

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

January 31, 1989

Council Chamber

Committee Members Present: Gary Hansen (Chair), Roger Buchanan, Mike Ragsdale and Judy Wyers

Committee Member Absent: Sharron Kelley (V. Chair)

Other Councilors Present: Richard Devlin

Chair Hansen called the meeting to order at 5:39 p.m. He said Agenda Item No. 3 had been removed from the agenda and would be scheduled again at a future meeting.

1. Consideration of Minutes of December 20, 1988, and January 3, 1989

Motion: Councilor Ragsdale moved, seconded by Councilor Wyers, for approval of the minutes.

Vote: Councilors Buchanan, Hansen, Ragsdale and Wyers voted aye. Councilor Kelley was absent. The vote was unanimous and the minutes were approved.

2. General Staff Reports

Bob Martin, Director of Solid Waste, had staff reports to give on the Stipulation and Final Order by the Environmental Quality Commission (EQC); the transportation bid review process by staff; and the St. Johns landfill closure.

Chair Hansen asked how the Stipulation and Final Order would impact the budget. Mr. Martin said the Department of Environmental Quality (DEQ) met January 20 and reviewed the draft Metro staff and the Committee had discussed. He said staff testified at the January 20 meeting in support of the document as well as one citizen who also asked that certification and rate incentive requirements be made stricter. Mr. Martin said EQC asked Metro staff for a revised draft with the testimony received incorporated into that document. He said that draft was given to the EQC. He said there was some confusion on what EQC specifically wanted.

Mr. Martin said EQC would allow Metro to go back to the original 1986 Waste Reduction Plan if Metro was unable to fulfill the current plan. He said Legal Counsel would provide language to preserve the intent and goals of the 1986 plan. He said Metro would return to EQC and finalize the Order. He said the process had not been as smooth as anticipated. Mr. Martin was surprised what the DEQ approved was not completely acceptable to the EQC.

Chair Hansen was concerned about the FY 1989-90 budget process. He did not wish to undertake two separate budget procedures and said it would be

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necessary to have all necessary budget data by April because the timeline was short.

Mr. Martin said at least one change substantially altered Metro's legal exposure. Councilor Ragsdale said it was doubtful whether the Council would approve the Stipulation and Final Order before the March 3 EQC hearing. He asked if the Council should wait after March 3 to approve the Order or to approve it before that date. Mr. Martin recommended approval before March 3. He said to withhold approval would be considered combative. He said Metro's best option was to implement the Order in an assertive manner. Councilor Ragsdale asked if Metro should revert to the 1986 Plan and ask EQC if such action would be acceptable. Mr. Martin said the major issue was certification. He said active cooperation was needed from the local jurisdictions and haulers and said the original Plan gave a specific date. He said Metro could not promise certification by a date-certain but that Metro could initiate dialogue and develop a certification plan. Mr. Martin said he planned to review the Order with the Council before it returned to EQC. He said the Committee would see a draft Stipulation and Final Order February 14.

Mr. Martin briefed the Committee on the transportation Request for Bids (RFB) to Arlington. He said since the bid opening, staff had analyzed Jack Grey Transport, Inc., (JGT) and their ability to fulfill bid requirements. He said the JGT's track record was excellent and said JGT customers were interviewed and gave excellent references. He said the company's business reputation was good and said it had been in business since the early 1950's. He said the company had grown steadily and hauled coke, lime and road salt. He said JGT had a good reputation for hauling in bad weather. He said five years ago JGT began hauling solid waste and said JGT hauled to two other landfills. He said the loads were loose-haul and not compacted. Mr. Martin said staff received preliminary approval from the Oregon Department of Transportation (ODOT) for vehicle configuration and loading specifications. He said staff investigations would be completed and ready at the February 14 meeting.

Chair Hansen noted there were citizens present who wished to testify and opened a public hearing.

Rich Owings, Project Manager, Rabanco Companies, Inc., said his company wished to reserve the right to make a full presentation to the Committee on this issue. He requested a public hearing two weeks after the resolution was introduced because Rabanco did not yet have all the information necessary to deliver a report. He said Rabanco Companies, Inc., filed a Freedom of Information Act to gather information on loading docks and various other specifications. He said Metro Administration was told by his company that JGT's equipment was inadequate for this contract's size. He urged the Council to employ a consultant to analyze bids received. He said ODOT did not determine axle safety and only assessed whether the vehicle could haul 48 tons including the vehicle itself. He said the Public

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Utility Commission's (PUC) approval of JGT was tentative and the PUC could reject a vendor after 30 days. He urged the Committee take time to further analyze bids received.

Councilor Wyers asked Mr. Martin to explain third party reviews. Mr. Martin said ODOT, PUC and other regulatory agencies provided third party reviews. He said staff did not object to a consultant analysis of bids received.

Chair Hansen instructed Solid Waste staff work with Ray Barker, Council Analyst, on Council agenda dates and times. The Committee then discussed the best date to hold the transportation RFB Council briefing.

Mr. Martin briefed the Committee on the St. Johns landfill closure. He discussed leachate, drainage, and other closure issues. He discussed coverage costs to grow vegetation as well as other maintenance details. He said wells would require monitoring. He said the St. Johns landfill closure could cost up to \$32 million. He said major policy options could be to reduce long-term expenditures or to opt to reduce immediate expenditures. He said the landfill was in better condition than anticipated. He said there was evidence of groundwater contamination but said the landfill was not only contaminant source in the area.

Chair Hansen asked if DEQ would approve the closure process quickly or if approval would be a lengthy process with negotiations and modifications. Mr. Martin said the approval process would be fast and said Metro staff had worked closely with DEQ staff. He said the City of Portland had been briefed extensively also. He said it would be necessary to synchronize with the City on end-use plans with regard to recreational areas planned. The Committee and staff discussed cooperation among affected entities and land-use issues.

Chair Hansen called a recess at 6:55 p.m. The meeting reconvened at 7:30 p.m.

3. Solid Waste Department Quarterly Program and Budget Review, Second Quarter

Removed from agenda.

4. Staff Report on Waste to Energy Project Options

Mr. Martin referred to the last Committee meeting discussion on whether to negotiate with Schnitzer/Ogden Martin, the second lowest vendor, to build a mass-combustion facility. Mr. Martin said Schnitzer/Ogden Martin and Combustion Engineering agreed the bond requirement deadline was not viable. He said Resolution No. 89-1039A terminated the process to acquire a mass combustion facility and directed the Executive Officer to deliver a bi-annual report to the Council on latest incineration technology.

Councilor Wyers asked what a technical and economic evaluation would involve. Mr. Martin said such an evaluation would be whatever technical and economic changes had occurred since the previous report and a recommendation whether it would be viable to build a mass-incineration facility. He said any facilities in the country built after this time would be assessed for feasibility.

5. Public Comments on Waste to Energy Project Options

Chair Hansen opened the public hearing.

Judy Dehen, Sierra Club, was pleased the procurement process for a mass-incineration facility would be stopped. She said citizens made their feelings known at public hearings in 1988. She said the amount of funds used to attempt to site a Metro burner could have been used on recycling and related programs. She said alternative technologies would be available in the future and would be safer and cheaper. She said Metro had to take a more in-depth approach to recycling.

Phil Dreyer, president, Portland Fair Share, said he could not understand why Metro kept attempting to site and build such a facility. He said the region had a limited air shed which would be adversely affected by burner emissions and said there was also the problem of disposal of concentrated toxic ash waste.

Cherie Holenstein, Environment Chair, Portland Fair Share, referred to the health panel report commissioned by Metro in 1988 which concluded such a facility would risk the public health. She said a Metro burner would emit three tons of lead per year. She said Metro should not worry whether a vendor was treated fairly in the bid process or not but that Metro should worry whether citizens were treated fairly or not. Ms. Holenstein urged Metro to reduce, re-use, and recycle as an alternative to burning solid waste.

Ellen Saunders, Box 35, Manning, Oregon, said testimony given at this meeting summed up her comments. She discussed natural resources and alternatives to burning them and said after such resources were burned, there was no way to recycle them.

Chair Hansen said Metro had a goal to recycle 52 percent of the waste stream. He said Metro would now have to reshape its waste reduction program because a burner would not now be built. He said Metro should aim higher than the declared 52 percent goal. He said the waste stream should be broken down more. He noted burnable logs or pellets made from yard debris would be burned. He said the process involved many components and said it was not possible to achieve all goals at one time.

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Ms. Saunders said garbage was a resource. She asked how the public could be trained to view garbage as a resource rather than something to be got rid of.

Councilor Wyers asked about a resolution to be introduced at the Portland City Council which would prohibit building a burner within the Portland city limits.

Mr. Dreyer said Commissioner Bob Koch would introduce such a resolution to the Portland City Council February 1, 1989. Chair Hansen noted the resolution required a health impact review panel before such a facility could be sited.

Chair Hansen asked if anyone else wished to testify. No other citizens appeared to testify. Chair Hansen closed the public hearing.

First Motion to Amend: Councilor Ragsdale moved to amend Resolution No. 89-1039A by insertion of a new WHEREAS clause prior to the last WHEREAS: WHEREAS, Ordinance No. 86-201 requires that resource recovery project(s) not increase the disposal cost more than 20 percent over a landfill based disposal system; and. Under the same motion, Councilor Ragsdale moved to amend language in the original last WHEREAS as follows (additions underlined and deletions bracketed): WHEREAS, without said tax advantages any incinerator project will [is], at present increase the disposal cost more than 20 percent over a landfill-based disposal system [economically infeasible]; now, therefore...Under the same motion, Councilor Ragsdale moved to delete in Section 2. [by July 1, 1991, and every two years thereafter,] and insert the; insert current before alternative; and add to the end of the section's last sentence, by July 1, 1991.

Chair Hansen asked Mr. Martin if the Waste Reduction Plan would need amendment and if such an amendment would require DEQ concurrence. Mr. Martin said it would be timely to revisit the plan and indicate how Metro would achieve stated goals since the mass-incineration facility was no longer an option.

Vote on First Motion to Amend: Councilors Buchanan, Ragsdale, Wyers and Hansen voted aye. Councilor Kelley was absent. The vote was unanimous and the motion to amend Resolution No. 89-1039A passed.

Councilor Devlin said Executive Officer Cusma recommended proceeding with Schnitzer/Ogden Martin to site a burner. He said later Executive Officer Cusma recommended Metro withdraw from negotiations. He said the Solid Waste Committee had taken no action up to that point. He said as a point of clarification, the Committee could reject a burner not only because of economic feasibility, but also for health impact reasons, as well as other reasons. Chair Hansen said Councilor Devlin was correct and said to ascertain health impact repercussions would be extremely expensive.

Councilor Devlin asked Mr. Martin if a technical evaluation of alternative technologies would address health impact and resource recovery issues. Mr. Martin said yes, and that issues revolved primarily around emission levels.

Councilor Ragsdale noted the vehicle before the Committee to recommend to the full Council for adoption was Resolution No. 89-1039, for the Purpose of Authorizing the Entry into Negotiations for an Agreement with Schnitzer Ogden/Martin for a Mass Incineration Facility for Solid Waste.

Second Motion to Amend: Councilor Ragsdale moved to replace Resolution No. 89-1039 with Resolution No. 89-1039A, for the Purpose of Terminating the Procurement Process for a Solid Waste Incineration Project with the amendment stated above in this record incorporated.

Vote on Second Motion to Amend: Councilors Buchanan, Ragsdale, Wyers and Hansen voted aye. Councilor Kelley was absent. The vote was unanimous and the motion to amend passed.

Main Motion as Amended: Councilor Ragsdale moved to recommend the full Council adopt Resolution No. 89-1039A as amended.

Vote on the Main Motion as Amended: Councilors Buchanan, Ragsdale, Wyers and Hansen voted aye. Councilor Kelley was absent. The vote was unanimous and the motion passed.

Councilor Ragsdale said staff provided information that the 1987 Oregon State Legislature required Metro to implement its Waste Reduction Program and report to the EQC by July 1, 1988, and every two years thereafter. He said Metro submitted a program June 1988. He said Metro was due to submit, or report on, a waste reduction program June 1990.

Chair Hansen thanked citizens present for their input and adjourned the meeting.

Respectfully submitted,



Paulette Allen
Committee Clerk
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