

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

Metro Council Chambers  
June 19, 1990  
5:30 pm

Committee Members Present: Larry Bauer (Vice Chair), Roger Buchanan, Judy Wyers, Tom DeJardin  
Committee Members Absent: Gary Hansen (Chair)

Vice Chair Bauer served as Acting Chair in the absence of Chair Hansen. Acting Chair Bauer called the meeting to order at 5:35 PM

1. CONSIDERATION OF MINUTES OF MEETING OF MAY 14, 1990

MOTION: Acting Chair Bauer moved for approval of the minutes.

VOTE: Councilor Bauer, Buchanan, DeJardin and Wyers voted aye. Councilor Hansen was absent. The vote was unanimous and the minutes were approved.

Councilor Wyers informed committee members that the 1% for Recycling Committee will meet next week to consider ideas for revising the criteria for the 1% guidelines. A public hearing is scheduled in July at which time the Committee will review and incorporate the recommended changes prior to bringing this matter before the Solid Waste Committee.

2. COST RELIEF FOR CHARITABLE RECYCLING AGENCIES

BOB MARTIN - DEPT. OF SOLID WASTE described the role charitable organizations play in removing a substantial amount of materials from the waste stream through the recycling of durable goods. Mr. Martin stated the need for developing criteria to identify those organizations qualified for rate relief and the need to equitably administer the rate relief program. He said that although money has been budgeted for the next fiscal year to develop this program, it will begin earlier in response to rate increases scheduled to take effect on July 1, 1990.

PAMELA KAMBER - SOLID WASTE DEPT. submitted a document to Council members titled Non-Profit Charitable Rehabilitation Coalition Request, dated June 19, 1990 that accompanied her presentation on the overhead projector. The presentation addressed the impact that rate increases and illegal dumping have on charitable organizations, proposed eligibility criteria to determine if an organization qualifies as a non-profit charitable rehabilitation organization, and displayed charts portraying current disposal levels at 42%, and recycling levels at 58% which result in a significant reduction in the amount of materials being kept out of the waste stream. Ms. Kamber cautioned the Council against

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creating disincentives to charitable organizations whose efforts at recycling materials are both labor and cost intensive. Coalition members report a dramatic increase in illegal dumping at their facilities as a result of higher dumping fees. This has a major financial impact on these charities; one coalition member reported an annual dumping fee in excess of \$50,000.

Ms. Kamber stated the four coalition members request not to be referred to as "thrift stores," but rather as non-profit, charitable rehabilitation coalitions.

Ms. Kamber pointed out that the timeline is being fast tracked from that originally proposed in the budget to give coalition members immediate rate relief. At the July 3 Solid Waste Committee meeting, the coalition intends to present an analysis of a study they are conducting pertaining to economic incentives that encourage recycling by non-profit charitable rehabilitation organizations, and at the July 17 meeting they plan to present a draft ordinance to the Committee with the hopes of having this issue through the Council process by August.

In response to a question posed by the Council at a previous meeting regarding how a rate freeze would impact the METRO budget, Ms. Kamber stated freezing the disposal fees at current rates for one year would cost \$50,000, or \$12,000 if an interim measure was put into place through October while a long-term solution was found.

In response to a question by Councilor Buchanan as to how agencies will be determined eligible to participate in the program, Ms. Kamber stated that qualified organizations would be those making significant efforts towards waste reduction. Mr. Martin added that there is a major distinction between the level of waste reduction which the four coalition organizations are involved in compared to similar types of organizations.

Councilor Wyers asked if the rate relief offered under the Seattle plan is in the form of a rate freeze or budget credits. Ms. Kamber said she understood it to be a set (35%) percent discount each year and is based on the amount of paid disposal dollars.

Councilor Wyers concluded by asking if the draft ordinance that is to be presented to the Council in August would include a dollar figure for credits, a rate freeze, or a rollback. Ms. Kamber responded that a list of relief options and possible formulas will be offered at the July 3 briefing. An ordinance pertaining to the rate relief would then be presented for consideration by the full Council in August.

No further questions to staff were posed by the Council and the

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discussion was opened to the public.

RICHARD ROSS - BOARD MEMBER OF GOODWILL INDUSTRIES OF COLUMBIA WILLAMETTE AND MEMBER OF THE ADVISORY COUNCIL TO THE SALVATION ARMY gave testimony as a representative of the non-profit charitable rehabilitation organizations which includes Goodwill Industries, St. Vincent De Paul Society, The Salvation Army, and Deseret Industries. Mr. Ross submitted a copy of his testimony for the record. He stated that in 1989, 7,000 tons of goods were sold or recycled through coalition members, items that otherwise might have been shipped to a landfill; an additional 7,000 tons of donated materials was disposed of. Mr. Ross stated that rising disposal fees impact coalition members as illegal dumping at their facilities increases and causes program dollars to be diverted to dumping fees. He reported that \$400,000 was spent in dumping fees by coalition members last year.

Mr. Ross requested a permanent rate freeze for charitable organizations at current disposal rates in recognition of their substantial recycling efforts that keeps a large volume of tonnage out of the landfill. He pointed out that many cities across the nation provide rate relief to these charitable organizations and stated that the increase in dumping fees scheduled to take effect on July 1 would mean an increase of at least \$56,000 to the coalition as well as an increase in the amount of trash dumped at the organizations' facilities. Mr. Ross reiterated his request for an immediate rate freeze at current disposal rates, and requested the Committee to adopt a policy of long-term relief for charitable non-profit recycling agencies in the form of a permanent freeze.

Councilor Buchanan asked to what degree illegal dumping is a problem to the coalition.

TIM HORNBECKER - ST. VINCENT DE PAUL responded that illegal dumping at their facilities always increases when tipping fees are raised. He stated that of the 14,000 tons which the coalition annually landfills, 6,865 tons is illegally dumped garbage.

Councilor Wyers asked Mr. Hornbecker to clarify what the operating budgets are for the coalition. Mr. Hornbecker responded that while the budgets may appear large, approximately 88% of the budget goes back into direct rehabilitation programs rendered to cover training and rehabilitation of people which is a costly business to operate.

Councilor Wyers asked if the \$50,000 estimated impact on METRO's budget that would result from a rate freeze is a figure which concurs with the coalition's estimate. Mr. Hornbecker said it did and pointed out that in terms of the human services this money

could provide, it would mean 1,435 nights of shelter for a family of three at an emergency shelter, or 2,153 days of food. Having to pay an additional \$50,000 for dumping fees would mean the organizations have that much less to offer in services to be rendered in the coming year.

Councilor Wyers stated that Mr. Ross' comments indicated that he did not feel budget credits would be a good solution. Mr. Hornbecker thanked METRO staff for working with the coalition and said a guaranteed rate freeze at the \$400,000 level paid last year gives the coalition a solid number for budgeting purposes. He added that the \$50,000 figure did not seem like very much for METRO to absorb and that the rate freeze option would be more effective than implementing costly accounting procedures which a budget credit system would require.

Mr. Ross then showed a Channel 6 newsclip depicting the problem of increasing amounts of illegally dumped garbage on charitable organizations as a result of rises in landfill rates and the additional burden in expense and labor it creates for charities to dispose of the garbage.

Councilor Buchanan asked if charitable groups in other areas of the country that have been excluded from this type of program have complained.

CAPTAIN LYNN RODAL - SALVATION ARMY testified said she has not heard of other collection groups around the country complaining about this policy because they are for-profit organizations and do not provide direct services to the disadvantaged as a result of their collecting and processing used goods. Organizations would have to comply with all of the proposed sample criteria which is also designed to help protect METRO in determining an organization's eligibility.

DWAYNE EVANS - DESERT INDUSTRIES testified that the 501.C3 tax exempt status specifies what monies taken in can be used for and that this would serve to eliminate unqualified organizations. Councilor Buchanan asked what the coalition's second relief choice would be if a rate freeze was not granted. Mr. Hornbecker said that recycling is a great incentive for coalition organizations to try and reduce the \$400,000 they annually spend for landfilling. Mr. Hornbecker said is important to have a base percentage rate for budgeting purposes. He said his second choice would be "no rate".

Councilor Bauer told Mr. Ross that he had served as an inspiration to the Councilor for more than 35 years and had encouraged his development and sensitivity to the public affairs in the state.

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He publicly thanked Mr. Ross for his inspiration and for being an outstanding contributor to the distribution of information and public knowledge in the community.

KAREN BELSEY - STAFF ASSISTANT TO COUNTY COMMISSIONER BAUMAN submitted Resolution 90-91 which passed unanimously by the Multnomah Board of Commissioners on June 14, 1990 and requests METRO to provide garbage disposal rate relief to non-profit charitable agencies. As the main governing body managing human services in Multnomah County, the Board of Commissioners is concerned that increased dumping rates will impact human service providers. The Board's resolution is to note the contributions that charitable recycling coalition agencies have made in providing services to the citizens of Multnomah County.

Acting Chair Bauer then opened the meeting for questions by the Councilors to the staff.

Mr. Miller said other possible rate relief options include awarding increased recycling efforts with a reduction in disposal rates; for example, an increase from 50% to 75% in recycling could be awarded with an increased disposal credit. Another option would be to follow what Seattle and other cities have done which is to set an annual percentage of relief for these organizations regardless of how much recycling is achieved.

Councilor Wyers questioned the impact of a rate freeze on METRO's budget next year and asked Mr. Miller if there were contingency funds to cover the \$56,000. She also asked if a freeze was implemented, could respective cutbacks be made to compensate the loss. Mr. Miller said a freeze will cause an impact on METRO's budget and there are contingency funds to cover it. He stated the importance of consistency in administering rates and in how the rates feed into the budget. Mr. Miller noted that if a freeze or rate reduction is granted to certain landfill users and the lost revenue is made up by other users, this in effect would be a subsidy by haulers of a certain class of user. Mr. Miller suggested the funds be derived from a general fund source rather than a rate derived source and said he would examine offsetting the fiscal impact with a general fund source.

Councilor Wyers cautioned against making this so complicated that it is impossible to do.

Councilor DeJardin said he felt these organizations were entitled to some form of recognition for the time and expense they must invest in handling illegally dumped garbage. Mr. Miller pointed out that while fees will increase on July 1 for commercial haulers, the self-haul rate will remain the same at \$15 a load which may not cause an increase in illegal dumping.

Acting Chair Bauer suggested an ordinance be considered after options and budget impacts are presented on July 3. He thanked the witnesses and invited them to attend the next meeting. Councilor DeJardin added that the Committee is in favor of some form of rate relief which he anticipates the full Council would also support.

A five minute recess was called at 6:50 PM.

The Council next took up the Regional Yard Debris Plan.

3. CONSIDERATION OF RESOLUTION NO. 90-1290 FOR THE PURPOSE OF APPROVING THE REGIONAL YARD DEBRIS PLAN FOR SUBMITTAL TO THE DEPT. OF ENVIRONMENTAL QUALITY

A summary report on the Regional Yard Debris Plan was presented by staff members Rick Carson and Becky Crockett. Mr. Carson outlined the plan approval process and said adhering to the schedule was important in order to meet the July 1, 1990 deadline for submittal of the resolution to DEQ. After DEQ has reviewed and commented on the plan, it will come back to the METRO Council for 90 day consideration of DEQ's recommendations and comments, and for adoption of an ordinance by the full Council. Mr. Carson pointed out that much public input has gone into the plan which has been reviewed and approved by the Waste Reduction Subcommittee, the Solid Waste Technical Committee, and the Solid Waste Policy Committee; the process has included DEQ, local haulers and processors and local governments with workshops conducted throughout the counties. A key element of the plan is that local governments will implement collection options in balance with the market's capacity to utilize the product.

Several letters were received and submitted into the record from Far West Fibers, Inc., Grimms Fuel Co., and the Tri-County Council in support of the Regional Yard Debris Plan.

PETER SPENDELOW - RECYCLING SPECIALIST - DEPT. OF ENVIRONMENTAL QUALITY - submitted prepared comments and testified that 10% of the waste going to the Arlington landfill this year is yard debris and that it is more cost effective to recover and utilize the debris. Mr. Spendelow emphasized the importance of a yard debris plan that provides frequent curbside service and is paid for by all potential users of the service by July 1, 1994 dependent on market capacity. He pointed out that according to the METRO analysis, there already exists a long-term market demand for all yard debris which the region is capable of producing. Mr. Spendelow pointed out that the following points of the plan are not clear and need to be addressed in the final plan:

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1. Define market capacity in terms of the amount of yard debris compost sold at present price or at any price.
2. METRO needs to reevaluate financing options for curbside collection programs. The Oregon Recycling Opportunity Act (ORS 459.190) requires that households that source separate garbage for recycling collection may be charged less for garbage collection service.
3. METRO must specify each jurisdiction's proposed method of collection, projected participation, amount of materials expected to be collected, and see that intergovernmental agreements between METRO and local governments specify roles and funding sources for the local yard debris programs.

Mr. Spindelw said he felt that market development is stymied by lack of supply rather than by market users. The market may be further stymied because a large amount of yard debris is planned to cover the St. Johns landfill which means debris will not be available for additional uses until after the curbside program takes effect in 1991. Mr. Spindelw suggested the plan provide for a more orderly phase in.

Councilor Wyers asked Mr. Spindelw if he thought the plan would be approved by DEQ. Mr. Spindelw said the main criteria is that market capacity restrictions needs to be defined. He commented that DEQ recognizes the large amount of work that METRO and the advisory committees have invested in the plan and feels it is a workable plan.

The Council then opened the discussion to public testimony.

DAVID PHILLIPS - SOLID WASTE ADMINISTRATOR FOR CLACKAMAS COUNTY and MEMBER OF SEVERAL OF THE COMMITTEES THAT DEVELOPED THE YARD DEBRIS PLAN testified that the plan is the result of a great deal of consensus building and negotiations. He described the plan as aggressive and stated support for it.

In response to a question posed to him by Councilor Wyers, Mr. Phillips stated his objections to spreading the cost of debris collection across a broader base because garbage collection rates already include a large amount of money for waste reduction and that garbage bills are high enough. It is estimated that "free yard debris plan" will cost approximately \$35/year per garbage customer to finance and Mr. Phillips said he feels that is unreasonable to ask subscribing customers to pay for a service which a non-subscribing customer would get for free.

JOHN LANG - ADMINISTRATOR FOR ENVIRONMENTAL SERVICES IN PORTLAND spoke in support of the yard debris plan and urged adoption of it

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through a resolution. He cautioned against collecting excessive amounts of yard debris so quickly that it outpaces the market.

Councilor Wyers asked if adoption of the plan and the user pay language would be incentive enough to get consumers to recycle yard debris. Mr. Lang suggested that Portland's collection plan should be on a user-pay basis because the distribution of yard debris is not equal throughout property owners.

JEANNE ROY - RECYCLING ADVOCATES provided written comments for the record and said her organization approves of the plans comprehensiveness, but suggested the following changes to the minimum collection options for local governments (p. 76) that include:

1. Eliminating weekly and monthly user pay because it is too expensive for the amount of yard debris collected and replace it with twice a year curbside collection spread across the base like the program implemented in Seattle where the participation is over 60% and the user pays only \$2 a month for yard debris service;
2. Add municipal composting because it has the lowest cost per unit, the lowest cost to local government, and the compost is given away or sold to city residents;
3. Add monthly low-density depots similar to the monthly rotating depot;
4. Annually review the local collection option rather than waiting until 1994 (p. 95);
5. Include under the Objectives section on p. 3 "implementation of a local yard debris curbside recycling system within each jurisdiction"; and
6. Provide more information to local governments on the funding METRO will provide (p. 98).

Councilor Wyers expressed confusion over the cost discrepancies of the programs ranging from \$35-40 annually spread across the base to the \$2/month charge per customer under the Seattle Plan and asked Ms. Roy to explain the term "cost spread across the base". Ms. Roy explained that it means taking the cost of the entire yard debris collection service and spreading it across the entire base of garbage service customers. Ms. Roy said financing could also be accomplished by a tax base or special fee such as Oregon City uses. Councilor Wyers asked for the rationale of charging customers who do not create yard debris. Ms. Roy said the rationale is that an efficient, cost effective, and workable



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system is created.

In closing, Ms. Roy stated that contrary to what Mr. Phillips implied, every customer would not be required to subscribe to yard debris service. Ms. Roy informed the Council that she is a member of the DEQ Solid Waste Advisory Committee which is working on proposed legislation for next session that will require state agencies to purchase certain recyclable materials including yard debris compost would be one of them in order to stimulate market demand.

Acting Chair Bauer suggested holding over action on this matter as too many questions had been raised, however, Mr. Carson said the draft plan is required to be submitted to DEQ by July 1 and to not do so would be a violation of the unilateral order. After DEQ reviews the plan, it will be sent back to the Council for a 90 day review of comments and questions raised by DEQ and others. Acting Chair Bauer stated the shared opinion of the councilors that they should not be forced to make decisions sooner than they are ready to.

PAT MERKLE - MCFARLANE'S BARK PROCESSOR said her company is changing its processing facility as a result of information obtained from the METRO and DEQ staff. She commented that her firm is responding to the market and desperately in need of product because as they are currently only able to satisfy their residential customer base and lack sufficient product to supply major companies who wish to purchase large quantities of materials. Ms. Merkle asked the Council to consider Ms. Roy's suggestion for twice a year curbside collection spread across the base which would guarantee a working relationship with the garbage haulers to bring the yard debris to the processors. Ms. Merckle concluded by saying that as a result of the change in the market, there is now a preference in yard debris or a 30% switch in markets; she begged the Council to protect the processors need for an annual increase of 25% for the next three to four years in order to meet market demand.

There being no further witnesses present to testify, Acting Chair Bauer closed the public hearing at 7:35 PM and opened the meeting to questions for staff.

Councilor Wyers asked Mr. Carson to address funding the yard debris program. Mr. Carson said this issue was discussed by both the Policy Committee and the Council of Solid Waste Committee and it was agreed to include a separate finance chapter in the Yard Debris Plan since this cuts across all material recovery issues. Ms. Crockett stated the Policy Committee has directed that the finance chapter of the plan be sent out to local governments to solicit comments which are due back by July 5; this would then

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come would be before the Solid Waste Committee by the end of July. She stated the key component of finance is for the METRO Council to provide long-term funding sources that will assist local governments in bringing the programs on-line. Guidelines have been included in the finance chapter that indicate what would and would not be appropriate programs for METRO to fund.

**MOTION:** Councilor Wyers moved for Adoption of Resolution No. 90-1290 for the Purpose of Approving the Regional Yard Debris Plan for Submittal to the Dept. of Environmental Quality with one addition on page 3, Section B. Plan Objective to include one additional bulleted item and the following language:

"provisions for each jurisdiction to provide weekly curbside collection service paid for by a wide base of all potential users of the system where feasible."

Councilor Wyers expressed that she was pleased by the work done by the many people involved in creating the Yard Debris Plan. and invited people with further testimony to present it to the Council when the matter is again brought up for discussion.

**VOTE:** Councilors Bauer, DeJardin, Wyers voted aye.  
Councilors Buchanan and Hansen were not in attendance.  
The vote was unanimous and the motion passed.

Chair Bauer announced that because of the hour, Agenda Item No. 4 on Budget Contracts List Review would be held over to a later meeting date.

5. Consideration of Resolution No. 90-1280, For the Purpose of Purchasing Computer Equipment for Use at METRO Solid Waste Disposal Sites

Roosevelt Carter presented the staff report and stated that as garbage rates and solid waste collection have continued to increase, the data collection process has not kept pace.

Currently, only commercial loads arriving at the METRO South Transfer Station and St. Johns Landfill are weighed and recorded through the use of computers while data for non-commercial customers is hand calculated. The FY 88-89 audit performed by Pete Marwick and Associates points out problems with reconciling of tonnage numbers with revenue. Beginning in February all customers using the METRO facilities will be weighed and the data recorded. The Solid Waste Department requested approval of a funding proposal to purchase computer equipment for use at METRO solid waste disposal sites.

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The proposed computer equipment will result in better analysis of the solid waste system, including rate setting, budgeting, accounting, planning, and operations. The equipment is estimated to cost \$90,000 and is available in the current FY 89-90 budget, but would need to be carried over into FY 90-91 to fund the project.

The cost breakdown is as follows:

\$65,000	computer system
15,000	printers
10,000	generators and uninterruptable power supplies

No issues were raised by the Committee.

**MOTION:** Councilor DeJardin moved to approve Resolution No. 90-1280.

**VOTE:** Councilors Baurer, DeJardin and Wyers voted aye. Councilors Buchanan and Hansen were not present. The motion was passed unanimously.

Chair Bauer announced that one final item not on the agenda would be discussed pertaining to disposal of infectious medical waste.

DISCUSSION ITEMS NOT ON THE AGENDA

Disposal of Infectious Medical Wastes

MR. TOM STIBOLT - 18181 SW Kummrow Road, Sherwood, OR 97140 - testified that legislation recently passed (OR 2865) regarding disposal of infectious medical wastes. He reported the recent opening of a company in Sherwood that incinerates medical wastes and said he feels this company should be monitored by an oversight organization such as METRO. He suggested METRO may want to examine such issues as the magnitude of infectious wastes and how the region might best regulate their disposal. It was noted that two such facilities exist in the northwest: one in Bellingham, Washington, and one in Brooks, Oregon which may make another facility of this type unnecessary in the region. Mr. Stibolt said if an incineration facility is permitted to operate in the area, it should have the cleanest incineration system available and medical facilities encouraged to do source separation.

Acting Chair Bauer stated that sanitary disposal of infectious waste is very critical and said he would be an advocate of having these facilities in the region. Councilor DeJardin noted that

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Brooks, Oregon has a state-of-the-art burner which does an excellent job of filtering and cleaning the ash.

Councilor Wyers requested Mr. Martin to provide the committee with a report pertaining to whether or not it is within METRO's jurisdiction to site these types of incinerators and what types of wastes can be burned in them.

Mr. Martin said DEQ has scheduled a public hearing in early July regarding issuance of a permit for the Therm-Tech proposal. The Solid Waste dept. has been analyzing METRO's role in regards to recently passed legislation pertaining to infectious wastes. A committee comprised of three state agencies, haulers, and others involved in this medical issue is being formed to gain a broader understanding of what the law does, its impact on the community, and what the role and responsibility of METRO should be. The main purpose of the regulatory community will be to identify appropriate disposal techniques and sites.

Councilor DeJardin stated that crematoriums are becoming a more popular way of burial and suggested that they could serve an additional market of disposing of infectious wastes.

Status of Trucking Contracts

Councilor Wyers requested Mr. Martin to prepare a brief review for the July 3 meeting on the status of contracts and finances pertaining to the trucking situation. She stated that METRO has entered into a lawsuit with the Friends of the Gorge which provides for public meetings every six months, however, the trucking contract has been in effect for 6 months and a public hearing has not yet been held. Councilor Wyers said she is unaware of what is in the contract because it has been altered so many times.

City of Washougal

Councilor Wyers said she understands that METRO is in contract negotiations with the City of Washougal to dispose of their solid wastes at the east transfer station. The public has expressed concern about landfilling Washington's unseparated garbage and before permitting Washougal to landfill here, their recycling levels will have to equal or exceed our own. Mr. Martin said that Washougal will need to be DEQ certified and comply with Oregon recycling requirements before a landfill permit will be issued.

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More Time for Staff Reports

In response to complaints by Committee members that they are not being kept informed, Mr. Martin stated his position that he is not being given an adequate forum to present his staff reports at the Committee meetings and suggested that occasional special workshops be held between staff and committee members to discuss and explore key issues. Chair Bauer said in the future more time would be appropriated for this purpose and it was proposed to move the staff reports to the earlier part of the agenda subject to concurrence by Chairman Hansen.

Having concluded all of the business before the committee, Acting Chair Bauer adjourned the meeting at 8:15 PM.

Respectfully submitted,

*Freedom Child*

FREEDOM CHILD  
Acting Committee Clerk  
June 28, 1990