as the Board's unlawful delegation to control the tire program. He also stated that an association's ability to respond to Judgement or court action is questionable.

Mr. Gisvold also spoke on a proposed policy statement which will make clear that MSD's jurisdiction is with the disposal of tires and which sets out the tire disposal program and the intent thereof. This will be considered at the August 23, 1974 meeting of the Board.

Mayor Robnett moved to approve the following applicants for scrap tire carrier permits:

Carl Miller, C & R Supply, Bill Stone, Junk Tire Haulers, Clyde Ellis, Oregon Drop Box Association, Lucy Binger, Northwest Retreaders, and Industrial Tire Service.

Commissioner Gordon seconded the motion. The motion carried unanimously.

VII. PRIVATE INDUSTRY PARTICIPATION IN THE MSD SOLID WASTE PROGRAM

This item was set over until the August 23, 1974 meeting.

VIII. ENGINEERING SERVICES REQUIREMENTS FROM AUGUST 1, 1974

Mr. Kennedy, of COR-MET, briefly reviewed the consultant's proposed work program and estimated costs for engineering services after August 1, 1974. It is staff recommendation to proceed with work items 1 through 7 as defined in the COR-MET proposal.

Commissioner Gordon moved to accept staff recommendation. Councilman Becker seconded the motion. The motion carried unanimously.

There being no further business to come before the Board, the meeting adjourned at 5:00 P.M.