

MEETING SUMMARY
Solid Waste Advisory Committee
Metro Regional Center, Council Annex
October 25, 2004

Members / Alternates Present:

Councilor Susan McLain, Chair	Mike Miller	Mike Huycke
Mike Hogle	Mike Leichner	Ray Phelps
Jeff Murray	David White	Tom Badrick
John Lucini	Dean Kampfer	Rick Winterhalter
Matt Korot	Vince Gilbert	Eric Merrill
Bruce Walker	Mark Altenhofen	Paul Edwards
Anita Largent		

Guests and other Metro staff:

Babe O'Sullivan	Doug Drennen	Marv Fjordbeck
Judy Crockett	David Allaway	Steve Kraten
Janet Matthews	Karen Feher	Gina Cubbon

I. Call to Order and Announcements..... Susan McLain

- Councilor Susan McLain convened the meeting and previewed the agenda items.
- Councilor McLain welcomed the City of Hillsboro's Paul Edwards, who is replacing Sarah Jo Chaplen as a SWAC member.
- With no questions, comments or changes to the summary of the September 27, 2004 meeting, Mark Altenhofen of Washington County moved to accept the minutes as written; Far West Fiber's Jeff Murray seconded, and all members present agreed.
- Solid Waste & Recycling's Policy Manager, Janet Matthews, mentioned an article in *The Oregonian* regarding the Santosh Landfill. She reminded the group that Metro completed a report in March 2004 entitled "Our Landfill Legacy." Hard copies are available, and the report is also on Metro's website, final drafts were routed to SWAC members prior to its publication. Planning directors, solid waste directors, and community development directors were sent the finished report as well.
- Bruce Walker of the City of Portland announced that the DEQ issued a notice of non-compliance to Smurfit/Stone's MRF operation for persistently and intentionally throwing away source-separated recyclables. "This is a serious violation of State law.... We are looking at taking some action, and I would encourage all in the room to be concerned about this in terms of the integrity of the recycling system based on Smurfit/Stone's apparently planned disposal of the container portion of the recycling stream." Councilor McLain said this situation could be a future agenda item.

II. Solid Waste & Recycling Director's Update..... Mike Hogle

- Mr. Hogle thanked all those who attended the Organics Forum on October 1, 2004. Some of the issues raised have been incorporated into the fledgling program; many others will be used as the program progresses. A summary of the all-day forum, which included four separate sessions and numerous panelists, will be available for those interested.

- Metro Council unanimously approved an Organics rate of \$47.50 (\$8.50 for transfer; \$39.00 for Cedar Grove, who will haul the material from Metro Central). The rate and program will begin in January, 2005, initially on a volunteer basis. The Cedar Grove contract will be in force for five years.
- The contract for Transfer Station Operations with BFI / Allied is ready to go before the Council, Mr. Hoglund continued.

III. Proposed Clark County Facilities.....Anita Largent

Ms. Largent, of Clark County, handed out a map pinpointing the two existing solid waste handling facilities in that county, and three proposed facilities. She briefly explained the situation of each:

- Ralph Gilbert of Portland’s East County Recycling is proposing a second venture that would be sited at a former gravel pit in the southeastern portion of Clark County. It is a proposed C&D landfill and recycling center; the first application was made in 1989; since then, environmental impact and issues of adjacent neighbor protests have been raised, putting the application into the realm of the judiciary for quite some time.
- In the western part of the county, Fruit Valley Community Landfill has been proposed, Ms. Largent continued, on the site of an old “monofill” owned by Boise Cascade. The property was given to the non-profit Houcke Foundation; they would like to operate a C&D landfill, and give a portion of the proceeds back to the community through various agencies. Problems with this proposal include the structure of ownership, financial assurances, and the lack of a leachate plan. The County’s SWAC decided to not recommend approval; final decision is in the hands of the County’s Health Department. Expectations for this facility being approved are very low.
- The third proposal, the East Side Transfer Station in the Washougal area, is only in its preliminary stages; no property has been decided upon yet. The County and Waste Connections are in discussions regarding the facility, which would truck waste up the Columbia Gorge to the Wasco County Landfill near The Dalles, Oregon.

IV. Organics Recovery Update..... Lee Barrett, Judy Crockett, and Babe O’Sullivan

Lee Barrett, Waste Reduction & Outreach Division Manager for Metro’s SW&R Dept., reiterated that Council did approve Metro entering into a contract with Cedar Grove, and final contract language is being agreed upon. Cedar Grove already has a contract with the City of Seattle for yard debris, Mr. Barrett added, which has been helpful because they have prior experience contracting with public agencies.

Some modifications may need to be done to the tipping floor at Metro Central, Mr. Barrett said, to prevent damage from high-acidity in some food waste. The City of Portland will be the first local government to participate in the program; Mr. Barrett introduced the City’s Judy Crockett to continue the update.

Ms. Crockett said that, ironically, “One of the advantages of having so many delays in getting going with the organics program is that it’s given us a lot of time to plan, so I hope that means we’ll have all the pieces in place by January (2005), ready to move forward.” The City plans to begin collection of organics as a voluntary program, targeting the largest generators of food waste. (Edible food is already part of a different program that focuses on food donations to organizations such as homeless shelters.) If generators are currently taking vegetative food waste to places other than Cedar Grove, they will not have to change; the goal is to simply have the greatest diversion possible. Cedar Grove, however, will be unique in that it is permitted to handle waste meats, bakery goods, and other putrescibles, in addition to vegetative waste.

The City is considering how this program will fit in with its mandatory recycling system. A cost-of-service study is being done and should be ready in November to help estimate the cost of adding new elements to the current recycling program, "...and some sense of what the current costs are for businesses to participate, and whether or not we might want to consider going to a more regulated system," Ms. Crockett said. Additionally, costs will be analyzed for a potential expansion into collecting residential food waste at the curbside with yard debris sometime in the future. Cities in the Seattle area have already begun such programs.

Ms. Crockett introduced the City of Portland's Babe O'Sullivan who informed the Committee about some of the new program's details. Ms. O'Sullivan reiterated that the program will initially target the largest commercial generators of food waste in the Portland. These generators, she said, come from seven primary industrial sectors: Hotels, restaurants, educational facilities, health facilities, grocery stores, food processors, and food distributors. Between 100-300 firms will be contacted for a Metro-funded outreach campaign that will begin in November.

The first phase will be general awareness, getting information directly to businesses. Following that will be a phase of direct recruitment, for which a consultant (Tim Dabareiner) has been hired. Once a business has secured service with their hauler, a training and technical assistance phase (with Applied Compost Consulting) will begin, helping businesses set up their collection system and bins, train employees, etc. The monitoring and evaluation phase will consist of checking the level of contamination and capture rate.

A list of prospective "early adopters" has been compiled; the hope is that these will be ready to begin in January. November and December will be spent trying to expand that list and get more businesses ready to launch the program.

Providing further detail, Ms. O'Sullivan said that companies who are recruited by the consultant will need to contact their current hauler to ascertain if they can provide organics collection. If their hauler chooses not to participate, the business can contact the City, who will provide information on other hauler options. When that issue is secured, the business will be ready to work with the technical assistance contractor for set-up. The City is prepared to help businesses get started; they are purchasing 32- and 64-gallon roll carts, and may also purchase some "Slim Jim-type under-counter containers."

"We will not be purchasing bags," Ms. O'Sullivan said, explaining that while businesses may be interested in putting their waste in plastic bags, they will be required to use certifiable, compostable bags. Cedar Grove has given the City a list of three bags that meet the standards; the City, in turn, is working with the bags' distributors to ensure quantities will be available. Color-coding may be used to signify the correct type of bags are being used.

Dave White, of the Oregon Refuse & Recycling Association, raised concerns that the recruiting "salesman" may not be aware of all the issues involving haulers, such as price, containers, etc. Ms. Crockett replied that the hauler will be included whenever possible during the recruitment phase. Because a businesses current hauler usually isn't known to the City, initial contact will usually be made without. "We would be, of course, interested in having them come along and deal with those issues about container location and size, and all of that – it's really much more appropriate for a hauler to discuss than someone else" Ms. Crockett said. The recruiting consultant, Ms. O'Sullivan added, is being trained by Applied Compost Consulting on FAQs and common situations he may encounter. No prices are quoted in the program at all.

Councilor McLain thanked City of Portland staff for their diligent work, and acknowledged that "...it's going to be a real test to see if we can pull off this first particular type of program, but I think

we're up to it. I think the region's up to it, the government's willing to make the commitment to support it, and staff has done all the technical work necessary to make it successful."

Vince Gilbert of ECR asked if any grant money was awarded to Cedar Grove. Mr. Barrett replied that the Request for Proposals that originally went out indicated there was up to \$500,000 available, but Cedar Grove declined acceptance of any of it.

V. Report of the Dry Waste Recovery Task Force..... Lee Barrett

Mr. Barrett gave a brief history of this task force, which was formed at the request of Metro Council to give feedback on the idea of mandatory MRFing, an idea that had morphed from two suggestions made by the RSWMP Contingency Work Group to help reach the 62% recycling goal. The task force was made up of three business people, two local government representatives, and two solid waste facility representatives. Because staff felt this proposed requirement would have the greatest impact in Washington County, members were chosen from that vicinity, including the two facilities that would be most affected.

The charge of the work group, Mr. Barrett explained, "...was to review the proposed program elements of the mandatory processing requirement for dry waste in the Metro region; identify and evaluate the impacts of the proposed program on generators, haulers, and facilities; and based on the findings of the work group, recommend a mandatory processing requirement and provide an assessment of the impacts to the Metro Council by Fall 2004."

The following five major concerns were aired by participants:

1. Regarding the 25% recovery rate for facilities, some members preferred an economic incentive rather than a regulatory approach. In response, Mr. Barrett had used an example given to them by Elder Demolition and the Lakeside Landfill representatives: Lakeside currently charges approximately \$50/ton for mixed dry loads, but only \$15 for separated wood waste – a roughly \$35 incentive to separate wood waste to bring in. Elder Demolition said that sometimes isn't enough economic incentive to separate their loads. "If the free market system currently provides a \$35 a ton incentive, and that's not good enough," Mr. Barrett concluded, "there is no program that I can conceive that Metro is going to put forward that is going to give more than \$35 a ton. Metro can't help you in that regard."
2. Lakeside was concerned that under the proposed program, they would not be able to reach the 25% recovery rate requirement because the loads would be low in recoverables and because they are not affiliated with a hauler (and therefore unable to direct recoverable-rich loads to their facility.) Mr. Barrett feels that they can reach 25%, "Certainly if they come to us and show that they made a good-faith effort...and (if) we've gone there and performed inspections and see that they're doing what we want and indeed the loads are of such poor quality that they can't recover 25%, then we'd be happy to sit down and have a discussion with them about the best way to go. Our goal is not to put any facility out of business with this recovery requirement, we're simply looking to have dry waste recovered."
3. There was general concern that tip fees would increase for users of both Lakeside and Hillsboro landfills. "The staff response to that comment," Mr. Barrett said succinctly, "is this is true." It's expected that tip fees at both facilities will be raised if they spend money on capital improvements in order to process dry waste loads on-site.

Councilor McLain voiced concern that land use issues could arise; she said it would be important for Washington County and Metro to work together to make the proposed changes workable.

Mr. Gilbert asked, "If they decided to take in just already MRFd dry residual or loads that don't have any recoverables in them, how could you possibly hold them to the 25% or any percent recovery?" There is no recovery requirement if a facility only takes MRFd loads, Mr. Barrett explained. Mr. Gilbert replied, "So they're going to have to have some sort of document for each load that's been MRFd...? How are you going to know the difference between a dry waste load and a MRFd load?" Councilor McLain explained that this proposal is still in its preliminary stages and such details have not yet been worked out.

4. If the facilities decide to set up their own MRFs, their costs may be stranded when future source-separation programs are implemented and material recovery opportunities diminish. To this concern, Mr. Barrett reiterated that the facilities would not be required to MRF on-site. It would be a requirement that the material be delivered to a facility that does process it before the residual is taken to a landfill.

Waste Management's Dean Kampfer disputed the notion on the grounds that in order for the landfills to continue receiving the same waste stream, they'd have to MRF on-site. Mr. Barrett countered that the load could be taken and reloaded to a MRFing facility prior to taking back the residual.

5. Some members of the task force felt strongly that the recovery rate should be the same at all facilities, including Metro facilities. This concern was discussed in-depth at the group's second meeting. "Except for East County Recycling," Mr. Barrett said, "...all the facilities that are eligible for the Regional System Fee Credit Program do not accept public, self-haul loads, and so if Metro's two facilities were to not count public self-haul loads, we'd be happy to try to meet the 25% recovery load like other facilities."

General discussion: Mr. Kampfer said that he had heard public loads are rich in recoverables, and that Metro allows its transfer station operator to recover lower percentages than it requires from other facilities. Mr. Gilbert added that some facilities classify dry and wet loads in such a way that "...they're sending tons and tons of dry waste to the landfill because it was a 'wet' load. It's completely unfair to these other two facilities."

WRI's Ray Phelps and Lakeside's Doug Drennen agreed with Mr. Kampfer. Mr. Drennen added that not all loads containing wood are in a condition for recovery to be feasible. "We're not sure we can get 25%," he said, "...but we're willing to work and see what we can do... We just need a reasonable program to develop, because there are so many loads that are not [recoverable]." He cautioned Metro to look at the MRF policy in its entirety, including the fairness issues and necessary fee increases.

Mr. White noted a "Catch-22." If a facility makes "a real strong business effort to get out the [recoverable] material" but fails to reach the required recovery rate, they'll receive a notice of violation in spite of honest efforts. He also commented – having attended the meetings as an audience member - that one of the business representatives, a construction company owner, had told the group they routinely pulverize materials prior to taking them to the landfill. The proposed program may need to include a provision that materials such as wood from construction sites be "prepared properly" so that it can be recovered. In such a case, he said, "The bureaucracy just continues to build. But I do believe that, just like residential customers, they have to prepare the materials in certain ways so they can be recovered. I think the same standards would have to apply

to the generators of this material, so they don't contaminate it or present it in such condition that it can't be recovered."

Washington County's Mark Altenhofen commented simply that whether or not the landfills MRF on-site, it's the County's rate-payers who will bear the financial brunt.

John Lucini voiced concerns about wood markets. Mr. Barrett acknowledged the group had discussed that aspect, and said if it becomes an overwhelming problem, Metro would certainly hear about it from all the facilities and have to address it. Mr. Lucini maintained this needs to be addressed prior to implementation of the mandate.

Mr. Barrett noted that one additional concern of the task force was that time would be needed to prepare for the program. Staff recognizes this need, he said. Mr. White asked how the mandate could help the 2005 goal at this late date; Councilor McLain said it would help towards the 2009 goal.

After some general questions and discussion Mr. Hogle noted "It's recognized that mandatory dry waste MRFing will have an impact on rates and the credit program... We don't know what [the impact] will be, so we don't know what the budget should be for the System Fee Credit Program." The idea was to get this implemented, monitor the costs, and then likely make changes to the new program and/or to the credit program.

Councilor McLain brought the agenda item to a close, noting that "We are here to listen to your comments."

VI. RSWMP UpdateJanet Matthews

Ms. Matthews said that the second progress report for the RSWMP update had been sent out last week (members who hadn't received it were asked to notify Gina Cubbon). The next report will be sent in January 2005.

- Let's Talk Trash meetings attracted a total of 38 attendees; 100 additional surveys have been filled out on-line. (Cut-off date for online surveys will be November 12.) Several meetings have been scheduled with a wide assortment of community groups, from high school students to neighborhood associations. The official summary report of this portion of the public involvement process will be released after these November meetings. Ms. Matthews outlined the highlights thus far:
 - Services: Current solid waste system is viewed as adequate, but needs improvements such as standardization of services (across jurisdictions) and expansion of curbside recycling options.
 - Resource conservation: Strong support "as the most important aspect to emphasize in how services are provided." (Over cost and convenience.)
 - Recycling: Current level can be improved and needs to be made easier, more convenient. The majority of participants so far are willing to pay more for increased recycling and education options.
 - Education: Strong support for increasing investment in public information and recycling programs.
 - Sustainability: Government agencies, and Metro in particular should lead the region by modeling sustainable practices and standards. "We've also seen that some participants have a difficult time grasping the terms and the examples of sustainability that are in the discussion guide," Ms. Matthews noted.

- Other input for the RSWMP update drafting process is being taken from Council (disposal system planning); SWAC will also be approached with some issues. Council has expressed an interest to maintain current RSWMP direction, "...that calls for a disposal system comprised of public and private facilities." Closer to when transfer station bonds are paid off in 2009, Ms. Matthews continued, "Council expects staff to provide research on (among other things) the value of that public investment, how public services might be provided in a private system, and regulation of the private system." Councilor McLain commented that Council has talked about very specific items that need more study and staff are preparing reports regarding these issues. "We're not making any conclusions yet about what that transfer and/or disposal system is going to look like; we're just simply saying we want to see what all the possibilities are, what are the potentials are, and we want to make sure that whatever possibility or potential we would head to could actually take care of the goals of the RSWMP. It's still very much at the beginning of the process," the Councilor stated.
- Regarding the waste reduction portion of RSWMP, Ms. Matthews reported that waste reduction strategies are being updated at a staff level and will be out for discussion later.
- Residential waste reduction strategies have had input from local governments.
- Business waste reduction strategies: Chambers of commerce, business groups are being contacted.
- Hazardous Waste: There has been input from a small group of technical experts. A public focus group will meet in early November.
- Education: So far, just suggested revisions from staff.
- Collection issues: Ms. Matthews is working with some local government representatives to assemble a small group to discuss collection issues for RSWMP. The same will be done with haulers.
- Schedule:
 - November, finish inputs from small groups, Council, on disposal system planning
 - December, staff to complete preliminary revisions to current RSWMP
 - January and February, internal review and stakeholder discussion
 - March, rough draft to consultant
 - April, draft out to public for review

SWAC involvement will be important in the upcoming months, Ms. Matthews said, and discussed with the Committee how best to meet. The majority felt full meetings work well, as long as there is enough lead time to digest documentation (at least two weeks).

VII. Other Business and Adjourn..... Susan McLain

- Councilor McLain thanked everyone for attending, and said the next meeting would be November 15.
- The Councilor adjourned the meeting at 4:43 p.m.

Documents to be kept with the record of the meeting (copies available upon request):
(None)

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