

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

March 12, 1990

Council Chamber

Committee Members Present: Gary Hansen (Chair), Larry Bauer (V. Chair), Roger Buchanan, Tom DeJardin and Judy Wyers.

Committee Members Absent: None

Chair Hansen called the special meeting to order at 5:39 p.m.

1. Consideration of Minutes of February 20, 1990

Motion: Councilor Buchanan moved for approval of the minutes.

Vote: Councilors Bauer, Buchanan, DeJardin, Hansen and Wyers voted aye. The vote was unanimous and the minutes were approved.

2. Consideration of Resolution No. 90-1225, for the Purpose of Authorizing an Exemption to the Requirement of Competitive Bidding, Authorizing Issuance of a Request for Proposals, and Execution of a Contract at Metro South Station

Jim Watkins, Engineering & Analysis Manager, and Chuck Geyer, Senior Management Analyst, explained the resolution. Mr. Geyer explained because of Metro's contract with Jack Gray Transport, Inc. (JGT), the compactor would achieve maximum payloads for increased cost-effectiveness. He said staff planned to use the RFP process to evaluate factors other than cost including compliance with RFP specifications, reliability, project team experience, cost, warranty and operational compatibility. Councilor Wyers asked if costs would be comparable to the first compactor selected for Metro South. Mr. Geyer said cost would depend on the proposer and noted the two previous proposals were quite different. Councilor Wyers said any major addendum to the RFP should be brought before the Council Solid Waste Committee for review.

Chair Hansen opened a public hearing.

No one present appeared to testify and the public hearing was closed.

Motion: Councilor DeJardin moved to recommend the full Council adopt Resolution 90-1225.

Vote: Councilors Bauer, Buchanan, DeJardin, Hansen and Wyers voted aye. The vote was unanimous and the motion passed.

3. Consideration of Resolution No. 90-1232, for the Purpose of Reducing the Amount of Disposable Diapers in the Solid Waste Stream

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Chair Hansen explained the resolution would not ban use of disposable diapers, but noted Metro's regional solid waste system followed the state hierarchy of reduce, reuse and recycle and disposable diapers were not compatible with state criteria. He said new solid waste facilities would utilize hand-sorting of solid waste and the resolution was an attempt to prevent the spread of disease. He said the resolution would set Metro policy to dispose of disposable diapers in a safe, efficient manner and said the ultimate goal was to eliminate them from the wastestream. He said the Executive Officer could develop a plan to implement policy on disposable diapers.

Chair Hansen opened a public hearing.

Paul Cosgrove, American Paper Institute, opposed Resolution 90-1232 and said disposable diapers could be effectively recycled, did not pose a health hazard and said the impression disposable diapers were a health hazard was erroneous. He referred to a Proctor & Gamble project done in conjunction with the City of Seattle to recycle disposable diapers. He said Metro's composter facility could use disposable diapers for organic material. He discussed health concerns and said Oregon's health officer and medical association had stated solid waste had an infectious capacity but disposable diapers did not. He said there was concern cloth diapers spread infection and said cloth was not an alternative from the health perspective.

Councilor DeJardin said testimony Mr. Cosgrove was excellent, but it gave conclusions and not the necessary findings and asked for background information cited by Mr. Cosgrove. Councilor Bauer asked if disposable diapers could be compacted. Debbie Gorham, Waste Reduction Manager, said disposable diapers would go in the composter facility's DANO drums and disposable diapers were 90 percent organic material. Chair Hansen noted the composter facility would affect 20 percent of the regular solid waste stream and the facility could take only 180,000 tons per year. He said disposable diapers would displace other material the facility could process. He said the resolution's intent was to reduce waste. Mr. Cosgrove noted composter facilities needed organic materials. Councilor Buchanan asked whether the composter required materials separation to process disposable diapers. Mr. Cosgrove said composting facilities did not require materials separation and had heard of no hauler opposition. Councilor Buchanan asked about Seattle's ban on disposable diapers. Mr. Cosgrove said the ban was passed with little discussion and said some Seattle officials did not favor the ban. Councilor Bauer asked how cloth diapers presented a health hazard. Mr. Cosgrove said cloth diapers were handled differently by caretakers. Councilor DeJardin noted his experience with nursing home management and said some children, adults and seniors had some degree of incontinence which required the use of disposable diapers. Councilor DeJardin and Mr. Cosgrove discussed the issue further.

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Barbara Kutasz, 2325 S.E. 53rd, Portland, concurred with Mr. Cosgrove's testimony and said there were many experts who could speak to environmental aspects but wished to discuss the resolution on a personal level as a mother and caretaker. Ms. Kutasz cited convenience but said convenience was not the only issue and said transmission of diseases had to be considered. She said cloth diapers leaked and disposable diapers did not. She said disposable diapers did not contribute to rashes. She said she had compared the cost of services, disposables and home laundering. She said it was difficult to keep residential water hot enough to properly sterilize cloth diapers.

Councilor Wyers noted the resolution did not prevent the purchase of disposable diapers. Ms. Kutasz discussed alternatives to disposable diapers. Chair Hansen said he discussed the issue with day care providers in Metro District 12 who said they were satisfied with diaper services. Ms. Kutasz said child care facilities preferred diaper services as an administrative convenience.

James Butler, Solid Waste Compost Council member, said their mission was to improve the quality of compost and proper ingredients were needed for high compost quality. He said disposable diapers provided the necessary organics and hoped Oregon's compost product would not become diluted. The Committee and Mr. Butler discussed DANO drum operations and elevated temperatures to kill pathogens.

Kimberlie A. Krieg, 4814 S.E. 28th, Portland, said economic issues had not been covered. She said she began with a diaper service and switched to home laundering which caused her costs to jump dramatically due to higher water heating bills. She said disposable diapers eliminated diaper rash and their convenience was great for two working parents.

Julie Carlson, nursing home manager, said use of disposable diapers meant quality health care, infection was controlled, and skin quality was improved by a 28 percent reduction in skin-related problems. She said disposable diapers gave nursing home residents mobility which made them more active and independent which led to improved self-image. She said she had worked with and without disposable systems and said to use a linen system represented a step backwards. Ms. Carlson urged the Committee not to recommend the resolution.

Carolyn Gregg, 1706 S.E. 23rd, Portland, said she was excited about Resolution No. 90-1232. She said she had tried all methods and had friends who used disposable diapers but were concerned about the environment and said they needed incentive to try alternatives. Ms. Gregg recommended a tax on disposable diapers and garbage with disposable diapers in it.

Mark Anderson, Babyland Diaper Service, said Fruit & Flower Nursery used Babyland and had had no problems with their service. He said he had two

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children in diapers and noted some hospitals had switched to diaper services. He said a laundered cloth diaper was laboratory tested once a month to check for bacteria. He said the resolution was not a ban but an attempt to inform the public of the options. He said most customers were surprised when they discovered diaper services only cost 11 or 12 cents per diaper.

Stephanie Anderson, Babyland Diaper Service, showed a cloth diaper from their service with velcro fasteners. She said seven hospitals had switched from disposable diapers to Babyland and the hospitals said the cloth diapers incurred less rash.

Ray Chambers, BMG Baby's Choice president, said there was confusion at this meeting on how much disposable diapers cost. He referred to previous testimony and said he wished customers did spend \$83 per month on disposable diapers. He found it difficult to believe the resolution was not a ban. He referred to adult incontinence and feminine hygiene products necessary because of toxic shock syndrome and asked if the latter products would be banned also. He said BMG Baby's Choice worked with Anderson Diaper Service on this issue. The Committee and Mr. Chambers discussed the state hierarchy of reduce, re-use and recycle.

Chair Hansen asked if anyone else present wished to testify. No one else appeared to testify and the public hearing was closed.

Chair Hansen called a recess at 7:10 p.m.

The meeting reconvened at 7:22 p.m.

Chair Hansen said the Committee would make a recommendation on Resolution No. 90-1232 after consideration of Agenda Item No. 4.

4. Consideration of Ordinance No. 90-337, for the Purpose of Amending Metro Code Chapter 5.02, Establishing Solid Waste Disposal Rates for FY 1990-91 (Public Hearing)

Main Motion with Amendment: Councilor Wyers moved to recommend the full Council adopt Ordinance No. 90-337 with subsection (g) language restored: User fees shall not apply to wastes received at franchised processing centers that accomplish materials recovery and recycling as a primary operation.

Bob Martin, Director of Solid Waste, distributed a revised Ordinance No. 90-337 and staff report per previous Committee meetings. He reviewed the ordinance and said the rate at Metro South would be \$54 per ton and \$47 at St. Johns Landfill.

Mr. Martin noted six revisions: 1) Yard debris was listed incorrectly and the correct charge was \$10 per ton and \$25 per ton for commercial

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yard debris and the charge for self-haul loads would stay the same; 3) A reference to a FY 1988-89 rate study was removed to maintain consistency; 4) The ordinance appeared longer because staff printed out the entire Metro Code Chapter 5.02 rather than just the portions to be amended; 5) The self-haul definition was changed per Solid Waste Committee comments; and 6) Language was added to clarify Tier 1 charges were charged only once.

Mr. Martin reviewed the proposed fee components at Metro facilities. He said Tier 1 charges would cover regional system fixed costs and Tier 2 charges would cover fixed costs of the disposal system, such as the Jack Gray Transport, Inc. (JGT) and Oregon Waste Systems, Inc. (OWS) contracts, and system financing costs. He said the Regional Transfer Charge (RTC) would be charged at regional transfer facilities but not at the St. Johns Landfill. He said a disposal fee of \$26 plus a Tier 1 \$7 charge plus a Tier 2 \$14 charge plus the RTC \$7 charge would total \$54 per ton at transfer facilities and that fee did not include DEQ add-on fees. He said self-haul would remain \$15 per ton. Mr. Martin said restructuring of the rates was an effort to recover revenue on a tonnage basis.

Chair Hansen opened the public hearing.

Stephanie Hallock, DEQ, said the issue DEQ was concerned about was one alleviated by Councilor Wyers' amendment. Ms. Hallock noted a report required of Metro staff on rate incentives per the Environmental Quality Commission (EQC) order had been submitted on time but was not complete.

Merle Irvine, vice-president, Wastech, Inc., said Councilor Wyers' amendment addressed his major concern. Mr. Irvine read into the record written testimony on the rates and Metro staff's interactions with Wastech, Inc. He said relations with Metro were normally quite good but communication from staff on this issue had been extremely poor. He said he had a major investment in the Oregon Processing and Recovery Center (OPRC) and the amendment was necessary to maintain OPRC as a viable entity. The Committee and Mr. Irvine discussed the ordinance further.

Estle Harlan, Tri-County Council, distributed written testimony and discussed costs. She said it was difficult to pass on cost increases and said costs should be reduced when possible to do so. She suggested the self-haul rate be increased back to \$25, but not on source-separated loads. She said the \$15 charge could be regarded as a subsidy on non-source-separated loads. She said it would be a large increase for haulers when scale weighing was on-line and said it might be best to charge on an incremental basis for that increase. She said it was difficult for haulers to see wet wallboard disposed of for \$15 per load.

Judy Roumpf, Association of Oregon Recyclers (AOR) read from written testimony. She said AOR supported Councilor Wyers' amendment to the

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ordinance and supported the fee which encouraged separation of yard debris. She discussed staff's DEQ report on recyclables. She said time frames given by staff were reasonable. Ms. Roumpf expressed concern Metro had cancelled nearly all the rate incentives it reported to DEQ as recently as January and urged the Council to undertake a rate incentive analysis.

Mr. Martin discussed testimony given at this meeting and the differences between self-haul and commercial loads.

Rod Grimm, Jr., Grimm's Fuel said Metro's current rate diverted yard debris away from recyclers into landfills. He discussed concerns he had until Council Wyers moved to amend the ordinance.

Rod Grimm, Sr., Grimm's Fuel, said he told staff the flat fee would be disastrous. He said he had given up research development for yard debris use because Grimm's could not depend on volume or price. He discussed the types of loads they received. He said they could not compete with Metro prices and said there should be incentives for yard debris but the flat fee was disastrous. Chair Hansen asked Mr. Grimm if he had any recommendations. Mr. Grimm suggested measurement of yard debris by cubic yard. He noted their equipment had been damaged by one contaminated load.

Mr. Martin said Metro was not offering the lower fee as incentive but customers were taking advantage of it. He said staff would attempt to administer a flat fee to result in true equity for all users. He said a drop-off system could be installed at Metro South, but the facility had no current capacity for that purpose. Mr. Grimm said utilization of cubic yards would be a good system and the proposed scale system would make the system equitable again.

Jeanne Roy, Recycling Advocates, said the proposed amendment would improve the ordinance vastly. She noted waste paper was the largest component going to the landfill and said Metro must encourage source separation and rate incentives to encourage high grading. She opposed elimination of incentives for high-grade loads of cardboard at Metro South. She said the yard debris rates could be supported and said Recycling Advocates always believed yard debris rates should be lower than solid waste rates but higher than the private processors. She thanked Metro for returning the incentive for haulers who brought in recyclables. Ms. Roy said staff should analyze the rates in further detail.

Pat Merkle, McFarlane's Bark, concurred with Mr. Grimm's testimony and said McFarlane's had processed 1 million tons of yard debris and could use more but that yard debris was being directed to the pit. She said clean cardboard was going to the landfill. She said the pit was being abused and yard debris should be recycled. She approved the proposed

amendment and said it was a good ordinance but the flat fee should be increased to \$25.00. The Committee and Ms. Merkle discussed the rates further.

Chair Hansen asked if anyone else present wished to testify on the ordinance. No one appeared to testify and the public hearing was closed.

Mr. Martin said the amendment would affect the proposed rates which were calculated differently based on different assumptions. He said if the amendment passed, the rates must be \$.30 higher per ton. He said Metro could apply the rate to processors and apply that to tons they recovered and reimburse them for user fees. Mr. Martin discussed Metro's report to DEQ. He noted staff heard the DEQ Director's concerns March 7 and it had been difficult to respond any faster than staff already had. He said the rate ordinance was a good one and the proposed scale system would improve the entire solid waste system.

Vote on Amendment to Main Motion: Councilors Bauer, Buchanan, DeJardin, Hansen and Wyers voted aye. The vote was unanimous and the motion to reinstate subsection (g) to Ordinance No. 90-337 passed.

Vote on Main Motion as Amended: Councilors Bauer, Buchanan, DeJardin, Hansen and Wyers voted aye. The vote was unanimous and Ordinance No. 90-337 was recommended to the full Council for adoption as amended.

Chair Hansen called a recess at 9:01 p.m.

The Committee reconvened at 9:09 p.m.

3. Consideration of Resolution No. 90-1232, for the Purpose of Reducing the Amount of Disposable Diapers in the Solid Waste Stream (Continued)

Chair Hansen noted a citizen wished to testify on the resolution and re-opened the public hearing.

Rey Cabral, 9125 N.E. Glisan, expressed concern about Resolution No. 90-1232 because his children were able to wear disposable diapers only because of skin sensitivity. He did not know the source of the statistics cited in the resolution, but said they were similar to statistics given in a recent article in Forbes magazine. He said regular solid waste presented more of a hazard to the solid waste processor than did disposable diapers.

Chair Hansen asked if anyone else present wished to testify. No one appeared to testify and the public hearing was closed.

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Councilor DeJardin appreciated all the testimony given at this meeting. He asked the Committee to defer the resolution to consider the facts further. Councilor Bauer noted consideration at the Council level would give all the Council an additional chance to review the resolution. He said the Committee had heard a great deal due to extensive testimony given at this meeting. Councilor Wyers concurred with Councilor Bauer. Councilor DeJardin said he would bow to the Committee's wish but noted he would vote nay on the resolution because he believed the issues could be explored further.

Motion to Amend: Council Bauer moved to amend Resolution No. 90-1232 with the deletion and addition of language under BE IT RESOLVED Section 7: [That the goal of elimination of all] That the goal of reduction of disposable diapers in the solid waste stream shall be incorporated in all relevant policies and legislative agendas of Metro.

Chair Hansen noted the Committee received letters on the resolution this date. Before the Committee was a letter from City Commissioner Earl Blumenauer to Chair Hansen dated March 12, 1990, urging the Committee to approve the resolution. Before the Committee was a letter from State Senator Dick Springer dated March 12, 1990, expressing his support for the resolution. Before the Committee was a letter from County Commissioner Pauline Anderson to Presiding Officer Tanya Collier dated March 12, 1990, expressing support for the resolution.

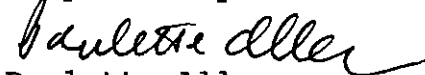
Vote on Motion to Amend: Councilors Bauer, Buchanan, Hansen and Wyers voted aye. Councilor DeJardin voted nay. The motion to amend passed.

Main Motion as Amended: Councilor Wyers moved to recommend the full Council adopt Resolution No. 90-1232 as amended.

Vote on Main Motion as Amended: Councilors Bauer, Buchanan, Hansen and Wyers voted aye. Councilor DeJardin voted nay. The motion passed.

Chair Hansen adjourned the meeting at 9:35 p.m.

Respectfully submitted,



Paulette Allen
Committee Clerk
SWC90.071