

COUNCIL SOLID WASTE COMMITTEE MEETING

May 26, 1987

5:00 P.M. - Conference Room 330

Committee Members Present: Councilors Jim Gardner, Gary Hansen, Sharron Kelley and Tom DeJardin

Staff Present: Tor Lyshaug, Dennis Mullivihill, Becky Crockett, Don Carlson, Judith Mandt

Others Present: Wayne Plew, Bob Hurley, Ralph Gilbert, Wayne Trewhitt, Mike Smith, Carla Tolliver, Merle Irvine, R.A. Daniels, Judy Dehen

The meeting was called to order at 5:10 p.m. by Committee Chairman Gardner.

Minutes of May 12, 1987 approved.

Don Carlson, Council Administrator, reminded the Committee members of the meeting on June 4, 1987 at 4:00 p.m. to go over the Final Evaluation Report with the staff. The meeting will be in Room 330 or 240.

1. Briefing on Solid Waste Management Planning

Ms. Becky Crockett, Solid Waste Analyst, went over the handout the Councilors received previously, which gives an overview of what the project is all about. The project will build on the waste reduction program, finish off the waste reduction program goal setting, determine what waste is out there that we will need to plan facilities for, what the region's goals are in how to manage that waste stream, the appropriate numbers and sites for the needed facilities, and ultimately where those sites will be located.

She recommended that the handout titled "History of the Regional Solid Waste Management Plan" prepared by Randi Wexler, Solid Waste Analyst, be read, as it is a tight overview of what documents we are functioning under at the present time, essentially what comprises the basis for our decisions now.

Solid Waste Committee Meeting
May 26, 1987
Page 2

A several page addition also explained the Solid Waste Work Plan. The estimated time frame on this plan is eighteen months to two years to do in its entirety. At the end of that time frame, we should have specific permitted sites and facilities. Ms. Crockett will come back to the next meeting and go through this plan in more detail with the Council Committee.

On May 15, Rena Cusma, Executive Officer, and Dick Waker, Presiding Officer of the Council, held a "Key Leader" meeting. The purpose of that meeting was to gain political support in the region for developing the Solid Waste Management Plan. Those who attended the meeting were Dale Harlan, Gladys McCoy, Bill Bach, of the Port of Portland, representing Lloyd Anderson, Bonnie Hayes, from Washington County, and Dave White from Bob Koch's office. At the conclusion of the meeting, all were extremely supportive of the Solid Waste Plan and said it was about time Metro took the lead in doing this kind of function, but, in fact, it was also about time local governments paid attention to how Metro went through the planning process. The Solid Waste Department gave an overview of what is being done and scheduled a larger meeting for June 5, 1987 where representatives of all jurisdictions in the local region will be invited to come. Executive Office Cusma and Councilor Waker will at that time ask for their support and propose a Key Leaders body that would be similar to the JPACT Committee for transportation.

Councilor DeJardin asked what the intended longevity of such a committee would be. Ms. Crockett answered that at this time it would definitely last during the duration of the Solid Waste Plan, which would be the eighteen months to two years, but no decision had been made as to further involvement.

Don Carlson asked what sites were being considered in the plan. Ms. Crockett answered that work was being done considering a series of things; the givens, conditional givens and what we have to plan for. The givens includes only one thing, CTRC. The conditional givens include the landfill, WTRC, and Resource Recovery. She hopes to explain each item in more detail in the next Committee meeting.

Staff would like to be prepared to present to the full Council on June 25, 1987, several things. They would like the Council to endorse the Project Work Program, endorse the Key Leaders Recommending Committee, and the Technical Task Force that would be feeding information into that Key Leader Policy group, they would like to identify both short term and long term planning

horizons, and last, would like to bring to the Council and have endorsed, what they call our givens, conditional givens and what will have to be planned for and let the Council take action on those before further work is done. It's intended that the Staff bring these items to the Committee on June 9, 1987 and take them to the Council on June 25, 1987.

2. Status Report on Waste Diversion Program.

Tor Lyshaug, Acting Director of Solid Waste, stated that before more givens can be added to the program, DEQ would have to make some decisions. These decisions are supposed to take place on June 12, 1987 or thereabouts. The DEQ will probably complete its studies and make a decision on a landfill site within a year.

In the meantime, we do have this problem of waste diversion that we are going to have to deal with rather shortly. We have 200 tons per month more than St. John's can deal with. In five years that adds up to a million tons. For that reason we are now actively considering some alternate proposals on how to do this, such as moving the waste to Eastern Oregon. We do have some "in-house" or "in-system" solutions that are available now. For instance, the drop-box ban.

The CTRC contract extension will play a rather substantial role. Metro needs to develop some data up front in regard to sorting and recycling at the transfer station. The original plan in force when the contract with Wastech was made may not be valid at all in five years. We have no way of knowing what the situation will be in five years.

Councilor Gardner asked how the drop-box diversion would relate to this whole question. Would banning drop-boxes be enough to lower the tonnage at CTRC to the 700 ton limit?

Mr. Lyshaug stated drop-box diversion should be a last resort because it would place a large burden on some users in the area. East County Transfer is interested in increasing their operation and doing more post-sorting. Wastech can take additional, Killingsworth Fast Disposal can take additional and CTRC can take additional, but they would all be filled up in short order. Whichever one of these methods is used, or even all of them combined, will comprise a short term solution. We are looking at adding or changing the permit or franchise for CTRC so they can better respond to what they are being asked to do. As soon as we have a proposal, we will bring it to the Council for policy decisions.

Solid Waste Committee Meeting
May 26, 1987
Page 4

Don Carlson asked if there was a sense of priority as to which methods, i.e., banning drop-boxes, diverting some loads to Killingsworth Fast Disposal, post-sorting of recyclables at CTRC, etc., would be used and how much each solution would eliminate from St. John's. Mr. Lyshaug replied that he felt the various data needed was coming together at about the same time, probably in the next month. However, we also must get through the bureaucracy and we have two months for that process.

The recommendation from the legal council was that we did not need the criteria for extending the contract at CTRC. One of the criteria was "Would Metro save costs"? Mr. Lyshaug disagreed with the conclusion that Metro would not save costs. He felt if we go out for bids, we are going to get higher costs, while the current contract would be extended at the current price. He felt that reasonable analysis would come to this conclusion.

Mr. Lyshaug stated that if he were a contractor bidding in this situation, he would love to have a five year contract. He stated he has been a contractor for many years, so he knows a little bit about the incentives. He felt there would be changed conditions every year and he would have a chance to second-guess the organization and it would be one way of making it.

Don Carlson stated that his understanding of the conditions that have to be satisfied to extend the contract are that it won't inhibit competition in the future and that there are cost savings to the district.

Mr. Lyshaug answered that in this particular instance we were considering an 18 month contract only and that after this period a contract for five years would probably be undertaken. After 18 months the Washington County Transfer Station would be in place, or at least, it would be a known quantity.

Don Carlson then asked if the Solid Waste Staff had the evidence as to whether the two condition he referred to earlier would be satisfied. Mr. Lyshaug stated that the last letter of BFI (a second letter which stated their estimates quoted in an earlier letter would be valid for a five year contract only) would support his statement about costs. As to whether it would impede competition is one opinion against another.

Mr. Lyshaug stated he would like to have a resolution from the Committee that would say, for instance, "We would like to see the contract extended," or "We would like to go to bid contract." Then

Solid Waste Committee Meeting
May 26, 1987
Page 5

it is up to the staff to come up with the necessary support on that.

Councilor Gardner stated that in his personal opinion, the supporting evidence seemed to favor extending the contract rather than going to bidding.

Don Carlson briefly reviewed the present contract and history and then asked what we will know in another year that we don't know now. Mr. Lyshaug answered that 1) we will be able to start the post-sorting and recycling at CTRC, and 2) it would give us some hard data that we can put in as performance standards when we bid another transfer station operation. That is data we really don't have and should have available to make a much more meaningful contract that can deal with the reduction and post-sorting and recycling functions at the transfer stations.

Councilor Kelley asked why we would be able to do this post-sorting, etc. with the present vendor and not be able to do it with a new vendor. Mr. Lyshaug replied that the present vendor is already moved in and has the facilities in place to do the job. With a new vendor there would be some kind of time delay before they would have everything in place and in operation.

Councilor DeJardin asked if the current vendor had been performing adequately and with no complaints and are they willing to do the post-sorting, etc. Mr. Lyshaug replied there had been no complaints and they were ready and able to do any recycling needed.

Councilor Hansen asked if the Oregon City lawsuit would have any impact on the signing of an 18 month contract. Mr. Lyshaug answered that he didn't know, but that Metro should hire a good land use lawyer. Until he had seen the lawsuit itself, he could not make a valid statement.

Councilor Gardner stated that if Metro could manage to reduce the tonnage at CTRC to the 700 ton per day level, it would render the lawsuit moot.

Mr. Lyshaug stated that since the CTRC had been built with public money to be capable to handle three times the amount at issue, it might be worthwhile to get a ruling.

Councilor Hansen said that from a previous meeting Councilor Van Bergen had indicated there were problems with CTRC, such as litter, the landscaping, etc.

Mr. Lyshaug stated that these items were Metro's responsibility and plans were in effect to increase our effectiveness. The contractor has been cleaning up around the facility itself. The litter has been on the freeway.

Councilor Gardner suggested that by the next meeting of this committee on June 9, 1987 a resolution be brought for vote by the Committee.

Mr. Lyshaug stated that one of the problems was the time factor involved, preparing these statements, bringing them before the Committee and the Council, etc.

Councilor DeJardin commented that during the process of dealing with issues of the Convention Center, the Management Committee made it clear they would be willing to meet at any time in order to expedite the work, because they recognized the pressures involved and how quickly various issues need to be covered as far as Council action. He encouraged his colleagues to be equally responsive in the case of the Solid Waste problems.

3. Briefing on Solid Waste Legislation

Dennis Mulvihill, Waste Reduction Manager, gave the report in place of Kim Duncan, who was unable to attend the meeting. There are probably 15 or 20 Priority "A" Solid Waste bills being considered in the Legislature. Mr. Mulvihill focused on two types; mandatory recycling and plastics.

The plastics legislation has heated up and has received a lot of fanfare. There are only three bills that seem to have a chance. Senate Bill 290 prohibits the sale of plastic milk containers that cannot be returned for deposit effective January 1, 1990.

Councilor Kelley asked if we knew what kinds of plastic were involved in this bill. Mr. Mulvihill replied it was high density polyethelate. It is not the kind that puts out the worst pollutants when burned, but still is not good for the air quality.

Senate Bill 924 creates a plastic recycling program in DEQ. Products in plastic containers have to be labeled before sale after 1990. It may be pushed together with House Bill 2883, which includes a tax on plastic liquor bottles. House Bill 3313 establishes a plastic recycling program. It seems redundant and probably will not pass. Then, as always, a bill to limit the sale of non-biodegradable disposable diapers. Similar bills have been before the legislature for the past 15 years.

Solid Waste Committee Meeting
May 26, 1987
Page 7

The plastics industry has sent out a flyer about a conference concerning recycling of plastics. The whole tone of the brochure seems to signal a change in attitude. The brochure states that "it takes less energy to recycle plastics than to burn plastics".

The conference will be dealing, in part, with practical things that can be done with recycled plastics. Mr. Mulvihill is planning on attending this conference.

On mandatory recycling, House Bill 3390 sets up mandatory recycling, calling upon cities and counties to enforce it. It also has some language in it again giving DEQ oversight over Metro, making it necessary for Metro to report in one year, then in five years, setting goals, and about how well we're doing. Any time we wish to amend our waste reduction program, we would have to get DEQ's permission to do so. It also calls for a local advisory committee that advises the local government on how to manage the property, and it sets up a fee structure.

Senate Bill 2619 sets up a fee structure for paying host communities for providing a landfill.

Representative Faubush tried to get the mandatory language from Bill 3390 into Bill 2619. The Committee wouldn't hear of it.

Mr. Mulvihill mentioned that it is always irritating to have someone overseeing operations, but that 1989, the date on which the overseeing by DEQ on this matter would go into effect, was also the date Metro had set to be totally in compliance with all standards anyway.

Councilor Hansen said that he felt Metro could handle have DEQ looking over its shoulder, but he wondered if DEQ would also have its hand in Metro's pocket and who would be paying for DEQ's services.

Mr. Mulvihill replied that the question was not brought up in the Committee meeting, but there was a move to make an administrative rule to make a charge of \$85,000 just for an application for a landfill.

Mr. Mulvihill also stated he felt there has been a shift in the legislature to realizing the problem of mandatory recycling, etc. was not as simple as first thought and if any mandatory situations were put in, an advantage to Metro would be that the State would be blamed instead of Metro.

Solid Waste Committee Meeting
May 26, 1987
Page 8

Councilor Kelley asked if any of the bills took into consideration hazardous waste. She felt DEQ might have a justifiable role in overseeing hazardous waste.

4. Other Business

Councilor Hansen questioned the information received by the Council on Yard Debris diversion. The price for the low bidder was included in the hand out, but the prices of the other bidders was not.

Tor Lyshaug stated that the price for the low bidder of \$23.50 approximately. That bid was not responded to. The third bid was substantially higher.

Councilor Gardner adjourned the meeting at 7:00 p.m.

Respectfully submitted,


Cathy Howatt