

APPROVED
Date 3-2-93

MINUTES OF THE COUNCIL SOLID WASTE COMMITTEE
OF THE METROPOLITAN SERVICE DISTRICT

January 5, 1993

Council Chamber

Committee Members Present: Judy Wyers (Chair), Ruth McFarland (Vice Chair), Roger Buchanan, Sandi Hansen, George Van Bergen

Councilors Also Present: Sandi Hansen, Mike Gates, George Van Bergen

Chair Wyers called the regular meeting to order at 5:33 p.m.

1. Consideration of the August 18, 1992 and December 1, 1992 Solid Waste Committee Meeting Minutes

Motion: Councilor Wyers moved to approve the August 18, 1992 and December 1, 1992 Solid Waste Committee meeting minutes as submitted.

Vote: Councilors McLain, Washington, Wyers, McFarland and Buchanan voted aye.

The vote was unanimous and the motion passed.

In response to Chair Buchanan, John Houser, Council Analyst, listed the new membership of the Solid Waste Committee: Councilor Roger Buchanan as the Chair, Councilor Ruth McFarland as the Vice Chair, Councilor Susan McLain, Councilor Ed Washington, and Presiding Officer Judy Wyers.

2. Solid Waste Updates

o Waste Reduction Program Activities

Debbie Gorham, Waste Reduction Manager, and Mike Huycke, Associate Solid Waste Planner, presented the staff report and updated the Committee on the latest efforts in the multi-family recycling program.

Mr. Huycke displayed materials to be used for managers of apartment complexes to use in training residents within individual complexes. He distributed a brochure for use by residents as well who inquire at Metro's RIC center.

In response to Councilor Washington, Mr. Huycke said currently the only way to obtain the brochures would be as a result of a phone call to the RIC.

Councilor Wyers suggested the brochures be made available to the neighborhood associations for distribution locally. Councilor

(Continued)

Washington suggested the brochures be made available to a central location such as the Apartment Housing Association.

Councilor McLain suggested the information be distributed at the next meeting of the Metro Committee for Citizen Involvement.

o Financial Update

Roosevelt Carter, Solid Waste Budget and Finance Manager, referenced his memorandum dated January 5, 1993 regarding the November 1992 Monthly Financial Report. This document has been made part of the permanent meeting record. He said the tonnage continued to decline at a rate through the end of November at Metro facilities -04.0% compared to -5.2% at the end of October. He noted forecasted revenues for the year to date was \$24 million, and noted a reduction from the projection of \$813,000, or -3.4% from the forecast. He commented the projection and the actual were close even though it was on the downward side. He said expenses were under budget by \$1.2 million in operating expenditures.

In response to Councilor McLain, Mr. Carter said he could provide a supplemental report to the November report with a breakdown of tonnage going to non-Metro facilities, and said he would be able to include the information in future reports.

In response to Councilor McFarland, Mr. Carter pointed out tonnages were up at non-Metro facilities as indicated on page one of the report.

Mr. Houser anticipated costs in the HHW program related to mobile portion of the program as implemented in Washington County.

Sam Chandler, Solid Waste Facilities Manager, said a term being applied currently to collection of HHW at non-permanent sites was satellite mobile collection. He said another collection method was the option of establishing a permanent depot to collect particular kinds of materials such as batteries.

Councilor McFarland asked for a report concerning costs to be submitted at the next Solid Waste Committee meeting.

3. Public Hearing Related to the Franchised SONAS

Councilor Hansen introduced a group of concerned citizens who indicated they had concerns with the process being used by the SONAS Petroleum Contaminated Soils (PCS) processing facility.

Betsy Valle, a North Portland resident, testified before the Committee regarding the impact of potential lead poisoning issues in the process. She entered a number of documents into the record: 1) a letter to Councilor Judy Wyers, (former) Chair of the Solid Waste Committee from

the Citizen's Review Committee for Sonas Soil Recovery from Laurie King, and Regina Vieira, Co-Coordinator, dated September 10, 1992; 2) The Citizen's Review Committee Alert, Incinerator in St. Johns; 3) a copy of a list of health effects of gasoline and its additives from the Citizen's Clearinghouse for Hazardous Waste; 4) an article entitled, "Incineration of Contaminated Soils: A Wolf in Sheep's Clothing" from the Citizen's Clearinghouse for Hazardous Waste; 5) copies of letters from William E. Nuver, Air Pollution Control Engineer, Commonwealth of Pennsylvania Department of Environmental Resources, dated October 18, 1991 and Waste Management Program, Wilkes-Barre, Pennsylvania, dated September 11, 1991 to Richard C. Young, Sonas Companies, Inc.; 6) copies of letters and written testimony from Prof. Alfred A. Siess, Jr., House Republican task force on environment of various dates, concerning Sonas Soil processing; 7) copies of a cover letter from the Centers for Disease Control (CDC) dated October, 1991, and a copy of a portion of a statement from the CDC entitled, "Preventing Lead Poisoning in Young Children"; 8) a copy of a letter from Scott Ewbank, Sonas, written to David Berg, Permitting Supervisor, Air Quality Division, Oregon Department of Environmental Quality, dated September 14, 1992; 10) a copy of a letter from Mr. Berg to the Citizens Review Committee dated September 11, 1992, and 11) a copy of notes from letters from Thomas W. Chambers, City of Portland Bureau of Water Works dated May 1, and May 21, 1992.

Laurie King, 8728 N. Edison, testified before the Committee and addressed the question of whether or not the SONAS facility was needed.

Jim Barness, a North Portland resident and a member of Friends of Cathedral Park Neighborhood Association, testified before the Committee concerning the method of bio-remediation of the soil as a method of treatment. He noted the technology was recognized during the Exxon Valdez situation as a methodology to be encouraged. He said the compounds not destroyed in the soils would not be released into the atmosphere. Mr. Barness discussed traffic impact to the St. Johns area which would be generated by the SONAS site. He said initially 40 trucks per day would be travelling into and out of the SONAS site through the heart of St. Johns with contaminated material.

Ms. King said each government body referred them on to another government body to which to take their concerns.

Willa Larson, resident at 6827 N. Powers and a member of the St. Johns Neighborhood Association, testified before the Committee and said she had 1000 signatures showing the concern of the community in St. Johns.

Councilor McFarland said she would pursue questions regarding the concerns over the landfill.

Ms. King concluded by saying the Citizens Review Committee was operating under the assumption that Metro Councilors were the elected officials of the community and took Metro guidelines seriously. She noted Metro guidelines stated that recommendations for franchises for resource recovery facilities such as Sonas should show need. Ms. King requested reasons, facts and figures that proved the need for SONAS. She said Metro guidelines stated the Executive Officer should formulate recommendations regarding whether the applicant was qualified to do the process. Ms. King noted the Pennsylvania DER, counterpart of the Oregon DEQ, denied Sonas a permit October, 1991 based on questions not adequately answered by Sonas, such as when and how would the soil that was allegedly clean be tested, what were the standards for clean soil, and how would Sonas control and test the incoming waste stream, and how much water would the process use. She asked why should Oregon do any worse than Pennsylvania.

Ms. King requested information regarding how many shifts would be operating. She noted that 80 pounds of toxic benzene per year less than DEQ limits would be emitted from the Sonas stacks based on one shift operating. Ms. King requested information concerning Metro regulations and enforcement means for monitoring how many shifts Sonas would operate.

Ms. King said Sonas estimated afterburner destruction efficiency at 99.2%. She asked whether Metro knew how Sonas arrived at that number. Ms. King requested reasoning and facts on which Sonas based that number, and on which Metro based recommendation for franchise.

Ms. King reported Kathy Newman of the Oregon Environmental Health Division requested to know whether Metro had any test data or burn data regarding the process from Sonas Florida plant concerning their efficiency rates.

Ms. King said Metro guidelines state that the Solid Waste Management Plan should 'benefit all citizens of the District,' and that the franchise system for solid waste disposal had as its purpose the 'protection of the health, safety and welfare of the District's residents.' Ms. King said the Citizens Review Committee supported the Metro guidelines.

Ms. King reported she spoke with Dr. Oxmond, Health Officer of Multnomah County, and indicated the doctor would investigate the Sonas processes and planned to write Metro a letter.

Ms. King said the Citizens Review Committee was asking Metro to rescind the permit to Sonas.

She noted the state of Kentucky suspended permits for a similar plant just prior to completion. She said the committee would like to read and hear Metro's response prior to the building of the plant.

Ms. Valle and Ms. King mentioned interested citizens who were either not able to be present at this meeting or had not testified included: Mike Burton, State Representative; representatives of Legal Aid; representatives of OSPRIG; Northwest Environmental Advocates; as well as other local groups; Julie Winslow, Linnton Neighborhood Association; Laurel Butnam from River City North; Doug and Sharon Ray from Friends of Cathedral Park Neighborhood Association; St. Johns Traffic Committee; Mike Mattucci, Neighborhood Office; Frank Mahoney and Linn Stellar, Fine Focus Video, who had done a video for cable access to let Portland know the air shed would be affected.

Councilor McFarland said Metro wanted the greatest good for the greatest number, and said Metro did not want to do harm to anyone. She said the Committee believed the appropriate questions had been asked, but felt, although the questions the Citizens Review Committee was asking were legitimate questions, the Solid Waste Committee would not be the appropriate people to answer them due to lack of expertise. She said the Committee must listen to their experts. Councilor McFarland asked Council Analyst and the Solid Waste Staff what Metro's position would be should Metro arbitrarily decided DEQ's regulations were not demanding enough.

Mr. Houser said existing state statutes would need to be examined for the role DEQ has in regulating facilities of this type and whether there was an option for a local government in the region to in effect overrule their decision. He noted the City of Portland granted necessary land use related permits to the site. Mr. Houser said he understood if the prospective franchisee brought the necessary permits to Metro that it was not Metro's role to speak contrarily to the permits themselves.

Councilor McLain echoed Councilor McFarland's remarks that Metro's responsibility was to do no harm. She asked the Chair to assure an opportunity to review the permitting process at a later date.

Councilor Wyers stated she felt the possibility existed the SONAS facility could adversely affect the citizens of the region. She said the Committee did not address the hazardous possibilities of the facility, but rather had addressed the matter as a recycling issue. She said there was no policy to exclude a franchise applicant who had met the permitting requirements. Councilor Wyers said, however, a governing body had the right to revisit any decision it has made.

Councilor Wyers suggested the Solid Waste Department come before the Committee with answers and a full discussion of the questions presented

by the Citizens Review Committee. She suggested Mr. Houser present a method to revisit the issue. She reviewed the questions: 1) need; 2) hazard to the community; 3) traffic problems; 4) whether or not the applicant was qualified, and 4a) testing the soils, the standards, the number of shifts, the ration of benzine to the number of shifts, incoming soils, 5) whether or not Metro had a monitoring program and after burner emissions effects, 6) a discussion of the regional solid waste plan and how we protect our citizens, and 7) how leftover soil particles are handled and managed.

Councilor Washington asked regarding Oregon Hydro-Carbons, which he understood was also a was PCS facility with a similar operation.

Ms. King said Oregon Hydro-Carbons was a high temperature, and she said the permit for emissions was much lower than what DEQ had given Sonas. She said the group had talked to the company, and said they paid high wages and had an effective soil testing system.

Ms. King indicated the group was not pleased that Oregon Hydro-Carbons was located in their community, but felt another facility was not beneficial. She noted the proposed site was closer to the St. Johns residential area including a home for the aged.

Councilor Wyers asked that staff discussion include remarks concerning the differences in the PCS processes used by Oregon Hydro-Carbons and the proposed Sonas facility.

Councilor McFarland said the key was how are the measurements done and what do they show.

Ms. King asked that Florida be contacted for test results.

Chair Buchanan requested the item be placed on the agenda at a future date. Mr. Houser said he would work with Department Staff on a date.

Councilor Van Bergen referenced a study done several years ago, and suggested Mr. Houser read the report for which he recalled a cost of about \$50,000. He recalled the study looked at the effect of burning on the community, and recalled it did not substantiate whether there was a good effect or a bad effect. He noted he had not been satisfied with the report, but felt it should be reviewed.

4. Discussion of Proposed Activities for Annual Local Government Waste Reduction Program

Steven Kraten, Recycling Section Supervisor, presented the staff report, and referenced materials found in the agenda packet concerning proposed activities for FY 1993-94 Annual Waste Reduction Program. He referenced his memorandum dated December 23, 1992 to Mr. Houser responding to five

suggestions made by Jeanne Roy, Recycling Advocates, in her December 4 letter to Councilor Wyers: 1) Rate Structure; 2) Commercial Recycling; 3) Apartment Recycling; 4) Yard Debris; and 5) Construction/Demolition Recycling.

Ms. Roy testified before the Committee, and urged adequate attention be given to the local government waste reduction program standards. Ms. Roy referenced her letter to Councilor Wyers dated December 4, 1992 located in the agenda packet. She recommended Metro adhere to the standard already established.

Ms. Roy recommended for year three (FY 1992-93) the standard to serve all units by June, 1994 be kept. She noted staff had indicated all units could be served rather by June, 1995.

Mr. Kraten said local governments had not been conservative in recycling goal setting, and said development of a number of areas was necessary including promotional materials, education and public awareness.

Councilor McLain noted Ms. Roy's emphasis was that Metro keep moving in the step process.

Councilor Wyers said revenue from garbage and recycling efforts and waste reduction efforts should not be in conflict.

Kathy Kiwala, Recycling Coordinator for the City of Lake Oswego, testified before the Committee and said local government representatives were meeting on an ongoing basis and discovering on that basis their differences and their likenesses. She discussed commercial recycling efforts, and noted 52% of recycled materials come from such efforts. Ms. Kiwala read her testimony into the record, and this document has been made part of the permanent meeting record.

Councilor McLain indicated she believed it was appropriate to set deadlines, and said she understood deadlines might need to be changed.

Councilor Wyers asked Ms. Kiwala if weekly curbside pickup of recyclables was done for the Lake Oswego community. Ms. Kiwala affirmed that was done. Councilor Wyers could not understand why curbside pickup for the businesses could not be done. Ms. Kiwala noted costs were the issue for businesses.

Mr. Kraten said "commercial" was defined as any business that employs 10 people or occupies 1000 sq. feet.

DeLyn Kies, Solid Waste Manager for Washington County, testified before the Committee and noted representatives from the City of Portland and the City of Milwaukie were represented at this meeting. She said time was necessary to meet goals.

Councilor Wyers suggested the Waste Reduction Program be revisited at the next Solid Waste Committee meeting.

5. Resolution No. 93-1675, For the Purpose of Appointing Jeffrey Kee, Jim Michels and Larry Scruggs to Fill Three Expiring Terms on the North Portland Rehabilitation and Enhancement Committee

Katie Dowdall, Community Enhancement Coordinator, presented the staff report, and said the resolution would accomplish the appointment of Jeffrey Kee, Jim Michels and Larry Scruggs to fill three expiring terms on the North Portland Rehabilitation and Enhancement Committee. Ms. Dowdall noted media advertising had been done and 19 applications had been received for the positions.

Councilor Hansen introduced two of the proposed appointees to the Enhancement Committee, Mr. Michels and Mr. Kee who were present. She urged approval of the proposed resolution.

Motion: Councilor Wyers moved to recommend Resolution No. 93-1675 to the full Council for adoption.

Vote: Councilors McLain, Washington, Wyers and Buchanan voted aye.

The vote was unanimous and the motion passed.

6. Ordinance No. 93-474, An Ordinance Amending Ordinance No. 92-449B Revising the FY 1992-93 Budget and Appropriations Schedule for the Purpose of Funding Increases in the Solid Waste Revenue Fund Operating Account

Mr. Chandler introduced Vickie Rocker, Director of Public Affairs, and Marie Nelson, Public Affairs Supervisor.

Ms. Rocker said Public Affairs priority projects were home composting and Household Hazardous Waste (HHW) based on local government input. She said 8,000 telephone calls regarding HHW had been received in 1991, and she said the Department was working on a booklet about pesticides alternatives, which she said would be distributed at various shows.

Ms. Rocker indicated the Department would like to present some of the Department activities in the schools to the Committee at the next Solid Waste Committee meeting.

Councilor McLain expressed interest in changing the focus to HHW and still gearing it to the same audience, school children. Ms. Rocker said children were great ambassadors in carrying the message to the home.

Councilor Wyers expressed concern that a substantial funding be continued toward educational programs concerned with HHW.

Mr. Chandler said preliminary budgets were in the works and indicated more funding for education had been included.

In response to Councilor Wyers, Mr. Chandler said a mobile unit for Washington County and for Gresham had been cut from the previous year's budget. He said \$500,000 for satellite activities had been allocated FY 1993-94 for approval. He said cost per customer was similar to facility cost per customer.

In response to Councilor Van Bergen, Mr. Chandler said a \$5 and \$10 charge per customer was under consideration by the Department to come before the Committee for approval. He indicated HHW programs should be viewed as a system tailored to the needs of the various communities. Councilor McLain requested information be compiled for review prior to budget.

Councilor Wyers suggested Mr. Chandler report as a regular staff report at the Solid Waste Committee. Chair Buchanan agreed.

Motion: Councilor Wyers moved to recommend Ordinance No. 93-474 to the full Council for adoption.

Chair Buchanan opened a public hearing. No citizens appeared to testify. Chair Buchanan closed the public hearing.

Vote: Councilors McLain, Washington, Wyers and Buchanan voted aye.

The vote was unanimous and the motion passed.

7. Resolution No. 93-1732, For the Purpose of Authorizing Issuance of a Request for Bids for the Construction of an Improved Cover System, Gas Collection System, Motor Blower Flare Facility, and Stormwater Collection System on a Portion of St. Johns Landfill

James Watkins, Solid Waste Engineering & Analysis Manager, and Dennis O'Neil, Senior Solid Waste Planner and Associate Engineer, presented the staff report. A copy of the Request for Bids for Closure of Subarea 2 and 3 and the Motor Blower Flare at St. Johns Landfill was introduced as a supplemental agenda packet. This document has been made part of the permanent meeting record.

The Committee discussed whether to sell the gas or burn it. Councilor McLain requested a report regarding contaminants from gas burning be brought to the Committee.

Mr. O'Neil discussed the practices to be employed in the issuance of the RFB. He discussed also the necessity of on site coordination so as to optimize efforts. In response to Councilor McLain, Mr. O'Neil said funding would come from the St. Johns Landfill Trust Fund.

Councilor Washington expressed concern regarding possible contamination of the adjacent waters.

Motion: Councilor Washington moved to recommend Resolution No. 93-1732 to the full Council for adoption.

Vote: Councilors McLain, Washington and Buchanan voted aye.

The vote was unanimous and the motion passed.

8. Resolution No 93-1733, For the Purpose of Authorizing an Exemption to the Competitive Procurement Procedures of Metro Code Chapter 2.04.053, and Authorizing a Change Order to the Design Services Agreement with Parametrix, Inc.

Mr. Watkins presented the staff report, and said Parametrix, Inc. had designed the gas collection system at the St. Johns Landfill and said the resolution before the Committee was an amendment to the Parametrix contract.

Mr. Watkins said the funds would come from the Operations portion of the Department's budget.

Motion: Councilor McLain moved to recommend Resolution No. 93-1733 to the full Council for adoption.

Vote: Councilors McLain, Washington and Buchanan voted aye.

The vote was unanimous and the motion passed.

There being no further business, the meeting adjourned at 9:00 p.m.

Respectfully submitted,


Marilyn Geary-Symons
Committee Recorder