

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AMENDING METRO ) ORDINANCE NO. 90-337  
CODE CHAPTER 5.02, ESTABLISHING )  
SOLID WASTE DISPOSAL RATES FOR ) Introduced by Rena Cusma,  
FY 1990-91 ) Executive Officer

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

CHAPTER 5.02

DISPOSAL CHARGES AND USER FEES

SECTIONS:

5.02.010 Purpose  
5.02.015 Definitions  
5.02.020 Disposal Charges at St. Johns Landfill  
5.02.025 Disposal Charges at Metro South Station, Metro  
East Station and Metro/Riedel Compost Facility  
5.02.030 Waiver of Disposal Charges at St. Johns Landfill  
5.02.035 Litter Control  
5.02.040 Excess Weight Charge at St. Johns Landfill  
5.02.045 User Fees  
5.02.050 Regional Transfer Charge  
5.02.055 Out-of-State Surcharge  
5.02.060 Payment of Disposal Charges and Surcharges; Credit  
Policy  
5.02.065 Special Waste Surcharge and Special Waste Permit  
Application Fees  
5.02.070 Source Separated Yard Debris Disposal Charge  
5.02.075 Certification Non-Compliance Fee  
5.02.080 Post-Collection Recycling Incentive

Section 1. Metro Code Section 5.02.010, Purpose, is amended as follows:

5.02.010 Purpose: "The purpose of this chapter is to establish base solid waste disposal rates and charges for the St. Johns Landfill, Metro South Station, Metro East Station, and the Metro/Riedel Compost Facility, solid waste user fees, a regional transfer charge, an out-of-state surcharge, and enhancement fees, and to establish a credit policy at Metro disposal facilities."

Section 2. Metro Code Section 5.02.015, Definitions, is amended as follows:

5.02.015 Definitions: As used in this chapter, unless the context requires otherwise:

(a) "Commercial" means those persons who dispose of waste and who:

(1) pay for disposal of wastes on the basis of weight at St. Johns Landfill, Metro South Station, Metro East Station, and Metro/Riedel Compost Facility, or

(2) pay for disposal of wastes through a charge account at St. Johns Landfill, Metro South Station, Metro East Station or Metro/Riedel Compost Facility, or

(3) dispose of wastes as an activity of their business, or

(4) any disposer whose load does not qualify as Residential Self-Haul as defined in Metro Code Section 5.02.015(i).

(b) "Metro South Station" is that solid waste transfer station owned and operated by Metro and located at 16101 S. E. 82nd Drive, Oregon City, Oregon, 97045.

(c) "Metro East Station" is that Metro solid waste transfer and recycling station located at 6161 N.W. 61st Avenue, Portland, Oregon, 97201.

(d) "Metro/Riedel Compost Facility" is that solid waste mass compost facility located at 5437 N.E. Columbia Boulevard, Portland, Oregon, 97232.

(e) "Mixed Paper" means uncontaminated, recyclable paper exclusive of newspaper and cardboard.

(Ordinance No. 82-146, Sec. 2; amended by Ordinance No. 86-210, Sec. 1; Ordinance No. 88-257, Sec. 2; Ordinance No. 88-278, Sec. 1; and Ordinance No. 89-269, Sec. 2)

(f) "Person" means any individual, partnership, association, corporation, trust, firm, estate, joint venture or any other private entity or any public agency.

(g) "Private" means those persons who dispose of waste and who:

(1) do not pay for disposal of wastes on the basis of weight at the St. Johns Landfill or the Metro South Station, and

(2) do not pay for disposal of wastes through a charge account at the St. Johns Landfill or the Metro South Station, and

(3) do not dispose of wastes as an activity of their business.

(h) "St. Johns Landfill" is that landfill owned by the City of Portland, Oregon, operated by Metro and located at 9363 N. Columbia Boulevard, Portland, Oregon 97203.

(i) "Self-Haul" means loads of mixed waste transported inside a passenger car, or in a pickup truck of up to a three-quarter ton capacity, and disposed at authorized disposal sites or transfer stations by the generator of that waste. Loads in any other vehicle configuration shall not be considered Residential Self-Haul.

(j) "Solid Waste" means all putrescible and nonputrescible wastes, including without limitation, garbage, rubbish, refuse, ashes, paper and cardboard; vehicles or parts thereof; sewage sludge, septic tank and cesspool pumpings or other sludge; commercial, industrial, demolition and construction waste; home and industrial appliances; and all other waste material permitted by ordinance to be disposed of at the St. Johns Landfill.

(k) "Source Separated Yard Debris" means twigs, branches, grass clippings, leaves, and tree limbs in a form appropriate for mechanical processing for reuse or sale. Source separated yard debris does not include yard or construction debris that is not appropriate for mechanical processing for reuse or sale or that has unacceptable types or amounts of contaminants mixed with it. The operator or person in charge of accepting this waste shall make the final determination of what is source separated yard debris based on the capability of available machinery to process it. The Director of Solid Waste may establish guidelines for determining what is source separated yard debris within the meaning of this chapter.

(l) "Special Waste" means: 1) Solid waste which is any unusual component of municipal solid waste; 2) solid waste which could potentially contain substantial quantities of waste defined as hazardous waste by the Oregon Department of Environmental Quality or the U.S. Environmental Protection Agency; or 3) solid waste which requires extraordinary management. Examples of special wastes are: chemicals, liquids, sludge and dust from commercial and industrial operations; municipal waste water treatment plant grits, screenings and sludge; tannery wastes, empty pesticide containers, dead animals or by-products; and wastes containing asbestos.

(m) "Tier One User Fee" means that fee collected through the regional waste disposal system which consists of fixed expenses associated with the administration and planning of programs from which the entire region benefits. This fee is collected at all regional facilities which includes facilities owned and operated by Metro.

(n) "Tier Two User Fee" means that fee collected at St. Johns Landfill, Metro South Station, Metro East Station, and Metro/Riedel Compost Facility which consists of fixed expenses particular to those facilities.

Section 3. Metro Code Section 5.02.020, Disposal Charges at the St. Johns Landfill, is amended as follows:

(a) A commercial base disposal fee of \$26.00 per ton of solid waste delivered is established for disposal at the St. Johns Landfill. Said rate shall be in addition to other fees, charges and surcharges established pursuant to this chapter.

(b) Notwithstanding the provisions of 5.02.020(a), the base disposal fee for Residential Self-Haul trips of two and one-half cubic yards or less of garbage shall be \$3.50 per cubic yard if the disposer has separated and included in his/her load at least one-half cubic yard of recyclables (except Source Separated Yard Debris). This rate shall be in addition to other fees and charges established pursuant to this Chapter.

(c) The following tables summarize the disposal charges to be collected by the Metropolitan Service District from all persons disposing of solid waste at the St. Johns Landfill. The minimum charge for commercial vehicles shall be \$15.00."

ST. JOHNS LANDFILL

Tonnage Vehicle Category	Fee Component	Rate \$/Ton
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Commercial

Disposal Fee		\$26.00
Regional Tier One User Fee		7.00
Metro Tier Two User Fee		14.00
Total Rate		\$47.00*

Vehicle Category	Fee Component	Trip Rate
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Residential Self-Haul

Flat Fee		\$15.00
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Tires	Type of Tire	Per Unit
	Car tires off rim	\$ .85
	Car tires on rim	2.30
	Truck tires off rim	2.30
	Truck tires on rim	7.00
	Any tire 21 inches or larger diameter off or on rim	12.00

Section 4. Metro Code Section 5.02.025, Disposal Charges at Metro South Station is amended as follows:

"Section 5.02.025, Disposal Charges at Metro South Station, Metro East Station, and the Metro/Riedel Compost Facility.

(a) A commercial base disposal fee of \$26.00 per ton of solid waste delivered is established for disposal at Metro South Station, Metro East Station, and the Metro/Riedel Compost Facility.

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\*Total Rate does not include state imposed fees which are currently for commercial, \$.50 DEQ Promotion Program Fee and \$.50 DEQ Orphan Site Program Fee and enhancement fees established pursuant to Metro Code or State law.

(b) An enhancement fee of \$.50 per commercial ton is established to be charged at the Metro South Station, Metro East Station, and the Metro/Riedel Compost Facility.

(c) Notwithstanding the provisions of 5.02.025(a) and (b), the following charges apply for Residential Self-Haul trips of two and one-half cubic yards or less of garbage if the disposer has separated and included in his/her load at least one-half cubic yard of recyclables. The base disposal fee shall be \$3.50 per cubic yard.

(d) The disposal fee, and enhancement fee established by this section shall be in addition to other fees and charges established pursuant to this Chapter.

(e) The following tables summarize the disposal charges to be collected by the Metropolitan Service District from all persons disposing of solid waste at Metro South Station, Metro East Station, and the Metro/Riedel Compost Facility. The minimum charge for commercial vehicles shall be \$15.00."

METRO SOUTH STATION  
 METRO EAST STATION  
 METRO/RIEDEL COMPOST FACILITY

Vehicle Category	Fee Component	Tonnage Rate \$/Ton
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Commercial

Disposal Fee	\$26.00
Regional Tier One User Fee	7.00
Metro Tier Two User Fee	14.00
Regional Transfer Charge	7.00
 Total Rate	 \$54.00*

Vehicle Category	Fee Component	Trip Rate
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Residential Self-Haul  
 (does not apply to Metro/  
 Riedel Compost Facility)

Flat Fee	\$15.00
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Tires	Type of Tire	Per Unit
	Car tires off rim	\$ .85
	Car tires on rim	2.30
	Truck tires off rim	2.30
	Truck tires on rim	7.00
	Any tire 21 inches or larger diameter off or on rim	12.00

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\*Total Rate does not include state imposed fees which are currently for commercial, \$.50 DEQ Promotion Program Fee and \$.50 DEQ Orphan Site Program Fee and enhancement fees established pursuant to Section 5.02.025 (b).

5.02.030 Waiver of Disposal Charges at St. Johns Landfill: A waiver of disposal charges may be made by the operator of the St. Johns Landfill for disposal of inert material including but not limited to earth, sand, stone, crushed concrete and broken asphaltic concrete and wood chips, if, at the discretion of the operator of the landfill, such material is needed at the landfill for cover, road base or other internal use. (Ordinance No. 82-146, Sec. 5)

Section 5. Metro Code Section 5.02.035 is amended as follows:

5.02.035 Litter Control

All vehicles entering Metro operated solid waste disposal facilities, transfer stations, recycling centers, or compost facilities with loads that are not covered with a secure tarp or solid tight fitting cover that prohibits material from being blown from the vehicle while in motion shall be charged double the total disposal charge which would otherwise be charged.

5.02.040 Excess Weight Charge at St. Johns Landfill: All vehicles entering the St. Johns Landfill with gross weights in excess of the Incinerator Road Bridge weight limits established by the City of Portland shall be charged double the normal disposal rate per ton for the amount of weight in excess of the bridge weight limit. Said weight limit shall be posted at the gatehouse of the landfill. (Ordinance No. 82-146, Sec. 7)

Section 6. Metro Code Section 5.02.045, User Fees is amended as follows:

5.02.045 User Fees: The following user fees are established and shall be collected and paid to Metro by the operators of solid waste disposal facilities, whether within or without the boundaries of Metro, for the disposal of solid waste generated, originating, collected or disposed within Metro boundaries in accordance with Metro Code Section 5.01.150:

(a) Tier One User Fee

(1) For noncompacted commercial solid waste, \$0.75 per cubic yard delivered, or \$7.00 per ton delivered.

(2) For compacted commercial solid waste, \$2.25 per cubic yard delivered; or \$7.00 per ton delivered.

(b) Tier Two User Fee

(1) \$14.00 per ton for all commercial solid waste delivered.



(c) Inert material, including but not limited to earth, sand, stone, crushed stone, crushed concrete, broken asphaltic concrete and wood chips used at a landfill for cover, diking, road base or other internal use and for which disposal charges have been waived pursuant to Section 5.02.030 of this chapter shall be exempt from the above user fees.

(d) User fees shall not apply to wastes received at franchised processing centers that accomplish materials recovery and recycling as a primary operation.

(Ordinance No. 82-146, Sec. 8; amended Ordinance No. 85-191, Sec. 4; Ordinance No. 86-214, Sec. 4; Ordinance No. 88-257, Sec. 6; Ordinance No. 88-278, Sec. 4; and Ordinance No. 89-269, Sec. 2)

Section 7. Metro Code Section 5.02.050, Regional Transfer Charge is amended as follows:

5.02.050 Regional Transfer Charge:

(a) There is hereby established a regional transfer charge which shall be a charge to the users of Metro South Station, Metro East Station and Metro/Riedel Compost Facility. Such charge shall be collected and paid in the form of an add-on in addition to user fees established by Section 5.02.045 of this chapter.

(b) The following Regional Transfer Charges shall be collected and paid to Metro by the users of Metro South Station, Metro East Station, and the Metro/Riedel Compost Facility for the disposal of solid waste generated, originating, collected or disposed within Metro boundaries:

(1) For all commercial solid waste \$7.00 per ton delivered.

(c) Regional Transfer Charges shall not apply to wastes received at franchised processing centers that accomplish materials recovery and recycling as a primary operation.

(Ordinance No. 82-146; amended by Ordinance No. 83-163, Sec. 3; Ordinance No. 85-191, Sec. 5; Ordinance No. 86-212, Sec. 1; Ordinance No. 86-214, Sec. 5; Ordinance No. 88-257, Sec. 8; Ordinance No. 88-278, Sec. 5; and Ordinance No. 89-269, Sec. 2)

5.02.055 Out-of-State Surcharge:

(a) There is hereby established an out-of-state surcharge on all solid waste originating, generated or collected outside the state of Oregon and transported to Metro-owned or operated solid waste disposal facilities for disposal. Said surcharge shall be in addition to any other charge or fee established by this chapter. The purpose of the surcharge is to require out-of-state users of Metro disposal facilities to pay a portion of the total costs of facility operations proportionately equivalent to the financial support received from the state of Oregon.

(b) The out-of-state surcharge shall be \$0.54 per ton of solid waste delivered by commercial vehicles and \$0.20 per public vehicle, and the minimum surcharge for each commercial vehicle shall be the rate for one (1) ton of solid waste.

(c) Waivers of disposal charges pursuant to Section 5.02.030 of this chapter shall not apply to out-of-state surcharges.

(Ordinance No. 82-146, Sec. 10)

5.02.060 Payment of Disposal Charges and Surcharges; Credit Policy:

(a) Disposal charges and out-of-state surcharges established pursuant to Sections 5.02.020, 5.02.025 and 5.02.055 of this chapter may be paid in cash or check at the time of disposal, or may be paid pursuant to the credit policy established in this section.

(b) For purposes of this section, the following definitions shall apply:

(1) Account charges are "due" on or before the last day of the month billed and are "past due" thereafter.

(2) Account charges are "30 days past due" on the first day of the month following billing.

(3) Account charges are "45 days past due" on the fifteenth day of the month following billing.

(4) Account charges are "60 days past due" on the first day of the second month following billing.

(c) Persons wishing to dispose of solid waste at Metro disposal facilities on a credit basis shall be required to first submit and have approved an application for credit on a form provided by Metro. That application shall include such provisions as the

Metro Director of Solid Waste deems necessary to secure prompt payment. Approval shall be by the Director, and approval shall be granted unless good cause is shown for denial of credit.

(d) A finance charge of one and one-half (1-1/2) percent per month (18 percent per annum), computed from the date an account becomes thirty (30) days past due, will be assessed on all accounts which become sixty (60) days past due and will be added to the oldest months charges past due.

(e) Accounts 45 days past due may be placed on a "cash only" basis until the account is paid in full or brought to within 30 days past due. If an account is allowed to become 60 days past due, permission to dispose of waste at the facility may be denied until the account and finance charges are paid in full.

(f) If, pursuant to subsection (e) of this section, an account is placed on a "cash only" basis more than once during any consecutive 12-month period, or if service is denied because the account is allowed to become 60 days past due, the account may be required to submit a new application for credit. Such new application must be accompanied by a satisfactory payment guarantee bond, or other payment guarantee acceptable to the Director of Solid Waste, which is:

- (1) Effective for one year; and
- (2) Collectable if the account again becomes 60 days overdue during the period of the bond; and
- (3) In an amount equal to 150 percent of the amount due when credit was last suspended or service was denied, whichever is greater.

(Ordinance No. 82-146, Sec. 11)

Section 8. Metro Code Section 5.02.065, Special Waste Surcharge and Special Waste Permit Application Fees is amended as follows:  
5.02.065 Special Waste Surcharge and Special Waste Permit Application Fees:

(a) There are hereby established a Special Waste Surcharge and a Special Waste Permit Application Fee which shall be collected on all special wastes and asbestos disposed at the St. Johns Landfill and on all Special Waste Permit Applications. Said Surcharge and fee shall be in addition to any other charge or fee established by this chapter. The purpose of the surcharge and permit application fee is to require disposers of special waste, including asbestos, to pay the cost of those services which are provided at the St. Johns Landfill and by the Metro Solid Waste

Department to manage special wastes. The said surcharge and fee shall be applied to all special wastes as defined in Metro Code Section 5.02.015.

(b) The amount of the Special Waste Surcharge collected at the St. Johns Landfill shall be \$4.00 per ton of special waste (excluding asbestos) delivered. The amount collected at the St. Johns Landfill for asbestos shall be \$100.00 per ton delivered.

(c) The minimum charge collected through all fees for each special waste (excluding asbestos) disposal trip shall be \$15.00. The minimum charge for each asbestos trip shall be \$100.00.

(d) The amount of the Special Waste Permit Application Fee shall be \$25.00. This fee shall be collected at the time Special Waste Permit Applications are received for processing.

(e) Lab or testing costs which are incurred by Metro for evaluation of a particular waste may be charged to the disposer of that waste.

(f) The fees listed in this section shall not be collected from any person who obtains a special waste permit to dispose of waste containing asbestos or other special waste which is removed from a dwelling or apartment building of three or fewer units owned or rented by that person and not disposed of by a commercial hauler or asbestos remover. The purpose of this exemption is to encourage such persons to separate Special Waste from the residential waste stream so that it is disposed of properly.

(Ordinance No. 85-191, Sec. 6; amended by Ordinance No. 86-214, Sec. 6; and Ordinance No. 88-257, Sec. 9)

Section 9. Metro Code Section 5.02.070, Source Separated Yard Debris Disposal Charge is amended as follows:

5.02.070 Source Separated Yard Debris Disposal Charge:

(a) There is hereby established a reduced disposal fee for Source Separated Yard Debris which shall be collected on all source separated yard debris disposed at the St. Johns Landfill, Metro South Station, or Metro East Station by Commercial and Self-Haul disposers. Said disposal charge is in lieu of other Base Disposal Fees, User Fees, Regional Transfer Charges, Rehabilitation and Enhancement Fees, and Certification Non-Compliance Fees which may be required by Sections 5.02.020, 5.02.025, 5.02.041, 5.02.045, 5.02.046, 5.02.050 and 5.02.075 of this chapter. These other fees shall not be collected on waste which is accepted as Source Separated Yard Debris, under the definition of 5.02.015(d). The purpose of the Source Separated Yard Debris Charge is to encourage greater source separation of

yard debris so that material is diverted from land disposal at St. Johns Landfill or the Gilliam County Landfill and is made available for reuse.

(b) The amount of the Source Separated Yard Debris Charge to be collected at the St. Johns Landfill, Metro South Station, and Metro East Station shall be \$25.00 per ton for Source Separated Yard Debris delivered by Commercial disposers; and \$10.00 per trip for Source Separated Yard Debris delivered by Self-Haul disposers.

(c) The minimum charge for Commercial vehicles delivering Source Separated Yard Debris shall be \$25.00. The minimum charge for delivery of a single Christmas tree as Source Separated Yard Debris shall be \$.50.

(Ordinance No. 86-210, Sec. 2; amended by Ordinance No. 86-211, Sec. 1; Ordinance No. 86-214, Sec. 7; Ordinance No. 88-257, Sec. 10; and Ordinance No. 88-278, Sec. 6)

5.02.075 Certification Non-Compliance Fee: There is hereby established a Certification Non-Compliance Fee. The purpose of this fee is to pay for the cost of implementing remedial programs to bring non-certified areas or jurisdictions in compliance with current certification standards, and to support other programs which are directed at accomplishing the recycling goals of the certification program. This fee shall be collected on all waste generated in non-certified areas and delivered to Metro facilities by specifically identified commercial disposers and shall be in addition to other fees collected. The Certification Non-Compliance Fee shall be set by the Metropolitan Service District Council when the following conditions have been met:

(a) The Metro Council has adopted a Waste Reduction Certification Program which provides criteria and a process for designating local areas or jurisdictions and/or commercial waste disposers as either certified or non-certified for the purpose of collecting this fee; and

(b) The Metro Council has made the determination that a local jurisdiction is not in compliance and that implementation of the fee is needed to achieve the purposes stated above.

(Ordinance No. 86-214, Sec. 8)

5.02.080 Post-Collection Recycling Incentive: The Executive Officer shall enter into agreements with franchised processing centers that accomplish materials recovery and recycling as a primary operation, to pay two dollars per ton of Mixed Paper disposed in mixed loads of 50 percent to 79 percent Mixed Paper. (Ordinance No. 88-257, Sec. 11)

Section 10. Ordinance No. 89-300 which dedicated the St. Johns Reserve Fund for the purposes established by OAR 340-61-034 is amended as follows:

Exhibit A shall be replaced by "Amended Exhibit A".

Section 11. Rate Structure of the 1988 Regional Solid Waste Management Plan (RSWMP) adopted by Ordinance No. 88-266B is hereby amended as follows:

CHAPTER 11 - RATE STRUCTURE

POLICIES

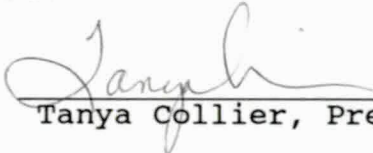
11.0 The solid waste system shall be developed to achieve stable, equitable and predictable solid waste system costs and rates.

11.1 While the base rate will remain uniform throughout the region, local solid waste management options may affect rates.

11.2 Metro shall provide financial support for source separation programs, to produce high-grade select loads and to carry out other waste reduction programs.

11.3 In establishing financial support for waste reduction programs, Metro shall consider cost effectiveness, legal, technical and economic feasibility.

ADOPTED by the Council of the Metropolitan Service District this 22nd day of March, 1990.

  
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Tanya Collier, Presiding Officer

ATTEST:

  
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Gwen Ware-Barrett  
Clerk of the Council

PEN:sg  
SW90337.REV  
March 26, 1990

## AMENDED EXHIBIT A LANDFILL CLOSURE ACCOUNT

Contribution Analysis

05-Mar-90

**Methodology**

Using actual tonnage going into the landfill, and the estimated cost provided by Emcon to close the landfill, a rate per ton may be derived that will guide the level of Solid Waste Operating Account contributions (transfers). Actual tonnage used are to be waste figures over the life of the landfill since Metro acquired it in Oct. 1980. The latest estimate, \$30.0 to \$32.0 million, is from a May 1989 consulting report titled St. Johns Landfill, Water Quality Impact Investigation and Environmental Management Options.

Actual tonnage into the St. Johns Landfill (by Fiscal Year, includes Commercial, Public, and Transfer tons):	Annual Dollar Contribution	YTD Dollar Contribution	Interest	YTD Interest	Total Annual Contribution	Total YTD Contribution	Drawdown	Net YTD Contribution	Total Annual Contribution @ \$5.02/ton	Total YTD Contribution @ \$5.02/ton
Oct - June 1981	183,771	\$0	\$0	\$0	\$0	\$0		\$0	\$973,639	\$973,639
July - June 1982	216,247	0	0	0	0	0		0	1,066,506	2,080,255
July - June 1983	358,619	0	0	0	0	0		0	1,791,937	3,852,192
July - June 1984	563,055	0	0	0	0	0		0	2,778,987	6,631,179
July - June 1985	561,077	548,958	548,958	29,501	29,501	578,456	578,456	578,456	2,819,206	9,450,474
July - June 1986	687,561	536,445	1,085,400	59,640	89,141	596,085	1,174,541	1,174,541	3,454,851	12,905,326
July - June 1987	634,950	374,042	1,459,442	87,780	176,921	461,822	1,636,363	1,636,363	3,290,988	16,196,314
July - June 1988	666,318	382,012	1,841,454	132,517	309,538	514,679	2,150,992	2,150,992	3,348,110	19,544,423
July - June 1989	668,833	10,429,010	12,270,464	469,234	778,772	10,898,244	13,049,238	13,049,238	3,360,747	22,905,170
July - June 1990	604,364	12,000,000	24,270,464	1,333,447	2,112,219	13,333,447	26,382,683	26,382,683	3,038,804	25,941,974
July - June 1991	264,387	1,000,000	26,270,464	1,480,938 **	3,563,157	2,450,838	28,833,621	(6,185,000)	22,678,621	1,328,490
July - June 1992	0	1,000,000	28,270,464	1,209,284 **	4,772,440	8,209,284	31,042,904	(5,803,141)	18,775,490	0
July - June 1993	0	1,000,000	27,270,464	893,607 **	5,568,047	1,893,807	32,936,511	(4,509,660)	12,268,811	0
	5,427,182	\$27,270,464		\$5,568,047		\$2,836,511		(\$16,667,810)		\$27,270,464

\*\* Interest is figured at 7% on balances after drawdown

### Annual effect of contributions vs. defined goal (EXCLUSIVE OF EARNED INTEREST):

At end of FY 1988-89: \$22,905,170 Contribution that should already be in Landfill Closure Account  
(12,270,464) Less estimated FY 1988-89 YTD Contribution  
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(\$10,634,706) Shortfall in YTD Contributions from 1980 to 1989

At end of FY 1989-90: \$25,941,974 Contribution that should already be in Landfill Closure Account  
(24,270,464) Less estimated FY 1989-90 YTD Contribution  
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(\$1,671,510) Shortfall in YTD Contributions from 1980 to 1990

At end of FY 1990-91: \$27,270,464 Contribution that should already be in Landfill Closure Account  
(25,270,464) Less estimated FY 1990-91 YTD Contribution  
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(\$2,000,000) Shortfall in YTD Contributions from 1980 to 1991

At end of FY 1991-92: \$27,270,464 Contribution that should already be in Landfill Closure Account  
(26,270,464) Less estimated FY 1991-92 YTD Contribution  
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(\$1,000,000) Shortfall in YTD Contributions from 1980 to 1992

At end of FY 1992-93: \$27,270,464 Contribution that should already be in Landfill Closure Account  
(27,270,464) Less estimated FY 1992-93 YTD Contribution  
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(\$0) Shortfall in YTD Contributions from 1980 to 1993



SOLID WASTE COMMITTEE REPORT

ORDINANCE NO. 90-337, FOR THE PURPOSE OF AMENDING METRO CODE  
CHAPTER 5.02, ESTABLISHING SOLID WASTE DISPOSAL RATES FOR FY  
1990-91

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Date: March 13, 1990

Presented by: Councilor  
Gary Hansen

Committee Recommendations: The Solid Waste Committee voted unanimously to recommend Council adoption of Ordinance No. 90-337. Voting: Councilors Hansen, Bauer, Buchanan, DeJardin and Wyers. This action was taken March 12, 1990.

Committee Discussion/Issues: Prior to conducting a public hearing on the proposed ordinance establishing solid waste rates, the Solid Waste Committee had the Solid Waste staff highlight the major policies and changes to the disposal charges and user fees. Staff stated that the rate ordinance provides for a disposal rate of \$47.00 per ton at the Metro South Station, and \$54.00 at the Metro South Station, the new Metro East Station and the new Metro/Riedel Compost facility. These figures do not include \$0.50 for enhancement fees, \$0.50 for the Orphan Site account or \$0.50 for Department of Environmental Quality (DEQ) programs.

The rate increase reflects the new transport contract costs, disposal costs at the new landfill in Gilliam County and the projected debt service and operating expense of the Metro East Transfer Station and the Metro/Riedel Compost facility.

Prior to the public hearing, Councilor Wyers moved Ordinance No. 90-337 with an amendment that removes the requirement that franchised processing centers pay the User Fee on all their incoming waste.

At the public hearing held March 12, 1990, the Committee heard testimony from representatives of DEQ, Oregon Processing and Recovery Center (OPRC), Recycling Advocates, Grimm's Fuel, the Tri-County Council and McFarlane's Bark.

The DEQ was concerned with the lack of recycling incentives in the earlier draft of the rate ordinance, but was satisfied with the ordinance as amended.

Merle Irvine of OPRC stated his opposition to a user fee on franchised processing centers for incoming waste. He said such a policy would put OPRC out of business. He submitted written testimony.

Estle Harlan submitted a letter indicating that the Tri-County Council supported most of the policies reflected in the rate ordinance, but they were concerned about the amount of the rate increase.

SOLID WASTE COMMITTEE REPORT

Ordinance No. 90-337

March 13, 1990

Page 2

Jeanne Roy of Recycling Advocates stated she was pleased to see more incentives for recycling in the ordinance and supports the ordinance.

Representatives of Grimm's Fuel and McFarlane's Bark expressed their concern about the flat rate for self-haulers. They said it was too low and would result in more people taking yard debris to the landfill and transfer stations and less to their facilities. They recommend weighing all vehicles going to Metro's facilities.

The Solid Waste staff pointed out that equipment will be installed to weigh the waste of self-haulers. Until that occurs, a flat rate will be in effect.

Regarding the user fee on in-coming waste to processing centers, the Solid Waste Director stated that the fee was recommended earlier by the Solid Waste Rate Review Committee but now they do not support the policy. Mr. Martin said he recommended the policy because it reflects the benefits received from Metro programs. He pointed out that if the user fee for processing centers was removed from the ordinance, the proposed rate would be about \$0.30 per ton too low.

The Committee asked staff what was the proposed definition of "self-haul." Staff said "self-haul" means loads of mixed waste transported inside a passenger car, a pick-up truck of up to a three-quarter ton capacity, or a passenger car with a one-axle trailer, and disposed at authorized disposal rates on transfer stations by the generator of that waste. Loads in any other vehicle configuration should not be considered self-haul.

The Committee noted that the proposed rates include the impact of the Metro Excise Tax.

The major issue, discussed at this meeting and at a previous Solid Waste Committee meeting on solid waste rates, was the issue of a user fee on in-coming waste at processing centers. None of the Committee members support the fee. With this issue resolved by an amendment to the rate ordinance, the Committee voted 5 to 0 to recommend Council adoption of the ordinance.

GH:RB:pa

A:\RB.159



**METRO**

2000 S.W. First Avenue  
Portland, OR 97201-5398  
503/221-1646

# Memorandum

Date: March 27, 1990  
To: Rena Cusma, Executive Officer  
From: Gwen Ware-Barrett, Clerk of the Council  
Regarding: TRANSMITTAL OF ORDINANCE NO. 90-337

Attached for your consideration is a true copy of Ordinance No. 90-3337 adopted by the Council on March 22, 1990.

If you wish to veto this ordinance, I must receive a signed and dated written veto message from you no later than 5:00 p.m., Thursday, March 29, 1990. The veto message, if submitted, will become part of the permanent record. If no veto message is received by the time and date stated above, this ordinance will be considered finally adopted.

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I, Unette Sharley, received this memo and a true copy of Ordinance No. 90-337 from the Council Clerk on March 27, 1990.

Dated: 3/27/90

GWPB:lc  
\MEM.ORD

# AMENDED EXHIBIT A LANDFILL CLOSURE ACCOUNT

## Contribution Analysis

**Methodology:**

Using actual tonnage going into the landfill, and the estimated cost provided by Emcon to close the landfill, a rate per ton may be derived that will guide the level of Solid Waste Operating Account contributions (transfers). Actual tonnage used are to be waste figures over the life of the landfill since Metro acquired it in Oct. 1980. The latest estimate, \$30.0 to \$32.0 million, is from a May 1989 consulting report titled St. Johns Landfill, Water Quality Impact Investigation and Environmental Management Options.

Actual tonnage into the St. Johns Landfill (by Fiscal Year, includes Commercial, Public, and Transfer tons):	Annual Dollar Contribution	YTD Dollar Contribution	Interest	YTD Interest	Total Annual Contribution	Total YTD Contribution	Drawdown	Net YTD Contribution	Total Annual Contribution @ \$5.02/ton	Total YTD Contribution @ \$5.02/ton
Oct - June 1981	193,771	\$0	\$0	\$0	\$0	\$0		\$0	\$973,659	\$973,659
July - June 1982	216,247	0	0	0	0	0		0	1,086,596	2,060,255
July - June 1983	356,619	0	0	0	0	0		0	1,791,937	3,852,192
July - June 1984	553,055	0	0	0	0	0		0	2,778,987	6,631,179
July - June 1985	561,077	548,955	548,955	29,501	29,501	578,456	578,456	578,456	2,819,296	9,450,474
July - June 1986	687,561	536,445	1,085,400	59,640	89,141	596,085	1,174,541	1,174,541	3,454,851	12,905,326
July - June 1987	654,950	374,042	1,459,442	87,780	176,921	461,822	1,636,363	1,636,363	3,290,988	16,196,314
July - June 1988	666,318	382,012	1,841,454	132,617	309,538	514,629	2,150,992	2,150,992	3,348,110	19,544,423
July - June 1989	668,833	10,429,010	12,270,464	469,234	778,772	10,898,244	13,049,236	13,049,236	3,360,747	22,905,170
July - June 1990	604,364	12,000,000	24,270,464	1,333,447	2,112,219	13,333,447	26,382,683	26,382,683	3,036,804	25,941,974
July - June 1991	264,387	1,000,000	25,270,464	1,450,938 **	3,563,157	2,450,938	28,833,621	(6,155,000)	22,678,621	1,328,490
July - June 1992	0	1,000,000	26,270,464	1,209,284 **	4,772,440	2,209,284	31,042,904	(5,903,141)	16,775,480	0
July - June 1993	0	1,000,000	27,270,464	893,607 **	5,666,047	1,893,607	32,936,511	(4,509,669)	12,265,811	0
-----										
	5,427,182	\$27,270,464	\$5,666,047		\$32,936,511		(\$16,567,810)		\$27,270,464	
		\ /								
		\$5.02								
		per ton								

\*\* Interest is figured at 7% on balances after drawdown

**Annual effect of contributions vs. defined goal (EXCLUSIVE OF EARNED INTEREST):**

At end of FY 1988-89:    \$22,905,170    Contribution that should already be in Landfill Closure Account  
                                   (12,270,464)    Less estimated FY 1988-89 YTD Contribution  
                                   -----  
                                   (\$10,634,706)    Shortfall in YTD Contributions from 1980 to 1989

At end of FY 1991-92:    \$27,270,464    Contribution that should already be in Landfill Closure Account  
                                   (26,270,464)    Less estimated FY 1991-92 YTD Contribution  
                                   -----  
                                   (\$1,000,000)    Shortfall in YTD Contributions from 1980 to 1992

At end of FY 1989-90:    \$25,941,974    Contribution that should already be in Landfill Closure Account  
                                   (24,270,464)    Less estimated FY 1989-90 YTD Contribution  
                                   -----  
                                   (\$1,671,510)    Shortfall in YTD Contributions from 1980 to 1990

At end of FY 1992-93:    \$27,270,464    Contribution that should already be in Landfill Closure Account  
                                   (27,270,464)    Less estimated FY 1992-93 YTD Contribution  
                                   -----  
                                   (\$0)    Shortfall in YTD Contributions from 1980 to 1993

At end of FY 1990-91:    \$27,270,464    Contribution that should already be in Landfill Closure Account  
                                   (25,270,464)    Less estimated FY 1990-91 YTD Contribution  
                                   -----  
                                   (\$2,000,000)    Shortfall in YTD Contributions from 1980 to 1991