

## Proposed administrative rule updates

Metro is proposing to update two sections of Chapter 5.15 administrative rule, Regional Service Standard [2000](#) and General Education [5000](#) in mid-2025. The purpose of this update is two-fold. First, changes are needed to Metro administrative rule to support implementation of the Recycling Modernization Act and second, new rules are needed to set minimum service standards for improvements to multifamily bulky waste collection. The updates are summarized below. These updates have been developed in collaboration with city and county solid waste and recycling staff representing jurisdictions across the region.

The draft redline document of the proposed changes is included below.

### **Background on regional service standards**

Metro currently maintains regional service standards (RSS) related to city/county provided solid waste and recycling collection services. Standards relate to business services and residential services. The RSS provides guidance to cities and counties within the Metropolitan Service District to ensure the provision of a minimum level of service and to maintain watershed compliance with the State of Oregon's Opportunity to Recycle Act requirements. Ultimately, the RSS helps ensure community members have access to adequate solid waste and recycling services throughout the region.

### **Recycling Modernization Act updates**

The Plastic Pollution and Recycling Modernization Act updated Oregon's outdated recycling system by building on local community programs and leveraging the resources of producers to create an innovative system that works for everyone. The Oregon legislature passed the Recycling Modernization Act (Senate Bill 582) during the 2021 legislative session. The new law became effective Jan. 1, 2022, and recycling program changes will start in July 2025. Metro's regional service standards will need to be updated to facilitate the implementation of the Recycling Modernization Act's new statewide recycling acceptance list (5.15-2010) and allow additional flexibility for curbside collection of glass (5.15-2025(5)).

### **Multifamily bulky waste updates**

Proposed updates to the multifamily bulky waste service standards are intended to ensure community members across the region are provided with at least a minimum level of service for bulky waste collection while also providing local flexibility for cities and counties to adapt programs to local conditions. The proposed rules do not require city or county agencies to adopt certain rate models or approaches except that the program includes upfront and transparent pricing for customers.

Specifically, Metro proposes to replace administrative rule 5.15-2040(4) with the following language: *"Implement bulky waste collection service, available no less than two weeks from request by July 1, 2027. Rates for service must be upfront and transparent."*

Additionally, a definition of bulky waste will be added to 5.15-2010 and apply to single-family and multifamily customers. Bulky waste will also be added to information shared at least annually with all residents in the general education service standards 5.15.5020(1)(a).

### **Next steps in the rule update process**

- Spring 2025 Informational update to advisory committees
- Late spring 2025 Informational update, to Metro Council at work session
- Summer 2025 Outreach to all project interested parties informing of the administrative rule change 30-day public comment period and methods to make a comment
- Summer 2025 Conduct 30-day public comment period and oral hearing

**How to provide feedback:**

Please reach out to Sara Kirby at [sara.kirby@oregonmetro.gov](mailto:sara.kirby@oregonmetro.gov) with questions or feedback about the proposed updates. Following informational updates to advisory committees and Metro Council this spring, a 30-day public comment period, including an oral hearing, will be conducted in summer 2025. During the 30-day public comment period additional feedback will be accepted via email, web form or via the oral hearing.

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### 5.15 – 2000 Purpose

To implement the residential service standard as set forth in Metro Code Chapter 5.15 and as required by the Regional Waste Plan to ensure a comprehensive and consistent level of recycling service for the region.

*Effective: April 3, 2021*

### 5.15 – 2005 Legal Authority

1. Metro’s solid waste planning and implementing authority is established under the Metro Charter, the Constitution of the State of Oregon, and ORS Chapters 268 and 459.
2. These rules are issued under the authority of Metro Code. These rules are in addition to all other requirements and provisions in Metro Code Chapters 5.10 and 5.15.

*Effective: April 3, 2021*

### 5.15 – 2010 Definitions

Unless otherwise specifically defined below, all terms used are as defined in Metro Code Chapter 5.00.

~~Acceptable recyclable materials are a type of source-separated recyclable as defined in Metro Code Chapter 5.00. For the purposes of these administrative rules, acceptable recyclable materials include means the same as the Local Government Recycling Acceptance List in OAR 340-090-0630(2) plus additional materials approved by the Department of Environmental Quality pursuant to ORS 459A.914(4)(b) or OAR 340-090-0630(7). the following:~~

<del>Mixed waste paper</del>	<del>Steel cans</del>
<del>Newspaper</del>	<del>Aluminum</del>
<del>Magazines</del>	<del>Scrap metal</del>
<del>Corrugated cardboard</del>	<del>Plastic bottles and jars</del>
<del>Kraft paper</del>	<del>Round plastic containers/tubs</del>
<del>Aseptic containers</del>	<del>Glass bottles and jars</del>
<del>Yard debris</del>	<del>Motor oil</del>

**Minimum service** means the lowest amount of acceptable recyclable material, glass, yard debris, and garbage collection service volume to be in compliance with residential service standard.

**Bulky waste** means any useless, unwanted or discarded item used in or around a household and generated by a household that does not fit inside a standard 35-gallon garbage or recycling receptacle, or that is longer than 36 inches in any one direction. This term includes items such as furniture, appliances, electronic devices, outdoor patio and garden items, personal vehicle items, doors, cabinets, toilets, or sinks. This term does not

include household hazardous waste, construction and demolition debris, acceptable recyclable materials, gas cylinders, or any waste that can fit within a standard 35-gallon receptacle.

*Effective: April 3, 2021*

### **5.15 - 2015 Applicability of Rules**

The requirements of the Regional Waste Plan's residential service standard apply to all portions of Clackamas, Washington, and Multnomah Counties within Metro's jurisdictional boundary. For areas of Clackamas, Multnomah and Washington Counties outside of Metro's jurisdictional boundary, the performance standards are recommendations.

*Effective: April 3, 2021*

### **5.15 - 2020 Glass Separation Requirement**

For all residential customers, a local government must require that glass is kept separate from all other acceptable recyclable materials in collection receptacles and on collection vehicles.

*Effective: April 3, 2021*

### **5.15 - 2025 Single-Family Residential Service Standards**

For all single-family residential customers, a local government must:

1. Provide at least one receptacle, with capacity of at least 60 gallons, for the collection of all acceptable recyclable materials except glass, yard debris and motor oil.
2. Provide at least one receptacle for yard debris collection. The receptacle must have a capacity of at least 60 gallons.
3. Provide at least one receptacle for source-separated glass collection. The receptacle must have a capacity of at least five gallons.
4. Provide weekly collection of acceptable recyclable materials, ~~glass~~, motor oil, and yard debris on the same day of the week as garbage, unless exempted under administrative rule 5.15-2030 or administrative rule 5.15-2035.
5. Provide at least every-other-week collection of glass on the same day of the week as garbage.
6. ~~Provide at least one receptacle for yard debris collection. The receptacle must have a capacity of at least 60 gallons.~~
7. Residential food scraps with yard debris can be offered at weekly or every other week frequency. Every other week collection of residential food scraps mixed with yard debris is allowed only if approved in advance by the processing facility receiving the material and acceptance does not violate any other government ordinance, regulation, permit, health, or safety code.
8. Provide bulky waste collection service.

9. Ensure that property owners and managers provide access to on-site garbage and recycling collection service to renters of single-family residential properties.

*Effective: April 3, 2021*

#### **5.15 - 2030 Exemption to Single-Family Yard Debris Service Standard**

1. A local government may exempt rural service areas from regular on-route collection of yard debris provided that the local government distributes informational material to rural customers at least annually that provides options for proper management of yard debris, including instructions to not place yard debris in solid waste receptacles destined for disposal.
2. A local government may define “rural service areas” for purposes of solid waste collection and must provide its definition to Metro. A local government must notify Metro of any changes to that definition.

*Effective: April 3, 2021*

#### **5.15 - 2035 Exemption for Single-Family Every Other Week Recycling and Yard Debris Collection Programs**

A local government with an every-other-week recycling and/or yard debris collection program in place as of January 1, 2019 meets the residential service standard. A second recycling collection receptacle of at least 60 gallons capacity must be provided to every-other-week customers upon request and at no additional charge.

*Effective: April 3, 2021*

#### **5.15 - 2040 Multifamily Residential Service Standards**

For all multifamily residential customers, a local government must:

1. Implement a minimum service volume of 20 gallons per unit per week for garbage collection service.
2. Implement a minimum service volume of 20 gallons per unit per week for acceptable recyclable materials and a minimum service volume of one gallon per unit per week for source-separated glass.
3. Ensure all material streams are collected at least weekly. On call services are exempt from collection frequency and minimum service volume requirements.
4. Ensure provision of regularly-occurring bulky waste collection service by July 1, 2025. Implement bulky waste collection service, available no less than two weeks from request by July 1, 2027. Rates for service must be upfront and transparent.

*Effective: April 3, 2021*

#### **5.15 - 2045 Multifamily Receptacle Colors; Signage; Informational Materials**

For all multifamily residential customers, a local government must comply with the regional standards for collection receptacles, by the dates below.

1. All new receptacles ordered after July 1, 2022 must comply with the color standard below and must be labeled with the correct Metro-approved regional signage.
2. All new plastic receptacles for garbage, mixed recyclable materials, and yard debris and/or food scraps ordered after July 1, 2022 must contain at least 30% post-consumer recycled content.
3. Garbage receptacles must be gray or black, mixed recyclable materials receptacles must be blue, yard debris and/or food scraps receptacles must be green and source-separated glass receptacles must be orange by July 1, 2028. Metro will provide a list of approved receptacle colors by vendor.
4. Color standards do not apply to compactors and drop boxes.
5. As of December 31, 2023, all receptacles must be labeled with the correct Metro-approved regional decals for acceptable recyclable materials, glass, yard debris, and garbage. All previous garbage and recycling instructional decals must be removed from each receptacle and replaced with correct and approved regional decals.

*Effective: April 3, 2021*

#### **5.15 - 2050 Exemptions to Multifamily Standards**

Notwithstanding administrative rule 5.15-2045, a local government may:

1. Exempt used motor oil from collection.
2. Exempt yard debris from collection if no yard debris is generated on-site, or the customer meets one of the following conditions:
  - a. Uses a landscape maintenance firm that transports yard debris to a Metro-authorized facility;
  - b. Manages its yard debris on-site such as composting or mulching;
  - c. Self-hauls its yard debris to a Metro-authorized facility;
  - d. Uses another method approved by Metro.

*Effective: April 3, 2021*

#### **5.15 - 2055 Compliance and Enforcement**

A local government must comply with the requirements of the Regional Waste Plan's residential service standard. If a local government does not comply, Metro will withhold funding associated with the implementation of the Regional Waste Plan. Metro may also withhold discretionary funding associated with other programs and seek any remedy under its Charter, Code or applicable state law.

*Effective: April 3, 2021*

### **5.15 - 2060 Reporting**

As part of regular annual reporting requirements, a local government must provide the information necessary for Metro to determine compliance with the residential service standard.

*Effective: April 3, 2021*

### **5.15 - 2065 Funding Guidelines**

In order to receive funding associated with the Regional Waste Plan, a local government or its designated agency must comply with the requirements of Metro Code Chapter 5.15 and these rules. The local government or its designated agency must also enter into an intergovernmental agreement with Metro.

*Effective: April 3, 2021*