

Memo




Metro

600 NE Grand Ave.
Portland, OR 97232-2736

DATE: June 26, 2018

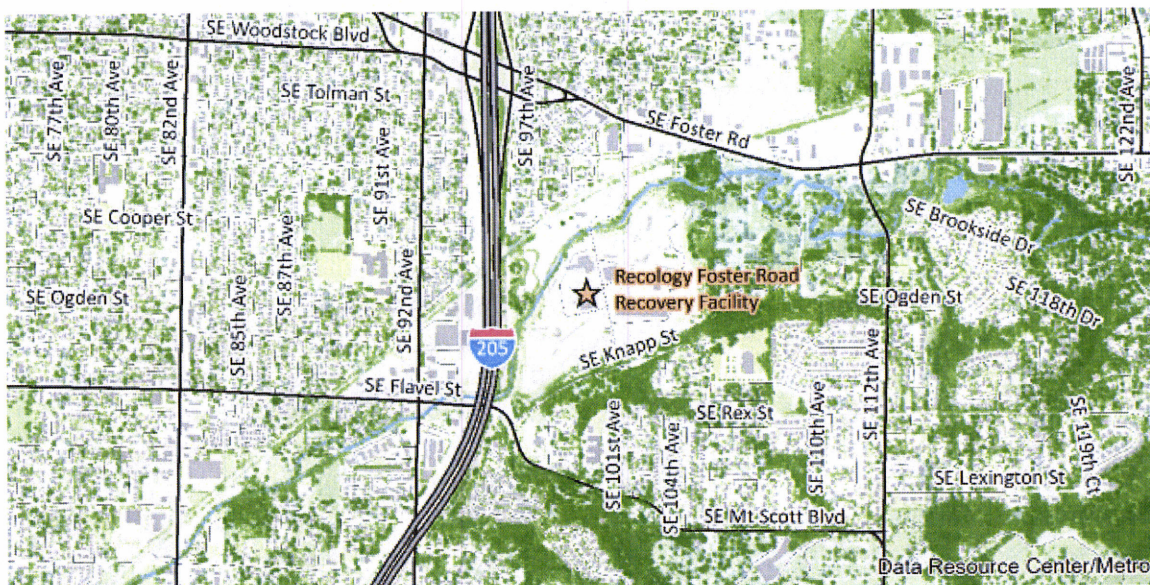
TO: Roy W. Brower, Solid Waste Information Compliance and Cleanup Program Director

FROM: Hila Ritter, Solid Waste Authorization Coordinator 

RE: Issuance of Renewed Solid Waste Facility License No. L-036-18 for Recology Foster Road Recovery Facility

Attached for your signature is renewed Solid Waste Facility License No. L-036-18 for Foster Road Recovery Facility (Foster), a yard debris reload and material recovery facility located at 6400 SE 101st Avenue in Portland (Metro District 6). This memo provides background information on the applicant's request and recommends that Metro renew the authorization for Foster to accept and reload only yard debris and wood waste.

BACKGROUND



Recology Foster Road Recovery Facility, located at 6400 SE 101st Ave in Portland.

The applicant (Foster) is operated by Recology Portland, Inc. which is owned by Recology, Inc., a waste management company headquartered in San Francisco, California. The land upon which the facility is sited is leased from Jameson Partners, LLC.

Foster is a Metro-licensed facility that accepts and reloads yard debris for transport to authorized compost facilities. The facility also accepts source-separated wood waste for delivery to facilities with industrial boilers for use as hogged fuel. The current license¹ also authorizes Foster to accept mixed non-putrescible waste for material recovery, however the facility has not accepted mixed

¹ Metro Solid Waste Facility License No. L-036-13

waste or performed material recovery activities at this site for several years. The facility suspended the material recovery activities in 2013, and ceased accepting and reloading mixed waste in 2014, and has not sought to resume these activities since that time. Foster has operated as a yard debris and wood only reload facility since March of 2015. Since the licensee has not performed any material recovery activities at the site for several years and has not demonstrated that it intends to resume the activity in the near term, staff recommends that Metro not carry forward these current authorizations in the proposed license renewal. If the licensee seeks to perform material recovery activities in the future, then the licensee can apply for such authority at that time. Foster's current license expires on June 30, 2018.

On March 12, 2018, Foster submitted a complete application to Metro requesting the renewal of its license accompanied by payment of the application fee of \$300. The facility did not seek authorization for any new activities. As stated above, the applicant requested the renewal of its authorization to accept and process mixed dry waste. Staff recommends renewing only the licensee's authority to accept and process yard debris and wood waste at this time. Additionally, the current license includes certain pre-operating requirements to reload residential food waste at the facility. However, the applicant does not intend to pursue this type of activity at the site and these pre-operating requirements have not been carried forward into the proposed license renewal.

Under Metro Code Section 5.01.080, the proposed license is to be approved or denied by the Chief Operating Officer (COO). On October 9, 2017, the COO delegated authority to the Solid Waste Information Compliance and Cleanup (SWICC) Director to determine whether to approve or deny these types of applications. As such, the SWICC Director is authorized to grant this license.

PUBLIC NOTICE AND OPPORTUNITY TO COMMENT

On April 9, 2018, Metro issued public notice of the license application and provided an opportunity for the public to submit comments. Public notice was mailed to about 995 property owners and residents located near the facility. Notice was also posted on the Metro website and emailed to a list of Metro-area stakeholders that have a general interest in solid waste issues. The public comment period ended on May 9, 2018. Metro received one comment in support of renewing Foster's license. The comment is attached.

COMPLIANCE HISTORY OF THE APPLICANT

Metro has conducted 28 inspections of Foster during the term of its license. Foster is currently in compliance with Metro's requirements and has not had any significant compliance issues during the term of its license. Metro did not issue any Notices of Violation or take any enforcement actions at the facility during that time. Foster holds a solid waste permit from the Oregon Department of Environmental Quality (DEQ),² which expired on September 15, 2016, but remains in effect through an administrative extension by DEQ. DEQ is currently evaluating the facility's permit renewal application.

Staff finds that the facility has 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 Foster's license as described in this staff report.

² Solid Waste Disposal Site Permit No. 1369

METRO CODE RENEWAL CRITERIA

Metro Code Section 5.01.110(d) states that:

The Chief Operating Officer must approve solid waste facility license renewal unless the Chief Operating Officer determines that the proposed renewal is not in the public interest. The Chief Operating Officer may attach conditions or limitations to any renewed License.

The proposed license would replace the current license that is set to expire on June 30, 2018, and it continues the authorization for accepting and reloading yard debris to authorized composting facilities. Additionally, the license authorizes the acceptance and processing of wood waste for transport to facilities with industrial boilers for use as hogged fuel. The applicant has not requested any new authorizations.

STAFF RECOMMENDATION

Staff recommends issuing renewed Solid Waste Facility License No. L-036-18 to Foster authorizing it to accept yard debris and wood waste for reloading to authorized processing facilities. The proposed license becomes effective on July 1, 2018, and expires on June 30, 2023. A copy of the proposed license is attached for your signature.

HR
Queue
Attachment

APR 23 '18 RCV

April 18th, 2018

Metro Solid Waste IC&C

600 N. E. Grand Ave.

Portland, OR 97232

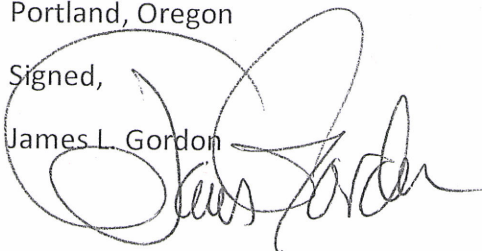
Dear Sir;

I am the neighbor at 10735 S. E. Knapp Circle of the Recology Foster Road Recovery Facility.

I am in favor of renewing Recology's license at the location of 6400 S. E. 101st ave.
Portland, Oregon

Signed,

James L. Gordon

A handwritten signature in black ink, appearing to read "James L. Gordon", is written over a circular stamp. The signature is fluid and cursive.