

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF REQUIRING METRO ) RESOLUTION NO. 18-4864  
STAFF TO DEVELOP POLICY, ORDINANCE )  
AND RULE THAT PROHIBITS THE LANDFILL ) Introduced by Chief Operating Officer Martha  
DISPOSAL OF COMMERCIALY-DERIVED ) Bennett in concurrence with Council  
FOOD WASTE GENERATED WITHIN THE ) President Tom Hughes  
REGION.

WHEREAS, food represents 18 percent of the region’s disposed waste—the largest single material sent to landfill and the largest single recoverable material sent to landfill; and

WHEREAS, when sent to landfill, food scraps generate methane which is 25 times more potent of a greenhouse gas than carbon dioxide; and

WHEREAS, food scraps are identified as a primary material for recovery within the region’s Regional Solid Waste Management Plan which guides Metro and local government work; and

WHEREAS, the State of Oregon Department of Environmental Quality, via Oregon Revised Statutes 459A.010 has set a food waste recovery goal of 25% by 2020;

WHEREAS, the State of Oregon Department of Environmental Quality has added a required food waste collection program for nonresidential generators to the list of menu items available to local governments for compliance with state law under Oregon Administrative Rule 340 Division 90.

WHEREAS, Metro intends to require local governments to adopt mandatory food waste collection programs for certain business groups; and

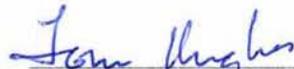
WHEREAS, Metro is responsible for the regulation and management of solid waste disposal in the region; and

WHEREAS, Metro, through its disposal authority, has a key role in ensuring increased recovery of the region’s food waste; now therefore,

BE IT RESOLVED that the Metro Council directs staff to take the following actions:

1. Develop policy, Ordinance and Rule to prohibit the landfill disposal of commercially-derived food waste generated within the Metro region.
2. Present the policy, Ordinance and Rule for Metro Council consideration and adoption no later than December 31, 2019.

ADOPTED by the Metro Council this 19th day of July 2018.

  
Tom Hughes, Council President

Approved as to Form:



for Alison R. Kean, Metro Attorney

## **STAFF REPORT**

IN CONSIDERATION OF RESOLUTION NO. 18-4864, FOR THE PURPOSE OF REQUIRING METRO STAFF TO DEVELOP POLICY, ORDINANCE AND RULE THAT PROHIBITS THE LANDFILL DISPOSAL OF COMMERCIAL- DERIVED FOOD WASTE GENERATED WITHIN THE REGION.

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Date: July 19, 2018

Prepared by: Jennifer Erickson, 503-797-1647

### **BACKGROUND**

Metro's Solid Waste Roadmap is a work program consisting of six interrelated projects that will help define the region's solid waste system in the future. The purpose of the Food Scraps Capacity Development work, one of the six projects, is to develop alternatives for answering the question of what actions should Metro take to accelerate recovery of food scraps and ensure there is adequate and proximate capacity to transfer and process food scraps collected from the region's residents and businesses.

This effort is ultimately intended to help ensure the region has a sustainable food scraps recovery system: one that generates enough high quality material to make processing facilities economically viable, has an adequate transfer system, and has enough stable processing capacity to allow growth in the collection of food scraps from the region over time.

Food is the single largest component of the region's disposed waste. This factor and the environmental benefits of recovering food are the reasons it is identified as a primary material for recovery within the region's Regional Solid Waste Management Plan. More than half of the food disposed in the Metro region is from businesses.

In 2017, the Metro Council confirmed its desire to accelerate the region's recovery of food scraps and its wish to process those food scraps in or as close to the region as possible.

To that end, Ordinance No. 18-1418 and associated administrative rules were crafted over a twelve-month period by Metro staff from Property and Environmental Services, the Council Office and the Office of Metro Attorney, along with representatives from Beaverton, Clackamas County, Gresham, Portland, Washington County, and Oregon DEQ. The policy requires local governments within the region to adopt a mechanism for requiring separation of food scraps by certain business types.

In order to strengthen the required collection program, this Resolution for Council consideration conveys an intent to implement a food scraps disposal prohibition, beginning no earlier than January 2025, based on an assessment of implementation progress of the required food waste separation policy. This resolution is presented concurrently with the business food waste separation requirement ordinance to demonstrate Metro's commitment to maximizing commercial food waste recovery.

### **ANALYSIS/INFORMATION**

Research from around the country has demonstrated that the effectiveness of collection programs is increased when businesses understand that a prohibition on disposal is forthcoming. Metro's commitment to maximizing recovery by signaling the intent to restrict disposal strengthens program

messaging and assists local governments with the implementation of required collection programs, waste prevention and donation.

This resolution allows Metro the flexibility to develop policy reflective of the required collection program's performance. If the program is meeting collection benchmarks, staff may recommend that a disposal prohibition implementation is delayed or not necessary until such time as the program is no longer meeting regional goals.

1. **Known Opposition** none.
2. **Legal Antecedents** Metro Charter Chapter II, Sections 4 and 6; Oregon Revised Statutes Chapter 268, Section 317; Oregon Revised Statutes 459A.010; Metro Code Title V, Chapter 5.10.
3. **Anticipated Effects** Adoption of this resolution would direct staff to develop a policy and associated legislation for Council consideration no later than December 31, 2019.
4. **Budget Impacts** None.

#### **RECOMMENDED ACTION**

Staff recommends Metro Council adoption of Resolution No. 18-4864.