



Meeting minutes

Meeting: Regional Waste Advisory Committee (RWAC) Meeting
Date: Thursday, June 18, 2020
Time: 8 a.m. to 10 a.m.
Place: Zoom meeting
Purpose: *The purpose of the Regional Waste Advisory Committee is to provide input on certain policies, programs, and projects that implement actions in the 2030 Regional Waste Plan, as well as to provide input on certain legislative and administrative actions that the Metro Council or Chief Operating Officer will consider related to implementation of the 2030 Regional Waste Plan.*

Members in Attendance:

Roy Brower, Metro
Joe Buck, Small business owner
Sharetta Butcher, North by Northeast Community Health Center (NxNE)
Marilou Carrera, Portland Resident
Thomas Egleston, Washington County
Alondra Flores Aviña, Student
Jill Kolek, City of Portland
Shannon Martin, City of Gresham
Christa McDermott, Community Environmental Services, PSU
Audrey O'Brien, Oregon Department of Environmental Quality (DEQ)
Eben Polk, Clackamas County
Jenny Slepian, City of Lake Oswego
Beth Vargas Duncan, Oregon Refuse and Recycling Association (ORRA)

1. CALL TO ORDER & MEETING OVERVIEW

Roy Brower (Metro) brought the virtual meeting to order at 8:02 am. Mr. Brower acknowledged that the Portland Metro area is still in the midst of the COVID pandemic with rising numbers of infections. He also noted that as a region, Metro continues to struggle to overcome racist issues of the past. In the process to dismantle systemic racism, Mr. Brower shared that he is looking to the Regional Waste Advisory Committee to help navigate through these difficult times as we address this within the solid waste system. Mr. Brower expressed his appreciation to the committee and the work being done. Mr. Brower previewed the agenda.

2. LOCAL GOVERNMENT UPDATES

Shannon Martin (City of Gresham) began the updates with the City of Gresham's solid waste collections and activity. Mr. Martin noted that Gresham has not seen any kind of illnesses or outbreaks connected to solid waste collection and with collection companies in Gresham. With people working from home or being at home, residential solid waste tons are up. Commercial tonnage counts are down. There has been a rise the development of projects related to construction and demolition. There are some haulers who are still not collecting bulky waste. There have not been any reports of nuisance or code issues related to bulky waste. Mr. Martin noted that his program will experience a decrease in funding for the 2020-21 fiscal year which will result in one layoff within the program. The department is looking to focus on the development of their climate action plan which will include a community engagement and equity strategy. There

has been a focus on reaching out to local business and non-profits to offer assistance, as well as providing support to food pantries to help feed those in need. Staff have also been reaching out to elderly community members to check in and see if any services are needed.

Eben Polk (Clackamas County) noted seeing similar trends in waste generation and hauler activity as communicated by Mr. Martin. Mr. Polk noted some policy decisions such as directing haulers not to suspend service to customers who aren't paying. Throughout Clackamas County, there are some sectors that are more dependent on tourism which have been more greatly impacted on the commercial side. Lower revenues are projected for the coming year which has resulted in one staff layoff. This is typically the time of year that rate increases are considered. Clackamas County has adopted a \$0.55 per month rate increase on 35 gallon residential service (as a reference point). This rate increase is due to the corporate activities tax, increase in labor, and the Metro excise tax. Mr. Polk noted that haulers are reducing overtime hours in order to trim their labor costs. Mr. Polk also noted that their staff has spent more time in the emergency operations center (EOC), which includes staff with the most experience in emergency food and business outreach. These staff are connecting with the EOC in order to support COVID related outreach.

Jenny Slepian (City of Lake Oswego) shared that there have been changes related to when customers are being asked to bag their waste, and that the bagging is important for health and safety reasons. There were changes to bulky waste pick-up which had been reduced but is now coming back. There has been an increase in calls from residents wanting information on transfer stations and operations. There have been a variety of questions about disease transfer, particularly in multifamily units from sharing garbage/recycling/compost carts. It is also rat season, which is unrelated to COVID. Lake Oswego had a small business grant program of \$250,000 which went to 118 businesses. Grants ranged from \$1000-2500 and were awarded in early April. Lake Oswego has not been enforcing the bag ban during COVID. The climate plan for Lake Oswego was adopted in May and there is now work being done to ensure an equity element in the climate action plan. It is approaching time for rate review with Republic Services which is on the Council calendar for September 1, 2020. Lake Oswego has requested more information from Republic Services before moving forward because they are looking at a 12% increase and not all parties are comfortable with that increase.

Tom Egleston (Washington County) shared that all staff are in remote status which began in late March. There were some requests to waive requirements around collection times which were granted. There have also been questions about personal protective equipment (PPE) for solid waste workers and haulers. Several of his staff are working in the county's EOC (similar to Mr. Polk's comments above). Work is also being coordinated with the Washington County Hauler's Association while reviewing rates for the county. Rate review is being moved to the fall to observe the COVID impacts on the solid waste system. Staff and outreach teams are adapting to remote work and coaching environmental promoters to getting work done in the virtual environment.

Jill Kolek (City of Portland) shared that City of Portland has a central message to residents which is to bag all garbage. There has also been a rate increase. City of Portland has also made efforts to show appreciation to haulers as front-line essential workers. Many of the administrative staff for the haulers have gone remote, which has been relatively smooth in terms of communication and customer service. Digital engagement and education is ramping up as well. City of Portland is expecting to have budget cuts and they are looking at 5, 10, and 15% cuts. The department also has two vacant positions which will remain vacant for the time being.

Beth Vargas Duncan (ORRA) shared that haulers have been operating smoothly throughout COVID and morale overall has been high. Staff are working hard to keep services going through much uncertainty. Items like bulky waste have presented challenges when they require more than one

person for collection and social distancing is not an option. But haulers are working through issues as they arise. There has been less absenteeism, possibly due to a sense of pride at being essential workers. Efforts are being made to stagger staff and shifts and improve safety. More remote work for administrative/office staff. Residential tonnage is up and commercial accounts and tons are down. The haulers have appreciated local government partners talking through the current financial situations, particularly through the rate review process. Beth Vargas Duncan noted that Juneteenth events will be happening in the coming weekend and communicated that if local governments are aware of planned activities, haulers will appreciate information about that so that collection can be coordinated. Ms. Vargas Duncan noted that ORRA takes social and racial injustice seriously and continue their equity work through ORRA statewide.

Marilou Carrera (Portland Resident) asked Mr. Martin about the Gresham climate action plan and how well the virtual Earth Day events were attended.

Mr. Martin shared that the engagement wasn't particularly successful. The Metro virtual engagement had a little more participation. There was not significant planning time for the virtual events. There were lessons learned on the promotion side of things though.

Ms. Sharetta Butcher (NxNE) shared that getting the information out was a difficult component. Working on the distribution is a recommendation for the future. But that the feedback she heard was that the events were great.

Mr. Brower shared that Metro is seeing record numbers of customers (not necessarily tons) at the transfer stations. Metro is working on a tonnage dashboard which may possibly be shared in July. Also, in recognition of Juneteenth, Metro is observing June 19th as a paid holiday, but the Metro transfer stations will still be open.

3. CONSIDERATION OF RWAC MEETING MINUTES FOR MAY 21, 2020

Beth Vargas Duncan requested a clarification as to her role on the engagement committee specific to the statewide recycling systems updates (page 9 of minutes). There was also a typo which was corrected. At that point, the May 2020 meeting minutes were unanimously approved by committee.

4. UPDATES TO THE REGIONAL SERVICE STANDARDS, PART 2

Jennifer Erickson (Metro) reminded the committee that at the May RWAC meeting, with the adoption of the Regional Waste Plan (RWP) in 2019, Metro Code and Administrative Rules need to be updated to reflect the new plan. Ms. Erickson's presentation focused on the proposed changes to the Metro Code.

Ms. Erickson shared that to tackle the existing formatting and readability problem, the proposal is to split the existing Code chapter into two chapters. This will help to separate the overall Regional Waste Plan requirements from those that apply only to local governments. More importantly, the new chapter will be organized by sector—residential, business, business food waste and general education. In addition, all of the detail has been moved to Rule. This allows Metro to be more agile and responsive to changing conditions: rules are amended through an administrative process which is much faster than Code changes.

Ms. Erickson shared that the old Chapter 5.10 now addresses just the overall plan authority, applicability and administration. All of the requirements under the regional waste plan that apply to local governments are now in the new Chapter 5.15. Chapter 5.15 is primarily focused on service standards: the minimum level of service required to be provided to all solid waste & recycling customers in the region.

Ms. Erickson outlined the most substantive changes being proposed. One is organizational—putting all residential customers (those that live in single family and multifamily housing types) together. The others are directly responsive to community input heard during the regional waste plan process, are supported by regional research, and are high-priority actions in the plan. Most notably, to bring the standards for multifamily services closer to those provided for single family residents. The next section relates to minimum standards for businesses. This groups basic business service standards and the business recycling requirement adopted back in 2008. We've removed obsolete language from some areas (old dates met years ago). Most of the changes made in this chapter are housekeeping—nothing has been added.

Ms. Erickson shared that a general education section has been added to cover all of the basic outreach and education required to be provided to all customers residential and business including ensuring that education required under state law is provided. The substantive change here is the requirement that all customers receive information about the components of their garbage and recycling collection rates.

Due to the impacts of COVID 19, the initial implementation date requirement of the business food waste requirement will be delayed by one year (from March 2020 to March 2021). A temporary rule change was already issued by the Chief Operating Officer to delay by 6 months, but Metro has decided to delay by a full year. The only changes you will see to this chapter by the time this goes to Council in the fall is renumbering of the chapter.

Tentative public comment calendar:

July 30 initial draft code and rule posted

July 31- Aug 31 – first public comment period

Sept 14 – second draft of code and rule posted

Sept 15-Oct 15 – second public comment period

Oct 27 – Third draft of code and rule posted

Metro will accept comments on the draft code and rules starting July 31st.

Ms. Slepian asked about enclosure designs and emphasized the importance of enclosure design as a part of this process. Also she hoped there would be additional support for the staff at Clackamas County related to multifamily services. There will need to be outreach and education support.

Sara Kirby (Metro) agreed that enclosure design is an important feature. This is a part of the Regional Waste Plan actions. Compost will not be a part of these changes at the present time. Ms. Kirby emphasized that this is a minimum and that local jurisdictions can always do more if they so choose.

Ms. Carrera asked about the timing of stakeholder engagement: who is responding during public comment period and what outreach is being done to get this information out to communities. Also, how is the material and information being presented to the public.

Ms. Erickson shared that the standard practice is to create a webpage with factsheets, changes, public comment report and Metro's responses. There will also be a public information meeting most likely at the end of July.

Ms. Kirby shared that Metro is also doing some targeted community outreach through the community based organizations (CBOs) with whom Metro partnered when drafting the RWP. Metro is also working to ensure that the language and messaging is accessible to those groups (framed toward community members and general public).

Mr. Egleston shared that he is generally uncomfortable with the construct of the Code and Rule structure under consideration. Code is being left vaguer and the rules contain the details which do not require Metro council approval. There may be questions/challenges about how rules came to be. This was felt a bit with the food scraps rule changes. The worry is that there is a disconnect on the elected level.

Mr. Brower noted that Metro is working to model the Metro Code and Rules after the State revised statutes and rules. Council and the public will have the opportunity to see all rule changes in the ordinance package. This is the way Code and Rules will be moving forward generally at Metro.

Alondra Flores Aviña (Student) asked about the community engagement and how Metro is reaching out to community members outside the CBOs who have existing Metro relationships.

Sara Kirby noted that this can be a challenge. Metro is focusing its efforts on existing relationships with CBOs. Metro is also working to identify some tenant organizations.

Ms. Erickson noted that this presentation will also be going to Metro's Committee on Racial Equity and will be asking for guidance from that committee to help move this material out to a broader community.

Ms. Kolek noted that these actions are solidified in the RWP and commended Metro's efforts to track and nest items together which tie directly to the RWP. For Portland, her one comment is that there is an open competitive market for multifamily which is commercial. Combining the residential and commercial is asking City of Portland in that recommendation to have the primary components of their garbage and recycling collection rates publicized – and City of Portland doesn't know that. This would be a significant change for Portland and would require some system changes.

Ms. Erickson expressed that she didn't feel this would be extremely significant. In general, these were grouped to be customer focused (a person in a home). Metro and City of Portland will need to work through how to address that requirement. The during the RWP engagement, participants did express clearly for the desire to know what they are paying for/makes up their garbage rate.

Beth Vargas Duncan shared that it is important that documents reach the public, committee members, etc. at least one week in advance of the meeting. It is difficult, especially for members of the public, to read through and attempt to understand all the materials being shared for public comment/meetings etc. Ms. Vargas Duncan also would like to see strikeout drafts in order to know what changes are being made. Not all documents that went to the committee were posted on the Metro website. This needs to be taken seriously. She expressed the desire to see a line by line change sheet upon public request.

Ms. Erickson shared that with the strikeout – typically there is a redline draft – but this had so many changes that it was completely inaccessible. That was why factsheets were created.

Eben Polk echoed Ms. Slepian's comments related to staff dedicated to multifamily garbage service. Mr. Polk shared that the county does outreach: posting flyers, door hangers, etc. to reach residents directly. He expressed the desire to help get the work out to communities however possible through this process. Mr. Polk supports the minimum service levels. Responding to Mr. Egleston's comments about Code versus Rule, it would be helpful to develop some best practices or criteria to transparently help determine what belongs in Code versus Rule. There is efficiency and speed with rules but less transparency. There may be an opportunity for local governments to look at this more closely.

Ms. Butcher appreciated Ms. Vargas Duncan's comments. Ms. Butcher asked about possible expansion of outreach expansion – for example tapping in to the Master Recyclers who are looking for opportunities to work with their communities.

Christa McDermott (PSU) found the documents that were sent to be helpful and accessible. Is there a minimum service standard around data reporting for haulers? More data and transparency is helpful and an important starting point.

Ms. Erickson shared that data collection service standards are not a part of these particular rules but that Metro has various other mechanisms and resources related to data collection.

Mr. Brower also noted that there will be some serious data discussions coming before the committee in the future, including the tonnage dashboard which will be shared at an upcoming meeting. There will be more to come on this particular question.

Mr. Martin echoed Ms. Kolek's comments about the RWP driving much of the work coming forward. As Metro is putting things into code, it will be important to also outline and determine the ability throughout the region to implement these changes as they go into code. There are staff throughout the region who provide technical assistance, but as these service standard changes move forward, there is no way that the local jurisdictions have capacity to do all these things. With the code review, it will be important that engagement happens with planners and owners of multifamily properties. These new codes could impact other local codes.

Audrey O'Brien (DEQ) plans to get review from her DEQ team and will provide additional comments at the local government meeting next week. The code and rule changes look to match up with the requirements at the State level. At the State level, most of DEQ's work is done through rules. Her recommendation is that there be a thorough public engagement process for these changes so that the public understand the details. She has appreciated the emphasis and prioritization of community and public involvement.

Mr. Polk asked about a timeframe for providing written comments on the documents that were shared.

Ms. Erickson requested responses by the end of July. She will send out a copy of the review document in word format for ease of editing.

5. Public Comment Period: Regional Service Standards

There were no public comments.

6. CONTAMINATION IN RECYCLING BINS

Rosalynn Greene (Metro) provided a general overview of what is known in the industry as contaminants or contamination. Contaminants are the non-acceptable items placed in recycling bins by people when they are at home or at work. A successful recycling system depends on the quality of materials collected. In 2017, overseas recycling markets began to limit the amount of recyclables Oregon could send, disrupting the local recycling system. One reason for the change was some countries were no longer willing to accept recyclables that were contaminated with trash. Ms. Greene shared images of contaminants from her study.

For context, Ms. Greene outlined the process for collecting, transferring and recycling materials:

1. Recyclables are collected and stored inside a home or a business before they are taken to a recycling bin outside that is collected by the hauler. For folks living in a single family home,

the household typically has their own recycling bin and for folks living in apartments, the recycling bin is typically shared in one or more locations scattered throughout the site.

2. Collection truck drivers pick up the recyclables and some trucks have cameras where they monitor the material as its goes into the truck while some do not.
3. After the driver fills their truck with recyclables, they take the material to a Material Recovery Facility (MRF) where the mixed recyclables are sorted into categories such as paper, plastic, metal, and the contamination is hopefully sorted out and thrown away as garbage. Then, the MRF operator bails the material so it can be easily transported to what is known as a market to be recycled.
4. Markets can be located locally, nationally or internationally depending on the material. For example a majority of glass is recycled locally while mixed paper is sent to processing facilities located on the West Coast and Asia.

Ms. Greene shared that in 2017, markets located in China and other Asian countries began rejecting recyclables from the U.S. and Europe because contamination levels were too high. The material was either thrown away or sent back to country of origin. Clean materials also increase efficiency and decrease processing costs. Some contaminants are also dangerous for MRF workers. For example, needles are unfortunately are a common contaminant. Clean materials also optimize environmental and human health benefits of recycling because the materials get recycled when it is not dirty.

The RWP has identified contamination reduction as a key priority. RWP Goal 15 contains a total of 10 actions intended to improve the local system for recyclables and other recoverable materials like food. Ms. Greene highlighted what we know about contamination. The indicators are designed for Metro and local governments to demonstrate the positive impacts the plan's activities are having on the region, highlight opportunities for improvement and evaluate which programs and projects are helping the region achieve its desired outcomes

There are three indicators related to contamination:

1. Contamination rate of mixed recyclables by sector. Sector refers to where the material came from. The three sectors that are distinguish by the industry are people living in single family homes, people living in apartments or condos and businesses and their employees. Metro has a baseline for this indicator.
2. Contamination rates for outbound recyclables. This is the contamination in the bails sent to markets by MRFs after they sort the materials into paper, plastic and metal. There is not current data for this indicator but Metro will be making plans in the future to collect it.
3. The share of materials sent to markets located in Oregon and the U.S. The data collected for this indicator is intended to help understand where materials are sent for processing. Knowing this is important because Metro wants to ensure our materials are managed responsibly.

Ms. Greene briefly explained how the data is collected for this indicator. Metro has conducted three separate studies of recyclables based on this method of data collection and they are available on the Metro website.

Pam Peck (Metro) provided a high-level overview of efforts in the region to reduce contamination:

- Regional Contamination Reduction Education Plan: Meets state requirements for communities that select the expanded education option under Opportunity to Recycle Act.
- Recycling behavior research: there are high levels of confusion about what goes in what bin. One issue here is labeling of products.
- Recycle or Not: cooperative regional effort provides online resources for everyday recyclers. This includes websites in both English and Spanish.
- Local newsletters, mailings and advertising

- Residential cart tagging campaigns in Clackamas County and Gresham. These are a best practice, when looking at the research. It provides direct feedback to residents/users. These measures cost money though and need to be an ongoing practice.
- Business technical assistance programs

Ms. Peck expressed that this was a high level presentation and only touches on areas focused on generators/consumers. There will be future presentations coming to RWAC on this subject.

Ms. Greene noted that these studies are merely a snapshot in time. For example, contamination rates have gone up since the start of COVID, most likely due to additional occurrence of takeout orders by residents.

Ms. McDermott noted the greater emphasis on the end user. She noted that DEQ is looking at shifting responsibility to the producer. She asked about streamlining packaging options.

Ms. Peck shared that there are policy options that could be incorporated into a producer responsibility program. For example: standardization of packaging, incentives for using certain types of materials, truth in labeling law, generator standards, etc. Also, the state is looking at what kind of investment will be needed in infrastructure to support changes in the recycling system. It is important to bring producers into the process in some form.

Mr. Polk asked about program evaluation. While there is more work to be done related to contamination, he feels a certain sense of pride in the work already being done in the region.

Ms. Greene shared that it is great that glass recycling has been kept separate locally. This has been very beneficial.

Mr. Martin wants to look at how a properties in Gresham with good service levels compares with one that does not have good service levels and look into the correlation. Could be a great future project.

Ms. Vargas Duncan echoed Mr. Martin's comments. There is a really good program currently in place, when looking at the local track record. Kudos to staff for sharing this information.

7. MEETING AJOURNED at 10 a.m.

Next meeting

July 16, 2020 8:00 am – 10:00 am