

REGIONAL SOLID WASTE ADVISORY COMMITTEE MEETING  
November 16, 1998

**ATTENDEES**

**Voting Members**

Tom Wyatt, BFI  
Vince Gilbert, East County Recycling (alternate)  
Jeanne Roy, Citizen, Portland  
Tam Driscoll, City of Gresham (alternate)  
Steve Schwab, CCRRA  
Rick Winterhalter, Clackamas County  
Dean Kampfer, Waste Management (alternate)  
Frank Deaver, Citizen, Washington County area  
Lynne Storz, Washington County  
Garry Penning, Waste Management  
Kathy Kiwala, Washington County cities (for Loreen Mills)  
Merle Irvine, Willamette Resources, Inc.

**Non-Voting Members**

Bruce Warner, REM Director, Metro  
Rob Guttridge, Clark County (alternate)  
Doug DeVries, STS

**METRO**

**Regional Environmental Management**

Doug Anderson	Jim Watkins	Paul Ehinger
Terry Petersen	Jennifer Erickson	Steve Kraten
Aaron Brondyke	Meg Lynch	Dennis Strachota

**Other Metro**

Marv Fjordbeck	Leo Kenyon	Tom Imdieke
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**GUESTS**

Easton Cross	Todd Irvine	Dick Jones
Diana Godwin	Doug Drennen	Greg Nokes
Dean Large	Paulette Rossi	

**Announcements**

Mr. Warner indicated that Clark County's alternate, Rob Guttridge, was attending today's SWAC meeting.

**Approval of Minutes**

Mr. Garry Penning moved the approval of the September SWAC minutes. Mr. David White seconded the motion. Mr. Warner commented that on page three, the word "knowledgeability" should be knowledge and ability. With this amendment, the Committee approved the minutes unanimously.

### **Director's Updates**

Mr. Warner acknowledged Eric Koellner, Metro South Hazardous Waste Lead Technician. Mr. Koellner has saved Metro from having to purchase pails for distributing recycled paint. Mr. Koellner located a yogurt manufacturer that was disposing of 5-gallon containers in which it received yogurt products. Mr. Koellner arranged to have the company donate the containers to Metro's hazardous waste program, thereby saving the company on disposal, and providing Metro with perfectly good containers and to be filled with Metro's recycled paint. This will allow approximately 23,000 5-gallon pails to be reused per year and will save Metro approximately \$50,000 on the purchase of new pails.

The Regional Environmental Management Committee of the Council (REM Com) took heard ordinances granting the three franchises for direct haul on November 15, 1998. Waste Management had originally requested a variance to the Code requirement that "sealed" containers be used for direct-hauling from Recycle America, but withdrew their request prior to the public hearing. The Committee moved Willamette Resources Inc., Pride Disposal, and Recycle America's franchise requests forward to the full Council with "do pass" recommendations on all three. These franchise requests will be heard by the full Council on November 24, 1998. [*Note: the Council has since heard, and unanimously approved, all three ordinances.*] Metro is ready to implement direct haul provisions of the franchise agreements.

Mr. Warner said the Council also passed a resolution on November 15 notifying Waste Management of a default under Article 29 (the "change of control requiring consent" provisions) of the contract between Metro and Oregon Waste Systems. He said Metro received a reply from Waste Management, Inc. disagreeing with Metro's assessment. Waste Management claimed that they did not need to seek Metro's consent to the merger with USA Waste. However, they agreed to "voluntarily" request consent that Metro accept the "new" Waste Management as its disposal contractor. Mr. Warner indicated that REM Com had recommended by way of a resolution to Metro Council that they deny Waste Management's request for consent.

### **Designated Facility Agreements Revision**

Mr. Warner commented that this would probably be the first of a number of discussions on this topic to the SWAC. He said there has been a lot of interest on the part of facilities outside the region to revise their Designated Facility Agreements with Metro since most of them have expired. Furthermore, the agreements are not consistent in a number of ways. Mr. Warner requested input on this issue from the group after the overview from Mr. Kraten.

Mr. Kraten explained the Designated Facility Agreements (DFA) are arrangements between Metro and out-of-district landfills that authorize the landfills to accept waste generated from inside the Metro region. He said that in exchange for that authorization, the facilities agree to collect REM's Regional System Fee and Metro's excise tax and remit those to Metro. He said we presently have two versions of the agreements: one for near-by facilities (Hillsboro and Grabhorn) and another for the distant landfills (Columbia Ridge, Roosevelt and Finley Buttes). Nearby facilities are authorized to accept construction demolition and land clearing waste, where the distant facilities are limited to accepting residue only from the processing of construction demolition and land clearing waste received from a Metro franchised facility. Mr. Kraten said

the agreements were all written for two-year terms and have all expired, but have remained in force due to an "Evergreen Clause."

Mr. Kraten said Metro is looking at revisions to deal with disaster debris, change the terms of the agreements (perhaps lengthen to five years), and also bring consistency to all of the agreements and relax some of the restrictions on the waste that can be accepted. Mr. Kraten called the committee's attention to some suggestions outlined in the agenda packet for revisions to the agreements and called for comments.

Mr. Warner said he would like to poll each of the committee members around the table on the issue and then move to a general discussion and perhaps identification of additional issues.

Mr. Vince Gilbert: commented that he was prejudiced on this issue. He said his company even recovers materials from composition roofing, i.e., gutters, pieces of wood. Mr. Gilbert would still like all materials put through a MRF before being landfilled and in fact would like to see the agreements broadened to exclude all dry waste. Mr. Gilbert's question is why bury in the ground what can be used? Mr. Warner commented that instead of reducing restrictions on landfilled materials that Mr. Gilbert would like to see the agreements exclude further materials and Mr. Gilbert concurred.

Mr. David White: commented that the economics of transporting material would dictate, to some degree, how much MRFing goes on before it is transported to a distant landfill. Mr. White doesn't see the local and far away restrictions on materials inconsistencies as making sense. Mr. White said the association members he represents are getting back to him with their comments and he will forward them to Mr. Warner.

Ms. Jeanne Roy: commented she is more inclined to go with Option 2, and may be inclined to increasing the restriction on close-in landfills, but needs more information. Ms. Roy said she sees no inherent advantage in all agreements being consistent.

Mr. Rick Winterhalter: Said he would dismiss No. 3, and probably agrees with Option 2..

Ms. Tam Driscoll: commented she feels the same as Mr. White, and also agrees that Metro might want to tighten up restrictions a bit.

Mr. Steve Schwab: commented it was his belief that designated facilities were sorting materials before landfilling anyway. He added that Metro collects fees and taxes in any event. Mr. Schwab believes in uniformity.

Mr. Dean Kampfer: said he believes Option 2 makes the most sense. Mr. Kampfer also believes the best effort to recover be made before moving material any distance. He believes load consolidation should be made before moving.

Mr. Doug DeVries: had no further comments.

Mr. Frank Deaver: commented that money is a resource too. He said he leaned towards Option 2 or maybe even 3.

Mr. Jeff Murray: commented he would not take a stand. Mr. Murray did say that the economics of making any resource recovery after transporting to a distant landfill were probably geared toward landfilling, however.

Mr. Rob Guttridge: Said he tended toward Option 2

Ms. Lynne Storz: said she wanted more information on definitions of materials such as special waste, and is transportation of waste limited to commercial haulers or also self-haul.

Mr. Kraten said the DFA lists seven things under waste authorized to be disposed of at Hillsboro Landfill. Mr. Kraten said it does not speak specifically to waste brought to the landfill by either commercial or self-haul but speaks more to the types of waste. Ms. Storz asked if waste was excluded by omission from the agreement?

Mr. Kraten read from the agreement: “. . . Any other waste company can accept at the facility, consistent with the authority granted by DEQ and with the facility status as a Limited Purpose Landfill.”

Mr. Warner said the agreement does not restrict self-haul, but the issue is what will we do about the recovery of the self-hauler? Ms. Storz agreed. Mr. Warner commented this was a very good question.

Mr. Lee Barrett: commented that speaking for the City of Portland, Option 2 would be their choice.

Mr. Garry Penning: said that the whole definition of dry waste wasn't there when the agreements were written and C&D and CDL were set forth as acceptable materials. He commented that we should now define recoverable dry waste and materials, but that CDL was once an all-encompassing term.

Ms. Kathy Kiwala: commented she believes there should be consistency among all of the agreements. She also believes all recoverable material should be recovered before hauling to a landfill.

Mr. Tom Wyatt: said he was for increasing recovery. He believes economics of location will take care of a portion of it. Uniformity is good.

Mr. Tom Miller agreed.

Mr. Merle Irvine: said consistency is good. Was surprised to find out what the local DFAs were now receiving. Mr. Irvine said he was interested in Option 3.

Mr. Warner asked for comments from the audience.

Ms. Diana Godwin, attorney representing Regional Disposal Company, Roosevelt Landfill. Ms. Godwin said that Roosevelt Regional Landfill came on-line in 1991, and in May, 1992 Regional Disposal Company requested a business license from Metro in order to provide waste services to generators in the Metro area. Ms Godwin said that after a year of negotiation with Metro and the SWAC group a two-year agreement was drawn which took effect in April, 1993. The agreement has been extended through an Evergreen Clause since its expiration. Ms. Godwin said the company she represents had really wanted to have a business license relationship with Metro. She said that since Roosevelt Landfill is located outside the jurisdictional boundaries of Metro they are neither licensed nor franchised by Metro, and Metro has no jurisdiction over its rates, ownership, business contracts or operation, but Metro does have an interest in ensuring that any landfill serving the Metro area generators is environmentally sound, has sound business practices and will faithfully collect the proper Regional User Fees and Excise Taxes to Metro and reimburse them accordingly. Ms. Godwin also said Roosevelt needed to keep adequate records on what types of waste is being disposed of from generators in the Metro area. She said because of this her client Roosevelt landfill has some ideas on how a new Designated Facility Agreement should be approached.

Ms. Godwin said she believes that the market place and economics will dictate what will go to a distant landfill. She said she believes there have been some inequities in the DFAs. She said she believes that where you have a private business relationship between a disposer and an industry or someone who has materials for disposal and there is an out-of-state business willing to take it that the interest of Metro is limited to making sure that fees and taxes are collected and remitted, records are appropriately provided, and the landfill is operated in an environmentally sound manner.

Mr. Warner, summarizing commented that materials recovery, for example, is not something Metro should place restrictions on because the economics will drive what should be pulled out.

Ms. Godwin said that was basically their feeling. She said that prior DFAs have restricted Roosevelt landfill such that they are unable to take the dry residue from a MRF, unless it is a dry residue from CDL processing, whereas that same dry MRF residue is allowed to go to a non-designated facility.

Mr. Anderson, explaining the reason for limitations to certain wastes in the DFAs, said that Metro's contract language with Waste Management originally stated that Metro was required to send 90% of waste that is delivered to a General Purpose Landfill to Columbia Ridge Landfill. He further explained that Roosevelt Landfill is a General Purpose Landfill. That "90%" language has since been changed, but when the DFAs were drafted, he said that in order to protect our contract obligations, Metro limited the DFAs to accepting wastes that were not covered by the contract—such as PCS and MRF residue. He said that on the other hand, Grabhorn and Hillsboro are Limited Purpose Landfills, are not allowed to take putrescible waste under their DEQ permit, and therefore are non-issues with respect to Metro's contract. Mr. Anderson also agreed with Mr. Penning that the definition of dry waste has "creeped" over time.

Mr. Warner asked the group if there were additional issues they wanted to explore on Designated Facility Agreements. He said his office would begin visiting facilities and talking with them to bring the agreements current and make them as uniform as possible if that is the will of the group.

Ms. Roy said there is a difference between close in landfills and out-of-region landfills, mainly that they are further from the markets.

### **The Service Plan: Planning for Regional Transfer Stations**

Mr. Anderson said this is an issue remaining from the revision of Metro's Code. He explained that, under the newly-revised Code, regional transfer stations can take over 50,000 tons per year and are "full service" facilities. A regional transfer station is required to accommodate public customers and household hazardous waste as well as commercial haulers. He said Metro is now embarking on a process to deal more fully with how to deliver all of the various services that are needed throughout the region. He said other issues might be whether these facilities should accommodate yard debris or food waste reloading. Mr. Anderson said there are also emerging issues in co-collection, and if so do we need to be in position for that? And, is there a role for these facilities in the emerging co-mingled recycling arena?

Mr. Anderson said the goal at this point is to develop a process for deciding on what regional transfer stations are and how to provide for them. He said a project team has been put together and is meeting for the first time this week. He said the team is comprised of: Bill Metzler, Sarah Adams Lien, Penny Erickson and Chuck Geyer.

Mr. Warner asked for comments and/or suggestions.

Ms. Roy suggested that if Metro was going out to solicit comments from stakeholders they might want to consider a presentation to a group of Master Recyclers that she has worked with for the past six or seven years.

Mr. Kampfer asked how much tonnage flowed through the existing three regional transfer stations. Mr. Anderson said that in round numbers, Metro Central and Metro South receive within 20,000 to 30,000 tons of being the same and receive a total of 350,000 tons each in the door. He said that Forest Grove takes about 85,000 to 90,000 from the region, but take more tonnage total because they receive waste from western Washington County and other areas.

Mr. Kampfer questioned whether the 50,000 ton threshold was the right number. He said perhaps that number should be closer to 100,000.

Mr. Warner said he agreed, that is a worthy discussion. What is the breakpoint?

Ms. Roy said she would like to know how long it takes the region's customers to reach a household hazardous waste site. She said she believed the original goal was 20 minutes and it way beyond that limit for her.

Mr. Anderson said Metro currently has a study on hazardous waste as well. Metro will introduce this study to SWAC next year, perhaps about March.

### **Update: Status of Waste Reduction Programs**

Mr. Anderson said this is a continuation of the discussion of last September. He said that Metro has reporting responsibilities that are state mandated and those required by our Regional Solid Waste Management Plan (RSWMP). He said an annual report is due DEQ every February on the implementation status of programs, as well as waste disposed of at various landfills. Mr. Anderson said a bi-annual report is due to Environmental Quality Commission in July of every even numbered year which is similar to the DEQ report in its requirements. He said as well, our RSWMP requires a report on certain numbers on various programs.

Mr. Anderson explained we are attempting to create a State of the Plan report which encompasses all of these to actually link programs and recommended practices with their performance (how well various practices themselves actually perform). He said that by agreement with DEQ, this State of the Plan report will be our report to DEQ every February. *[Note: RSWMP specifies that reports be completed earlier than February, to allow for input into annual planning and budgeting activities. DEQ has agreed to accept these reports in lieu of creating a separate report for the February requirement.]*

Mr. Steve Apotheker, the principal author of this report gave an overview of tonnage, disposal and recovery rates in the region. Mr. Apotheker distributed some tables containing information he proceeded to discuss. He said that in 1992 Metro projected what our 1995 baseline disposal, (landfilling), energy, and recycling recovery should be. He said that in years past Metro was responsible for computing recovery numbers for the region but a couple of years ago a transition began where DEQ took on those responsibilities. He said that in 1995, the total recovery number of 42.5% matches what we projected. The total wastestream that DEQ determined was 1.73 million tons (that's the total generated) which also matches to 20,000 or 30,000 tons of our baseline projection. Mr. Apotheker continued to explain how our tonnage and recovery numbers were arrived at.

Mr. Apotheker said the plan assumes that the recovery activities in 1995 (which captured 740,000 diverted tons) will capture perhaps an additional 27,000 tons within the region as we approach the Year 2000. He said that means we need to find an additional 247,000 of additional diversion to meet our recovery rates of 52% given a wastestream that is projected to be almost 2 million tons. Mr. Apotheker said we are really banking on diversion of commercial waste to get us to that 52%. He said after that 1/4 of this additional recovery is expected from post-collection activities (from reload, transfer stations, etc).

Mr. Apotheker said that noting our improvement between 1995 and 1997, we added roughly 100,000 tons of additional recovery, which doesn't include two contributions (home composting and business waste prevention programs). He said that given where we should be today, that number should be closer to 247,000 tons, which means we are only at 40% of where we need to be to reach our goal.

### **Update: Draft Master Facility Plan**

Mr. Jim Watkins, Metro Engineering & Analysis manager, said that one of the key goals in the 1996 RSWMP was to eliminate the need for a publicly owned transfer station and Metro developed a Master Facility Plan for its two existing transfer stations. He said this planning effort became the framework for a Five-year capital improvement plan. He introduced Mr. Paul Ehinger, the project manager of the 5-year capital improvement plan.

Mr. Ehinger said that the three major solid waste sites (Metro Central, Metro South and St. Johns Landfill) represent five solid waste facilities (2-household hazardous waste facilities, 2-transfer stations, 1-landfill). He said the major goals of our planning process is to comply with RSWMP, since that is what our elected officials directed to do. He said we also wanted to improve customer service and safety for Metro's customers and transfer station contractor's employees. Mr. Ehinger said Metro wanted to make improvements that would allow additional recovery efforts, to improve efficiency and eliminate traffic congestion as much as possible. He said we also wanted to plan improvements for future flexibility and recovery efforts and stay with the marketplace.

Mr. Ehinger said that Metro retained a consultant, did a preliminary report and have implemented most of the improvements that came up in that report, some of which were: added new scalehouse, added automated weighing systems, and changed traffic pattern on entrance to station. He said the most major improvement proposed at Metro South is a new public off-loading area. He said at this time STS has the rights to park trailers on that part of the site and we have to make arrangements to have access to the area. He said that the one main finding of the study is that Metro South is currently operating at or above capacity, particularly on the number of vehicles coming through, and most of those vehicles are self-haul.

Mr. Barrett asked why, when we have a system in place to collect solid waste from the residents in this region don't we use it? Why are we spending money so that any John Doe can drag their useless articles down to the transfer station and clog the lineup?

Mr. Ehinger said that the primary purpose of these improvements is to remove the public customers from the commercial queues and unclog that lineup. But these changes also make it easier for the public customer, and so Mr. Barrett has a good question and one that has been discussed by this group. How we deal with the public customer is a policy issue.

Mr. Ehinger continued to say there is a total of about four million dollars worth of construction at Metro South.

Ms. Roy commented that an encouragement for recycling is to be able to drop off source-separated recycling before the scales and wanted to know if that was the plan of improvements?

Mr. Ehinger said sadly not, although it was an internal goal, there was no place on the site to place it. He said we are, however, trying to keep all the public-related (small vehicle) stuff in one place.



Mr. Murray asked if there had been a study conducted illustrating the possibility of dramatic growth in the Metro South Transfer Station area?

Mr. Ehinger said the service study of which Mr. Anderson spoke earlier may identify that type of possibility, and we also conducted a customer survey. He said that small load vehicles average size load is 4/10ths of a ton whereas larger commercial trucks average 5 tons at least, and the 5-ton vehicles are in and out of the tipping area an average of seven minutes or less versus 20 to 30 minutes for the individual hauler.

Mr. Gilbert commented his facility also had traffic problems because of confined space and he solved it by separating waste type instead of commercial and individual customers.

### **Other Business and Adjourn**

Ms. Driscoll commented that in January 1997, we had that ice storm from which was created lots of storm debris. Metro provided emergency funding for disposal of that debris. She said that predictions are that January and February of 1999 will be colder and wetter. She said that Gresham is currently in the process of deciding whether or not they will be able to provide cleanup services and wants to know if Metro will again provide emergency cleanup funds.

Mr. Barrett commented that the City of Portland has decided they will be unable to provide cleanup activities however there are depots, though they will charge for customers to haul debris to. He said of course financial help from Metro was always appreciated.

Mr. Warner said an Executive Order has been issued as to how Metro will respond to any type of disaster and we will provide you with a copy of that order. Mr. Warner said RSWMP has contingency plans for disasters and contingency plans.

There was no further business and the meeting was adjourned.

## OPTIONS FOR WASTE TYPES AUTHORIZED BY DESIGNATED FACILITY AGREEMENTS

Designated Facility Agreements (DFA’s) authorize out-of-district disposal facilities to accept specific types of solid waste generated from within the Metro boundary. In return for this authorization, designated facilities agree to collect regional system fees and excise tax on such wastes and remit them to Metro.

### Updating the DFA’s

The DFA’s are about to be updated and renewed. Presently the DFA’s for the local landfills (Hillsboro and Grabhorn) differ from the DFA’s for distant landfills with regard to authorized wastes. The DFA’s for local landfills authorize acceptance of “Construction, demolition, and land clearing waste.” Those for the distant landfills are more restrictive, specifying only “Residue from the processing of construction, demolition, and land clearing waste received from a Metro franchised facility.”

In updating the agreements, staff recommends the incorporation of language that:

- is more consistent among all designated facilities,
- meets the needs of the region’s material recovery facilities, and
- maintains a high level of materials recovery.

With these goals in mind, the following options are presented for the SWAC’s consideration:

<b>Option:</b>	<b>Pros:</b>	<b>Cons:</b>
Retain existing language	Assures recovery from CDL	Language not the same for all designated facilities.  Does not allow for residue from recovery from non-CDL waste.
Broaden language to include MRF residual from all dry commercial sources rather than just CDL.	Acknowledges that much MRF residue is from non-CDL sources.	Language not the same for all designated facilities (but more consistent than existing language).
Broaden language to include all non-recoverable dry waste whether it is MRF residual or not.	Language the same for all designated facilities.  Non-recoverable dry waste could be disposed w/out being first tipped at a MRF.	May create incentive to diminish recovery efforts at MRF’s or to bypass them altogether.