

Wendie L. Kellington Attorney at Law, P.C.

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February 15, 2007

Via US Mail David Bragdon Metro Council President Metro 600 NE Grand Avenue Portland, Oregon 97232

Kathryn Harrington Metro Councilor Metro 600 NE Grand Avenue Portland, Oregon 97232

Rex Burkhalter Metro Councilor Metro 600 NE Grand Avenue Portland, Oregon 97232

Brian Newman Metro Councilor Metro 600 NE Grand Avenue Portland, Oregon 97232 Rod Park
Deputy President
Metro
600 NE Grand Avenue
Portland, Oregon 97232

Carl Hostika Metro Councilor Metro 600 NE Grand Avenue Portland, Oregon 97232

Robert Liberty Metro Councilor Metro 600 NE Grand Avenue Portland, Oregon 97232

Re: Metro Council February 15, 2007 Regular Meeting Item 5.1

Dear Council President Bragdon and Members of the Metro Council:

On behalf of Lakeside Reclamation Landfill and Howard Grabhorn we wish to bring to your attention a few items concerning Agenda Item 5.1. We understand that Agenda Item 5.1 regarding proposed Ordinance No. 07-1138 is scheduled for first reading and that no public testimony is appropriate. We respect this process and will supply our testimony at the appropriate time which we understand to be second reading. However, this is to let you know that the staff is mistaken in its suggestion that either I or Mr. Grabhorn agreed with the proposed ordinance or that there is "no known opposition" to it. We strongly object to this proposal and staff is aware of the reasons for our objections which range from environmental unsoundness,

Metro February 15, 2007 Page 2 of 2

risks losing 13% of the region's recycling assets, loss of nearly \$2 million dollars of annual revenues to Metro and Washington County.

As our public testimony will demonstrate, there are significant policy flaws and legal concerns with the current proposal, and we strongly urge the council to be rigorous in its review and to consider redrafting or major modifications to staff's proposal. We would be happy to answer questions or discuss this further in an appropriate forum. We look forward to working with you on this proposal, but wanted to clarify the misconception that there was no opposition.

Thank you.

Very truly yours,

Wendie L. Kellington

WLK:wlk

CC: Howard Grabhorn

Mark Reeve, Esq.

Michael Jordan, Metro Chief Operating Officer

Dan Cooper, Metro Legal Counsel

Theresa Koppang, Washington County Solid Waste Program

Tom Brian, Washington County Commission Chair

Paul Phillips

February 16, 2007

EB 2 0 2007

I am writing to bring to your attention and solicit support in ceasing illegal and environmentally hazardous operations at Lakeside Reclamation Landfill located in Washington County at 14930 SW Vandermost Rd Beaverton OR 97007.



We, along with many neighbors have been working diligently with the local agencies for years to attempt to force this illegal landfill to operate under today's rules and regulations. Both DEQ, and Washington County have refused to make Howard Grabhorn, the landfill owner; obtain the legal permits to operate a landfill.

This landfill began many years ago as a personal landfill only; it has grown over the years and was never required to go through the appropriate channels to operate legally today. Lakeside Reclamation still does NOT have a permit for non-conforming use, there has NEVER been a land use decision that allows him to operate a commercial landfill and lastly he has never met the land use compatibility requirements.

It appears this landfill is going to be permitted to expand; all the while he has been sited on NUMEROUS occasions for accepting very hazardous waste containing heavy metals, poisons and known carcinogens. The landfill is unlined, which is very unsafe environmentally. Need I also mention this landfill operates on the flood plain and banks of the Tualatin River.

We are working fast and furious to attempt to rally a larger group of neighbors to help us be heard. But at times it seems futile. Please have your staff look into the local agencies neglect at enforcing and upholding the current codes. Our neighborhoods health and safety are at stake. I truly believe this landfill is much like the Erin Brokovitch case, just waiting to be exposed.

I very much appreciate your attention to this matter. Feel free to contact me if you have any questions.

Leslie Frederick and James Yanzick 14020 SW Pleasant Valley Rd. Beaverton, OR 97007 503-628-8603

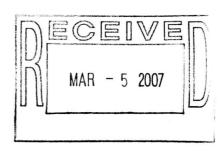


GRABHORN INC. 14930 SW VANDERMOST RD. BEAVERTON, OR 97007-8723

PHONE: 503-628-1866 FAX: 503-628-1078

March 3, 2007

Greg Aldrich Oregon Department of Environmental Quality Northwest Region 2020 SW Fourth Ave., Suite 400 Portland, OR 97201



Thank you for supplying a copy of your response to Rep. Kummel's questions. We have significant concerns regarding some of the statements you made and we wish to clarify them. It is these kinds of perhaps small errors that we feel has perpetuated tensions between the landfill and the property owners who frequently complain.

- 1. The landfill has always acted under county, state and Metro permits. There has never been a year when a permit that was required did not exist. There is no basis to suggest that the landfill was started or operated at any time unlawfully.
- 2. The landfill has a land use permit. A "Land Use Compatibility Statement" or LUCS is a land use decision and the court of appeals and LUBA so determined. The landfill's 1991 LUCS was issued by Washington County on detailed findings explaining the landfill and recycling operations exist lawfully. I have invested millions of dollars and committed to detailed liabilities based on this LUCS and the DEQ plans and requirements issued under it.
- The opponents of the landfill who, please understand, moved there after it was established wished to collaterally attack the LUCS in a recent land use case where I simply sought to do a lot line adjustment to separate out the landfill property from my home which I built on a closed landfill cell. LUBA and the court of appeals agreed with me that it is not proper for opponents to collaterally attack a 1991 land use decision, 15 years later. The land use system depends on at least that much stability. That a LUCS is a land use decision and cannot be collaterally attacked 15 years later is hardly a "technicality". Oregon's business climate would be a sour one indeed if no land use decision was good because objecting newcomers move in next door.
- 4. The landfill is also protected by state nonconforming use law. We note that the landfill is located on land zoned EFU and a landfill like the subject is a conditionally allowed use under state law on EFU land.

- 5. DEQ did not initiate an enforcement action against the landfill for asbestos. If the agency had, the landfill would have contested it. A renegade customer tried to sneak in asbestos material when a Metro inspector was on premises. It was discovered and immediately isolated and remediated. It was never placed into the landfill. That someone dumps a reneged load, is discovered, the load is isolated and remediated is not a violation of anything. In fact, the owner acted consistently with required procedures.
- 6. The landfill is engineered based on the assumptions that it may be completed and closed in a particular sequence, with a particular volume, to particular grades. The landfill is progressing as engineered. If Metro imposes requirements that to continue to operate the landfill must built a material recovery facility, LRL should be allowed to build such a facility if it must do so to survive.
- 7. We note the opponents of the landfill showed up at a recent Metro hearing and supported Metro requiring the landfill to build such a facility. It is puzzling that they would then complain to you and to Representative Krummel about LRL then potentially constructing such a facility to Metro's specifications which they showed up to support.
- 8. We think it makes no sense for Metro to require the landfill to build such a facility in the first place because the landfill has one of the or the highest recycling rates in the region fully 35-40% of the material that comes in is recycled there. This substantial recycling occurs with no off site impacts, and in an economical, efficient manner. The high rate of recycling at the landfill occurs because I invented and patented those usually black or orange mesh bags filled with wood chips that you see on storm drains on roads and construction projects. These bags produced from recycled material are recognized by ODOT, Washington County the Port of Portland and many other jurisdictions as a preferred method for controlling erosion on construction sites and are used by local governments as erosion protection for drainage ways. Because I made an effort to create recycling markets, my facility recycles the most. I have no off site impacts from my recycling operation because it is located in the middle of a very rural operation.
- 9. Don't forget the landfill and recycling operation is in an EFU area, full of odors, dust, and noise having nothing to do with the landfill. Mr. Van Riper, one of the principal opponents, is an automatic weapons enthusiast, and Mr. Ponzi who has a vineyard leaves on a bird cannon sometimes all night which, I at times trundle down late at night to turn off. I made my home on a closed landfill cell.
- 10. The berm Mr. Van Riper complains about in his email, is a temporary dirt stockpile in the location contemplated on the landfill's DEQ approved grading plans. We note that it is immediately adjacent to Mr. Van Riper's bright yellow sign facing the landfill complete with skull and crossbones and text warning landfill employees of death from his weapons activity.
- 11. Be wary of the landfill's opponents. They argued tirelessly before the county in the land use process that they ultimately lost that the landfill should be reengineered to suit them, and then when a hearings officer agreed to do as

they wanted, they wrote to DEQ that the landfill redesign they demanded would cause water pollution and sought DEQ action against me. This is only an example.

We have consistently made efforts to reach out to the landfill opponents. They are unwilling to make any effort toward cooperation. This despite the landfill forgiving fees and costs that were awarded against them in the land use case where they tried to collaterally attack the 1991 LUCS, in an effort to extend an olive branch. The landfill is at a loss regarding what it can or should do with people of this persuasion. If you have constructive suggestions we are open to them.

Sincerely,

Howard P. Grabhorn

Cc: Audrey O'Brian, ODEO

Representative Jerry Krummel

Dawn Phillips, Chief of Staff

Commissioner Tom Brian

Councilor David Bragdon

Councilor Rod Park

Councilor Katherine Harrington

Councilor Brian Newman

Councilor Carl Hosticka

Councilor Rex Burkholder

Councilor Robert Liberty

Theresa Koppang

Wendie Kellington

Mark Reeve

Doug Drennen

Kathryn Sofich - Re: Recycling

From:

Steve Apotheker

To:

audreywalton@comcast.net

Date:

3/31/2007 3:57 PM

Subject:

Re: Recycling

CC:

Kathryn Sofich; Sue Gemmell

Attachments: 3607Ptd Bag Advisory.pdf

Ms Walton

I am sorry to take so long to respond, but I have been out of the office for the last week.

1. Biodegradable bags

I have attached the information on biobags that Portland provides to its commercial customers. These bags have been approved for use by Cedar Grove, which composts the food and other materials. To acquire bags without a distributor account you can contact: Service Paper (503) 358-6123 and Walter E. Nelson (503) 285-3037

The person at the City of Portland who updates this information and could answer any questions is:

Andy Schneider Commercial Compost Specialist Office of Sustainable Development 721 NW 9th Ave., Suite 350 Portland, OR 97209 (503) 823-2866 aschneider@ci.portland.or

Residential Food Waste Collection

At the present time there is no food waste collection from residents. However, the City of Portland recycling staff have developed a recommendation to provide food and yard trimming collection to residents, which they will bring to their Council this spring for consideration. The program would be contingent on first siting a local food composter. Metro is working on a longer term contract with Cedar Grove that will make it more attractive for them to site a local facility, instead of shipping reloaded food to their Washington plant north of Seattle. Again, Andy could help you or refer you to Portland staff on this project.

3. Plastic shredding machine

Unfortunately, your pictures of these machines at the shopping centers did not make it to me. If the attachment is bigger than 5 MB then it would not get delivered. Could you please resend to me directly?

What types of plastics does this machine take - just bottles or does it take other rigid packaging and bags? I am familiar with the Norwegian company Tomra's machines, which are used for to accept and sort bottle bill containers by some of our Oregon stores. Do you mean Tomra?

I follow recycling developments in Europe as we have a lot to learn from them. England is doing some outstanding fundamental work about household consumption and participation behavior. However, while there are innovative pilots and programs that address specific items, such as packaging and electronics, there has been less progress in giving the opportunity to recycle to all households and businesses.

I would be happy to answer any additional questions that you may have.

Steve Apotheker
Senior Recycling Analyst
Waste Reduction, Planning & Outreach
Metro
600 NE Grand Avenue
Portland, OR 97232-2736
(503) 797-1698
(503) 797-1795 fax
apothekers@metro.dst.or.us
www.metro-region.org

Metro is a regional government serving three counties and 25 cities in the Portland, Oregon region.

>>> Rod Park 3/22/07 10:14 PM >>>

Ms. Walton.

At this time I am not aware of food waste recycling for homes. We do have programs going in Portland and Gresham for business food waste recycling.

I have copied my assistant Kathryn Sofich and Steve Apotheker in the solid waste department. One or the other will get back with you on my details on your questions. I am proud to say the Metro region is one of the leaders in recycling in the nation. That doesn't mean there isn't room to improve though.

Sincerely,

Rod Park
Metro Councilor District 1
503-797-1547
>>> "audrey walton" <audreywalton@comcast.net> 03/22/07 3:18 PM >>>
Mr. Park, I'm sorry if this isn't your area of concern but the website email address for metro doesn't work. I want to know if there are biodegradable garbage sacks available. Also, is

there any residential food waste recycling anticipated for our area. This is very successful in

England (homes are given a secure green box for food waste - secure so foxes don't get into it!). There are also recycling machines over in England in the shopping centers which accept various kinds of plastic, one article at a time. It actually sorts and shreds the plastic in the machine. Bit time consuming for the public but eventually they'd get used to it! Pictures in second email due to size.

I have always thought we here in Portland were way ahead with recycling but now I've seen what they are doing in the London area, we are way behind. Your comments would be appreciated and thanks for your time.

Audrey Walton

Portland Composts!

Businesses Dig It

Using Bags for Food Waste Collection

Compostable Bags Only

Cedar Grove, the compost processing facility for food waste collected through the Portland Composts! program, only accepts specific brands of compostable bags. Acceptable bags are Biodegradable Products Institute (BPI) certified and also have passed Cedar Grove's independent testing. Cedar Grove prohibits non-biodegradable plastics in food waste loads. Unwanted plastic is the most prevalent contaminant in food waste, and if present, the load of food waste will be rejected and sent to landfill instead.

To Line, or not to Line?

Because regular plastic can liners, along with other non-biodegradable plastic products, are not acceptable in the Portland Composts program, one of the decisions that participating businesses need to make is whether or not to use liners in the "green" bins. There are essentially three alternatives:

1) <u>Use no liner for interior organics bins</u>, and rinse interior and exterior bins after emptying them ("going bagless").

Advantages: avoided liner purchase cost; food waste bin clearly identifiable

<u>Disadvantages</u>: more frequent bin washing; must use sanitary system drain, which may increase waste-water disposal cost; potential for increased labor cost

Coping Strategies: designated bin washing station and procedure

2) <u>Use regular plastic liners for interior bins</u>, empty only the loose contents into the exterior bin for collection and either dispose of the liner in the trash, or reuse it in the interior food waste bin for additional loads.

Advantages: less expensive than biodegradable bags, similar to existing garbage setup

<u>Disadvantages</u>: potential for contaminating food waste, bin with liner may not be distinguishable from garbage, heavier bag loads

<u>Coping Strategies</u>: solid color-coded interior bins, fill bins only part way, secure liner in bin so it won't slip out when bin is emptied

-over-



3) <u>Use biodegradable liners in all interior organics bins</u>,* in which case the liner and its contents can be emptied together into the exterior collection bin.

<u>Advantages</u>: simpler to use, no increased labor cost, less potential for contaminating food waste

<u>Disadvantages</u>: higher cost than regular liners, potentially limited shelf life, regular plastic bags may be mistakenly substituted

<u>Coping Strategies</u>: only use biodegradable liners in food waste bins, purchase bags that are color-coded or labeled as compostable, order in smaller quantities

*Please note: biodegradable liners used in food waste bins may break if filled with a large amounts of moist, heavy foods. Employees should be warned not to try to lift the bag out of the interior container. Instead, the liner should be tied off securely, and the entire contents of the bin, liner and all, dumped into the larger food waste service container provided by the hauler.

Price Comparison

BPI-certified compostable bags currently cost 3 to 4 times more than regular polyethylene-based bags. The price is likely to come down as they are used more extensively for food waste collection.

Compostable Bag Ordering information

The following bags have been approved for use in the Portland Composts! Program:

1) BioTuf by Heritage available through:

- SYSCO Food Services of Portland (800) 689-2280
- Service Paper Co. (503) 358-6123
- Apple Foods (503) 233-0688 <u>sales@applefoods.com</u>
- Coastwide Laboratories (503) 288-1582
 Single cases can be purchased at: 1735 NE 7th Ave, Portland, OR 97212

2) Ecofilm by Cortec available through:

- Food Services of America (503) 980-2537
- West Coast Paper (503) 228-6561

Or in bulk, directly from the manufacturer:

• Cortec - Tim Rayburn (425) 822-3530 tim@asenw.com, www.ecofilm.com

These bags are only available in bulk, direct from the manufacturer:

3) Cereplast (Formerly Nat-UR)

Mike Muchin (310) 676-5000 x 115 3433 West El Segundo, Hawthorne, CA 90250 rmmuchin@cereplast.com

4) BioBag

Dave Williams BIOgroupUSA, Inc. (800) 959-2247 107 Regents Pl. Ponte Vedra Beach, FL 32082 dave.williams@biogroupusa.com www.biogroupusa.com



June 19, 2007

Scott Forrester 2030 NW 7th Place Gresham, Oregon 97030

Dear Mr. Forrester,

I am following up on an inquiry you made about the policy implementation of separating glass from other recyclables. After researching this issue with Metro staff and a number of different people from various jurisdictions, the implementation of the Regional Solid Waste Management Plan (RSWMP) policy is between the jurisdictions and the haulers. Therefore, your specific concerns should be directed to the City of Gresham and/or Gresham Sanitary Services.

The following is contact information for these two entities:

Gresham Sanitary Services: 503.665.2424, http://www.greshamsanitary.com/ City of Gresham Recycling & Solid Waste Program: (503) 618-2656, http://www.ci.gresham.or.us/departments/des/solidwaste/

Thank you for contacting Metro Councilor Rod Park with your concerns.

Sincerely,

Kathryn Sofich

Council Policy Coordinator

From the desk of
Kathryn Schutte
Council Support Specialist

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 TEL 503 797 1941 | FAX 503 797 1793 2030 NW 7th Place METRO Judie Miller Gredan 97030 5/24 Scott Fresker - Grestran - apparently Grestan Sanitary Service seperate seperate For glass _ what is metro's rde in this requirement? St He called Dave Ronse, didn't know about it recycling is a glass mix. to got a note recorded Paper and I wal

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From the desk of Kathryn Schutte Council Support Specialist

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 TEL 503 797 1941 | FAX 503 797 1793



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From the desk of Kathryn Schutte Council Support Specialist

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From the desk of Kathryn Schutte Council Support Specialist

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 TEL 503 797 1941 | FAX 503 797 1793



www.metro-region.org Recycled Paper

separate cover All Councilors: received under



July 18, 2007

Councilor Rod Park Metro Council 600 NE Grand Ave. Portland, OR 97232



Dear Councilor Park,

I have been doing business with Howard Grabhorn and Lakeside Reclamation Landfill for many years and have seen how well the business at Lakeside is run. Lakeside has done a remarkable job of serving the needs of me, my customers and the local community. In fact, without Lakeside, much of the economic growth that has occurred in our community would not have been possible.

Howard Grabhorn has operated a safe and properly permitted business and is an asset to our area's economy. Lakeside is important to my business and the operation provides family wage jobs and supports the region and state through the collection of taxes and fees for local government. Most importantly, Lakeside Reclamation is needed and useful to the citizens of this area.

I am asking you to support Howard Grabhorn and his business and the work of the group that was formed at the request of Commissioner Tom Brian. I support Howard Grabhorn and Lakeside Reclamation Landfill and know how important his business is. Early closure of Lakeside would not only be detrimental to the environment, it will also drive up solid waste disposal costs to customers through the tri-county area. Those cost increases will reduce our quality of life and increase the problems we already face with the lack of affordable housing.

I urge you to support Lakeside and its operation and help sustain the operation of one of Oregon's best managed landfills. Your support is critical to Lakeside, my business and the jobs of many working Oregonians throughout the region. Thank you very much.

Sincere

KERR CONTRACTORS, INC.



JIM FISHER ROOFING & CONSTR., INC.

23225 NE Dillon Road Newberg, Oregon 97132 (503) 625-2586 Fax (503) 625-0528 CCB #45970

July 25, 2007

Councilor Hosticka 600 NE Grand Ave Portland, OR 97232



Original: Council Clerk

Copies: TRIM Entry All Councilors



Dear Councilor Hosticka,

Jim Fisher Roofing & Construction has been doing business with Grabhorn and Lakeside Reclamation Landfill for over 25 years. We here at Jim Fisher Roofing consider Lakeside to be an important partner in our business and community success.

Lakeside has consistently provided a safe, clean and environmentally sound location for disposal of construction debris. This has been demonstrated on more than one occasion. As an example some household trash was mixed in with what was supposed to be construction debris. Lakeside immediately caught this and we were required to pull this material out. This is a small example of Lakesides commitment to proper disposal of construction as well as household debris.

Lakeside's location is convenient for our community. The closest landfill outside of Lakeside is in Hillsboro. If we are forced to transport materials to Hillsboro there will be a number of results. Some of which will be increased fuel consumption, additional road wear and productivity time loss. The closure of Lakeside will drive up the cost of solid waste disposal for our entire community. Another significant result would be the added pollution as a result of longer distance transportation. Additionally materials would then be transported to Arlington. This added transportation simply compounds the problem of pollution, road use and fuel consumption. I don't believe we should be shipping our debris to Arlington.

I am asking you to support Howard Grabhorn and his business and the work of the group formed at the request of Commissioner Tom Brian. I support Howard Grabhorn and Lakeside Reclamation Landfill and recognize its importance to our business and our community.

I am strongly urging you to support Lakeside and its operation to help sustain to continued operation of one of Oregon's best managed landfills. Your support is critical to my business and the jobs of many working Oregonians in this region.

Thank you for your support.

by pr.

President

Sincerely.



GILLIAM COUNTY COURT

221 S Oregon St

PO Box 427

Condon, OR

97823

JUDGE PAT SHAW COMMISSIONER FRANK BETTENCOURT COMMISSIONER MICHAEL WEIMAR

July 26, 2007

Original: TRIM Entry Copies: David Bragdon

All Councilors

my



Metro Council 600 NE Grand Avenue Portland, Oregon 97232-2736

RE:

Gilliam County Perspective on Solid Waste Transportation Contract

Dear President Bragdon and Metro Council;

Thank you for meeting June 29 in Arlington. The County and Port of Arlington commissioners very much enjoyed the productive meeting with you, Councilors Park and Harrington. At the end of the meeting we agreed that Gilliam County and the Port would articulate goals and interests concerning Metro's next waste transport contract. This letter intends to do that.

Transportation and disposal of Metro solid waste at Columbia Ridge Landfill near Arlington is an extremely important economic activity in Gilliam County. The partnership between Metro Council and the Gilliam County Court developed over many years into a mutually beneficial one. This continued close relationship is a top priority for Gilliam County as Metro develops the new transportation contract.

The Columbia Ridge Landfill complex, owned by Waste Management, is the single largest private employer in Gilliam County. The landfill provides a majority of the highest paying local jobs. Fees paid at the landfill provide much of Gilliam County's operating budget. Local investments by the county play a key role in economic & community development, law enforcement, roads, fire services, child care centers, senior living, city governments, housing, education, and medical services. Success of the landfill complex is extremely important to the economic and social fabric of Gilliam County.

Portland Area Waste and Gilliam County Economy

Portland area waste comprises around 25%-30% of the volume received at Columbia Ridge landfill complex. This important base helps sustain local employment and generate efficient business levels for fuel, maintenance, and other commercial activities.

The landfill directly employs approximately 140 employees. The trucking firm CSU employs another 93 people hauling waste to the landfill from throughout the Pacific Northwest. Of total CSU employees, approximately one-half live in Gilliam County. For perspective, the Oregon Employment Department says there were a total of 932 non-farm jobs in Gilliam County in the month of May. The landfill clearly represents a major part of the Gilliam County economic base. Direct support services of the landfill business, such as vehicle maintenance and fueling are key businesses in the county. The truck maintenance shop employs people. A private company that supplies fuel to CSU trucks employs people in Gilliam County. The business activity of the landfill operation and transportation services helps build critical mass for fuel and support services.

Shifting all or part of Metro's volume to barge would provide a significant stimulus to development of the general cargo barge facility at Willow Creek. Approximately 5-people could be employed operating the barge dock and 10-shuttling business to the landfill. Metro barge business is an additional stimulus at Willow Creek simply by creating a level of activity, which attracts other businesses. For example, two biofuel companies have discussed with the port leasing land near the Willow Creek site. Part of their interest in the area is the knowledge that barge service could be a transportation alternative to truck or rail. The business volume associated with Metro barge traffic could become a catalyst for new investments. It would stimulate Gilliam County economic development including the potential for rock production and sales.

Gilliam County and Port of Arlington Interests & Suggestions for the next Metro Waste Transport Contract

Job creation and economic development opportunities are key goals of County and Port of Arlington activities. In this rural county, the landfill is a unique and very important economic opportunity. Metro can play a significant role in Gilliam County vitality by rewarding transportation bidders who invest more in Gilliam County.

Specific suggestions for consideration:

- 1. More points should be allocated to the 'community, or socioeconomic, impacts' criteria. Presently, it is a very small part of the non-price criteria. For example, Exhibit 5-4 of the May 2007 CH2MHill Transportation Study suggests price is weighted 60%, and other factors 40%. Socioeconomic impacts are 4% of the total. We suggest this share be increased, and Gilliam County be given a weight of at least 3%-5%. The rationale for a higher share for Gilliam County is that the County is the destination of the haul. Metro and Gilliam County have in place a cooperative agreement, and the scale of impacts would be large, direct and positive.
- 2. Trucking operation would be based in Gilliam County with trucks fueled and maintained in Gilliam County
- 3. If barge, must use dock at Willow Creek
- 4. If rail, crews would be based in Gilliam County
- 5. A county representative be part of bid review and selection team.

The relationship between Metro and Gilliam County is important, and one we want to further develop. Thank you for the opportunity to express our opinions about your upcoming transportation contract. Economic and social vitality in our county is very much affected by the volume and structure of landfill-related business. The impacts of Metro business are significant and tangible. Thank you for considering our perspective.

Sincerely.

Pat Shaw, Judge Gilliam County Court Tim Wetherell, President Port of Arlington Commission

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c. Mike Jordan, Metro Mike Hoglund, Metro Larry Harvey
Metro Ordinance #07-1147
Enhanced Dry Waste Recovery Plan (EDWRP)

Over the past few months, tremendous progress has been made to develop a plan that will lead to increased recovery of solid waste recyclable materials generated from construction and development projects throughout this region. The record clearly demonstrates that Howard Grabhorn, and therefore Lakeside Reclamation Landfill, supports those efforts and the ordinance you will vote on today. That has never been an issue and will not be so today.

However, during the course same of events, what should have been a public process about recycling and sustainable resources practices was turned into a personal and malicious attack on Howard Grabhorn by a few neighbors who came to our area long after the Grabhorn family settled onto the farmland outside of what is now known as Beaverton. Through the manipulation of half truths and the propagation of misleading statements, an orchestrated and premeditated campaign of misinformation has cast a shadow of doubt upon a family business that has been considered a service and an asset to our region for several decades. As a result, many of the public hearings have been riddled with false information and unsubstantiated allegations of mismanagement and inappropriate actions.

Examples of this unethical behavior were prevalent even at the August 8th Metro public hearing on this ordinance. Statements such as those made by Steven Burke, who claimed Lakeside is causing ground water contamination were made, which is not true. In fact, one need only review the DEQ files on Lakeside to learn that there is absolutely no evidence of ground water contamination or beneficial use well water beyond the footprint of the landfill. Mr. Burke is either uninformed or chose to mislead the Council.

Claire Towry testified and stated plainly for the record that the Lakeside closure funds were inadequate for closing the landfill. That is a total misrepresentation of the truth as Lakeside representatives have been working closely with DEQ to keep its operational plan updated and has even submitted more current information to the agency regarding funds for closure. Ms. Towry failed to mention that Lakeside has even gone so far as to obtain a letter of credit in response to a DEQ request. The veracity of her testimony is at best questionable.

And, Mr. Richard Ponzi described what he claims was a history of promised closures that never materialized over the years. The truth of the matter is that the DEQ files on Lakeside

contain letters stating that it was actually Washington County, and not Howard Grabhorn, that had consistently told Ponzi and other citizens that Lakeside would be closing soon. State files have consistently stated that the life expectancy of Lakeside was at least 20 years if not more, and the early closure plan and funds have always been based on those predictions.

The contamination accusations made by the Ponzis claim that the expansion of the landfill is causing these alleged environmental problems. What the Ponzis fail to mention is that in 1972, they specifically asked to have the landfill debris pushed over onto their property to be used as fill. A copy of that letter has never been introduced into the record, but today, Ponzi Vineyard grapes are growing on a landfill all while the winery owners have been violating DEQ water quality guidelines and making wine from product grown on a landfill.

So, for the record, this Council should be clear that Howard Grabhorn supports recycling and sustainable business practices and that has been repeatedly made clear. He applauds your initiation of this ordinance and will continue to make a substantiate contribution to recycling efforts in this region. He urges a YES vote from all of you and appreciates the opportunity to publicly support your efforts.

Whoever it may be that has been the subject of the testimony presented by a small number of neighbors, it certainly is not Howard Grabhorn. That individual is either a fictitious character created for the benefit of a small number of wayward neighbors, or someone else who should be asked to attend a different public hearing and account for his or her actions.

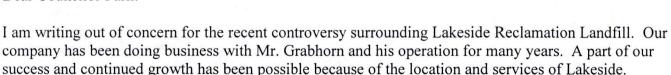
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August 9, 2007

Councilor Rod Park Metro Council 600 NE Grand Ave. Portland, OR 97232

Dear Councilor Park:



During our years of business with Mr. Grabhorn, we have experienced a safe and economical disposal option for our customers. I believe that Lakeside Reclamation has been operated safely and properly, as witnessed by our drivers and myself during visits to the site while conducting our necessary business. Lakeside Reclamation is an integral part of our operation, as it provides an additional disposal site in Washington County for our customers. The reduction in disposal sites in our area would adversely impact our company, which would have a direct impact on our customers.

I'm asking that you support our industry and Mr. Grabhorn, in his business and the work of the group formed at the request of Commissioner Tom Brian. I believe there is a larger picture that must be looked at – residents & businesses that we serve will be directly affected by increased hauling costs should our companies be required to drive to the limited number of landfills that would be left should Lakeside have to shut it's gate. Housing construction, remodeling and development will feel the financial impact when the disposal costs of their projects increases due to additional fuel, mileage and tip fees associated with trucking to other disposal sites located further from the area.

Again, I urge you to support the needs of the entire community and industry. Your support is essential to my company, Lakeside and the jobs of many working Oregonians throughout the region. Thank you so much.

Sincerely,

Dawn M. Lucinio General Manager

COUNCILOR ROD PARK

6 0 0 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736



August 21, 2007

Dennis Denton, President Denton Plastics Inc. 18811 NE San Rafael Street Portland, Oregon 97230-7023

Dear Mr. Benton,

I would like to thank you for the key role Denton Plastics plays in the furthering the recycling goals of the region. The tour of your plant was very useful seeing the reality and the possibilities for plastic re-processing. I also appreciated your work with the nursery industry to become better stewards of the environment by the recycling of plastics used in nursery production and sales.

It is clear that your proposed expansion will impact the region in a number of positive ways. As we discussed, the community is eager for job growth and is concerned about the future of the industrial site currently being used as a soccer field. As you attempt to move forward with the option of expanding on the land adjacent to your current plant, I encourage Denton Plastics to consider how to mitigate the gain of one community asset but the loss of another. There may be other opportunities to partner with the community such as in the Sports Park the city of Gresham has under way.

As your plans evolve I hope that you continue to include community stakeholders, Metro, and other involved parties in the conversation. Thank you again for inviting me to your facility and I look forward to working with you further on this issue.

Sincerely,

Rod Park

Metro Councilor

District 1