



Metro / Memo

DATE: June 23, 2016

TO: Roy W. Brower, Solid Waste Compliance and Cleanup Program Director

FROM: Hila Ritter, Solid Waste Authorization Coordinator

RE: Issuance of Renewed Solid Waste Facility License No. L-134-16 for City of Roses Disposal & Recycling Inc.

Attached for your signature is renewed Solid Waste Facility License No. L-134-16 for City of Roses Disposal & Recycling Inc. (City of Roses), a locally owned and operated material recovery facility located at 5726 NE 109th Ave. in Portland, Oregon (Metro District 5). This memo provides background information on the applicant's request and recommends that Metro issue a renewed license to City of Roses.

BACKGROUND



The applicant, City of Roses, is a locally owned and operated drop box hauling company that collects and processes mixed non-putrescible (dry) waste for material recovery. The facility also accepts loads of source-separated materials such as wood, concrete and metal. Wood waste is processed on-site and marketed as boiler fuel. The facility accepts waste delivered by its own hauling company. In addition, the facility is authorized to accept up to 3,500 tons of mixed non-putrescible waste per calendar year delivered by third-party haulers. City of Roses' material recovery facility (MRF) is not open to the general public. City of Roses specializes in the recovery of waste generated during construction projects that seek to obtain LEED (Leadership in Energy and Environmental Design) certification. LEED projects require that the solid waste resulting from construction activities be recovered to a higher degree and be more extensively documented than from standard construction projects. In addition to the proposed license renewal, City Of Roses has indicated that

it plans to seek future authorization to operate a transfer station and accept putrescible waste from construction sites in an effort to diversify its service. It has also applied to Metro for a non-system license (NSL) to transport putrescible waste to Wasco County Landfill as a strategic step toward this goal.

On March 16, 2016 Metro received a complete application which included an updated operating plan from City of Roses requesting the renewal of its existing solid waste facility license (No. L-134-11A). City of Roses' existing license commenced on August 1, 2011, and will expire on June 30, 2016. The facility held a Metro license since 2011, however it did not begin accepting waste until April 2013 after facility construction was complete.

Under Metro Code Section 5.01.055, the proposed license renewal is to be approved or denied by the Chief Operating Officer ("COO"). On July 1, 2015, the COO delegated authority to the Solid Waste Compliance and Cleanup ("SWCC") Director to carry out license renewals. As such, the SWCC Director is authorized to grant this license.

PUBLIC NOTICE AND OPPORTUNITY TO COMMENT

On March 30, 2016, Metro issued public notice of the license renewal application and provided an opportunity for the public to submit comments. Public notice was mailed to about 195 property owners and residents located near the facility. Notice was also posted on the Metro web site and emailed to a list of Metro-area stakeholders that have a general interest in solid waste issues. The public comment period ended on April 29, 2016. Metro received no comments regarding the application or the proposed license renewal.

COMPLIANCE HISTORY OF THE APPLICANT

Metro has conducted 33 inspections of City of Roses during the term of the current license. City of Roses is currently in compliance with Metro's requirements and has not had any significant compliance issues during the term of its current license. In addition,

Oregon Department of Environmental Quality staff has reported that there are no enforcement or compliance issues associated with this site.

In April 2016, Metro received a complaint regarding City of Roses' reporting and tracking procedures for tracking for concrete. Staff has since provided the facility with technical assistance to ensure that it maintains and reports accurate tonnage information to Metro. Also in April 2016, the City of Portland's Bureau of Environmental Services provided technical assistance to City of Roses to achieve compliance with its Stormwater Control Plan. The issue was subsequently resolved and the facility is currently in compliance with the City of Portland's requirements.

Staff finds that the facility has generally had a good compliance history and plays an important role in the region's solid waste recovery efforts. As such, it is in the public interest to renew City of Roses' license as described in this staff report.

METRO CODE RENEWAL CRITERIA

Metro Code Section 5.01.055 states that:

The Chief Operating Officer shall renew a Solid Waste Facility License unless the Chief Operating Officer determines that the proposed renewal is not in the public interest, provided that the Licensee files a completed application for renewal accompanied by payment of an application fee of three hundred dollars (\$300) not less than 120 days prior to the expiration of the License Term, together with a statement of proposed material changes from its initial application for the License and any other information required by the Chief Operating Officer. The Chief Operating Officer may attach conditions or limitations to any renewed License.

On March 16, 2016, City of Roses filed a complete application for renewal of its current license accompanied by payment of an application fee of \$300. The license renewal application included all of the required information and was submitted to Metro within the timeframe specified in Code. City of Roses' application seeks to renew its current authority with no substantive changes in the proposed license.

STAFF RECOMMENDATION

Staff recommends issuing Solid Waste Facility License No. L-134-16 to City of Roses which renews its authority to accept and process mixed dry waste and wood waste. The proposed license carries forward the same authorizations and is substantially similar to the facility's current license. The term becomes effective on July 1, 2016, and expires on June 30, 2021. Metro Code Section 5.01.053 stipulates that solid waste license renewals may be issued for up to a five year term. A copy of the proposed license is attached for your signature.