

METROPOLITAN SERVICE DISTRICT

BOARD OF DIRECTORS

Portland Water Bureau

1800 SW 6th

Auditorium

May 24, 1974

2:00 P.M.

A G E N D A

- I. MINUTES
- II. FINAL PUBLIC HEARING:
  - . Ordinance No. 10 - Amending Tire Ordinance No. 3
  - . Ordinance No. 11 - Scrap Tire Processing Center Franchise
- III. PUBLIC HEARING ON EMERGENCY ORDINANCE NO. 12 -  
TIRE PROCESSING AND DISPOSAL PROGRAM STANDARDS OF SERVICE
- IV. SCRAP TIRE PROCESSING AND DISPOSAL PROGRAM APPROVAL
- V. AUTHORIZATION TO DEVELOP CONTRACT FOR AN MSD RIGHT-OF-WAY AGENT
- VI. SELECTION OF SOLID WASTE COMMISSION
- VII. OTHER BUSINESS

May 21, 1974

TO: MSD Board of Directors  
FROM: MSD Staff  
SUBJECT: STAFF REPORT FOR MAY 26, 1974

Presented to the Board for transmittal and recommended action are the following items:

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- 1 I. MINUTES  
Action - Approval
- 15 II. FINAL PUBLIC HEARING:  
. Ordinance No. 10 - Amending Tire Ordinance No. 3  
. Ordinance No. 11 - Scrap Tire Processing Center Franchise  
Action - Revisions to the ordinances were performed as a result of industry input between May 10, and May 21, 1974. - Adopt Ordinances
- 30 III. PUBLIC HEARING ON EMERGENCY ORDINANCE NO. 12  
Action - After review by TAC, delete requirement for Emergency Ordinance - hold first public hearing on May 24, 1974 and second public hearing June 14, 1974.

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- 47 IV. SCRAP TIRE PROCESSING AND DISPOSAL PROGRAM  
APPROVAL  
Action - Hold until Ordinance 12 is adopted  
(probably on June 14, 1974)
- 48 V. AUTHORIZATION TO DEVELOP CONTRACT FOR AN MSD  
RIGHT-OF-WAY OR PROPERTY AGENT  
Action - Approve use of Coates Field Service as  
Right-of-Way Agent for MSD and authorize  
staff to prepare a contract between MSD  
and Coates Field Service
- 50 VI. SELECTION OF SOLID WASTE COMMISSION  
Action - Approve selection of Solid Waste Committee
- 52 VII. OTHER BUSINESS
- . Distribution of MSD Solid Waste Plan
  - . Authorize MSD staff to charge \$25 per document  
set after distribution to appropriate groups.

I. MINUTES

The following pages contain minutes of the Board meeting and public hearing for May 24, 1974. The staff recommends approval of the minutes. /

APPROVED METROPOLITAN  
SERVICE DISTRICT  
BOARD OF DIRECTORS

ACTION NO. 74-135

DATE: 6-14-74

BY: Jean M. Wood  
CLERK OF THE BOARD



# METROPOLITAN SERVICE DISTRICT

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

## MSD SOLID WASTE COMMITTEE

### R O S T E R

#### TECHNICAL REPRESENTATIVES

Mr. Bill Culham, Chairman  
Dept. of Public Works  
400 SW 6th Avenue  
Portland, Oregon 97204

Mr. Richard Howard  
Dept. of Public Works  
2115 SE Morrison  
Portland, Oregon 97214

Mr. Dave Phillips  
Dept. of Public Works  
902 Abernathy Rd.  
Oregon City, Oregon 97045

Mr. Art Schlack  
Senior Planner  
Washington Cty. Courthouse  
Hillsboro, Oregon 97123

#### INDUSTRY REPRESENTATIVES

Mr. Richard Glanz  
Metro. Disposal Corp.  
P.O. Box 11457  
Portland, Oregon 97221

Mr. Nick Brajavich  
2125 NW 32nd Avenue  
Portland, Oregon 97210

Mr. Harold Lavelle  
Lavelle Landfill  
1226 SE Lexington St.  
Portland, Ore. 97202

Mr. George Zanutelli  
Firestone Tire & Rubber Co.  
18120 NE Wilkes Rd.  
Portland, Oregon 97220

#### CITIZEN REPRESENTATIVES

Mrs. Molly Kohnstamm  
11476 SW Riverwood Rd.  
Portland, Oregon 97219

Mr. Marlin Nelson  
572 NE 17th  
Hillsboro, Oregon 97123

Ms. Ellen Lemke  
10336 SE Tower  
Gresham, Oregon 97030

Mr. Bill Demming  
2682 NW Cornell Rd.  
Portland, Oregon 97210

Mr. Gus Mohr  
Crown Zellerbach  
9111 NE Columbia Blvd.  
Portland, Oregon 97220

Mrs. Nancy Hoover  
3725 NW 183rd  
Portland, Oregon 97229

Ms. Mary Buel  
Sierra Club  
2637 SW Water Avenue  
Portland, Oregon 97201

PUBLIC TESTIMONY ON ORDINANCE NO. 10 MAY 24, 1974

CRAIG IVERSON

Representing the Firestone Tire & Rubber Company

With respect to Ordinance No. 10 which proposes amendments to Ordinance No. 3, my comment is limited to Section V amendments and Section VIII which reads "tires may be transported outside the MSD boundaries for salvage only upon authorization by the MSD!" With respect to Firestone, it frequently occurs that tires are either recalled or it becomes necessary to remove tires to other parts of the country to have them reprocessed. We are concerned about the requirements that this type of movement be authorized by MSD. In view of the delay that could result, as an alternative to the provision that is in Section V and Section VIII at this time, I would suggest that with respect to individual tire carriers dealing only in their own tires, that perhaps notice to the MSD of either a recall or movement of tires for recall purposes or for reprocessing in other parts of the country.. If notice was given to the MSD of the type of movement, type of tires involved, the number of tires and the destination, we think from our point of view this would be a more expeditious way of handling the problem and at the same time would meet the needs of MSD.

PUBLIC TESTIMONY ON ORDINANCE NO. 11 MAY 24, 1974

CRAIG IVERSON  
Representing Firestone Tire & Rubber Company

With respect to Section III 2., we object to the imposition of an administrative fee per tire on an individual tire processing center. The significant distinction between imposing that fee on an individual processor and a general processor is in fact that a general processor is in a position to pass that fee onto the public. You would get a wide dispersment of the fee throughout the members of the public using the general processing centers. With respect to an individual processor and in the case of Firestone we estimate that we will end up paying a fee of between \$5,000 and \$10,000 a year. As it stands now there is no way we can pass that on to the members of the public because by definition as an individual processor we deal only in our own tire. Our processing center handles only tires generated through our store. It seems to me unfair that an individual processor that is working to eliminate this problem should be burdened with what appears to me to be a substantial part of the administrative fees of this program and for that reason on behalf of Firestone, I would ask either this fee on the individual processor be eliminated or reduced so that the fee that an individual processor pays somehow reflects the added expense that he is creating administratively in operating this program. At this point, it seems to me that an individual and general processor are paying an identical fee and this seems to be unfair, particularly since we cannot pass it on.

PUBLIC TESTIMONY ON ORDINANCE NO. 11 MAY 24, 1974

GEORGE WARD  
Consulting Engineer

I am representing several investors in both Oregon and Washington that are interested in putting in general tire processing centers in North Portland. I have just a few simple questions of clarification for them. Your ordinance states that there will be at least two sites and recently I wrote to Mr. Irvine to notify him on their behalf of a formal intent of applying for at least one of the centers. I merely wish to ask now is this meeting set for establishing those conclusions.



PUBLIC TESTIMONY ON ORDINANCE NO. 11 MAY 24, 1974

MR. ROGER EMMONS  
Tri-County Solid Waste Management Council

The garbage men had a couple of ideas we worked out with your staff after the Technical Advisory Committee meeting on Monday. We met with Merle and two or three of our attorneys, with Ed Sullivan, the Washington County Council appearing informally without representing the County to go over how this would work with both the franchise and non-franchise areas as far as the collectors are concerned. I think Chuck was well impressed with the amount of resources that there are at the county level already particularly in Clackamas and Washington Counties where you have an organized program, where you have staffs. They are doing things that are very closely related to this including enforcement in nuisance abatement areas which will be quite similar to this type of policing. You have a good budget behind both organizations, you have attorneys that are supporting this. This could help hold down the overall cost. As far as the fees to be charged, they will of course be in addition to those franchise fees that are required by the counties on collection of solid waste and certainly our industry would propose to pay them. Perhaps by utilizing those county facilities you may be able to keep your dollar costs down in overall administrative costs. Also, we do support the uniform fee that you developed rather than the differential fee. We have no way really of knowing how many tires there are and what the exact costs are. We plan to apply in each of the franchise counties for franchise, for the collectors association which represents virtually every collector and as Chuck suggested we will be giving to him two people that he can contact regularly for any questions, any inquiry, getting any of the tires out and so forth. We will also be meeting with the tire dealers in the area because we are

asking for franchise fees for people out of the area. At the same time we want to get the organization particularly in the two franchise counties. We have people that are out soliciting in pickup trucks now to go into the hauling business. One of our concerns is that up until this time there has been no organized program and there has been very little that this industry can do. The question was raised why hasn't the industry gotten further involved in it. Why aren't we hauling the tires right now? Particularly in those two franchise counties, we are competing with one hand tied behind our backs. We have to comply with all the regulations, PUC safety and those things on a state level, we have to pay the franchise fee of 3% on the gross in one county, 2% in the other, we cannot give rate preferences. We cannot go in and tell them we will take his tires for one price and someone else for another price. We are require to comply with the franchise ordinances that you have passed and the franchise ordinances being proposed in Multnomah County and are just beginning to be considered in the Portland area. No rate preference to any customer. You can have volume discount but nothing else. There was no provision either for enforcement of where these tires would go either by the DEQ or the MSD or anybody else. As a result, a man could come out in a pickup, ignore all of the requirements, all of the regulations, pick up the tires he wanted to in a particular area and dump them in a canyon. From an industry standpoint, where you have union labor, expensive equipment you have rather high costs and you have a system where you have to take all comers we just couldn't compete. Now we can. I would also point out that with respect for the franchises in the two counties and with working out some sub-contract positions as affects the people in the business already, you could then very well extend the service areas that you are regulating into the entire area of Washington and Clackamas Counties. We certainly have no objections to that as long as the franchises are respected. We would also have discussed another ordinance that

PUBLIC TESTIMONY ON ORDINANCE NO. 12 MAY 24, 1974

CRAIG IVERSON  
Representing Firestone Tire and Rubber Company

I only have one comment with respect to provision number 2.2.7 particularly in the last sentence which reads: "In the event processed tires are used for purposes other than disposal, authorization shall be obtained from the MSD". As I have indicated Firestone has its own processing center where tires are apparently processed into chips. They are currently investigating the use of these chips as a fuel and also the chips are frequently sent around the country for testing purposes. My concern again is the need for an authorization either to ship these chips for either of those two purposes. Again I would suggest that a notice to MSD as to what we intend to do, perhaps the volume of the shipment and there destination might be sufficient for MSD purposes and might be more expeditious as far as we are concerned.

PUBLIC TESTIMONY ON ORDINANCE NO. 12 MAY 24, 1974

Dan Grimshaw  
Grimshaw Tires

I was a little confused earlier when Roger was speaking to his point he brought up under No. 11 and then spoke to No. 12 and I think this applies to No. 12. I understand that his discussion was primarily under franchise and non-franchise areas which really doesn't fall under either one of those. Scrap tires historically have been outside of the normal sanitary collectors type of operation because they are a special commodity. Also for years we have been after them to get them to solve the problem and we have had no relief whatsoever. In terms of general waste, I think they could be classified as a special waste, a special solid waste problem. They have certainly been picked out as a special solid waste problem. We as an industry, and I think I can speak for industry, have tried to solve this problem and we are getting closer to it. The problem that these ordinances are trying to accomplish, the indiscriminate dumping of scrap tires, and as I stated on the first ordinances, that you are probably talking about 5% or less of the total volume of tires around. I am wondering do there franchises in the areas where they are franchised, do they specify tires or have tires been excluded in the past and if so why haven't they been excluded now. If they were included in the past I don't know why we should have had to solve this problem. They should have solved it for us a long time ago. If they do take on scrap tire disposal, their present equipment will not handle the job. As I pointed out to a lot of people, if they want to put a lot of hooks on the outside of the trucks and hang tires out there while going around the city that's fine, but I don't think that would be appreciated either. There are already in the area tire carriers who are already servicing the area, have been legitimately

for a good long time. I don't think they should be deprived of their operations. But the most important thing that I am concerned about as an industry and I am talking now about the retreading industry, is that once a scrap tire or a tire allegedly scrapped is delivered to a franchised sanitary collector, he is going to assume that it is junk and it will go right into junk piles and we agree that it will have no recourse but to try to get that back into the stream as a recycled product. This can, incidently save some 4½ to 5 gallons of oil every time you retread a tire and a lot of other things economically as well. We are very certain that this will take our raw material, the basic tire casing, out of the tire stream and take it right from the car. A lot of those tires do come from the smaller tire outlet who are present tire carriers. Even their loss is improved. We are concerned that we could well loose a lot of these retreadable tires. I notice that 2.1.10 takes that you can analyze them at the processing center. This again, there are systems, and there are groups that are doing this for us as an industry. I don't think that present industry is capable of doing as they would have to educate themselves as to retreading and tire knowledge and background and experience and I'm sure that they don't want to take the time to do that.

II. FINAL PUBLIC HEARING

- . Ordinance No. 10 - Amending Tire Ordinance No. 3
- . Ordinance No. 11 - Scrap Tire Processing Center Franchise

The following pages contain revised ordinances 10 and 11 with changes incorporated from industry input since May 10, 1974. In addition, the staff prepared a brief discussion concerning the proposed changes, the projected revenues, and the justification for expenditure needs.

The staff recommends that the MSD Board adopt the revised Ordinances No. 10 and 11.

AMENDMENT TO STAFF REPORT:

Motion to adopt Ordinances No. 10 and No. 11 with amendments to Section II, inclusion of "at least"two' processing centers, and Section IV, sub-section 3 amending it to read 'fee approved in Section III "2", of Ordinance No. 11.

APPROVED METROPOLITAN  
SERVICE DISTRICT  
BOARD OF DIRECTORS

ACTION NO. 74-129

DATE 5-24-74

BY Jean M. Wood  
CLERK OF THE BOARD

At the MSD Board meeting of May 10, 1974, the first public hearings on ordinance 10 and 11 were held. Ordinance No. 10 amends Ordinance No. 3, the Tire Ordinance, while Ordinance No. 11 establishes general tire processing centers and sets fees for tire processing.

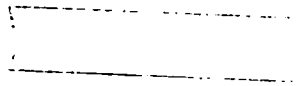
The only suggested modification to Ordinance No. 10 received during the first hearing pertained to Section 4, Violations, and consisting of the addition "for each offense". This modification has been incorporated into the attached ordinance.

Regarding Ordinance No. 11, some concern was expressed about the division point between passenger tires and truck tires. In addition, a question was raised concerning the differing MSD administrative sur-charge between passenger and truck tires. On Friday, May 17, 1974, a meeting was held to discuss these concerns. Those people attending included tire retailers, tire retreaders, tire processors, tire carriers and the MSD staff.

A consensus of those attending the meeting was that the division between passenger and truck tires should remain as specified by Ordinance No. 11. Further, it was recommended that MSD impose a flat rate of 3¢ for each tire processed for the first 18 months instead of 2½¢ for passenger tires and 16¢ for truck tires. Following the first 18 months the rate would decrease to 2¢. At the end of that time MSD will review its rate structure. This change would generate approximately the same amount of revenue and would simplify MSD's accounting and record system.

At the May 10th Board meeting it was requested that information be made available to the Board to justify the MSD administrative sur-charge for tire processing. Attached is the budget detail for the tire disposal program approved by the Board on April 26, 1974 as part of the overall MSD 1974-75 budget.

When the Board decided to undertake the Tire Disposal Program, it was indicated that initial cost for implementation would be high. However, once the program is in operation, budget requirements are projected to decrease.





METROPOLITAN SERVICE DISTRICT

TIRE DISPOSAL PROGRAM

For Fiscal Year 1974 to 1975

Beginning July 1, 1974

HISTORICAL DATA				PROPOSED	APPROVED	ADOPTED
ACTUAL		BUDGET				
Second Preceding Year	First Preceding Year	Current Year				
			BUDGET SUMMARY			
			REQUIREMENTS:			
		4938	PERSONAL SERVICES	16100	16100	
		2902	MATERIAL & SERVICES	8020	8020	
		-0-	CAPITAL OUTLAY	5180	5180	
		7840	TOTAL REQUIREMENTS	29300	29300	
			RESOURCES:			
			PROCESSING FEE	29150	29150	
			PERMITS	150	150	
		7840	DEQ GRANT (PHASE II)	-0-	-0-	
		7840	TOTAL RESOURCES	29300	29300	

METROPOLITAN SERVICE DISTRICT

TIRE DISPOSAL PROGRAM

For Fiscal Year 1974 to 1975

Beginning July 1, 1974

HISTORICAL DATA				PROPOSED	APPROVED	ADOPTED
ACTUAL		BUDGET				
Second Preceding Year	First Preceding Year	Current Year				
			PERSONAL SERVICES			
		3681	SOLID WASTE COORDINATOR (6M)	8000	8000	
		613	SECRETARY (12M)	6000	6000	
		644	FRINGE BENEFITS	2100	2100	
		4938	TOTAL PERSONAL SERVICES	16,100	16,100	
			MATERIAL & SERVICES			
		*	RENT	600	600	
		*	TELEPHONE	100	100	
		*	POSTAGE	100	100	
		*	EQUIPMENT RENTAL	300	300	
		*	SUPPLIES	200	200	
		-0-	PRINTING	950	950	
		*	TRAVEL, TRAINING & SUB.	200	200	

METROPOLITAN SERVICE DISTRICT

TIRE DISPOSAL PROGRAM

For Fiscal Year 1974 to 1975

Beginning July 1, 1974

HISTORICAL DATA				PROPOSED	APPROVED	ADOPTED
ACTUAL		BUDGET				
Second Preceding Year	First Preceding Year	Current Year				
			MATERIAL & SERVICES CONT.			
		-0-	AUTO O&M	500	500	
		-0-	INSURANCE	100	100	
		-0-	MAPPING	100	100	
		*	PUBLICATION & MEMBERSHIP	100	100	
		*	REPRODUCTION	50	50	
		*	CONTINGENCY	200	200	
			CONTRACT SERVICES			
		228	ACCOUNTING	2000	2000	
		760	LEGAL	1000	1000	
		475	TECHNICAL	500	500	
		365	PUBLIC INFORMATION	500	500	
		-0-	AUDITING	520	520	
		2902	TOTAL MATERIAL & SERVICES	8020	8020	
		* LUMP SUM # 1074				

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METROPOLITAN SERVICE DISTRICT

TIRE DISPOSAL PROGRAM

For Fiscal Year 1974 to 1975

Beginning July 1, 1974

HISTORICAL DATA				PROPOSED	APPROVED	ADOPTED
ACTUAL		BUDGET				
Second Preceding Year	First Preceding Year	Current Year				
			CAPITAL OUTLAY			
		- 0 -	DESK & CHAIR	400	400	
		- 0 -	FILE CABINETS	100	100	
		- 0 -	BOOKCASE	80	80	
		- 0 -	TABLE & CHAIRS	200	200	
		- 0 -	TYPEWRITER	700	700	
		- 0 -	AUTO	2600	2600	
		- 0 -	RECORD FILES	100	100	
		- 0 -	OFFICE & FIELD EQUIPMENT	1000	1000	
		- 0 -	TOTAL CAPITAL OUTLAY	5180	5180	

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SCRAP TIRE PROGRAM  
PROJECTED REVENUE  
1974 - 1975

PROCESSING FEES

TYPE	ANNUAL PROJECTION	PROCESSED	MSD SUR-CHARGE	TOTAL FEE
Passenger	1,400,000	850,000	3¢	\$25,500
Truck	120,000	84,000	3¢	2,520
Earthmover	1,200	1,020	\$1.25	1,020
<b>TOTAL</b>				<b>\$29,040</b>

PERMIT FEES:

16 carriers	@ \$10.00	=	\$160
20 trucks	@ \$ 5.00	=	100
<b>TOTAL PERMIT FEE</b>			<b>\$260</b>

REVENUE SUMMARY:

Processing Fee	\$29,040
Permit Fee	260
<b>TOTAL REVENUE</b>	<b>\$29,300</b>

METROPOLITAN SERVICE DISTRICT

ORDINANCE NO. 10

An Ordinance amending the MSD Tire Ordinance (Ordinance No. 3)

NOTE: The language in brackets will be deleted and the language underlined will be added.

ORDINANCE NO. 10

Ordinance Amending MSD Tire Ordinance(Ordinance No. 3)

The Metropolitan Service District herein ordains the following.

SECTION 1. Ordinance No. 3, Section 1 is amended to read:

SECTION I. Definitions

1. "Board" means the governing body of the Metropolitan Service District.
2. "Disposal" means the discarding or processing of a motor vehicle tire as waste. It does not include the (salvaging of tires for) resale(,) or retreading (or re-manufacture into other products.) of tires.
3. "Disposal site" means a disposal site for solid waste operating under a permit granted by the Department of Environmental Quality pursuant to, ORS 459.205 to 459.265.
4. "Motor vehicle tire" or "tire" means any tire made wholly or in part of rubber used on any vehicle propelled by a motor, including vehicles pulled or pushed by a vehicle propelled by a motor, regardless of whether such vehicle is used on a public highway; it includes scrap tires, tire bodies, carcasses, casings or parts of tires in whatever form. (except those intended for a use other than on vehicle wheels.)
5. "Person" means any individual, firm, corporation, partnership or other entity as the context may require.
6. "Retail sale" means a sale for any purpose other than re-sale in the regular course of business; it includes sale of tires as incidental to the sale of a motor vehicle or other item. The sale of more than one motor vehicle tire to any one person at any one time shall constitute one retail sale.
7. "Salvage means the use of a scrap tire in a new form or in its original form for purposes other than as a motor vehicle tire."

- (7.) "Scrap tire" means any tire, new or used, whether or 8. not it is in such condition as to be re-used, retreaded or otherwise salvaged and is being discarded for any reason.
- (8.) "Scrap tire generator" means any person who as 9. incident to the normal course of business, generates more than 100 scrap tires annually. It includes vehicle fleet owners, trucking companies, taxi companies, bus companies, public agencies and other persons not engaged in a business directly dealing with tires.
- (9.) "Tire carrier" means any person engaged in picking 10. up or transporting scrap tires for the purpose of disposal or salvage and disposal, whether or not incidentally to some other business.
- (10.) "Tire processing center" means a place or piece of 11. equipment where or by which scrap tires are processed to such a form as prescribed by the Metropolitan Service District.
- (11.) "Tire retailer" means any person engaged in the 12. business of selling motor vehicle tires at retail sale whether or not such sale is incidental to some other business or whether such tires are incidental to the sale of a motor vehicle; it includes every person who makes more than two retail sales of motor vehicle tires in any calendar year.

SECTION 2. Ordinance No. 3, Section V is amended to read:

SECTION V. Duties of Tire Carrier

Tire carriers subject to the permit requirements of this Ordinance must deliver all those scrap tires picked up or transported by them for the purpose of disposal only to a disposal site authorized by this ordinance to accept tires in the form the tires are delivered, or to a processing center authorized by this Ordinance. Tire carriers shall obtain authorization from MSD for the removal of scrap tires for salvage outside of MSD boundaries.



SECTION 3. Ordinance No. 3, Section VIII is amended to read:

SECTION VIII. Disposal of Tires

Tires may be accepted for the purpose of on-site disposal only at such disposal sites authorized by the Metropolitan Service District for disposal of tires. The operator of such a disposal site may dispose of tires only in a manner meeting Metropolitan Service District's specifications as set forth by regulations. Tires may be transported outside the MSD boundaries for salvage only upon authorization by the MSD.

SECTION 4. Ordinance No. 3, Section XVIII is amended to read:

SECTION XVIII. Violations

Violation of any provision of this ordinance or of any rule promulgated pursuant thereto is (a class C misdemeanor, as defined by 1971 ORS 161.505 to 161.685 for the first offense, and a class B misdemeanor, as defined by 1971 ORS 161.505 to 161.685, for the second offense.) punishable by a fine of not more than \$500 or by imprisonment in a county jail for not more than 30 days or by both for each offense.

Dated \_\_\_\_\_

\_\_\_\_\_  
Robert Schumacher, Chairman

\_\_\_\_\_  
James Robinett, Vice-Chairman

ORDINANCE NO. 11

An Ordinance authorizing and establishing two general tire processing centers and administrative fees for the Metropolitan Service District Tire Processing and Disposal Program and maximum fees to be charged by the operators of general tire processing centers.

ORDINANCE N.O. 11 .

THE METROPOLITAN SERVICE DISTRICT HEREIN ORDAINS THE FOLLOWING:

SECTION I. Definitions

1. "General Tire Processing Center" means a place or piece of equipment open to the public where or by which scrap tires are processed to such a form as prescribed by the Metropolitan Service District.
2. "Individual Tire Processing Center" means a place or piece of equipment operated by a tire retailer or a scrap tire generator where or by which only those scrap tires generated by the tire retailer or scrap tire generator as a part of his normal course of business may be processed to such a form as prescribed by the Metropolitan Service District.
3. "Motor vehicle tire" or "tire" means any tire made wholly or in part of rubber used on any vehicle propelled by a motor, including vehicles pulled or pushed by a vehicle propelled by a motor, regardless of whether such vehicle is used on a public highway; it includes scrap tires, tire bodies, carcasses, casings or parts of tires in whatever form.
4. "Scrap tire" means any tire, new or used, whether or not it is in such condition as to be reused, retreaded or otherwise salvaged and is being discarded for any reason.

SECTION II. Tire Processing Centers

The Board of the Metropolitan Service District authorizes and approves the establishment of two general tire processing centers open to the public, one in the northern part of the District and the other in the southern part of the District.

SECTION III. Administrative Fees

1. The fees approved and authorized in this section shall be used for the establishment and administration of the MSD Tire Processing and Disposal Program.
2. The Board of the Metropolitan Service District authorizes and approves a fee of 3 cents for the first 18 months after the effective date of MSD Ordinance No. 3 and a fee of 2 cents for the next 12 months, to be paid by the individual and general processing centers to the Metropolitan Service District for each motor vehicle tire.

SECTION IV. Maximum Fees for General Tire Processing Centers

1. The Board of the Metropolitan Service District authorizes and approves a maximum fee that may be charged by an operator of a tire processing center.
2. The maximum fee that may be charged for processing motor vehicle tires of a size up to and including 7:50 x 17 or 8:00 x 19.5 for tubeless or a ply rating up to and including 10 ply shall be 25 cents for each tire, which shall include the administrative fee approved in Section III 2.

3. The maximum fee that may be charged for processing motor vehicle tires with a minimum bead diameter of 20 inches and up to and including a tire having an outside diameter of 48 inches or a ply rating of 12 ply or greater, shall be 85 cents for each tire, which shall include the administrative fee approved in Section III 3.

Adopted on this \_\_\_\_\_ day of \_\_\_\_\_, 1974.

METROPOLITAN SERVICE DISTRICT BOARD

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Vice Chairman

III. PUBLIC HEARING ON EMERGENCY ORDINANCE NO. 12 - TIRE PROGRAM  
STANDARDS OF SERVICE

The Tire Program Standards of Service that the staff reviewed with the Board on May 10, 1974 have been revised after industry input and placed in ordinance form. The following pages include the revised Ordinance No. 12 and a discussion of the proposed revisions.

As you remember at the last meeting, the Board recommended that the Standards of Service be presented in ordinance form. Also due to the schedule the staff has recommended the next meeting would be used to hear this subject as an Emergency Ordinance. The MSD Technical Advisory Committee after review during their meeting on May 20, 1974, recommended the MSD Board reconsider and hear this issue under the normal ordinance procedure of two hearings.

The staff recommends the Board delete the emergency requirement of this ordinance. Therefore, this hearing on May 24, 1974 could be the first hearing.

APPROVED METROPOLITAN  
SERVICE DISTRICT  
BOARD OF DIRECTORS

ACTION NO. 74-130

DATE 5-24-74

BY Jean M. Wood  
CLERK OF THE BOARD

SUMMARY OF THE MODIFICATIONS  
TO THE ORDINANCE NO. 12,  
STANDARDS OF SERVICE

On Friday, May 17, 1974, a meeting was held to discuss the proposed Ordinance No. 12 Standards of Service. Those attending represented tire retailers, tire retreaders, tire processors, tire carriers and the MSD staff. As a result of this meeting and additional comments received, the staff has modified Ordinance No. 12. Listed below is a summary of the suggested changes.

1. SECTIONS 1.1.1 and 1.2.1 Applications

The addition of "scrap tire carriers shall comply with all local, state and federal regulations."

2. SECTION 1.1.2 Permits

The addition of "The General Scrap Tire Carrier shall be issued an identification plate for each vehicle permitted to transport scrap tires. These identification plates shall be attached to the vehicle in conformance with MSD requirements."

3. SECTION 1.2.2 Permits

The addition of, "The individual scrap tire carrier shall be issued an identification plate for each vehicle permitted to transport scrap tires. These identification plates shall be attached to the vehicle in conformance with MSD requirements."

4. SECTIONS 2.1.6, 2.1.7, 2.2.5 and 2.2.7

The word "chips" has been deleted and reference is now made to "processed tires".

5. SECTION 2.1.8, Machine Specifications

It was the concensus that requiring a minimum machine capacity of 2000 tires per 8 hour shift was restricting the equipment to only a few manufacturers. By changing the minimum capacity rating to 10,000 tires per 5 day week, more machines could meet the MSD specifications and still provide the capability of processing the total estimated quantity of scrap tires in the region.

6. The tire retreading industry indicated that a large number of tires which are capable of being retreaded are presently being delivered to the processing center and this number is projected to increase. To provide a means whereby these retreadable tires will not be processed but will instead be removed from the processing center and transported to a retreading facility. SECTION 2.1.10, Retreading, has been added.



METROPOLITAN SERVICE DISTRICT

ORDINANCE NO. 12

An ordinance approving the Scrap Tire Program Standard of Service for scrap tire carriers and scrap tire processors.

THE METROPOLITAN SERVICE DISTRICT HEREIN ORDAINS THE FOLLOWING:

SECTION I Standard of Service

The Board of the Metropolitan Service District approves the Scrap Tire Program Standard of Service for scrap tire carriers and scrap tire processors which is attached hereto as Exhibit A and made a part of this ordinance as if fully set out herein.

Date of Adoption:

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Robert Schumacher, Chairman

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James Robnett, Vice Chairman

METROPOLITAN SERVICE DISTRICT

STANDARD OF SERVICE

SCRAP TIRE PROGRAM

1.0.0 SCRAP TIRE CARRIER PERMITS

1.1 General Scrap Tire Carrier Permits

1.1.1 Applications

Persons wishing to be permitted as a general scrap tire carrier shall complete an application furnished by MSD and provide a Penal Bond in the sum of \$1,000 in favor of the Metropolitan Service District in accordance with Section XVII, Penal Bond, of MSD Ordinance Number 3. Scrap Tire Carriers shall comply with all local, state and federal regulations.

1.1.2 Permits

MSD shall evaluate all applications for general scrap tire carriers and grant permits to qualified persons. Permits shall be granted for a period of one year. The fee for a permit shall be \$10 for the first vehicle and \$5 for each additional vehicle. The General Scrap Tire Carrier shall be issued an identification plate for each vehicle permitted to transport scrap tires. These identification plates shall be attached to the vehicle in conformance with MSD requirements.

### 1.1.3 Service Areas

The MSD has been divided into service areas. (Exhibit B) These areas will be reviewed and modified if conditions warrant. Each service area will be served by at least two scrap tire carriers. It will be the responsibility of the general scrap tire carriers to serve all scrap tire generators, tire retailers, and authorized public tire storage centers within the specified service area. In the event that a customer cannot obtain service from the general scrap tire carriers assigned to his area, MSD will designate one of the general scrap tire carriers to provide service at the minimum service charge as specified by the carrier permits. This designation will be based on a rotating basis between all general scrap tire carriers assigned to the area.

### 1.1.4 Frequency of Service

General scrap tire carriers can make arrangements to service customers on a regular basis or provide service at the customers request. If tires are to be collected on a request basis, the general scrap tire carrier shall make arrangements to service the customer within two weeks of the request. If, at the request of MSD, a general scrap tire carrier is designated to service a customer as outlined in Section 1.1.3 the response time for pickup shall be two weeks.

#### 1.1.5 Records

The general scrap tire carrier will be issued a receipt book which will contain tickets bound in triplicate and sequentially numbered. When the general scrap tire carrier collects tires from a scrap tire generator, tire retailer or authorized public tire storage centers, a receipt ticket will be completed (reproduced in triplicate). One copy will be retained by the customer, one copy retained by the general scrap tire carrier for two years and one copy submitted to MSD at the end of each month. All receipts must be accounted for. At the processing center, the general scrap tire carrier will be given a receipt by the processor for the tires disposed. This receipt must be retained by the general scrap tire carrier for two years. All records pertaining to carrying scrap tires shall be made available for inspection by MSD at reasonable hours in accordance with Section XIV, Records Required, of MSD Ordinance Number 3.

#### 1.1.6 Retreading

Scrap tire carriers may remove only those tires from MSD which are capable of being retreaded and are being transported to a retreading facility.

1.1.7 Salvage

Scrap tire carriers shall obtain authorization from MSD for removal of scrap tires for salvage outside of MSD boundaries.

1.1.8 Violations

Any violations of these procedures will result in permit revocation and prosecution under Section 4, Violation, of MSD Ordinance Number 10.

## 1.2 Individual Scrap Tire Carrier Permits

### 1.2.1 Applications

Persons wishing to be permitted as individual scrap tire carriers shall complete an application furnished by MSD and provide a Penal Bond in the sum of \$1,000 in favor of the Metropolitan Service District in accordance with Section XVII, Penal Bond, of MSD Ordinance Number 3. Scrap Tire Carriers shall comply with all local, state and federal regulations.

### 1.2.2 Permits

MSD shall evaluate all applications for individual scrap tire carriers and grant permits to qualified persons. Permits shall be granted for a period of one year. The fee for a permit shall be \$10 for the first vehicle and \$5 for each additional vehicle. The Individual Scrap Tire Carrier shall be issued an identification plate for each vehicle permitted to transport scrap tires. These identification plates shall be attached to the vehicle in conformance with MSD requirements.

### 1.2.3 Service Area

Permitted individual scrap tire carriers shall not accept scrap tires from any other person for the purpose of transporting the tires to processing centers. Only scrap tires generated as a normal part of his business can be transported by the individual scrap tire carrier.

1.2.4 Records

An accounting of all scrap tires transported to the processing center shall be submitted to MSD at the end of each month. At the processing center, the individual scrap tire carrier will be given a receipt for the tires disposed. All records must be retained for two years and be made available for inspection by MSD at reasonable hours in accordance with Section XIV, Records Required, of MSD Ordinance Number 3.

1.2.5 Retreading

Scrap tire carriers may remove only those scrap tires from the MSD which are capable of being retreaded and are being transported to a retreading facility.

1.2.6 Salvage

Scrap tire carriers shall obtain authorization from MSD for removal of scrap tires for salvage outside of MSD boundaries.

1.2.7 Violations

Any violation of these procedures will result in permit revocation and prosecution under Section 4, Violations, of MSD Ordinance Number 10.

## 2.0.0 SCRAP TIRE PROCESSING CENTERS

### 2.1 General Processing Centers

#### 2.1.1 Application

Persons wishing to be permitted as an Authorized General Scrap Tire Processing Center shall complete an application furnished by MSD.

#### 2.1.2 Franchise

MSD shall evaluate all applications for General Scrap Tire Processing Centers and grant franchises in accordance with Section XIII, Franchise, of MSD Ordinance Number 3. Franchises shall be established for a period of five years with the provision that the franchise shall be revoked for failure to comply with MSD ordinances Number 3 and 4 and the appropriate standards of service.

#### 2.1.3 Processing Fee

The MSD Board shall, by ordinance, establish a maximum tire processing fee which will include a surcharge for MSD program administration. Tire Processing Centers shall make an accounting to the MSD each month and transmit the appropriate funds with the accounting.

#### 2.1.4 Acceptance of Tires

Authorized General Processing Centers shall accept all tires up to 48 inches in outside diameter. The General Processing Center shall, as part of permit, provide the MSD with the name and address of individuals



delivering more than the maximum number of tires specified by ordinance for disposal without a permit.

2.1.5 Records

MSD shall provide to all authorized General Processing Centers receipt books of tickets bound in triplicate and sequentially numbered. The General Processing Center shall complete a receipt in triplicate for each delivery and provide one copy to the customer, retain one copy and submit one copy to MSD at the end of each month. All receipts must be accounted for and retained by the General Processing Center for two years. The General Processing Center shall provide, on a monthly basis, an accounting by yards or tons of all processed tires disposed.

All records pertaining to the processing and disposal of scrap tires shall be made available for inspection at reasonable hours in accordance with Section XIV, Records Required, of MSD Ordinance Number 3.

2.1.6 Site Operation

All General Processing Centers shall be opened to the public. The Processing Centers minimum hours open shall be 8:00 a.m. to 5:00 p.m. Monday through Friday and 8:00 a.m. to 12:00 noon, Saturday. A sign shall be posted at the entrance of the site stating the operating hours, cost of disposal and site rules. The site shall be fenced by a sight-obscuring fence approved by MSD and all gates shall be locked when

the processing center is closed to the public. All off-site and on-site access roads shall have an all-weather surface so that traffic will not be interrupted during periods of bad weather. Proper drainage control shall be provided.

The General Processing Center shall not unnecessarily stock pile tires. Stock piles shall not exceed a five day processing capability unless special permission is granted. The site shall also be free of all litter and debris.

An attendant shall be on duty during all hours the Processing Center is in operation.

2.1.7 Disposal of Processed Tires

The General Processing Center shall dispose of Processed Tires only at authorized disposal sites. In the event the Processed Tires are re-used for purposes other than disposal, authorization shall be obtained from MSD.

2.1.8 Machine Specifications

The General Processing Center shall have equipment approved by MSD. This equipment shall have a minimum capacity rating of 10,000 tires per five (5) day week. The applicant shall provide to the district a history of past performance guaranting the minimum capacity rating of the equipment. This historical data shall include continuous operation

for a period of not less than two (2) weeks.

2.1.9 Certified Tire Count

The General Processing Center shall provide monthly to MSD a certified count of all tires processed. This count can be accomplished by an electronic or mechanical device approved by MSD.

2.1.10 Retreading

Tires delivered to a General Processing Center that are capable of being retreaded may be removed from the General Processing Center and transported to a retreading facility.

2.1.11 Variance

The Metropolitan Service District may grant a variance of these standards of service on a temporary basis if unplanned events occur and upon written request from the General Processing Center.

## 2.2 Individual Processing Centers

### 2.2.1 Applications

Application for an Individual Processing Center shall be completed on forms furnished by the MSD.

### 2.2.2 Permits

MSD shall evaluate all applications for Individual Processing Centers and grant authorization in accordance with Section IX, Processing Center, of MSD Ordinance Number 3. Permits shall be granted for five (5) years but shall be revoked for failure to comply with MSD Ordinances Number 3 and 4 and these standards of service.

### 2.2.3 Processing Fee

The MSD Board, shall by ordinance, establish a tire processing sur-charge to be levied for program administration. The Individual Processing Center shall make a monthly accounting to MSD and transmit the appropriate funds with each accounting.

### 2.2.4 Acceptance of Tires

An Individual Processing Center shall process only those tires generated in the normal course of business as a tire retailer or a scrap tire generator. Scrap tires shall not be accepted from any other person or business in accordance with Section IX, Processing Centers, of MSD Ordinance Number 3.

### 2.2.5 Records

All Individual Processing Centers shall submit

- 1/1 -

on a monthly basis a certified count of all tires processed. This certified count shall be determined by an approved electronic or mechanical device. The Individual Processing Center shall also provide, on a monthly basis, an accounting of all Processed Tires disposed.

All records pertaining to the processing and disposal of tires shall be made available for inspection by MSD at reasonable hours in accordance with Section, XIV, Records Required, of MSD Ordinance Number 3.

2.2.6 Site Operation

The processing site shall be fenced by a sight-obscuring fence approved by MSD. Processing of tires shall occur during normal working hours. In addition, the Individual Processing Center shall not stock pile tires in amounts in excess of the capability of the center to process in five (5) normal working days.

2.2.7 Disposal of Processed Tires

The Individual Processing Center shall dispose of Processed Tires only at authorized disposal sites. In the event that Processed Tires are used for purposes other than disposal, authorization shall be obtained from the MSD.

2.2.8 Machine Specifications

The Individual Processing Center shall have

equipment approved by MSD.

2.2.9 Variance

The Metropolitan Service District may grant a variance of these standards of service on a temporary basis if unplanned events occur and upon written request from the Individual Processing Center.

IV. SCRAP TIRE PROCESSING AND DISPOSAL PROGRAM APPROVAL

Hold this agenda item until Ordinance 12 is adopted.

APPROVED METROPOLITAN  
SERVICE DISTRICT  
BOARD OF DIRECTORS

ACTION NO. 74-131

DATE 5-24-74

BY Jean Maieel Wood  
CLERK OF THE BOARD

V. AUTHORIZATION TO DEVELOP A CONTRACT FOR AN MSD RIGHT-OF-WAY OR PROPERTY AGENT

Since MSD is proceeding with implementation of the Solid Waste Management Plan and since site right-of-entry and site acquisition is an important part of plan implementation, the staff has been evaluating potential property agents for MSD. The staff has narrowed these to two possibilities:

1. Property Sales Inc. (see attached)
2. Coates Field Service

Property Sales, Inc., is a real estate firm that would assist in performing site acquisition tasks. Their fee would be obtained on sale of the property.

Coates Field Service is a Right-of-way Acquisition firm with experience in all aspects of site acquisition work. At the present time, the Unified Sewerage Agency utilizes this firm and has had good success. This firm would be paid for their work on a contract services basis and would directly represent the Metropolitan Service District.

It is recommended the Board authorize staff to develop a contract for Board approval with Coates Field Service.

APPROVED METROPOLITAN  
SERVICE DISTRICT  
BOARD OF DIRECTORS

ACTION NO. 74-132

DATE 5-24-74

BY Jean M. Warden  
CLERK OF THE BOARD



# property

# SALES CO., Inc.

Telephone 646-1188

12195 S.W. Canyon Road—BEAVERTON, OREGON 97005

TO: Charles Kemper  
Metropolitan Service District  
6400 S.W. Canyon Court  
Portland, Oregon 97221

FROM: Property Sales Co., Inc.  
12195 S.W. Canyon Road  
Beaverton, Oregon 97005

SUBJECT: Program for acquiring solid waste landfill sites and transfer station sites.

We propose to approach the acquisitions in the following manner:

1. Outline of general area in which the specific sites are desired.
2. Within each of said general areas we propose to get at least two site options at \$10.00 each for at least a 30 day period each option being extendable if desired.
3. During the initial option period M.S.D. and or it's engineers will determine what sites they desire to have the option extended and which ones to drop.
4. The selected sites for option extention will then be extended at and for a negotiated price for said extention. Each should be extended for a 6 month period. This will allow for an in depth study of each site.
5. When a given site or sites have been determined to be fully acceptable the option or options will then be exercised with all option monies paid on the site applying on the purchase price.
6. It would be important that all options be taken in our names for an undisclosed client and then we assign said options to the M.S.D.
7. All matters and discussion regarding the property search and option program should be in the strictest of confidence until all options are in hand.

Sincerely,

  
Robert A. Bailey, Broker

  
Ray J. VanderZanden  
Property Sales Co., Inc.

VI. SELECTION OF SOLID WASTE COMMITTEE

A list of names for the Solid Waste Committee was provided the Board. Authorize the selection of 11 to 15 people.

APPROVED METROPOLITAN  
SERVICE DISTRICT  
BOARD OF DIRECTORS

ACTION NO. 74-133

DATE 5-24-74

BY Jean M. Wood  
CLERK OF THE BOARD

PROPOSED NAMES FOR  
SOLID WASTE COMMISSION

1. Bill Culham - City of Portland
2. Ken Meng - Washington County
3. Mike Sandberg - Washington County
4. Dick Howard - Multnomah County
5. Dave Phillips - Clackamas County
6. Art Schlack - Washington County
7. Dick Glanz - Industry
8. Jack Parker - Industry
9. Scott Parker - Industry
10. Harold Lavelle - Industry
11. Dave Yett - Industry
12. Nick Brajavich - Industry
13. Bill Demming - Industry
14. Carl Miller - Industry
15. Palmer Torvend - Citizen
16. Molly Kohnstamm - Citizen
17. Gus Mohr - Citizen
18. Marlin Nelson - Citizen
19. Nancy Hoover - Citizen
20. Jane Cease - Citizen
21. Russ Dawson - Citizen
22. Ellen Lemke

VII. OTHER BUSINESS

.. Distribute MSD Solid Waste Plan

.. Authorize MSD to charge \$25 per solid waste management document set after distribution to appropriate groups including realistic distribution to MSD cities and counties, and the State DEQ.

APPROVED METROPOLITAN  
SERVICE DISTRICT  
BOARD OF DIRECTORS

ACTION NO. 74-134

DATE 5-24-74

BY Jean M. Woodin  
CLERK OF THE BOARD