



May 29, 2014

RE: Proposed Housekeeping Changes to Metro's Solid Waste Code

Dear Interested Party:

I am writing to let you know about some proposed housekeeping changes to Metro's solid waste code that will be considered by the Metro Council this summer and solicit your questions or feedback about these proposed changes.

In July 2014, the Metro Council will be considering seven solid waste-related ordinances for housekeeping and organizational improvements to the Metro Code. The 2014 Code Update is intended to improve consistency, accessibility and usability of Metro's solid waste code (Title V). These ordinances continue moving the Code into a more flexible, nimble, and logically organized document. None of the changes proposed in this 2014 update are intended to significantly modify current policies, practices or regulatory requirements.

The following provides a brief topical summary of the proposed changes:

- 1. Consolidation of Solid Waste Definitions:** There are numerous defined terms used throughout Title V (Solid Waste) and Chapter 7.01 (Excise Tax). In some cases, there are duplicate definitions, slightly different definitions for the same word, and some defined terms are never actually used in the code. The 2014 Code Update consolidates and centralizes all of the existing solid waste definitions within a new Chapter 5.00 (Solid Waste Definitions). All definition sections used throughout Title V will be repealed and relocated to the new chapter. Technical reference changes will also be made throughout Title V and Chapter 7.01 as necessary. This new chapter will assure terms are used and defined consistently throughout Code. (Ordinance No. 14-1331.)
- 2. Reorganization of Solid Waste Licensing and Franchising Requirements:** Applicants for Metro solid waste authorizations often find it difficult to navigate the requirements listed in Chapter 5.01 (Solid Waste Regulation). In order to make the Code more accessible and easier to use, Metro is proposing to separate the license and franchise provisions into distinct sections within the Code. Other technical reference changes and minor editing will also be done to improve readability and continuity of the Code. In addition, Metro is proposing to repeal Chapter 5.03 (Disposal Site Franchise Fees) since these provisions are already located in Chapter 5.01. (Ordinance No. 14-1332)
- 3. New process for listing designated facilities:** Currently, facilities located outside the Metro region that receive Metro-area waste must first be listed and specifically named in the Metro Code before receiving certain types of solid waste. Metro is proposing a new process that will still allow facilities to seek designation by Metro Council upon application, but such facilities will no longer need to be individually listed in Code. Instead, the Metro Council would adopt an official list of facilities every

five years. Council would also have the opportunity to review and update the list at that time. The remainder of Chapter 5.05 will also be reorganized, renumbered, and updated with some technical references. (Ordinance No. 14-1337.)

4. **Move provisions related to regional system fees to appropriate Code chapter:** Technical provisions that specify which facilities and users are not required to pay system fees are currently located in Chapter 5.01; however, such provisions are more appropriate for Chapter 5.02. Metro is proposing to move these fee-related provisions to the correct chapter for organizational improvement. (Ordinance No. 14-1338.)
5. **Deletion of three designated facilities:** Several facilities no longer need to be designated. For instance, one facility has closed; another no longer takes Metro-area waste; and one has changed its ownership and operation. Specifically, Cedar Grove Compost, Lakeside Reclamation and the Weyerhaeuser Landfill will be deleted as designated facilities. (Ordinance Nos. 14-1333, 14-1334 and 14-1335.)

Metro's Solid Waste Advisory Committee will be apprised of these changes at its meeting on Wednesday, June 11. These proposed ordinances will be filed with the Metro Council Office in early July and scheduled for a first reading by Metro Council on July 17. A second reading, public hearing and decision is scheduled for Thursday, July 24. The ordinances will be available on Metro's website at <http://www.oregonmetro.gov/> on or about Monday, July 7. Let me know if you are interested in viewing a copy of the proposed ordinances, staff reports or code changes prior to then.

Also, if you have any questions, do not hesitate to contact Warren Johnson at (503) 797-1836 or warren.johnson@oregonmetro.gov or me at (503) 797-1657 or roy.brower@oregonmetro.gov.

Sincerely,



Roy W. Brower, Manager
Solid Waste Compliance and Cleanup Programs

RB:bjl
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