



2015 Metro Solid Waste Code Improvements (Title V)

September 3, 2015

Title V Workshop (Solid Waste Regulation)

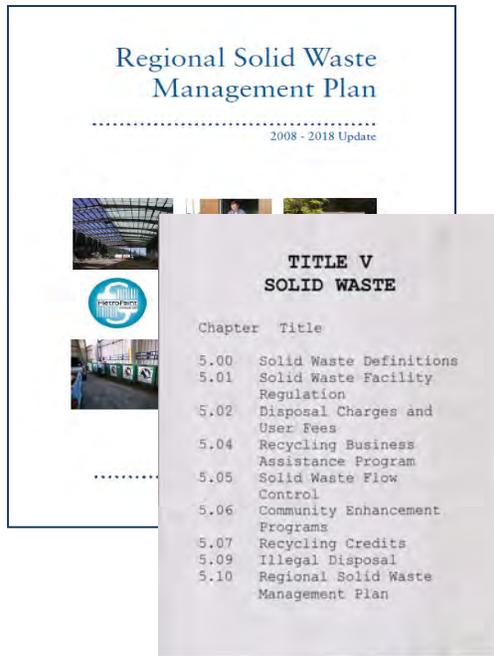
TITLE V SOLID WASTE

Chapter	Title
5.00	Solid Waste Definitions
5.01	Solid Waste Facility Regulation
5.02	Disposal Charges and User Fees
5.04	Recycling Business Assistance Program
5.05	Solid Waste Flow Control
5.06	Community Enhancement Programs
5.07	Recycling Credits
5.09	Illegal Disposal
5.10	Regional Solid Waste Management Plan

Purpose of Workshop

- Explain major changes
- Answer questions
- Venue for feedback prior to filing proposal with Council office

Key Events



- Solid waste system is changing
- New options and technologies to manage solid waste
- SW Code updates ongoing
- SW System direction for 2020 & beyond
 - **Key contracts expire in 2019**
 - **Solid Waste Roadmap Projects**
 - **RSWMP development begins 2016 (2018)**



Build on past changes to improve Code

2012: Service areas & delegation

2013: Transfer stations & illegal dumping

2014: Community enhancement & Code reorganization



Solid Waste Code:

Making it work better now and in the future!

Build on past changes to improve Code

2015 Proposal

(Ord. Nos. 15-1362 & 15-1363):

1. Protect health & environment
2. Adaptive and responsive
3. Provide good value



Solid Waste Code:

*Making it work better
now and in the future!*

Goals and Objectives for Code Development

Six Public Benefits to guide regulatory development:

Protect Health

Protect the Environment

Provide good value

Support highest and best use of resources

Be adaptive and responsive

Ensure services available to all types of customers

- Relevant & simpler
- Level playing field and equitable coverage
- Code = Broad
- Admin procedures = Details
- Resilient to address emerging technology and new practices
- Better quality reporting to improve SW system planning

Why Metro Regulates?

Licensing & inspections are tools to monitor solid waste system, manage risk and instill public confidence in the system. Desired outcomes for region:

- Assure public and communities that waste and recyclables are being managed appropriately.
- Minimize and prevent pollution and nuisance conditions from the management of solid waste, including management of recyclables.
- Ensure waste is delivered to appropriately authorized & compliant facilities – whether in or out of the region.
- Treat similar types of facilities and activities in a similar way.
- Assure appropriate collection of solid waste fees and taxes.
- Quality coordination with DEQ and local governments in facility oversight.



Leveling the Regulatory Playing Field

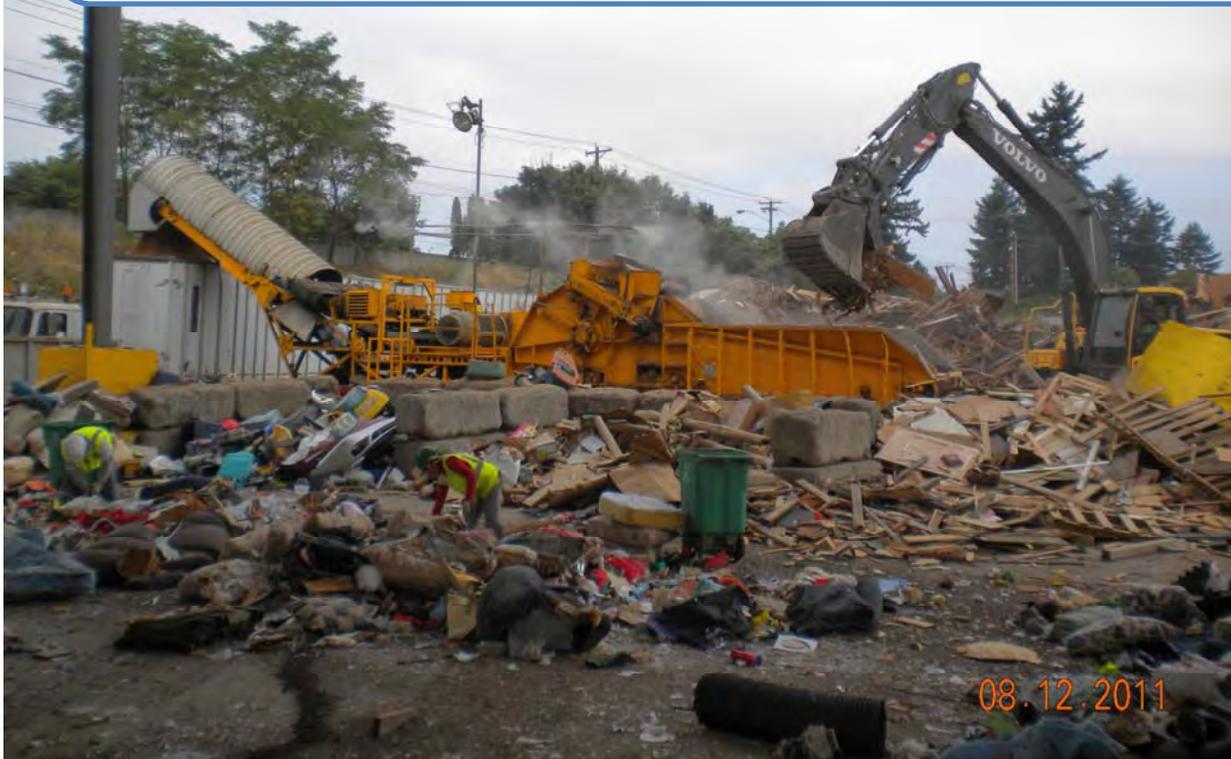
(Ord. No. 15-1362)

Protect health & the environment: Level the playing field

- ❖ Wood waste processing.
- ❖ Solid waste reloads.
- ❖ Electronic waste processing (shredding & outdoor storage).
- ❖ Conversion technology.
- ❖ Better tracking of solid waste leaving the region.
- ❖ Material recovery facilities processing mixed source separated recyclable materials.

Level the playing field: Wood waste processing

- Ensure all wood waste processing is licensable activity.
- Address nuisance and environmental concerns.



Level the playing field: Solid waste reloads

- Ensure all solid waste reload operations are subject to the same requirements.
- Address nuisance, and community concerns
- Level playing field.



Level the playing field: Electronic waste

- Processing, grinding and outdoor storage.
- Not focus on sorting and re-build of computers (Goodwill, Free Geek).
- Address environmental concerns.



Level the playing field: Conversion technology

- Future looking toward new “transformative” technology using solid waste feedstock.
- Clarity.



Level playing field:

Better tracking of solid waste leaving region

- Better tracking of solid waste leaving the region e.g. roofing, drywall.
- Require non-system licenses.
- Not subject to fees and taxes when properly recovered or recycled.



Level the playing field:

Material Recovery Facilities processing mixed recyclables

- Limited oversight of certain MRFs processing mixed recyclables.
- Address nuisance, litter, dust, vectors & other environmental impacts.
- Recognition of circumstances: Fragility of markets; system changes; sorting: impact operations.
- Improved reporting needed.
- Develop standards with industry participation.



Solid Waste Fee & Tax Clarity

(Ord. No. 15-1363)

Provide good value (Ord. No. 15-1363): SW fee & tax clarity

• Broaden reduced fee and tax rate (\$3.50/ton) qualified wastes to include:

- Contaminated soil from cleanups and spills
- Contaminated soil from construction and excavation projects
- Street sweepings
- Catch basin sediment
- Automotive shredder residual from a dismantler



Provide good value (Ord. No. 15-1363): SW fee & tax clarity

- Eliminate use-based exemptions for solid waste used at landfills

- shaker-screen waste used as cover
- industrial process waste (refractory brick, filter press cake) used as cover
- roofing used to build roads in footprint



Provide good value (Ord. No. 15-1363): SW fee & tax clarity

• Retain or provide explicit fee and tax exemption for certain wastes delivered to landfills:

- Clean fill
- Dredge spoils
- Tire processing residual from Metro-licensed operations
- Automotive shredder residual from a dismantler



Enhanced Dry Waste Recovery Program (EDWRP)

(Ord. No. 15-1362)

Adaptive & responsive: EDWRP Procedures



• EDWRP Improvements:

- Details now in Administrative Procedures
- Reduced sampling from quarterly to annual based on compliance
- Process for dealing with market disruptions

Adaptive & responsive: Procedural (Ord 15-1362)

Eliminate:

- 10-day call up provision by Council
- Ownership change approval in lieu of providing notification
- Financial assurance except as required by DEQ
- Automatic granting of authorizations but add appeal to COO for delayed decision

Reorganization:

- Fees for non-system licenses in chart form rather than narrative.

Adaptive & responsive: Defined terms (Ord. 15-1362)

Non-substantive technical changes (23)

Act

Agronomic application rate

Cleanup material contaminated
with hazardous substances

Disposal fee

Disposal site

Energy recovery

Enhancement fee

Material recovery

Metro disposal system

Non-putrescible waste

Petroleum contaminated soil

Process, processing, processed

Processing residual

Recycling drop center

Reload

Solid waste facility

Source separate/separated/separation

Special waste

System

Transfer

Unacceptable waste

Waste hauler

Waste reduction hierarchy

Adaptive & responsive: Defined terms (Ord. 15-1362)

Deleted terms (9)

- Compostable organic waste
- Direct haul disposal charge
- Director
- Metro waste management system
- Processing facility
- Resource recovery facility
- Standard recyclable materials
- Yard debris facility
- Yard debris reload facility

Adaptive & responsive: Defined terms (Ord 15-1362)

Substantive changes (5)

- *Material recovery* – change to clarify that term includes manual methods of recovery.
- *Recycling drop center* – clarifies that centers that reload without processing retain exemption.
- *Solid waste* – removes references to ORS for infectious waste, hazardous waste and radioactive waste.
- *Source-separated recyclable material* – shortened term and relies on AP and other definitions for details. Broadens use.
- *Yard debris* – clarifies that branches, sod and scrapings are part of definition but not dirt or construction and demolition debris.

Adaptive & responsive: Defined terms (Ord 15-1362)

New Terms (20)

- *Anaerobic digestion* – Never defined but used as new technology. Same as DEQ.
- *Biogas* – Used but never defined. Same as DEQ.
- *Clean fill* – Same as DEQ
- *Commercial* – Frequently used but never defined. Similar to DEQ's definition of commercial solid waste.
- *Construction and demolition waste* – Frequently used but never defined. Similar to DEQ's definition but is broader to include renovation, remodeling and deconstruction.
- *Conversion technology* – New technology. Similar to DEQ's definition.

Adaptive & responsive: Defined terms (Ord 15-1362)

New Terms & Substantive changes

- *Deconstruction* – Used but never defined. No DEQ definition.
- *Demolition* -- Used but never defined. No DEQ definition
- *Digestate* -- New. Similar to DEQs.
- *Facility* – Frequently used. Paired with activity type.
- *Generator* – Frequently used but never defined.
- *Hazardous substance* – OAR-0093-0030(48)
- *Infectious waste* – Same as DEQ.
- *Medical waste* – Same as DEQ

Adaptive & responsive: Defined terms (Ord 15-1362)

New Terms

- *Mixed non-putrescible source-separated material* – Definition added for new licenses and requirements based on mixed non-putrescible waste.
- *Mixed non-putrescible waste* – Defined and used in Metro solid waste licenses.
- *Radioactive waste* -- ORS 469.300
- *Residential* – Used to distinguish between types of food waste. Not defined by DEQ.
- *Substantial effect* – Moves definition from 5.01.053(e) to 5.00.
- *Urban wood waste* -- Used but never defined. No DEQ definition.

Adaptive & responsive: Defined terms (Ord 15-1363)

New Terms (3) & Substantive changes (2)

- *Automotive shredder residual* – Used but never defined. New definition to describe this material developed by Metro.
- *Beneficial use* – Definition used for establishing exemption from fees and taxes. Same as DEQ.
- *Cleanup material* – broadened to include other contaminated soils including excavated material.
- *Dismantler* – Same as ORS 822.100.
- *Useful material* – amended because of other changes.