



October 8, 2008

Metro
600 NE Grand Ave.
Portland, OR 97232



RE: Request for Variance – Lakeside Reclamation Landfill

Dear President Bragdon and Metro Council,

Raindrops to Refuge respectfully requests that Lakeside Reclamation Landfill (Lakeside) be DENIED a variance of the Enhanced Dry Waste Recovery Program (EDWRP) requirements of Metro Code 5.01.125 and 5.05.030 beginning January 1, 2009.

According to a sampling by DEQ in 2005, Lakeside's waste stream contains 57% recyclables including a content of 46% recyclables that would qualify for recycling under EDWRP standards. By allowing a variance to Lakeside, Metro Council would be reducing the waste stream to those competing facilities that have chosen to invest in their own material recovery facilities (MRF). This would reduce the amount of recyclable materials recovered and run contrary to Metro's goal of 64% waste recovery by 2009. It is clear that this Request for Variance does not meet the purpose and intent of the EDWRP, and thus should not be granted.

Further, the Metro Council should not grant this variance because compliance has not been demonstrated to be "beyond the control of the applicant". Lakeside has not applied for land use decisions and permits to operate a MRF on the site.

By granting this variance, Metro Council would be subsidizing Lakeside's unwillingness to invest in state of the art technology (i.e., a MRF), as its competitors did. The Tualatin River will be suffering continued damage by having to accept toxic leachate from an unlined landfill for an extended period of time.

The leachate is reaching the river in toxic concentrations and the sooner the source of leachate (i.e., non-putrescible waste) can be stopped the sooner the Tualatin River will receive relief. In fact - DEQ agreed with Tualatin Riverkeepers that a trench should be installed to intercept the leachate before it reaches the river. Waste Management did this at Hillsboro landfill (a non-putrescible waste landfill). Lakeside should be held to the same standard as their competitors.

By denying this Request for Variance and forcing the closure of the Lakeside Reclamation Landfill by January 1, 2009, Metro Council will be accelerating the capping of the landfill and the environmental remediation needed to protect the Tualatin River from Lakeside's leachate.

Raindrops to Refuge urges the Metro Council to deny a variance of the Enhanced Dry Waste Recovery Program requirements of Metro Code 5.01.125 and 5.05.030 for Lakeside Reclamation Landfill.

Sincerely,

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