

APPROVED
Date 7-5-94

MINUTES OF THE METRO COUNCIL SOLID WASTE COMMITTEE

June 7, 1994

Council Chamber

Committee Members Present: Ruth McFarland (Chair), Sandi Hansen, Susan McLain, Rod Monroe, Judy Wyers

Councilors Absent:: Roger Buchanan (Vice Chair)

1. Consideration of April 5, 1994 Solid Waste Committee Meeting Minutes

Motion: Councilor Monroe moved to approve the April 5, 1994 Solid Waste Committee meeting minutes as submitted.

Vote: Councilors Hansen, McLain, Monroe and McFarland voted aye. Councilors Buchanan and Wyers were absent.

The vote was unanimous and the motion passed.

2. Solid Waste Updates

- General Staff Reports
- Waste Reduction Program Activities

Sam Chandler, Facilities Manager, presented a staff report regarding recent successful household hazardous waste collection events. He indicated other events were planned for the future, and said he would report back to the Committee as neighborhoods continued to request assistance from Metro in conducting such events.

Mr. Chandler reported the Enforcement Unit had identified \$263,000 in otherwise unidentified fees due to Metro. He discussed successful collection activity of monies due was underway, and noted the work of the unit was developing into a deterrent to illegal dumping.

Councilor McLain expressed interest in the locations for such events, the proximity to Metro Central and the way funding was being handled.

Councilor Wyers inquired about the notification process, and asked that the Councilor in whose district an event was to occur be notified. Mr. Chandler agreed.

Genya Arnold, Associate Solid Waste Planner, presented the staff report regarding the new In House Waste Reduction guidelines. She distributed materials to the Committee featured in the program, including desk-side recycling box labels, flyers and a brochure describing the new program. She noted a recycling program had been implemented in the Metro Day Care Center as well. Ms. Arnold noted that Cheri Arthur, Council Secretary and member of the Task Force would be giving an orientation briefing to Councilors in the near future regarding the new guidelines.

Dennis O'Neil, Senior Solid Waste Planner, presented a staff report regarding the closure process at the St. John's Landfill. He noted an intergovernmental agreement with the City of Portland was being prepared for filing with the Clerk of the Council seeking Council approval, and said it would involve a risk assessment of the Smith & Bybee Lakes area around the landfill, and gave details regarding levels of the plan for the risk assessment. He indicated anticipated costs of the IGA of approximately \$67,000, and noted other costs associated with Parametrix sampling of about \$42,000, for a total of approximately \$110,000, and noted the figure was below the budgeted figure of \$150,000 FY 1994-95.

(Continued)

In response to Chair McFarland, Mr. O'Neil said about 40% to 45% of the landfill was currently covered, which he said included Sections 1 and 2.

Bob Martin, Solid Waste Department Director, said he would be bringing forward a package relating to the issues related to re-bids of both of the transfer stations, and said he would have a recommendation completed and distributed to the Councilors by the end of the week as to whether to extend or to re-bid, and said the matter would be ready for placement on the agenda at the next Solid Waste Committee meeting.

3. Informational Update on issues and Proposals Related to the Disposal of Waste From the Forest Grove Transfer Station (No Action Requested: Discussion Only)

Mr. Martin said he did not have much progress to present regarding an update to the Committee regarding issues and proposals related to the disposal of waste from the Forest Grove transfer station. He said a draft proposal had been received from A.C. Trucking concerning taking the waste to Metro Central followed by transport to Columbia Ridge to take advantage of some interim savings potential. He said further discussion had occurred with Sanifill regarding the potential for savings should the waste be committed to be left at the Riverbend landfill, followed by submission of their proposal as well. Mr. Martin felt either of the proposals would accrue savings to Metro, and said both proposals were under evaluation prior to recommendation to the Executive.

Councilor McLain expressed interest in Committee involvement in the policy issues and criteria to be used related to such proposals. Councilor Wyers echoed Councilor McLain's perspective and said she felt a Councilor should be involved in the process when responses to proposals were under evaluation. Mr. Martin concurred.

4. Review of Flow Control Implications of the Recent U.S. Supreme Court Decision: Clarkston N.Y. vs. Carbone, Inc. (No Action Requested: Discussion Only)

Todd Sadlo, Senior Assistant Counsel, discussed the decision of the Supreme Court in the case of C & A Carbone, Inc. v. Town of Clarkstown, New York. He referenced his memorandum dated May, 27, 1994 to Councilor Wyers and Executive Officer, Rena Cusma in which he described the decision and its impact to Metro. This document was printed in the agenda packet for this meeting. Mr. Sadlo said Metro continued to have authority to assess a user fee on each ton of solid waste generated or disposed of within the District, and said the Metro system of regulating flow did not violate constitutional interstate commerce clauses. [Recorder's note: A document labeled, "1994 U.S. Lexis 3477*. C & A Carbone, Inc. v. Town of Clarkstown, New York, No. 92-1402" was made available at the meeting and has been placed in the permanent meeting record.]

Councilors McLain and Hansen requested Mr. Sadlo provide a brief explanation for each of the bills referenced in the document labeled "A Guide to Flow Control Legislation in Congress." Mr. Sadlo agreed to do so.

Roosevelt Carter, Budget and Finance Manager, Solid Waste Department, and Mr. Chandler presented the staff report. Mr. Chandler corrected an error in the staff report noting that employees were not paid on average \$17 per hour, but rather were paid on average approximately \$12.85 per hour. He distributed a document to the Committee labeled "Leave Time Hour Summary." Mr. Chandler said approximately \$29,000 was expended in the two recent collection events.

John Houser, Council Analyst, referenced his memorandum dated June 1, 1994 in which he directed questions to staff regarding figures in the staff report. The Committee and staff discussed the costs attributed to the collection events further. Chair McFarland requested the materials to be corrected be prepared for resubmission to the Committee for further review and approval. Chair McFarland continued that matter for hearing at the next Solid Waste Committee meeting to be held June 21, 1994.

6. Resolution No. 94-1940. For the Purpose of Expressing Metro Council Support for the "Bottoms Up, Threes Down" Campaign to Boycott and Eliminate PVC (#3) Containers (Action Requested: Motion to Recommend Council Adoption)

Chair McFarland introduced revised Resolution No. 94-1940A to the Committee. This document has been made a part of the permanent meeting record. Mr. Houser discussed the provisions of the proposed A version. Debbie Gorham, Waste Reduction Manager, presented a video tape of a report done by a local news channel, Channel 8 TV, regarding an forthcoming announcement of a Plastics Recycling Facility (PRF) planned for operation in Oregon by the end of the year.

Ray Phelps, Steve Ernst and Tom Gallagher, representing the American Plastics Council, addressed the Committee, and referenced materials made available to the Committee including a supplemental packet and additional reference materials. These documents have been made part of the permanent meeting record.

Councilor Wyers asked the gentlemen about where the PRF was to be located, and how a plant located in Eugene, Oregon, for example, would be useful to the Metro region's plastics recycling issues. Councilor Wyers also asked regarding the reference to curb side plastics recycling in the City of Portland as referenced in the video tape. Councilor Wyers asked what would eventually happen to PVC plastics once sensed and recovered from the stream. Mr. Gallagher said the material could be stored until adequate amounts were recovered to make a shipment to the highest bidder.

Betty Patton, Recycling Advocates, addressed the Committee and indicated the organization was pleased with the pro-active position being taken by the American Plastics Council, but expressed concern regarding the possibility that the PRF would not accomplish its goals. Ms. Patton corrected errors in language in the handouts apologized to the Committee.

Chair McFarland said she believed good faith should be presumed on the part of the industry and that the opportunity to prove themselves should be given.

Councilor Wyers suggested amended language which would indicate the report to be given to the Committee as delineated in Section 4 of Resolution No. 94-1940A should read: to include a discussion of collection programs and costs and the long term financial feasibility.

Mr. Engel indicated it might be difficult for the plastics industry to report in certain areas with information not necessarily available to them. The Committee discussed the matter further. Chair McFarland indicated it would be beneficial to create a record with reports from other interested and involved entities, such as the City of Portland, and suggested the Committee request such reports be presented at the time of the hearing.

Motion to Amend: Councilor Hansen moved to substitute amended Resolution No. 94-1940A for Resolution No. 94-1940.

Vote: Councilors Hansen, McLain, Monroe, Wyers and McFarland voted aye.

The vote was unanimous and the motion passed.

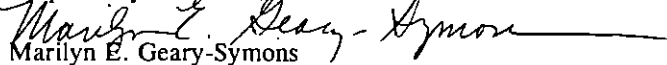
Main Motion: Councilor Hansen moved to recommend Resolution No. 94-1940A to the full Council for adoption.

Vote: Councilors Hansen, McLain, Monroe, Wyers and McFarland voted aye. Councilor Buchanan was absent.

The vote was unanimous and the motion passed.

There being no further business, the meeting adjourned at 6:29 p.m.

Respectfully submitted,



Marilyn E. Geary-Symons

Committee Recorder