

**BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT**

FOR THE PURPOSE OF AMENDING	)	ORDINANCE NO. 92-455B
METRO CODE CHAPTER 5.02,	)	
DISPOSAL CHARGES AND USER FEES	)	Introduced by Rena Cusma,
AT METRO FACILITIES, AND DECLARING	)	Executive Officer
AN EMERGENCY	)	

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

**Section 1:** Metro Code Chapter 5.02 is amended to read:

CHAPTER 5.02

DISPOSAL CHARGES AND USER FEES

SECTIONS:

- 5.02.010 Purpose
- 5.02.015 Definitions
- 5.02.016 Scale Weights Required
- ~~5.02.020 Disposal Charges at St. Johns Landfill~~
- 5.02.025 Disposal Charges at Metro South Station, *Metro Central Station and the MSW Compost Facility*
- ~~5.02.030 Waiver of Disposal Charges at St. Johns Landfill~~
- 5.02.035 Litter Control Surcharge
- 5.02.040 Disposal Fees**
- 5.02.045 User Fees
- 5.02.050 Regional Transfer Charge
- 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
- 5.02.085 Out-of-District Waste

~~\*NOTE: The effective date of the ordinance amendments contained herein shall be July 1, 1991. This effective date is made in conformity with the requirements of ORS 268.515(7) requiring user or service charges not to become effective until 65 working days after passage of the ordinance.~~

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 Central Station, and the ~~Metro Riedel~~ *MSW 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.

(Ordinance No. 82-146, Sec. 1; amended by Ordinance No. 88-257, Sec. 1, Ordinance No. 89-269, Sec. 2, Ordinance No. 90-337, Sec. 1 and Ordinance No. 91-386C, Sec. 1)

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

(a) "Acceptable Special Wastes" means those special wastes which are approved by the Metro Solid Waste Department in the form of a special waste permit. "Unacceptable Waste," as defined in this section, is expressly excluded.

(b) "Cash Account Customer" means those persons who pay cash for disposal of solid waste at Metro South Station, Metro Central Station, or the ~~Metro-Riedel~~ MSW Compost Facility.

(c) "Credit Account Customer" means those persons who pay for disposal of solid waste through a charge account at Metro South Station, Metro Central Station, or the ~~Metro-Riedel~~ MSW Compost Facility.

(d) "Disposal Fee" means those fees which pay the direct unit costs of transportation and disposal of general purpose solid waste ~~to a landfill~~. Major cost components are: The long haul transport contract and the Oregon Waste Systems, Inc. disposal contract.

(e) ~~"Enhancement Fees" means those fees which are used to pay for rehabilitation and enhancement projects in the areas immediately surrounding Metro Disposal System facilities.~~ "Enhancement Fees" means those fees collected in addition to general disposal rates that are used to pay for rehabilitation and enhancement projects in the areas immediately surrounding landfills and other solid waste facilities.

(f) "Limited Purpose Solid Waste" means construction, demolition, *process residue*, land clearing waste and non-hazardous industrial dust.

(g) "Metro Central Station" is that Metro solid waste transfer and recycling station located at 6161 N.W. 61st Avenue, Portland, Oregon, 97210.

(h) "Metro Disposal System" means Metro South Station, Metro Central Station, ~~Metro-Riedel~~ MSW Compost Facility, ~~St. Johns Landfill~~, Columbia Ridge Landfill and such other facilities, or contracts for service with Metro which transfer or cause solid waste to be disposed at the Columbia Ridge Landfill or other disposal facility.



(i) ~~"Metro-Riedel MSW Compost Facility"~~ **MSW Compost Facility** is that solid waste mass compost facility located at ~~5437~~ **5611** N.E. Columbia Boulevard, Portland, Oregon, 97232.

(j) **"Metro South Station"** is that solid waste transfer station owned and operated by Metro and located at 2001 Washington, Oregon City, Oregon 97045.

(k) **"Metro User Fee (Tier Two)"** means those fees which pay for fixed costs of the Metro Disposal System. This fee is imposed upon all solid waste delivered to any Metro Disposal System facility which delivery will affect Metro's reserved space capacity at the Columbia Ridge Landfill. Fixed costs of the Oregon Waste Systems disposal contract, the long haul transport contract, debt service and capital items directly related to the facilities are paid through this fee.

(l) **"Metro Waste Management System"** means all associated Metro solid waste services related to management of the whole recycling, processing and disposal system, including administrative, planning, financial, engineering and waste reduction activities.

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

(n) **"Regional Transfer Charge"** means those fees which pay the direct unit operating costs of the Metro transfer stations and compost facility. This fee is imposed upon all solid waste delivered to Metro Disposal System facilities.

(o) **"Regional User Fee (Tier One)"** means those fees which pay for fixed costs associated with administrative, financial and engineering services and waste reduction activities of the Metro Waste Management System. Contingency fees on all costs and general transfers ~~to~~ of solid waste funds ~~and to~~ other Metro departments for direct services are included in this fee. This fee is collected on all solid waste originating or disposed within the region.

(p) **"St. Johns Landfill"** is that landfill owned and ~~operated~~ **managed** by Metro and located at 9363 N. Columbia Boulevard, Portland, Oregon 97203, which is ~~restricted to limited purpose solid waste disposal~~ **closed to all commercial activities and is now undergoing active closure.**

(q) **"Solid Waste"** means all putrescible and nonputrescible wastes, including garbage, rubbish, refuse, paper and cardboard, commercial, industrial, demolition and construction waste, home and industrial appliances.

(r) "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.

(s) "Special Waste" means any waste (even though it may be part of a delivered load of waste) which is:

- (1) Containerized waste (e.g., a drum, barrel, portable tank, box, pail, etc.) of a type listed in 3 through 9 and 11 of this definition below; or
- (2) Waste transported in a bulk tanker; or
- (3) Liquid waste including outdated, off spec liquid food waste or liquids of any type when the quantity and the load would fail the paint filter liquid (Method 9095, SW-846) test or is 25 gallons of free liquid per load, whichever is more restrictive.
- (4) Containers (or drums) which once held commercial products or chemicals are included unless the container is empty. A container is empty when:
  - (A) All wastes have been removed that can be removed using the practices commonly employed to remove materials from the type of container, e.g., pouring, pumping, crushing, or aspirating.
  - (B) The ends have been removed (for containers in excess of 25 gallons); and
  - (C) No more than one inch thick (2.54 centimeters) of residue remains on the bottom of the container or inner liner; or
  - (D) No more than 1% by weight of the total capacity of the container remains in the container (for containers up to 110 gallons); or



- (E) No more than 0.3% by weight of the total capacity of the container remains in the container for containers larger than 110 gallons.

Containers which once held acutely hazardous wastes must be triple rinsed with an appropriate solvent or cleaned by an equivalent alternative method. Containers which once held substances regulated under the Federal Insecticide, Fungicide, and Rodenticide Act must be empty according to label instructions or triple rinsed with an appropriate solvent or cleaned by an equivalent method. Plastic containers larger than five (5) gallons that hold any regulated waste must be cut in half or punctured, dry and free of contamination to be accepted as refuse; or

- (5) Sludge waste from septic tanks, food service, grease traps, wastewater from commercial laundries, laundromats or car washes; or
- (6) Waste from an industrial process; or
- (7) Waste from a pollution control process; or
- (8) Residue or debris from the cleanup of a spill or release of chemical substances, commercial products or wastes listed in 1 through 7 or 9 of this definition; or
- (9) Soil, water, residue, debris, or articles which are contaminated from the cleanup of a site or facility formerly used for the generation, storage, treatment, recycling, reclamation, or disposal of wastes listed in 1 through 8 of this definition; or
- (10) Chemical containing equipment removed from service (for example - filters, oil filters, cathode ray tubes, lab equipment, acetylene tanks, CFC tanks or any other chemical containing equipment); or
- (11) Waste in waste containers that are marked with a National Fire Protection Association identification label that has a hazard rating of 2, 3, or 4 but not empty containers so marked; or
- (12) Any waste that 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; contaminated soils; tannery wastes, empty pesticide containers, and dead animals or by-products.

(t) *"Total Fees" means the total per transaction of all tip and special fees.*

~~(t)~~(u) "Unacceptable Waste" means any and all waste that is either:

- (1) Waste which is prohibited from disposal at a sanitary landfill by state or federal law, regulation, rule, code, permit or permit condition; or
- (2) A hazardous waste; or
- (3) Special waste without an approved special waste permit; or
- (4) Infectious Medical Waste.

5.02.016 Scale Weights Required: All User Fees or other fees submitted to Metro from any facility receiving solid waste generated within the District shall be calculated on a tonnage basis using certified scale weights.

(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; Ordinance No. 89-269, Sec. 2; Ordinance No. 89-295, Sec. 1; and Ordinance No. 90-337, Sec. 2; Ordinance No. 90-372, Sec. 1; Ordinance No. 91-386C, Sec. 2 and Ordinance No. 91-404, Sec. 1)

~~5.02.020 Disposal Charges at St. Johns Landfill:~~

~~(a) A base disposal fee of \$27.25 per ton of limited purpose 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) The following table summarizes 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 disposal shall be \$15.00.~~

~~(Ordinance No. 82-146; amended by Ordinance No. 83-163, Sec. 1; Ordinance No. 85-191, Sec. 2; Ordinance No. 86-214, Sec. 2; Ordinance No. 88-257, Sec. 3; Ordinance No. 88-278, Sec. 2;~~



~~Ordinance No. 89-295, Sec. 2; and Ordinance No. 90-337, Sec. 3  
and Ordinance No. 91-386C, Sec. 3)~~

~~ST. JOHNS LANDFILL~~

<del>Fee Component</del>	<del>\$/Ton</del>	<del>Tonnage Rate</del>
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~~Credit Account~~

~~Disposal Fee \$27.25~~

~~Regional User Fee  
(Tier One)~~

~~13.00~~

~~Metro User Fee (Tier Two)~~

~~8.50~~

~~Total Rate   \*\$48.75~~

\* ~~Total Rate does not include state imposed fees which are  
currently \$.50 DEQ Promotion Program Fee and \$.25 DEQ Orphan  
Site Program Fee and enhancement fees, or taxes other than  
excise taxes. The actual fees collected after addition of  
all taxes and fees shall be rounded up to the closest \$.50.~~

5.02.025 Disposal Charges at Metro South Station, Metro Central Station and the Metro-Riedel MSW Compost Facility:

(a) ~~A base~~*The Total Fees for disposal rate of \$34.75 shall be \$75.00* per ton of solid waste delivered ~~is established for disposal at the Metro South Station, Metro Central Station and the Metro-Riedel MSW Compost Facility.~~

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

(c) Notwithstanding the provisions of Sections 5.02.025 (a) and (b), persons using Metro South Station, other than Credit Account Customers, who have separated and included in their loads at least one half cubic yard of recyclable material (as defined in ORS 459.005) shall receive a \$3.00 credit toward their disposal charge if their load is transported inside a passenger car or in a pickup truck not greater than a 3/4 ton capacity. The foregoing recyclable material credit shall not apply at Metro Central Station or the ~~Metro-Riedel MSW Compost Facility.~~

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

(e) The following table summarizes the disposal charges to be collected by the Metropolitan Service District from all persons disposing of solid waste at the Metro South Station, Metro Central Station and the ~~Metro-Riedel~~ Compost Facility. The minimum charge for all vehicles shall be ~~\$15.00~~ \$19.00.

(f) *Total fees assessed at Metro facilities shall be rounded to the nearest whole dollar amount (a \$.50 charge shall be rounded up) for all cash account customers.*

(Ordinance No. 82-146; amended by Ordinance No. 83-163, Sec. 2; Ordinance No. 85-191, Sec. 3; Ordinance No. 86-214, Sec. 3; Ordinance No. 88-257, Sec. 4; Ordinance No. 88-278, Sec. 3; Ordinance No. 89-269, Sec. 2; Ordinance No. 89-295, Sec. 3.; and Ordinance No. 90-337, Sec. 4; Ordinance No. 90-372, Sec. 2; Ordinance No. 91-386C, Sec. 4; and Ordinance No. 91-405A, Sec. 1)



METRO SOUTH STATION  
METRO CENTRAL STATION  
~~METRO-RIEDEL~~ MSW COMPOST FACILITY

Fee Component	\$/Ton	Tonnage Rate
Disposal Fee	<del>\$34.75</del>	<b>\$38.25</b>
Regional User Fee (Tier One)	<del>\$13.00</del>	<b>\$19.00</b>
Metro User Fee (Tier Two)	<del>8.50</del>	<b>7.00</b>
Regional Transfer Charge	<del>\$10.50</del>	<b>9.00</b>
Total Rate	*	<del>\$66.75</del> <b>\$73.25</b>
Minimum Charge per Vehicle	<del>\$15.00</del>	<b>\$19.00</b>

Tires	Type of Tire	Per Unit
	Car tires off rim	<del>\$0.85</del> <b>1.00</b>
	Car tires on rim	<del>2.30</del> <b>3.00</b>
	Truck tires off rim	<del>2.30</del> <b>5.00</b>
	Truck tires on rim	<del>7.00</del> <b>8.00</b>
	Any tire 21 inches or larger diameter off or on rim	<b>12.00</b>

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\* Total Rate does not include state imposed fees which are currently ~~\$.50~~ **\$1.10** DEQ Promotion Program Fee and ~~\$.50~~ **DEQ \$0.15** Orphan Site Program Fee and enhancement fees **currently \$.50 per ton** or taxes other than excise taxes. The actual fees collected after addition of all taxes and fees shall be rounded up to the closest \$.50.

~~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)~~

5.02.035 Litter Control Surcharge: A surcharge shall be levied against a person who disposes of waste at a Metro-operated solid waste disposal facility, transfer station, recycling center or compost facility, if when entering the facility any portion of the waste is visible to Metro scalehouse personnel, unless the waste is only visible through a secure covering. The surcharge shall be One Hundred (\$100.00) Dollars for a load delivered by a vehicle greater than three-quarter ton capacity, and Twenty-five (\$25.00) Dollars for a load delivered by a vehicle of three-quarter ton capacity or less, and shall be collected in the same manner as other disposal fees are collected at the facility.

(Ordinance No. 82-146, Sec. 6; amended by Ordinance No. 89-269, Sec. 2; Ordinance No. 90-337, Sec. 5; and Ordinance No. 91-397, Sec. 1)

#### 5.02.040 Disposal Fees

(a) *There is hereby established a disposal fee which shall be a charge to the users of Metro South Station, Metro Central Station and the MSW Compost Facility.*

(b) *The following disposal fees shall be collected and paid to Metro by the users of Metro South Station, Metro Central Station and the MSW Compost Facility for the disposal of solid waste generated, originating, collected or disposed within Metro boundaries: For all solid waste \$38.25 per ton delivered.*

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

#### 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) Regional User Fee (Tier One):

~~(1)~~ For **compacted** or noncompacted solid waste, ~~\$13.00~~  
**\$19.00** per ton delivered.

~~(2)~~ For ~~compacted solid waste, \$13.00 per ton~~  
~~delivered.~~

(b) Metro User Fee (Tier Two):

~~(1)~~ ~~\$8.50~~**\$7.00** per ton for all solid waste delivered  
to Metro owned or operated facilities.

(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~~ **the St. Johns 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.

(e) Notwithstanding the provisions of (a) and (b) above, Metro User Fees may be assessed as may be appropriate for solid waste which is the subject of a Non-System License under Chapter 5.05 of the Metro Code.

(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; Ordinance No. 89-269, Sec. 2; and Ordinance No. 90-337, Sec. 6; Ordinance No. 90-351, Sec. 1; Ordinance No. 90-372, Sec. 3 and Ordinance No. 91-386C, Sec. 6)

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 Central Station and ~~the Metro/Riedel~~ **MSW 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 Central Station and ~~the Metro/Riedel~~ **MSW Compost Facility** for the disposal of solid waste generated, originating, collected or disposed within Metro boundaries: For all solid waste **\$9.00** 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; Ordinance No. 89-269, Sec. 2; and Ordinance No. 90-337, Sec. 7; Ordinance No. 90-372, Sec. 4 and Ordinance No. 91-386C, Sec. 7)

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, by credit card, or guaranteed 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 Executive Officer deems necessary to secure prompt payment. Approval shall be consistent with prudent credit practices.

(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. Finance charges will continue to be assessed on negotiated repayment schedules.



(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 Executive Officer, 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.

(g) If a credit customer sells, terminates or makes substantial changes in the scope of their business after their application for credit was approved, they must notify Metro of this sale, termination or substantial change immediately. Credit may be discontinued until and unless an application containing the new information is approved.

(h) Adjustment of accounts receivable and reversing of finance charges will follow prudent credit practices; adjustments over \$500 will be reported to the Council in writing on a monthly basis, and adjustments over \$10,000 will require Council approval.

(i) The Executive Officer may end pursuit of accounts receivable, consistent with prudent credit practices, when the likelihood of collecting does not justify further collection costs. Such actions will be reported to the Council in writing on a monthly basis when the amount exceeds \$500, and amounts over \$10,000 will require Council approval.

(Ordinance No. 82-146, Sec. 11; Ordinance No. 90-350 and Ordinance No. 91-386C, Sec. 8)

5.02.065 Special Waste Surcharge and Special Waste Permit Application Fees:

(a) There is hereby established a Special Waste Surcharge and a Special Waste Permit Application Fee which shall be collected on all special wastes disposed at Metro facilities 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 to pay the cost of those services which are provided by the Metro Solid Waste Department to manage special wastes. The said surcharge and fee shall be applied to all acceptable special wastes as defined in Metro Code Section 5.02.015.

(b) The amount of the Special Waste Surcharge collected shall be \$4.00 per ton of special waste delivered.

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

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

(Ordinance No. 85-191, Sec. 6; amended by Ordinance No. 86-214, Sec. 6; Ordinance No. 88-257, Sec. 9; Ordinance No. 90-337, Sec. 8 and Ordinance No. 91-386C, Sec. 9)

#### 5.02.070 Source Separated Yard Debris Disposal Charge:

(a) There is hereby established a reduced disposal fee for Source Separated Yard Debris that shall be collected on all source separated yard debris disposed at the Metro South Station or Metro Central Station. Said disposal charge is in lieu of other Base Disposal Charges, User Fees, Regional Transfer Charges, Rehabilitation and Enhancement Fees, and Certification Non-Compliance Fees that may be required by Sections ~~5.02.020~~, 5.02.025, ~~5.02.041~~, 5.02.040, 5.02.045, ~~5.02.046~~, and 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 the Columbia Ridge Landfill and is made available for reuse.

(b) The amount of the Source Separated Yard Debris Charge to be collected at the Metro South Station and Metro Central Station shall be ~~\$49.00~~ \$54.00 per ton for Source Separated Yard Debris delivered by Credit and Cash Account Customers.

(c) The minimum charge for Credit and Cash Account Customers delivering Source Separated Yard Debris shall be \$10.00. The minimum charge for the delivery of a single



Christmas tree as Source Separated Yard Debris shall be ~~\$.50~~  
\$1.00.

(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; Ordinance No. 88-278, Sec. 6; Ordinance No. 89-295, Sec. 4.; and Ordinance No. 90-337, Sec. 9; Ordinance No. 90-372, Sec. 5 and Ordinance No. 91-386C, Sec. 10)

(Metro Code Section 5.02.075 repealed by Ordinance No. 91-386C, Sec. 11)

(Metro Code Section 5.02.080 repealed by Ordinance No. 91-386C, Sec. 12)

5.02.085 Out-of-District Waste:

(a) Solid Waste generated outside of the District shall not be accepted at the ~~St. Johns Landfill~~, Metro South Station, Metro Central Station or ~~Metro/Riedel~~ MSW Compost Facility for disposal unless a special permit to do so is issued by the Metro Executive Officer. Any permit issued shall specify the circumstances justifying such exception. Any permit issued shall be subject to:

- (1) Available landfill or facility capacity considering the capacity needs for disposal of Solid Waste generated within the District;
- (2) No adverse impact upon District rate payers;
- (3) Any Solid Waste authorized to be disposed under this ordinance shall be subject to the same standards and conditions pertaining to "Acceptable Waste" deliveries to the above named facilities; and
- (4) Any additional conditions as specified by the Executive Officer which may be necessary for the safe, efficient or cost effective operation of Metro facilities.

(b) Any special permit issued under Paragraph 1 shall expire in a period of time not to exceed 12 months from date of issuance unless a longer period of time is authorized by the Metro Council. Any renewals or extensions of a permit resulting in a cumulative permit period exceeding 12 months shall require the approval of the Metro Council.

(c) Any special permit issued by the Executive Officer may be revoked upon thirty (30) days notice to the permit holder.

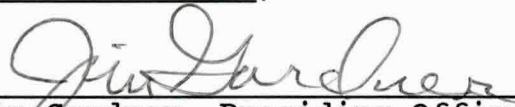


(d) Any permit for a monthly tonnage in excess of one thousand tons (1,000) per month must be referred to Council prior to the approval.

(Ordinance No. 90-352, Sec. 2; amended by Ordinance No. 91-386C, Sec. 13)

**Section 2:** ORS 268.515(7) states that "Except in an emergency, the imposition of or increase in a service or user charge shall not become effective until 65 business days after approval by the governing body." The revenue projections contained in the budget for FY 1992-93 are dependent on the rates established by this Ordinance. For this reason, an emergency is declared to exist, and the effective date of this ordinance shall be July 1, 1992.

ADOPTED by the Council of the Metropolitan Service District this 14th day of May, 1992.

  
\_\_\_\_\_  
Jim Gardner, Presiding Officer

RC:ay  
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April 28, 1992

## SOLID WASTE COMMITTEE REPORT

CONSIDERATION OF ORDINANCE NO. 92-455A, FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 5.02, ESTABLISHING SOLID WASTE DISPOSAL RATES FOR FY 1992-93 AT METRO FACILITIES, AND DECLARING AN EMERGENCY

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Date: May 13, 1992

Presented by: Councilor Wyers

Committee Recommendation: At the May 13 special meeting, the Committee voted unanimously to recommend Council adoption of Ordinance No. 92-455A. Voting in favor: Councilors Buchanan, Hansen, McFarland, Van Bergen and Wyers.

Committee Issues/Discussion: The purpose of this ordinance is to amend Metro Code Chapter 5.02 and set solid waste disposal rates for the coming fiscal year. The ordinance would increase the overall rate from \$68/ton to \$75/ton, a 10.3% increase. The ordinance includes an emergency clause which will allow the new rates to become effective July 1, 1992. The ordinance is being considered at this time to allow haulers and local governments time to adjust their collection rates to reflect the increase in disposal charges.

Bob Martin explained the changes in the overall rate, referring to a table entitled "Rate Comparison" (see attached). Martin noted that the bulk of the \$7 rate increase stemmed from four areas. These include:

1) Tonnage Adjustment (\$2.46) -- As a result of the significant decline in tonnage during the current fiscal year, it was necessary for the department to almost totally deplete its operating contingency. To rebuild this contingency to a fiscally acceptable level, a rate increase of \$2.46/ton is needed. Assuming that future tonnage projections are more accurate, such an increase will be a one-time occurrence.

2) Inflation (\$2.34) -- The major solid waste disposal and transportation contracts contain annual inflation adjustment clauses. The department estimates that an average inflation rate of 3.83% will apply to these contracts. This figure also includes contractual and merit-related pay increases for department employees.

3) Excise Tax (\$.82) -- The Council has approved an increase in the excise tax rate from the current 5.25% to 6%. Thus, the excise tax on the new disposal rate will be \$.82/ton higher than that collected during the current fiscal year.

4) DEQ Fees (\$.50) -- Through legislative and administrative action, the various solid waste disposal fees payable by Metro to the DEQ will have a net total increase of \$.50/ton.

Martin explained that the remaining \$.88 of the proposed increase results from departmental program changes. He noted that most of the increase will result from the operation of the two new household hazardous waste facilities at Metro South and Metro Central.

Roosevelt Carter reviewed the nature and components of the current rate model using a table entitled "Rate Analysis, FY 92-93" (see attached). Carter noted that the same basic rate model has been used for the past four years.

Carter described the four components of the overall rate. These include:

- 1) Tier One User Fee (\$19.00) -- pays for the fixed system costs, including the central staff, administrative staff and overhead and the various recycling and waste reduction programs.

- 2) Tier Two Fee -- (\$7.00) -- pays for the fixed costs associated with the major disposal and transportation contracts, debt service for Metro Central and capital expenditures from the General Account.

- 3) Regional Transfer Charge (\$9.00) -- pays the operating costs of the transfer stations.

- 4) Disposal Fee (\$38.25) -- pays the operational and contractual costs of landfilling waste, including the Jack Gray contract and the disposal contract at Columbia Ridge.

DEQ fees and the Rehabilitation and Enhancement fees account for the remaining \$1.75 of the total rate.

Carter indicated that the Tier One fee will be increasing from \$13/ton to \$19/ton. This increase resulted from having to spread Metro's central fixed costs over a smaller projected tonnage and changes proposed by the Rate Review Committee to allocate all operating contingency and St. Johns closure operating and maintenance costs to the Tier One fee (previously these costs had been divided among all four major rate components).

Carter noted that the Tier Two rate will decline from \$8.50/ton to \$7/ton. This decrease results from transferring all contingency and St. Johns O&M costs to Tier One and the temporary closure of the composter which reduces systemwide operational costs.

Carter explained that the Regional Transfer Charge will decline from \$10.50 to \$9/ton due to the decreased tonnage projections. The disposal fee is projected to increase due to inflation escalators in the major disposal contracts and an increase in the amount of landfilled material during the temporary closure of the composter facility.



Councilor Van Bergen asked for an explanation of how the DEQ fees increased. Bob Martin noted the "promotional fee" was increased from \$.50/ton to \$.85/ton by administrative action by the EQC. DEQ disposal permit fees paid by Waste Management of Oregon for the Columbia Ridge Landfill were changed from an original flat fee of \$60,000 to \$.21/ton, an increase of about \$.16/ton. Because the contract with Waste Management allows for the pass through of additional costs due to changes in law, Metro will pay the additional permit fee costs. SB 66, the new state recycling law, added an additional \$.09/ton in fees. The orphan site fee will be \$.15/ton, down from the original budget estimate of \$.25/ton.

Van Bergen asked why the minimum self-haul rate was increasing from \$15 to \$19, a 27% increase, when the overall rate was increasing only 10%. Bob Martin explained that the state will certify that the weighing scales are accurate only down to 500 lbs (1/4 ton), thus, the department is attempting to set the minimum rate at 1/4 of the per ton rate. Martin contended that last year the rate was inadvertently not increased to reflect this policy and therefore, this year the increase would be larger than the overall increase. Councilor Wyers recalled that the rate was not increased last year so as to not "scare off" self-haul customers.

Councilor Wyers expressed concern about the proposed increase in the charge for source-separated yard debris from \$49/ton to \$65/ton. She contended that such an increase would significantly decrease the incentive to bring yard debris to the transfer stations. Bob Martin noted that the increase would allow Metro to recoup all of its costs associated with yard debris disposal. He noted that the Rate Review Committee had recommended this change. At the current rate, yard debris disposal is subsidized by about \$39,000 per year. Martin contended that, with the establishment of new curbside recycling programs for yard debris, he did not anticipate that much yard debris would be coming to the transfer stations.

Ross Hall, member of the Rate Review Committee, briefly reviewed the committee's recommendations (see attached). He noted that an overall rate of \$75/ton had been proposed, but that the department then made a downward revision in its tonnage forecast and reported to the Rate Review Committee that a rate of about \$76.80 would be needed to fund the proposed budget. The committee recommended three significant changes in the rate model: 1) transferring all operating contingency costs to Tier One, 2) transferring all St. Johns O&M costs to Tier One, and 3) eliminating the subsidy for yard debris disposal. These changes reduced the projected rate to \$75.53. The committee then recommended that additional budget cuts be made to reduce the overall rate to a maximum of \$75/ton.

Hall also noted that the committee recommended that some type of limit be set on the amount of administrative, transfer, overhead and general government costs that are funded by solid waste rates. He noted that the general public is upset about the recent increases in solid waste rates and some fear that the increases are

a "sneaky" way of raising revenue for other purposes. Bob Martin indicated that he would welcome a discussion of issues related to overhead and other administrative charges included in the rates. Councilor Van Bergen noted that cost allocations affecting disposal fees can be affected by unforeseen and unrelated events. Councilor Wyers concurred with Mr. Hall's comments about public reaction to rate increases and indicated that the Solid Waste Committee would explore this issue. Bob Martin noted that this year's increase will be the smallest in four years.

Councilor Wyers asked Mr. Sadlo, Assistant General Counsel, if there were any changes in the original proposed ordinance other than those noted in his memo. He explained that the amendments he proposed were generally of a "form and style" nature with no substantive effect on the intent of the ordinance. He indicated that he made no changes that were not addressed in his memo.

Councilor Van Bergen expressed concern that there is a need to inventory the types of garbage entering the transfer stations. Bob Martin concurred and noted that a "waste characterization study" would be conducted during FY 92-93 and that this data would be compared with a prior study to identify changes in the waste stream.





# METRO

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

# Memorandum

Council  
5/14/92

6.1

To: Fellow Councilors

From: Councilor Judy Wyers

Date: May 14, 1992

*memo leading to amendment  
of 455A, made it a "B"*

Re: Disposal Rates For Source-Separated Yard Debris

The Solid Waste Committee considered Ordinance No. 92-455A, the proposed solid waste disposal rate ordinance at a special meeting on May 13. At this meeting, the committee was advised that the ordinance included a proposed increase in the disposal rate for source-separated yard debris from the current rate of \$49/ton to a new rate of \$65/ton. The rationale given was that the increase would allow Metro to recover its disposal costs for this type of material and that the new Rate Review Committee had recommended the change.

Last year's discussion of proposed disposal rates resulted in a compromise yard debris disposal rate of \$49/ton. The rate was set so as to be between the rate charged by the primary private processors of yard debris (Grimm's and McFarlane's) who charge \$32-35/ton and the normal transfer station disposal of \$68/ton. Such a rate would not economically disadvantage private processors, while still offering a rate incentive to encourage disposal of the material at a transfer station.

I continue to believe that a significant rate incentive is needed to encourage proper disposal of yard debris. I do not believe that the difference between the proposed rate of \$65 and the regular proposed rate of \$75 is adequate. Therefore, I will be proposing an amendment to the rate ordinance that would set a \$54 yard debris disposal rate. This proposed rate is midway between the current private disposal rate and the proposed regular Metro disposal rate. This rate would be \$5/ton higher than the current rate.

The Solid Waste Department estimates that this smaller increase in this rate would result in \$32,875 less revenue than that projected in the adopted budget. Since the adopted operating contingency for the department is \$2.15 million, I believe that the estimated revenue loss can be easily absorbed in the department's budget.

I would urge each of you to support this proposed amendment.



## AMENDED STAFF REPORT

### CONSIDERATION OF ORDINANCE NO. 92-455A, FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 5.02, ESTABLISHING SOLID WASTE DISPOSAL RATES FOR FY 1992-93 AT METRO FACILITIES, AND DECLARING AN EMERGENCY

---

Date: May 8, 1992

Presented by: Bob Martin  
Roosevelt Carter

## FACTUAL BACKGROUND AND ANALYSIS

Metro's Solid Waste Disposal rates were last increased on July 1, 1991. Ordinance No. 92-455, will increase the overall Solid Waste Disposal System Rate at the Metro South Station, the Metro Central Station and the MSW Compost Facility.

The System Rate increase reflects the FY 1992-93 budgeted costs of shipping and disposing at least 90 percent of Metro's general purpose and/or residual waste at the Columbia Ridge Landfill. It also reflects capital improvement (principle and interest payments) and operating costs associated with the Metro South Station, the Metro Central Station and the MSW Compost Facility. Other rate covered expenses include Household Hazardous Waste facility costs at Metro South and Metro Central Stations, ongoing operational expenses at the St. Johns Landfill and a \$1 million scheduled contribution to the Closure Reserve Account.

Based on the above recommendations, rates will be revised as follows:

	<u>Current Rate</u>	<u>Recommended Rate</u>
Metro South Station		
(per ton)	\$66.75	\$73.25
Self-Haul (minimum)	15.00	19.00
Metro Central Station		
(per ton)	66.75	73.25
Self-Haul (minimum)	15.00	19.00
MSW Compost Facility		
(per ton)	\ 66.75	73.25

In addition to these Metro rates we will also be required to collect \$0.15 per ton for the DEQ Orphan Site Account and \$1.10 per ton for the DEQ Promotion Program Fee pursuant to Oregon State statute adopted by HB 3515. Rehabilitation and Enhancement fees of \$.50 per ton for projects within the immediate areas surrounding landfills and other solid waste facilities will also be added.

Following a more indepth review by the General Counsel's Office, the following changes enumerated in the attached memorandum have been incorporated as proposed Ordinance No. 92-455A.

## FEE DEFINITIONS

Metro Disposal System means Metro South Station, Metro Central Station, MSW Compost Facility, Columbia Ridge Landfill and such other facilities, or contracts for service with Metro which transfer or cause solid waste to be disposed at the Columbia Ridge Landfill or other disposal facility.

Metro Waste Management System means all associated Metro solid waste services related to management of the whole recycling, processing and disposal system, including administrative, planning, financial, engineering and waste reduction activities.

Disposal Fee means those fees which pay the direct unit costs of transportation and disposal of general purpose solid waste to a landfill. Major cost components are: the long haul transport contract and the Oregon Waste System disposal contract.

Regional User Fee (Tier One) means those fees which pay for fixed costs associated with administrative, financial and engineering services and waste reduction activities of the Metro Waste Management System. Contingency fees on all costs and general transfers to solid waste funds and other departments for direct services are included in this fee. This fee is collected on all solid waste originating or disposed within the region.

Metro User Fee (Tier Two) means those fees which pay for fixed costs of the Metro Disposal System. This fee is imposed upon all solid waste delivered to any Metro Disposal System facility which delivery will affect Metro's reserved space capacity at the Columbia Ridge Landfill. Fixed costs of the Oregon Waste Systems disposal contract, the long haul transport contract, debt service and capital items directly related to the facilities are paid through this fee.

Regional Transfer Charge means those fees which pay the direct unit operating costs of the Metro transfer stations and compost facility. This fee is imposed upon all solid waste delivered to Metro Disposal System facilities.

Enhancement Fees means those fees which are used to pay for rehabilitation and enhancement projects in the areas immediately surrounding Metro Disposal System facilities.

# **RATE COMPARISON**

**FY 1991-92      -      FY 1992-93**

<b>EXISTING 91-92</b>		<b>PROPOSED 92-93</b>	<b>DIFFERENCE</b>
68.00 \$/TON	<b>RATE</b>	75.00 \$/TON	+10.3%
	<b>DEQ &amp; Host</b>		
(1.25)	<b>FEES</b>	(1.75)	
<u>66.75</u>		<u>73.25</u>	+ 9.7%
(3.33)	<b>EXCISE TAX</b>	(4.15)	
	<b>SOLID WASTE</b>		
63.42	<b>REVENUE</b>	69.10	+ 9.0%
	<b>TONNAGE</b>		
0	<b>ADJUSTMENT</b>	(2.46)	
<u>63.42</u>		<u>66.64</u>	+ 5.1%
	<b>INFLATION</b>		
---	<b>(3.83%)</b>	(2.34)	
<u>63.42 \$/TON</u>		<u>64.30 \$/TON</u>	+ 1.4%

**ACTUAL INCREASE \$0.88**

**(MOSTLY HOUSEHOLD HAZARDOUS WASTE COSTS)**



Christmas tree as Source Separated Yard Debris shall be ~~\$.50~~  
\$1.00.

(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; Ordinance No. 88-278, Sec. 6; Ordinance No. 89-295, Sec. 4.; and Ordinance No. 90-337, Sec. 9; Ordinance No. 90-372, Sec. 5 and Ordinance No. 91-386C, Sec. 10)

(Metro Code Section 5.02.075 repealed by Ordinance No. 91-386C, Sec. 11)

(Metro Code Section 5.02.080 repealed by Ordinance No. 91-386C, Sec. 12)

5.02.085 Out-of-District Waste:

(a) Solid Waste generated outside of the District shall not be accepted at the ~~St. Johns Landfill~~, Metro South Station, Metro Central Station or ~~Metro/Riedel~~ MSW Compost Facility for disposal unless a special permit to do so is issued by the Metro Executive Officer. Any permit issued shall specify the circumstances justifying such exception. Any permit issued shall be subject to:

- (1) Available landfill or facility capacity considering the capacity needs for disposal of Solid Waste generated within the District;
- (2) No adverse impact upon District rate payers;
- (3) Any Solid Waste authorized to be disposed under this ordinance shall be subject to the same standards and conditions pertaining to "Acceptable Waste" deliveries to the above named facilities; and
- (4) Any additional conditions as specified by the Executive Officer which may be necessary for the safe, efficient or cost effective operation of Metro facilities.

(b) Any special permit issued under Paragraph 1 shall expire in a period of time not to exceed 12 months from date of issuance unless a longer period of time is authorized by the Metro Council. Any renewals or extensions of a permit resulting in a cumulative permit period exceeding 12 months shall require the approval of the Metro Council.

(c) Any special permit issued by the Executive Officer may be revoked upon thirty (30) days notice to the permit holder.

(d) Any permit for a monthly tonnage in excess of one thousand tons (1,000) per month must be referred to Council prior to the approval.

(Ordinance No. 90-352, Sec. 2; amended by Ordinance No. 91-386C, Sec. 13)

5.02.090 Emergency Clause

*This ordinance being necessary for the preservation of the public health, safety and welfare, an emergency is declared to exist and the effective date of the ordinance amendments contained herein shall be July 1, 1992. ~~effective date is made in conformity with the requirements of ORS 268.515 (7) requiring user or service charges not to become effective until 65 working days after passage of the ordinance.~~*

ADOPTED by the Council of the Metropolitan Service District this \_\_\_\_\_ day of \_\_\_\_\_, 1992.

\_\_\_\_\_  
Jim Gardner, Presiding Officer

RC:ay  
SHARE\CART\RRRC92-93\SW92455.ORD  
April 28, 1992



# RATE ANALYSIS

FY 92-93

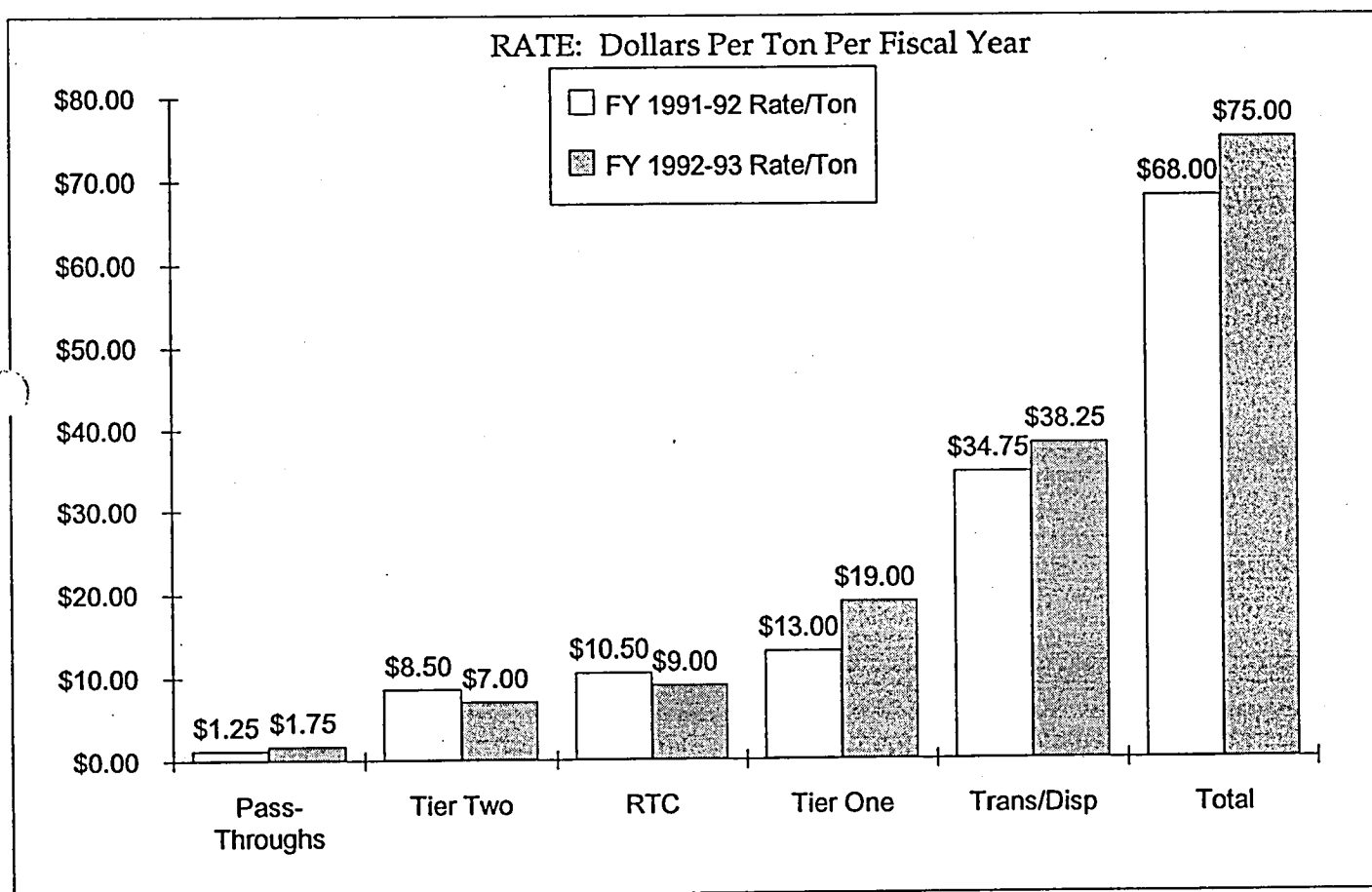
DESCRIPTION	Tier I	Tier 2	Regional Transfer	Disposal / Transport	Total Allocated	Rate Allocation
Administration, Budget, Engineering, Waste Reduction, Planning, Recycling	\$6,241,547				\$6,241,547	\$5.84
Transfers	3,936,697				3,936,697	3.69
Contingency	2,628,232	0	0	0	2,628,232	2.46
Hazardous Waste Facilities	1,878,058				1,878,058	1.76
Capital	1,051,603	0			1,051,603	0.98
Renewal & Replacement	732,000				732,000	0.69
St Johns Closure Account	1,000,000				1,000,000	0.94
<b>Total</b>	<b>17,468,137</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>17,468,137</b>	<b>16.35</b>
<b>METRO SOUTH</b>						
Salaries , Materials & Services		693,251			693,251	0.96
Station Operation			1,354,714		1,354,714	1.87
Disposal/Transportation	85,000	1,267,891		12,584,202	13,937,093	19.21
Debt Service Portion		431,252			431,252	0.60
<b>Total</b>	<b>85,000</b>	<b>2,392,394</b>	<b>1,354,714</b>	<b>12,584,202</b>	<b>16,416,310</b>	<b>22.64</b>
<b>METRO CENTRAL</b>						
Salaries, Materials & Services		570,933			570,933	0.79
Station Operation			3,323,349		3,323,349	4.59
Disposal/Transportation	85,000	1,224,418		12,046,508	13,355,926	18.41
Recycling Avoided Cost -Disposal				443,091	443,091	0.61
Recycling Avoided Cost -Transport				272,215	272,215	0.38
Debt Service		2,323,206			2,323,206	3.21
<b>Total</b>	<b>85,000</b>	<b>4,118,557</b>	<b>3,323,349</b>	<b>12,761,814</b>	<b>20,288,720</b>	<b>27.99</b>
<b>COMPOSTER ( 5 months only)</b>						
Salaries, Materials & Services		152,617			152,617	0.21
Station Operation	596,667		1,562,725		2,159,392	2.72
Disposal/Transportation	100,000	125,874		1,388,116	1,613,990	2.18
Debt Service	763,287				763,287	0.71
<b>Total</b>	<b>1,459,954</b>	<b>278,491</b>	<b>1,562,725</b>	<b>1,388,116</b>	<b>4,689,286</b>	<b>5.83</b>
<b>ST. JOHNS LANDFILL</b>						
Salaries, Materials & Services	880,281				880,281	0.82
Recycling Credit	352,921				352,921	0.33
Yard Debris Adjustment	0				0	0.00
<b>TOTAL EXPENSES\RATE</b>	<b>20,331,293</b>	<b>6,789,442</b>	<b>6,240,788</b>	<b>26,734,132</b>	<b>60,095,655</b>	<b>73.96</b>
<b>LESS REVENUE : Interest, etc</b>	<b>(\$1,523,300)</b>	<b>(\$1,938,095)</b>	<b>(\$99,063)</b>	<b>(\$587,369)</b>	<b>(\$4,147,827)</b>	<b>(\$5.05)</b>
<b>TOTAL NET RATE</b>	<b>\$18,807,993</b>	<b>\$4,851,347</b>	<b>\$6,141,725</b>	<b>\$26,146,763</b>	<b>\$55,947,828</b>	<b>68.91</b>
<b>TONNAGE</b>	<b>1,068,154</b>	<b>723,921</b>	<b>723,921</b>	<b>723,921</b>		
Base Rate	\$17.61	\$6.70	\$8.48	\$36.12		\$68.91
Excise Tax ( rate 6% )	\$1.06	\$0.40	\$0.51	\$2.17		4.13
Base Rate + Excise Tax ( Rounded)	19.00	7.00	9.00	38.25		73.25
DEQ Fees						1.25
Rehab. & Enhancement Fee						0.50
<b>TOTAL RATE/ Per Ton</b>						<b>\$75.00</b>

# Comparison Of FY 1991-92 And FY 1992-93 Rates And Revenues

Fiscal Year	Pass-Throughs			Tier Two			Regional Transfer Charge (RTC)		
	Rate	Tons	Revenues	Rate	Tons	Revenues	Rate	Tons	Revenues
1991-92	\$1.25	815,554	\$1,019,443	\$8.50	815,554	\$6,932,209	\$10.50	815,554	\$8,563,317
1992-93	\$1.75	723,921	\$1,266,862	\$7.00	723,921	\$5,067,447	\$9.00	723,921	\$6,515,289

Pass-Throughs: FY 1991-92 (\$0.75 DEQ plus \$0.50 Host Fees), FY 1992-93 (\$1.10 DEQ plus \$0.50 Host Fees plus \$0.15 Orphan Site Fee)

Fiscal Year	Tier One			Transport & Disposal			Totals	
	Rate	Tons	Revenues	Rate	Tons	Revenues	Rate	Revenues
1991-92	\$13.00	1,245,295	\$16,188,835	\$34.75	815,554	\$28,340,502	\$68.00	\$61,044,305
1992-93	\$19.00	1,068,154	\$20,294,926	\$38.25	723,921	\$27,689,978	\$75.00	\$60,834,502





**SOLID WASTE RATE COMMITTEE  
REPORT TO METRO SOLID WASTE COMMITTEE  
ROSS M. HALL**

**May 13, 1992**

- 1. The change in the committee structure and the process was considerably improved this year. The committee wishes to send kudos to solid waste department staff for better and more timely information. We still have a few adjustments to make in terms of process and better year to year comparable information, but the committee believes that we made a contribution to better public policy this year.**
- 2. After considerable review of the rate setting methods and estimates of changes for the next year, the committee makes the following recommendations:**
  - A. Move the Budgeted Contingency from an allocation across the Tiers to entirely on Tier One**
  - B. Move the Cost of Operations of the St. John's Land Fill from Tier two to Tier One.**
  - C. Remove any subsidy of Yard Debris Rates from Tier I rates, as long as the rate for yard debris remains lower and the incentive to separate yard debris is maintained.**
  - D. Set limits on the annual percent increase of the total dollar amount of administrative, budgeting, planning, transfers, other general overhead costs and general government costs that are funded by solid waste rates. Those limits should be keyed to some external index such as the Consumer Price Index with exceptions for programmatical changes that are approved by the council or otherwise mandated by law.**
- 3. Rate recommendation: Maximum of \$75.00 per ton.**

**Per Solid Waste Department Staff calculations, at current projected tonnages, the rate would be \$75.53, however we believe that the increase of 10.3% from \$68 to \$75 is sufficient and through the careful management of expenses and application of policy that revenues at this rate can cover expenses.**

**As best we can tell, the seven dollar increase is composed of \$3.00 to rebuild the operating contingencies used up due to the tonnage shortfall, fifty cents for mandatory pass through costs, and \$3.50 for the increase in operating costs at METRO. The reasonable of that increase is not the charge of the rate committee, but of the budget committee.**



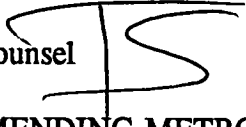
**METRO**

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

# Memorandum

Date: May 5, 1992

To: Roosevelt Carter, Budget and Finance Manager  
Solid Waste Department

From: Todd Sadlo, Senior Assistant Counsel 

Regarding: ORDINANCE NO. 92-455, AMENDING METRO CODE CHAPTER 5.02  
Our file: 9.§10.A

I have reviewed proposed Ordinance No. 92-455, and have the following comments:

1. The title should be amended to add ", and Declaring an Emergency" following the word "Facilities."
2. Following the ordaining clause, the first sentence should read "Section 1. Metro Code Chapter 5.02 is amended to read:"
3. There is no need to include a definition of "Municipal Solid Waste" in the Ordinance. I recommend that the definition be deleted.
4. In the new definition for "Total Fees" (5.02.015(u)), "sum total" is redundant, and you should use either "sum" or "total."
5. In Section 5.02.025(f), it is not clear whether a \$.50 charge would be rounded up or down to the "nearest whole dollar." You should specify, "rounded up" or "rounded down."
6. What has been added as a new Section 5.02.090 entitled "Emergency Clause" should be revised as follows: Remove "5.02.090 Emergency Clause," insert "Section 2." and insert "ORS 268.515(7) states that 'Except in an emergency, the imposition of or increase in a service or user charge shall not become effective until 65 business days after approval by the governing body.' The revenue projections contained in the budget for FY 1992-93 are dependent on the rates established by this Ordinance. For this reason, an emergency is declared to exist, and the effective date of this Ordinance shall be July 1, 1992."



Roosevelt Carter

Page 2

May 5, 1992

Chapter 5.02 would benefit from numerous form and style amendments, and general reorganization. I am in the process of reorganizing this chapter along with Chapter 5.01, and anticipate completion of a reviewable draft of both chapters by July 31, 1992.

dr

1124

## STAFF REPORT

### CONSIDERATION OF ORDINANCE NO. 92-455, FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 5.02, ESTABLISHING SOLID WASTE DISPOSAL RATES FOR FY 1992-93.

Date: April 28, 1992

Presented by: Bob Martin  
Roosevelt Carter

## FACTUAL BACKGROUND AND ANALYSIS

Metro's Solid Waste Disposal rates were last increased on July 1, 1991. Ordinance No. 92-455, will increase the overall Solid Waste Disposal System Rate at the Metro South Station, the Metro Central Station and the MSW Compost Facility.

The System Rate increase reflects the FY 1992-93 budgeted costs of shipping and disposing at least 90 percent of Metro's general purpose and/or residual waste at the Columbia Ridge Landfill. It also reflects capital improvement (principle and interest payments) and operating costs associated with the Metro South Station, the Metro Central Station and the MSW Compost Facility. Other rate covered expenses include Household Hazardous Waste facility costs at Metro South and Metro Central Stations, ongoing operational expenses at the St. Johns Landfill and a \$1 million scheduled contribution to the Closure Reserve Account.

Based on the above recommendations, rates will be revised as follows:

	<u>Current Rate</u>	<u>Recommended Rate</u>
Metro South Station		
(per ton)	\$66.75	\$73.25
Self-Haul (minimum)	15.00	19.00
Metro Central Station		
(per ton)	66.75	73.25
Self-Haul (minimum)	15.00	19.00
MSW Compost Facility		
(per ton)	\ 66.75	73.25

In addition to these Metro rates we will also be required to collect \$0.15 per ton for the DEQ Orphan Site Account and \$1.10 per ton for the DEQ Promotion Program Fee pursuant to Oregon State statute adopted by HB 3515. Rehabilitation and Enhancement fees of \$.50 per ton for projects within the immediate areas surrounding landfills and other solid waste facilities will also be added.

## FEE DEFINITIONS

Metro Disposal System means Metro South Station, Metro Central Station, MSW Compost Facility, Columbia Ridge Landfill and such other facilities, or contracts for service with Metro which transfer or cause solid waste to be disposed at the Columbia Ridge Landfill or other disposal facility.

Metro Waste Management System means all associated Metro solid waste services related to management of the whole recycling, processing and disposal system, including administrative, planning, financial, engineering and waste reduction activities.

Disposal Fee means those fees which pay the direct unit costs of transportation and disposal of general purpose solid waste to a landfill. Major cost components are: the long haul transport contract and the Oregon Waste System disposal contract.

Regional User Fee (Tier One) means those fees which pay for fixed costs associated with administrative, financial and engineering services and waste reduction activities of the Metro Waste Management System. Contingency fees on all costs and general transfers to solid waste funds and other departments for direct services are included in this fee. This fee is collected on all solid waste originating or disposed within the region.

Metro User Fee (Tier Two) means those fees which pay for fixed costs of the Metro Disposal System. This fee is imposed upon all solid waste delivered to any Metro Disposal System facility which delivery will affect Metro's reserved space capacity at the Columbia Ridge Landfill. Fixed costs of the Oregon Waste Systems disposal contract, the long haul transport contract, debt service and capital items directly related to the facilities are paid through this fee.

Regional Transfer Charge means those fees which pay the direct unit operating costs of the Metro transfer stations and compost facility. This fee is imposed upon all solid waste delivered to Metro Disposal System facilities.

Enhancement Fees means those fees which are used to pay for rehabilitation and enhancement projects in the areas immediately surrounding Metro Disposal System facilities.





**METRO**

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

# Memorandum

DATE: May 18, 1992  
TO: Rena Cusma, Executive Officer  
FROM: Paulette Allen, Clerk of the Council  
RE: TRANSMITTAL OF ORDINANCE NO. 92-455B

Attached for your consideration is a true copy of the ordinance referenced above adopted by the Council on May 14, 1992.

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, May 21, 1992. 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, Unitta Morley, received this memo and a true copy of Ordinance No. 92-455B from the Clerk of the Council on 5-18-92.

ORD.MEM