

APPROVED
Date 5-18-93

MINUTES OF THE METRO COUNCIL SOLID WASTE COMMITTEE

February 16, 1993

Council Chamber

Committee Members Present: Roger Buchanan (Chair), Ruth McFarland
(Vice Chair), Judy Wyers

Committee Members Excused: Susan McLain, Ed Washington

Chair Buchanan called the regular meeting to order at 4:04 p.m.

1. Consideration of September 15, 1992 and October 20, 1992 Solid Waste Committee Meeting Minutes

Motion: Councilor McFarland moved to approve the September 15, 1992 and October 20, 1992 Solid Waste meeting minutes as submitted.

Vote: Councilors Wyers, McFarland and Buchanan voted aye.

The vote was unanimous and the motion passed.

2. Solid Waste Updates

o General Staff Reports

Sam Chandler, Solid Waste Facilities Manager, presented the staff report, and distributed the Metro South Station Annual Report, dated January, 1993 to the Committee. He referenced a full color map on the last page of the report giving data regarding Household Hazardous Waste (HHW) facility customers in terms of percent of households participating by zip code as well as travel time. This document has been made part of the permanent meeting record.

Mr. Chandler noted various jurisdictions gave various names to single day events and mobile collection systems. In response to Councilor McLain, Mr. Chandler said scheduling of various events and proper notification to the communities was an effort in which the department was involved. He said intergovernmental agreements were being put in place in order to implement such events and looked forward to a coordinated effort would occur next year. Councilor McLain and Mr. Chandler discussed diverse methods to be used to inform citizens of upcoming events.

In response to Councilor McFarland, Mr. Chandler said the fee of \$5.00 currently charged for receipt HHW did not cover the \$100 average expenditure per customer incurred.

Councilor McFarland requested an estimate of how much it costs Metro to handle HHW versus sending it to Columbia Ridge Landfill.

(Continued)

3. Discussion of Solid Waste Legislative Issues

Bob Martin, Director of Solid Waste Department, presented the staff report, and distributed a document from the Department entitled "Legislation Review." Mr. Martin highlighted aspects of Senate Bill 27, and said he recommended an amendment be made to the bill clarifying the financial responsibility for long term Operations and Maintenance be realized by adoption of a resolution by local jurisdiction expressing their intent to fund post closure Operations and Maintenance through annual budget appropriation. Mr. Martin recommended support of Senate Bill 27 with such an amendment.

In response to Councilor Washington, Mr. Martin said post closure costs had been estimated for 10 years out at approximately \$.5 million per year.

Mr. Martin discussed Senate Bill 67 which he said was an attempt to attach a source of funding for HHW of \$.5 million statewide. He said the concept was to give responsibility to businesses selling HHW products by way of fees to be kept in a fund by DEQ to assist in absorption of costs experienced in the disposal of HHW. Mr. Martin urged support of Senate Bill 67, and noted in his estimation \$.5 million was not an adequate amount.

Mr. Martin discussed Senate Bill 189, and said it provided for citizen lawsuits for violations of solid waste statutes No. 459/459A. He had no recommendation regarding Senate Bill 189.

Mr. Martin discussed Senate Bill 88, which he said established crimes of unlawful disposal, storage or treatment of HHW, and other environmental endangerment. He indicated it was directed toward enforcement by DEQ of illegal disposal of HHW. Mr. Martin recommended support of Senate Bill 88.

Mr. Martin discussed Senate Bill 315, and said it was concerned with the handling and treatment of petroleum contaminated soils (PCS). Mr. Martin recommended monitoring Senate Bill 315.

Mr. Martin discussed House Bills 2628 and 2701. He said 2628 was concerned with moneys collected for enhancement areas around disposal sites upon closure of such a site. Mr. Martin said HB 2701 would extend the requirement for beverage container deposits to include all containers with liquid for human consumption. He said it appeared to be a large expansion of the "bottle bill," and Department staff was preparing an analysis of potential impact. Mr. Martin indicated he favored monitoring Senate Bills 2628 and 2701.

Councilor Hansen urged the Committee and the Department to support House Bill 2701 in concept if not with active support. She encouraged such a message coming from the State of Oregon to the nation. Mr. Martin said he had requested staff research impacts and would bring a report back to the Committee.

Mr. Martin recapped his support for SB 27 and SB 67, and his recommendation for further research on SB 2628 and 2701.

Motion: Councilor McLain moved to recommend support by the Solid Waste Committee of Senate Bill 27 with the amendment as recommended by Staff and Senate Bill 67 to the Government Affairs Committee for inclusion in the legislative package, and recommended monitoring of Senate Bills 189, 88 and 315 as well as House Bills 2701 and 2628.

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

The vote was unanimous and the motion passed.

4. Five-Year Financial Plan: Phase II Briefing

o Solid Waste Department

Bob Ricks, Senior Management Analyst, presented an overview to the Phase II briefing regarding the Five Year Financial Plan for the Solid Waste Revenue Fund. The Five Year Plan was located in the agenda packet.

Mr. Martin discussed the Five Year Financial Plan with the Committee and assumptions based on a recommendation for a 7% excise tax. He displayed a chart presenting revenue tonnage projections through FY 1996-97, and distributed a handout to the Committee containing revised assumptions Alternative A, Wilsonville transfer station in/Composter out, and Alternative B, no Wilsonville or Composter.

In response to John Houser, Council Analyst, Mr. Martin affirmed 4% / 2% had changed to 6% / 3% and said he hoped he would not bring differences to the Committee in the future.

Mr. Martin discussed the need for an additional 5 FTE at the gatehouse at Wilsonville should the facility go forward, and indicated \$.5 million funding would be needed for HHW facility operations and maintenance. In response to Councilor McFarland, Mr. Martin said the recovery rate at Metro Central was currently approximately 8%. Councilor McFarland and Mr. Martin discussed the contract currently let for materials recovery for fiber-base fuel for which recovery rates experienced were less than originally perceived. Mr. Martin pointed out the contract would be up for rebidding in 1994.

Presiding Officer Wyers and Mr. Martin discussed the types of materials involved in the production of fiber-based fuel and potential impacts on air quality.

In response to Presiding Officer Wyers, Mr. Martin said the Solid Waste Department did not receive funding from the excise tax, and he indicated the funding from the excise tax was for the Council and the Planning Department.

Councilor McLain expressed interest in looking at the system costs and impacts as a whole and not fees only in terms of Alternatives A and B. Mr. Martin affirmed his compilation would include such information.

o Public Affairs Department

Vickie Rucker, Public Affairs Director, presented the Five Year Financial Plan for the Public Affairs Department. She distributed a handout to the Committee regarding staffing assignments, and noted calls into the Department ranging at approximately 85,000 per year. She hoped numbers of calls would level over time and projected no major increases to staff in the Department within the next five years.

5. Response to Citizen Questions Regarding SONAS Petroleum Contaminated Soil Facility

Councilor McLain was excused, and indicated she would listen to information regarding public testimony after the meeting.

Mr. Houser indicated he had been informed by SONAS that the rights to the facility had been purchased by Oregon Hydrocarbons, and he indicated Mr. Lex Johnson of Oregon Hydrocarbons was present to testify.

In response to Councilor Wyers, Mr. Houser said there was no existing facility on the former SONAS site, so no facility was being transferred, and Mr. Houser deferred the question as to whether Oregon Hydrocarbons would need to come back before the Committee with a request for franchise to Legal Counsel. Todd Sadlo, said there was a code provision on transfer of franchises which stated the company being transferred to must ask the Metro Council, but further stated the Council should not unreasonably deny the request for transfer. He said if the Council did not act on an application for transfer within 90 days of filing, it was deemed granted.

Chair Buchanan opened a public hearing.

Mr. Johnson testified before the Committee and said Oregon Hydrocarbon offered to purchase the permits from SONAS concerning the proposed facility. He said he met with neighborhood associations and said his company had no intent to build on the Schnitzer property. He said his

company would have an interest in mitigating the amount of truck traffic allowed in the permits for the SONAS facility be allowed for the Oregon Hydrocarbon facility. In response to Councilor Hansen, Mr. Johnson said his company had purchased only the permits, not the property. In response to Councilor Hansen, Mr. Johnson said he believed the president of Oregon Hydrocarbons had indicated his intent to retire the permits obtained for the facility, and indicated a letter had been written by the president to that end. Councilor Hansen requested a copy of the letter be made available to the Committee.

In response to Councilor Washington, Mr. Johnson indicated from no trucks to 40 trucks per day were possible, and said it was their hope that trucks could be re-routed away from St. Johns proper and neighborhood. Councilor Washington and Mr. Johnson discussed various routes used by trucks traveling to his company's facility.

Laurie King, 8728 N. Edison, testified before the Committee, and commented that the Department of Environmental Quality regulations appeared to be broad.

Mr. Johnson responded to Betty Valle, 6802 N. Baltimore, who inquired regarding marketing of PCS into the Oregon Hydrocarbons facility and her suggestion that boundaries be set.

Chair Buchanan indicated it appeared Oregon Hydrocarbons was willing to discuss concerns directly with the citizens.

Councilor Hansen suggested Ms. King and Ms. Valle bring their concerns directly to Oregon Hydrocarbons.

Dave King, 8728 N. Edison, testified before the Committee concerning traffic routes used by haulers. Councilor Hansen explained Metro did not have contracts with private haulers within the region and said Metro's contract was with Jack Gray Transport, who hauled from the transfer stations outside the region. Mr. King requested Metro consider such requirements be made by Metro.

Mr. Sadlo explained state law provided for road authority in a given area, usually via the county or the city having jurisdiction over the area. He said the road authority made the decisions regarding who could use the roads, such as truck by weight, etc. Mr. Sadlo said Metro was not a road authority, and said the only way Metro could obtain such road authority would be through an intergovernmental agreement with the jurisdiction that had the road authority. Mr. King asked if Metro could require Oregon Hydrocarbons through the franchise element to set up specific routes with their contracts in turn with delivering entities. Mr. Sadlo that would be stretching Metro's realm of authority.

Ms. King expressed concerns regarding truck traffic into the St. Johns area, restrictions burning be confined to "non-hazardous waste", and monitoring of soils both in the incoming and outgoing waste streams, boundary concerns, and water usage concerns at the facility.

In response to Ms. King, Mr. Houser indicated he had received a memorandum dated February 16, 1993 responding to his questions regarding the SONAS application for a franchise, which was distributed to the Committee. This document has been made part of the permanent meeting record.

Councilor Hansen indicated the monitoring issues raised by the concerned citizens could perhaps be revisited in terms of the franchise application criteria, and suggested Mr. Sadlo give the matter consideration. She suggested the citizens group return to Metro with appropriate concerns at a later date after having discussions with Metro Legal Counsel and Oregon Hydrocarbons. Chair Buchanan concurred and indicated the Committee would be happy to hear from the group as issues are defined as being within Metro guidelines.

Councilor Washington suggested a written response be made to the citizens group list of questions with recommendations as to where to take individual concerns. Councilor Hansen was concerned regarding staff time being applied prior to further discussion by the citizens group with Oregon Hydrocarbons.

6. Other


George Ward, Consultant, testified before the Committee and discussed a proposal for a parks project on the east side of the Willamette River. He distributed a handout to the Committee with graphics demonstrating his concepts as well as a graphics wall display. The handout document has been made part of the permanent meeting record. Mr. Ward discussed historical evidence of concepts from the past now enjoyed as developments today, and suggested river and park planning proposals for the future which would involve landfilling soils and demolition debris from downtown construction sites at the riverside, thus changing the direction of the river and creating locations for parks on the eastside without moving the freeway on the east side.

In response to Mr. Martin, Mr. Ward said he would provide estimates of the number of cubic yards involved in the proposal. Mr. Martin said Mr. Ward's ideas would be better served at the juncture in time when moving the eastside freeway was considered.

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There being no further business, the meeting adjourned at 7:05 p.m.

Respectfully submitted,


Marilyn Geary-Symons
Committee Recorder

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