

APPROVED
Date 7-6-93

MINUTES OF THE METRO COUNCIL SOLID WASTE COMMITTEE

June 9, 1993

Council Chamber

Committee Members Present: Roger Buchanan (Chair), Ruth McFarland (Vice Chair), Susan McLain, Ed Washington, Judy Wyers

Councilors Also Present: Mike Gates, Jon Kvistad, Sandi Hansen

Chair Buchanan called the meeting to order at 6:03 p.m.

1. Consideration of March 2, 1993 and March 16, 1993 Solid Waste Committee Meeting Minutes

Motion: Councilor Wyers moved to approve the March 2, 1993 and March 16, 1993 Solid Waste Committee Meeting minutes as submitted.

Vote: Councilor McFarland, Wyers and Buchanan voted aye.

The vote was unanimous and the motion passed.

2. Solid Waste Updates

o General Staff Reports

Bob Martin, Director of Solid Waste Department, presented the staff report, and said the SB 1004, regarding user fees for petroleum contaminated soils was due to be discussed in an informational review conducted by Senator Cease. Mr. Martin said the bill, if passed, would exempt all petroleum contaminated soil generated in the region from having to pay Metro user fees. He said Metro would lose \$560,000 per year if that occurred. Mr. Martin said Council has adopted a position in opposition to the bill, and said Metro had presented testimony to that effect.

In response to Councilor Buchanan, Mr. Martin said Metro's involvement with the Reidel composter was completed and in the past.

3. Informational Presentation by Solid Waste Department Staff Related to the Status of Negotiations Related to the Wilsonville Transfer Station

Mr. Martin said negotiations with Willamette Resources Industries (WRI) were substantially completed, and said by the next Solid Waste Committee meeting to be held June 15, 1993, he felt a recommendation would be forthcoming from the Department regarding the Wilsonville Transfer Station. Mr. Martin said he anticipated the matter would come before the Solid Waste Committee as an agenda item for at least two more Committee meetings. Mr. Martin complimented Jim Watkins, Engineering and Analysis Manager, and his staff regarding their efforts and WRI for their good faith effort.

Chuck Geyer, Senior Solid Waste Planner, gave a brief history, and said the conceptual design was completed in April, 1993, and detailed negotiations on the franchise itself began at that point. He said the agreement included that Metro would issue a franchise, and said the term of the agreement was 20 years, with an option to renew or allow the franchise to expire. Mr. Geyer said construction bonds in the approximate amount of \$10.3 million were issued, of which over \$9 million were tax exempt. Staff displayed charts, illustrations and graphs in their report, in which facility operations and cost comparisons were featured.

In response to Councilor McFarland, Mr. Watkins said to date approximately \$130,000 in costs were involved.

(Continued)

COUNCIL SOLID WASTE COMMITTEE

June 9, 1993

Page 2

Councilor Gates requested Staff prepare a cost sheet showing what was being paid directly by WRI and what was being paid by Metro.

Mr. Geyer indicated the Department believed Metro's flow control authority extended only to its boundary, but, he said the boundary could be extended in the future.

Councilor Buchanan asked for clarification regarding Metro's boundary as it appeared on the maps presented by the Department.

Councilor McFarland asked how many tons was Metro not sending to Metro Central that could be sent to Metro Central within the design capacity. Mr. Martin indicated a monthly average of about 31,000 with a yearly capacity of about 548,000.

Mr. Watkins said the maximum design capacity at Metro Central was 2,500 tons per day, and he said Metro was sending approximately 1,200 tons per day there at this time. In response to Councilor McFarland, Mr. Martin said capacity would probably be reached 10 or 15 years. Mr. Martin noted the capacity at Metro Central was not where it was needed, and said growth area was in the south portion of the region.

Councilor McFarland said there were commitments to haulers that needed to be acknowledged, but she said she felt there were commitments to the rate payers that were deeper yet. She said she was beginning to consider the possibility of postponement for building the Wilsonville transfer station.

In response to Councilor Gates, Mr. Watkins said materials recovery lines were not in the present design, thus recovery percentages were estimated at a lesser amount. He said the plan was to wait to put in such lines in order to better assure productive materials recovery.

The Committee as a whole and Staff further discussed tonnage projections, facility capacities and costs.

Councilor Gates asked for clarification regarding the design estimates for Wilsonville, South and Central. Mr. Watkins said the design estimates were 196,000 tons for Wilsonville and 548,000 tons for Central.

Todd Sadlo, Senior Assistant Counsel, said it was possible to bank a site if it could be shown it was necessary for public use. He said banking a specific land use designation was more difficult, and would difficult for Metro because Metro did not have land use authority over the site. Mr. Sadlo said no vested right existed to build or use property a certain way until substantial expenditure had been made to develop that property. Mr. Sadlo said the site design review approval for the Wilsonville property, which he noted was zoned Planned Development Industrial Zone, expired in 1995. Mr. Sadlo said it was his opinion that Metro would encounter difficulties with local jurisdictions if an attempt to bank the site were made.

Mr. Martin referenced a letter from Councilor Gates dated April 27, 1993 which contained several questions for the Department regarding tonnages and the prospect of a Wilsonville transfer station. This document has been made part of the permanent meeting record.

Mr. Martin discussed Metro South capacity design, and noted the current year tonnage was at 360,000 tons. He discussed traffic problems at current levels as well as other factors of impact on capacity such as physical arrangement of the gatehouse and numbers of vehicles per hour that can be moved through the facility. He said the Metro South facility is running at maximum levels for efficiency, and that with the Wilsonville facility in place it was expected tonnage at Metro South would drop to 250,000 tons per year.

Mr. Martin discussed a new agreement entered into with Oregon City in February 1993 which raised the annual tonnage limit at the facility that exists from 250,000 tons per year, the previous limit, to about 400,000 tons per year. He noted the agreement

COUNCIL SOLID WASTE COMMITTEE

June 9, 1993

Page 3

with Oregon City indicated Metro would make efforts to reduce the tonnage at Metro South to 250,000 per year to assure Metro would work toward a transfer system in Washington County. He said the agreement with Oregon City would expire in 1996.

Mr. Martin said he would provide the capacity design estimates in writing to the Committee.

Mr. Martin clarified there was no forced flow control at this time.

Councilor Hansen asked what would Metro have to do to prepare for a 10 year moratorium should the decision be to delay building the facility.

Councilor McLain asked that Staff provide the Committee with a pro and con list of options for the system as a whole.

Merle Irvine, WRI, addressed the Committee and in response to Chair Buchanan's request, he said he would work with John Houser, Council Analyst, to arrange a tour of the site in Wilsonville.

Chair Buchanan recessed the Committee at 7:25 p.m.

Chair Buchanan reconvened the Committee at 7:35 p.m.

4. Informational Presentation by Staff and Public Hearing Related to Metro's Advertising Program Concerning Alternatives to Pesticide Use

Mr. Martin briefly discussed the concern for the way in which pesticides are handled, the Household Hazardous Waste (H2W) facility operation, and Metro's role in promoting public awareness.

Mr. Martin said Metro had agreed not to use the controversial tomato ad any longer, and presented a new ad designed by the Public Affairs Department.

Vickie Rucker, Public Affairs Director, addressed the Committee and noted the Department had been involved for the last six years in advertising the H2W collection events, and had developed brochures for the public explaining how to keep a home from becoming a H2W site. She said the Department had been encouraged by the Metro Council, the Department of Environmental Quality (DEQ), and by citizens to produce more information regarding substitutes for pesticides, and a booklet had been produced by the Department entitled, "Common Sense Gardening", workshops were being conducted, radio ads were being run, and trade show booths were utilized to bring the information to the public. Ms. Rucker said many calls were received in the Recycling Information Center requesting the booklets as a result of the program. Ms. Rucker said complaints regarding the tomato ad were in the main from industry, and displayed the new ad which had language from one bottle only in it. Ms. Rucker referenced a letter from Terry Witt, Oregonians for Food & Shelter, and denied making the statements to which he alluded in his letter. She said the purpose of the ad was to capture the attention of the general public.

Bob Knoll, Knoll, Dodge & Ptrs., addressed the Committee and said the ad did not mention the professional agricultural community nor was the ad's intent to cast doubt on the quality of commercially grown food products. He said the material was directed solely at H2W use by amateurs.

Councilor Kvistad said he was not comfortable with the new ad, and said he felt the word "Household" should be printed in large letters in the ad to better indicate the target population.

Marcia Keesey, 7017 S.W. 7th Ave., Portland, testified before the Committee in opposition to the use of pesticides. She entered her written testimony into the record. This document has been made part of the permanent meeting record.

Eric Anderson, 2727 N.E. 11th, Portland, testified before the Committee in opposition to the use of pesticides.

COUNCIL SOLID WASTE COMMITTEE

June 9, 1993

Page 4

Terry Witt, Executive Director, Oregon Food and Shelter, referenced a letter from the organization which had been distributed to the Committee. He said it was helpful for the consumer to buy only what was needed for the growing season, and share excess with a neighbor. Mr. Witt entered testimony for the record from Andrew Anderson, Farm Bureau. This document has been made part of the permanent meeting record.

Councilor Hansen commented she had not seen nor read anything on pesticide labels explaining about rinsing bottles three times making them safe for disposal in the normal fashion.

Scotty Fairchild, 2735 S.E. Clinton, Portland, professional gardner, testified before the Committee opposed the use of pesticides and supported alternatives. He supported the ad campaign.

Dick Hartmann, Growth Products and Services, discussed a garlic-based pesticide produced by his company called Garlic Barrier. He felt he was neither for against the use of chemicals, and said he thought of them as medicines for the plants, which were beneficial when properly used.

Will Newman, PO Box 406, Canby, OR, said he was active in the Master Gardener program, past president of Oregon Tilth, and said he operated an organic farm. Mr. Newman supported the proper use of any and all pesticides, and used the booklet developed by the Metro Public Affairs Department when he addressed other groups.

Councilor Wyers felt containers of chemicals should be made in more appropriate sizes to the level of use and more clarity was needed regarding what pesticide to use in what manner.

Charles Walters, Jr., testified before the Committee and distributed a document entitled, "Principles for Sustainable Agriculture", from his address at the Eco-Farming Conference, January 1993.

Tom Lipton, City of Portland Environmental Services, said his organization supported education of the public toward reduction and elimination of the use of pesticides and encourage industry to consider the alternatives.

Jeanne Roy, Recycling Advocates, testified before the Committee and commended Metro for its ad campaign. She said referenced a June Atlantic Monthly article that advocated for products manufacturers' responsibility concerning packaging. She said Metro's booklet, "Common Sense Gardening" was one of the best she had seen, noting she maintained a file of alternatives to pesticides and herbicides. She urged Metro to add language back into the ad concerning the potential harm to birds, good insects, and the water supply.

Pat Vernon, Waste Reduction and Planning Manager, DEQ, testified before the Committee and expressed her support for continuing educational programs to heighten public awareness regarding the use of H2W.

Councilor Hansen said she hoped the Department of Agriculture and the Department of Environmental Quality would talk to one another and merge viewpoints into one unified message.

Denise Toll, 5745 S.E. 21st Ave., Portland, chemist, testified before the Committee, and opposed the use of pesticides. She said her lawn was the most beautiful on the block without the use of synthetic chemicals. She recommended the ad campaign should talk about the effects of the use of toxins improperly used. She suggested Metro encourage the Oregonian to use soy based inks, and recommended Metro not use red ink as red dyes produced a disposal problem.

Wesley Lydehl, PO Box 1756, Beaverton, Guaranteed Pest Control Service, expressed displeasure with the ad, and felt it employed scare tactics. He suggested a positive approach using language that instructs the public to read the label. Mr. Lydehl did not feel the booklet would help solve problems of termites and carpenter ants.

COUNCIL SOLID WASTE COMMITTEE

June 9, 1993

Page 5

Rene Kimball, 2224 S.E. Umatilla St., Portland, took the workshop and found it excellent, and said there was standing room only. She supported the use of alternatives. She said she thought a fair trade off would be to make the letters in the ad smaller, if the letters on pesticide products were made larger.

Quincy Sugarman, Oregon State Public Interest Research Group (OSPIRG), distributed fact sheets from OSPIRG entitled, "Responsible Lawn Care, and Safer Solutions". She suggested the use of pesticides be as a last resort, and supported the educational program of the Public Affairs Department regarding H2W. Ms. Sugarman read her testimony into the record. This document has been made part of the permanent meeting record.

Mark Hansen, Wilbur-Ellis Co., opposed the use of the ad and felt it was an attempt at scare tactics.

Councilor McLain suggested the possibility that two types of campaigns, one for households and H2W, and one for the growers.

Lee Poindexter, P.O. Box 70183, Eugene, felt the booklet was good, but did not cover the full spectrum of possibilities. He said he was disallowed from mentioning his product because his registration with the EPA was pending. He described several chemicals that could be safely.

Bruce Alber, PO Box 8838, Portland, OR 97208, felt the ad utilized scare tactics, and read his testimony into the record. He supported the safe and proper use of pesticides, and warned against the dangers in overuse of so-called "organic" pesticides. He said a properly rinsed container is classified as non-hazardous waste and can be entered in the waste stream. This document has been made part of the permanent meeting record.

Councilor McLain pointed out Metro did have campaigns on paints, and other H2W.

Diana Harger, 3319 S.E. 75th, Portland, testified in support of the Metro ad campaign and the public educational program, and felt care must be used to protect the area's natural resources.

Molly Hickman, Registration Specialist, Charles H. Lilly Co., read her testimony into the record, and supported the safe and proper use of chemical pesticides and disposal of containers thereof. This document has been made part of the permanent meeting record.

Councilor Hansen referenced a document from Multnomah County entitled "Policy on Vector Control". This document has been made part of the permanent meeting record.

Councilor McFarland advocated for the new ad with the addition of language indicating such products had harmful effects on small animals and water supplies.

Motion: Councilor McLain moved that the ad campaign go forward with the stipulation that the pesticide industry be included in review of the campaign through a group or an organization or an individual member designated to provide such review.

Councilor McFarland seconded the motion. She added that the concerns of the users and members of the community should also be addressed.

Councilor Washington asked the question, "Where do we go from here?" He commented that if the ad had not been in the newspaper, no discussion at this level would have occurred.

In response to Councilor Wyers, Ms. Rocker said the first ad had included the language regarding harmful effects on small animals and water supplies.

COUNCIL SOLID WASTE COMMITTEE

June 9, 1993

Page 6

Motion to Amend: Councilor Wyers amended the motion to include language as found in the original ad regarding harmful effects to small animals and water supplies.

Vote on Motion to Amend: Councilors McLain, Washington, Wyers, McFarland and Buchanan voted aye.

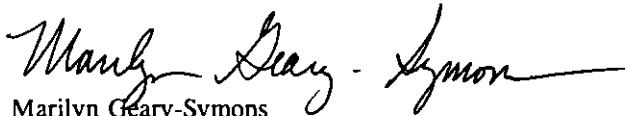
The vote was unanimous and the motion passed.

Vote on Main Motion as Amended: Councilors McLain, Washington, Wyers, McFarland and Buchanan voted aye.

The vote was unanimous and the motion passed.

There being no further business, the meeting adjourned at 10:02 p.m.

Respectfully submitted,



Marilyn Geary-Symons
Committee Recorder