

# Memo




**Metro**

600 NE Grand Ave.  
Portland, OR 97232-2736

DATE: December 31, 2018

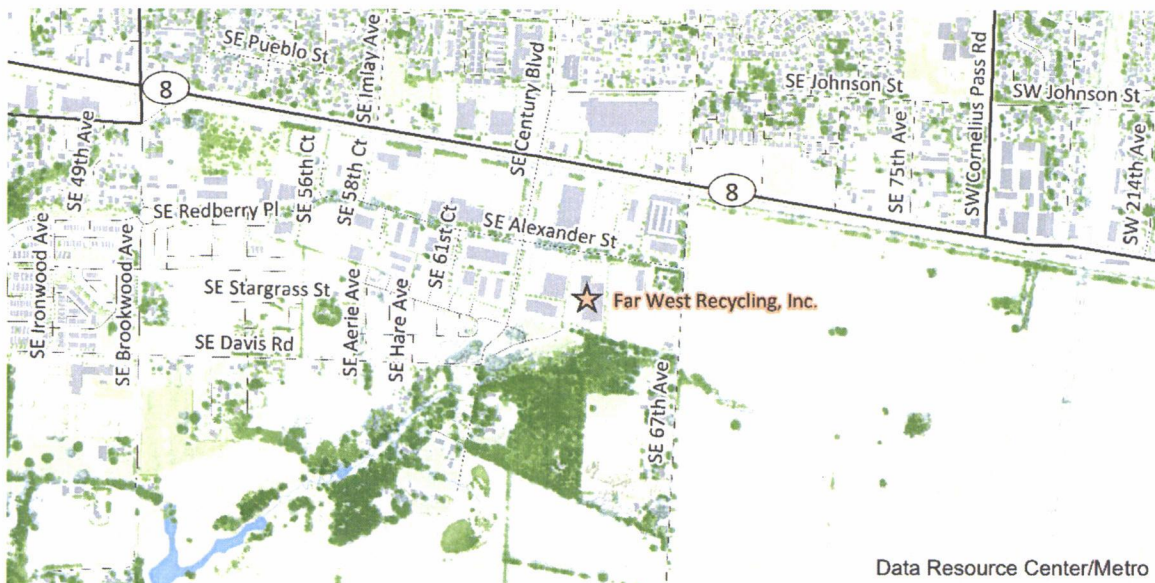
TO: Roy W. Brower, Solid Waste Information Compliance and Cleanup Manager

FROM: Will Ennis, Senior Solid Waste Planner 

RE: Issuance of new Solid Waste Facility License No. L-053-19 for Far West Recycling - Hillsboro

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Attached for your signature is new Solid Waste Facility License No. L-053-19 authorizing Far West Recycling - Hillsboro (Far West Recycling) to receive and process source-separated recyclable materials at their facility located at 6440 SE Alexander Street in Hillsboro (Metro District 4). This memo provides background information on the applicant's request and recommends that Metro issue a new license to Far West Recycling to accept and process source-separated recyclable materials.



Data Resource Center/Metro

Far West Recycling is located at 6440 SE Alexander Street in Hillsboro

## BACKGROUND

Metro is tasked with planning, management, and oversight of the region's solid waste system, and has an obligation to the public to ensure the waste intended for reuse, recycling and other purposes is handled properly and sent to appropriate markets, and that all other waste is safely managed and disposed.

Historically, Metro Code exempted from licensing certain material recovery facilities that exclusively receive non-putrescible source-separated recyclable materials that are collected through a curbside residential or commercial collection program. However, it was determined that collection methods, material composition, and market conditions for source-separated recyclable materials changed significantly since Metro initially established that regulatory exemption. These significant changes

over the years have resulted in greater potential for material degradation at recovery facilities and adverse impacts on neighboring communities.

In December 2015, Metro's Solid Waste Alternatives Advisory Committee (SWAAC) commissioned a subcommittee to consider whether material recovery facilities that receive source-separated recyclable materials should be subject to Metro's licensing and inspection requirements similar to that of other solid waste facilities. SWAAC was also charged with identifying which licensing requirements were appropriate for such material recovery facilities.

The 15-member subcommittee, comprised of industry, local government, nonprofit, and general public representatives, held a series of meetings throughout 2016-17 and recommended that Metro establish regulatory requirements for material recovery facilities that receive and process source-separated recyclable materials. The subcommittee's recommendation was subsequently endorsed by SWAAC.

In November 2017, Metro Council adopted Ordinance No. 17-1411 which amended Metro Code Chapter 5.01 (Solid Waste Facility Regulation) to establish licensing requirements for certain facilities that receive and process source-separated recyclable materials, and exempt certain conversion technology and specific material recycler facilities from licensing. Far West Recycling is one of six recycling facilities in the Metro region that are subject to the licensing requirements and must obtain Metro authority to operate by January 1, 2019.

#### THE APPLICANT



Far West Recycling is located at 6440 SE Alexander Street in Hillsboro

The applicant, Far West Recycling, is a locally owned and operated recycling facility located at 6440 SE Alexander Street in Hillsboro. The facility has operated in that location since 1999. The facility's parent company, Far West Fibers, also owns and operates a similar facility in Portland that is subject to the same authorization and operating requirements. Both facilities receive source-separated residential and commercial recyclables, including corrugated cardboard, plastics, metals, and electronics, for classification and baling for both domestic and international markets.



On August 23, 2018, Far West Recycling submitted a complete application to Metro requesting a new Solid Waste Facility License accompanied by a payment of \$300. The property on which the facility is located is zoned I-P (industrial park) by the city of Hillsboro and the proposed use is allowed by right in this zone according to the Land Use Compatibility Statement (LUCS) signed by a representative of the City.

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 September 17, 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 500 property owners, businesses and residents located within approximately one quarter of a mile from Far West Recycling's 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 October 17, 2018. Metro received four comments regarding the license application (see attached). The comments and the applicant's response are summarized below.

### *Summary on Written Public Comments on Application*

This section includes a summary of the written comments that Metro received during the public notice period, the applicant's response, and Metro staff's response to the corresponding comments.

1. Linda Clark, a user of the facility's public drop off depot, submitted a comment in support of the facility.
2. Paul Darrigan, Lynee Pestka and Ryan Whipple, neighbors of Far West Recycling, submitted three individual comments each stating concern with the volume of noise generated at the facility and the hours of the day during which it can be heard. Additionally, Ms. Pestka and Mr. Whipple expressed concern about past fires at the facility and visual blight.

Applicant response to comments: We are writing in response to the comments made to Metro during the recent public comment period. We appreciate the positive and critical feedback from our neighbors and are conscious of our impacts on the surrounding area.

When we established our recycling facility in 1999 there were no immediate neighbors to the south of the building. However, we are aware that with the addition of homes in such close proximity to our facility there are new considerations when trying to be a good neighbor. We have made changes throughout the years, mechanically and operationally to reduce our impact. For example, we have made mechanical changes such as switching our front loader back up alarms from beepers to white noise generators. Operationally, we have restricted outdoor operations during non-peak hours to limit the sounds of loading and unloading recyclable materials. We do process recyclable

materials 24 hours a day and often on the weekend, but try to limit outdoor activity during the non-peak hours.

In response to the recent comments, we have reminded our employees and customers of the restrictions regarding loading or unloading materials overnight or very early in the morning. We have also replaced the damaged panels on the back of our building to improve the cosmetics of the building. It is our intention to be a good neighbor and continue to help recover recyclable materials. Again, we appreciate both the positive and critical comments. We encourage productive dialog for opportunities to improve.

Metro staff response to comments: Metro relies on the city of Hillsboro to enforce the City's Municipal Code regarding noise. Metro intends to work with the City's Code Enforcement staff to ensure compliance with Hillsboro Municipal Code. The proposed license includes requirements for controlling and minimizing nuisance conditions including noise.

## **METRO CODE REQUIREMENTS**

Metro Code states that an applicant seeking to obtain a solid waste facility license must participate in a pre-application conference with Metro before submitting an application. Far West Recycling participated in a pre-application conference with Metro on July 10, 2018. Far West Recycling subsequently submitted to Metro a complete license application and the appropriate application fee of \$300. The application was deemed complete on August 28, 2018.

### **5.01.070 Applications for Licenses**

A license application must also include the following information:

- 1) *Proof that the applicant can obtain the types of insurance specified by the Chief Operating Officer during the license term;*

Far West Recycling has provided documentation demonstrating that it has met Metro's insurance requirements.

- 2) *A copy of all applications for necessary DEQ permits, any other information required by or submitted to DEQ, and a copy of any DEQ permits;*

Far West Recycling has provided copies of all necessary information and permits required by DEQ.<sup>1</sup>

- 3) *A copy of any closure plan that DEQ requires, including documents demonstrating financial assurance for the costs of closure. If DEQ does not require a closure plan, the applicant must provide a closure document describing closure protocol for the solid waste facility at any point in its active life;*

Far West Recycling has provided the necessary closure plan.

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<sup>1</sup> DEQ NPDES Stormwater Discharge Permit (1200-Z)

- 4) *Signed consent by the property owner(s) agreeing to the proposed property use. The consent must also disclose the applicant's property interest and the duration of that interest. The consent must include a statement that the property owner(s) have read and agree to be bound by the provisions of Section 5.01.320(f) if Metro revokes the license or refuses any license renewal;*

The applicant is the sole owner of the property on which the facility is located.

- 5) *Proof that the applicant has received proper land use approval; or, if the applicant has not obtained land use approval, then a written recommendation of the planning director of the local governmental unit having land use jurisdiction regarding new or existing disposal sites, or alterations, expansions, improvements or changes in the method or type of disposal at new or existing disposal sites. The recommendation may include, but is not limited to, a statement of compatibility of the site, the solid waste disposal facility located thereon and the proposed operation with the acknowledged local comprehensive plan and zoning requirements or with the statewide planning goals of the Land Conservation and development Commission;*

Far West Recycling provided a copy of a LUCS signed by a representative of the city of Hillsboro stating that the proposed use of the site is allowed outright. Far West Recycling has provided the necessary land use approval.

- 6) *Any current permit and a list of anticipated permits that a governmental agency may require. If the applicant has previously applied for a permit, the applicant must provide a copy of that permit application and any permit that any other government agency granted.*

Far West Recycling has provided copies of all necessary permits.

#### **STAFF RECOMMENDATION**

Staff recommends issuing new Solid Waste Facility License No. L-053-19 to Far West Recycling authorizing it to accept and process source-separated recyclable materials. The proposed license becomes effective on January 1, 2019, and expires on September 30, 2023. A copy of the proposed license is attached for your signature.

ATTACHMENT  
WE:bjl



**From:** Metro Solid Waste Compliance  
**To:**  
**Subject:** RE: Recycling licence  
**Date:** Wednesday, October 03, 2018 12:15:00 PM

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Thank you for the clarification.

\*Hila

**Hila Ritter**

Solid Waste Authorization Coordinator  
Property and Environmental Services

*My gender pronouns: she, her, hers.*

Metro | oregonmetro.gov  
600 NE Grand Ave.  
Portland, OR 97232-2736  
503-797-1862

**From:** **Sent:** Tuesday, October 02, 2018 7:28 PM  
**To:** Metro Solid Waste Compliance <SWICC@oregonmetro.gov>  
**Subject:** Re: Recycling licence

**They are probably both good but I was referring to the one in Hillsboro. We need to keep it.**

On Tue, 2 Oct 2018 19:18:35 +0000 Metro Solid Waste Compliance  
<SWICC@oregonmetro.gov> writes:

Hello,

Thank you for this comment, it will be recorded. Metro will formally respond to comments at the close of the comment period in the staff report, which will be available on the [website](#).

Can you please clarify which Far West facility you are referring to (or both if appropriate): NE Portland or Hillsboro?

Thanks,

\*Hila

**Hila Ritter**

Solid Waste Authorization Coordinator  
Property and Environmental Services

*My gender pronouns: she, her, hers.*

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600 NE Grand Ave.  
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503-797-1862

**From:**

**Sent:** Monday, October 01, 2018 7:06 PM

**To:** Metro Solid Waste Compliance <[SWICC@oregonmetro.gov](mailto:SWICC@oregonmetro.gov)>

**Subject:** Recycling licence

We have been using Far West for our recycling for many years. Please give them the licence.  
It would be a huge lost to the community if they were not available.

**From:** Metro Solid Waste Compliance  
**To:**  
**Subject:** RE:  
**Date:** Tuesday, October 16, 2018 1:46:00 PM

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Hello,

Thank you for this comment, it will be recorded. Metro will formally respond to comments at the close of the comment period in the staff report, which will be available on the [website](#).

Thanks,  
\*Hila

**Hila Ritter**

Solid Waste Authorization Coordinator  
Property and Environmental Services

*My gender pronouns: she, her, hers.*

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600 NE Grand Ave.  
Portland, OR 97232-2736  
503-797-1862

**From:**  
**Sent:** Tuesday, October 16, 2018 12:31 PM  
**To:** Metro Solid Waste Compliance <[SWICC@oregonmetro.gov](mailto:SWICC@oregonmetro.gov)>  
**Subject:**

The Far West Recycle Center located on 6440 SE Alexander St, Hillsboro, OR 97123 appears to run nonstop and maybe even 24hrs with complete disregard of the noise ordinance.

Enforcement has been called on several occasions however they seem to conduct a test against time which makes no sense.

It is amazing considering any gathering with enforcement called on them would be required to shut down sighting the sound ordinance with a single instance.

It is unfortunate this was improperly handled as Far West Recycle Center probably realize they are now under a microscope.

I would recommend not granting a permit due to the influx of more residences currently under construction and projected plus existing residences in the immediate area.

A Concerned Neighbor



**From:**  
**To:** Metro Solid Waste Compliance  
**Subject:** Re: Far west recycling center  
**Date:** Wednesday, October 17, 2018 11:06:40 AM

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Thank you for the response. I have quite a bit of video recorded at night. Please let me know if that would be of value to you in the process.

Sent from my iPhone

On Oct 17, 2018, at 11:02 AM, Metro Solid Waste Compliance <[SWICC@oregonmetro.gov](mailto:SWICC@oregonmetro.gov)> wrote:

Hello,

Thank you for this comment, it will be recorded. I also received the short video clip (approximately 33 seconds) in which I could hear rattling glass and then loud hammering or banging. Metro will formally respond to comments at the close of the comment period in the staff report, which will be available on the [website](#).

Thanks,  
\*Hila

Hila Ritter  
Solid Waste Authorization Coordinator  
Property and Environmental Services  
My gender pronouns: she, her, hers.  
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503-797-1862

-----Original Message-----

From:  
Sent: Tuesday, October 16, 2018 1:53 PM  
To: Metro Solid Waste Compliance <[SWICC@oregonmetro.gov](mailto:SWICC@oregonmetro.gov)>  
Subject: Far west recycling center

I've lived on Imagine Way for 3 years directly behind Far west Recycling. While we knew the center was there we were not informed that they run 24 hours a day. They don't do this every day but almost always. They are very noisy in what they do. Trucks loading and unloading. Large booms as they drop large metal bins. Back up alarms go all night long. Horns blowing on large trucks. I've had to run white noise machines in every room and the vibrations through the floor can still be felt. I've complained

multiple times and have had no results. Or they might quiet down for a week or two then start right back up.

They have had several fires directly behind our homes because of the large piles of recyclables they stack in the back. We only have an ordinary wood fence between our neighborhood and the center. No noise abatement, no view blockage. They seem to be able to do whatever they want even though they violate the noise ordinance constantly. One time I was told that because the sound wasn't constant, that it wasn't a problem. One officer told me he would never have bought a home here. Really?? That's the answer? They have made no attempt at being a good neighbor. They often have the phone lines on the loudspeaker so we know when their lines are ringing and they will frequently page people over that same speaker. It's a very big problem. It would be like someone standing in front of your home with a loud air horn and randomly blowing it at all hours of the day and night.

I'm not trying to get them shut down but they should not be allowed to violate the City of Hillsboro noise ordinances at night. They should also be required to put up some kind of a barrier to this neighborhood or the City should. The City of Hillsboro knew all this when they approved a neighborhood to be built on this location. It should not be our problem.

I've attached a short video that I took right now by just walking out my front door.

**From:** Metro Solid Waste Compliance  
**To:**  
**Subject:** RE: Far West Recycling  
**Date:** Wednesday, October 17, 2018 12:04:00 PM

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Hello,

Thank you for this comment with 2 images attached, they will be recorded. Metro will formally respond to comments at the close of the comment period in the staff report, which will be available on the [website](#).

Thanks,  
\*Hila

**Hila Ritter**

Solid Waste Authorization Coordinator  
Property and Environmental Services

*My gender pronouns: she, her, hers.*

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600 NE Grand Ave.  
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503-797-1862

**From:**  
**Sent:** Wednesday, October 17, 2018 11:55 AM  
**To:** Metro Solid Waste Compliance <SWICC@oregonmetro.gov>  
**Subject:** Far West Recycling

Hi,

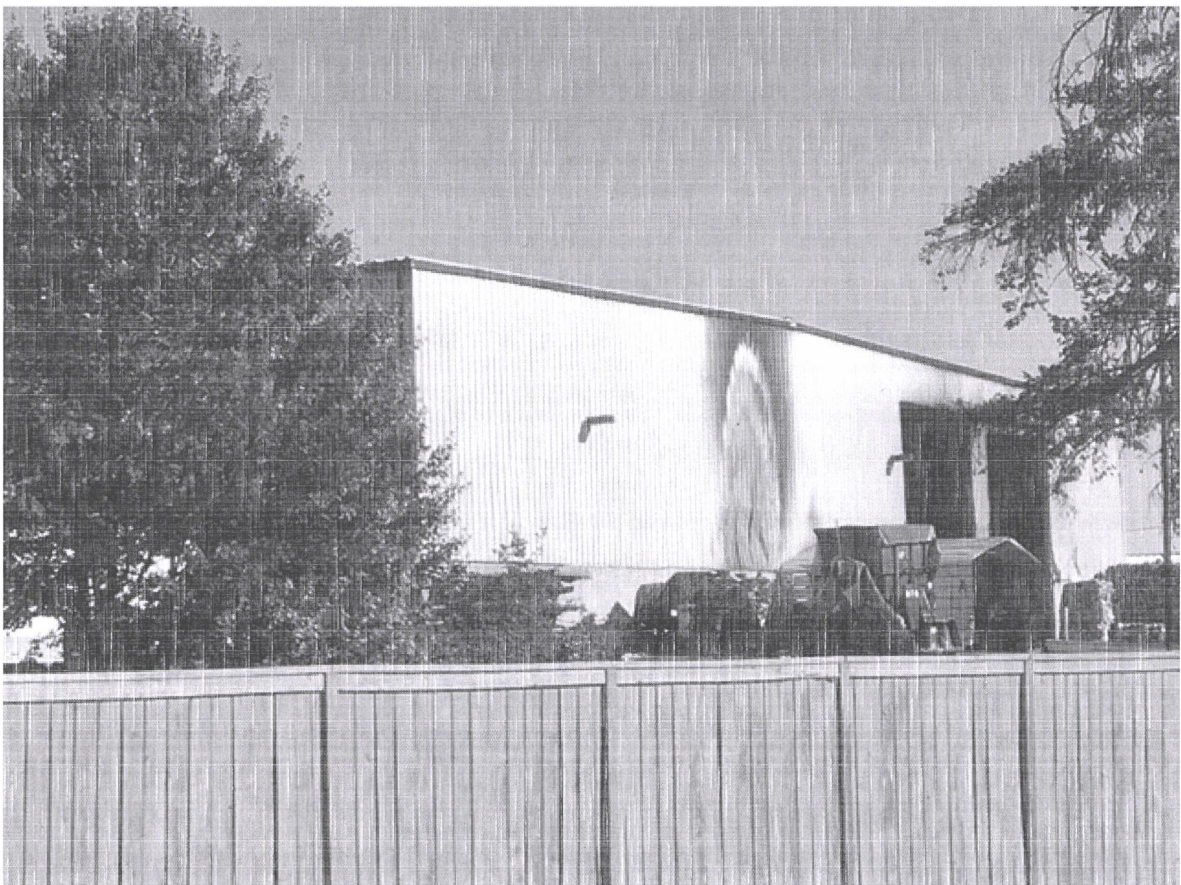
I am writing in regards to Far West Recycling and the new permit they are seeking. I have lived in the neighborhood (4 houses over) from Far West since Jan 2015. Since that time there have been 2 fires and frequent loud noises. I understand they need to do work during regular day hours, but there is often very loud noises coming in the middle of the night and weekends. It sounds like a ton of metal is being dropped!

Also, regarding one of the fires, it caused damage to the back of their building which is an eyesore for our neighborhood to see constantly, but has yet to be fixed (please see attached pics).

Finally, as an idea, could they be required to plant trees in the area from our neighborhood wood fence to their fence? There is an open dirt area (see attach pic) that would be great to have trees planted. This would help with noise and also hide their messy grounds.

Thank you,







## Hila Ritter

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**From:** Vinod Singh <vsingh@farwestrecycling.com>  
**Sent:** Thursday, November 29, 2018 11:45 AM  
**To:** Hila Ritter  
**Subject:** RE: Public Comments Received Re: Solid Waste License Application (Hillsboro)

Hi Hila, here is our response.

To interested parties,

We are writing in response to the comments made to Metro during the recent public comment period. We appreciate the positive and critical feedback from our neighbors and are conscious of our impacts on the surrounding area.

When we established our recycling facility in 1999 there were no immediate neighbors to the south of the building. However, we are aware that with the addition of homes in such close proximity to our facility there are new considerations when trying to be a good neighbor. We have made changes throughout the years, mechanically and operationally to reduce our impact. For example, we have made mechanical changes such as switching our front loader back up alarms from beepers to white noise generators. Operationally, we have restricted outdoor operations during non-peak hours to limit the sounds of loading and unloading recyclable materials. We do process recyclable materials 24 hours a day and often on the weekend, but try to limit outdoor activity during the non-peak hours.

In response to the recent comments, we have reminded our employees and customers of the restrictions regarding loading or unloading materials overnight or very early in the morning. We have also replaced the damaged panels on the back of our building to improve the cosmetics of the building. It is our intention to be a good neighbor and continue to help recover recyclable materials. Again, we appreciate both the positive and critical comments. We encourage productive dialog for opportunities to improve.

Thank you,

Far West Recycling

Vinod Singh  
Far West Recycling  
Office# 503-200-5014 ~ Cell# 503-572-2985 ~ Fax# 503-200-5426  
[www.farwestrecycling.com](http://www.farwestrecycling.com)

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**From:** Hila Ritter [mailto:Hila.Ritter@oregonmetro.gov]  
**Sent:** Wednesday, November 28, 2018 4:22 PM

**To:** Vinod Singh <vsingh@farwestrecycling.com>

**Subject:** RE: Public Comments Received Re: Solid Waste License Application (Hillsboro)

Hi Vinod,

I did not receive a response to public comments from you by November 9. A response is not required, I just want to confirm that FWR is not submitting a response, correct?

Please let me know if you would like to discuss further.

Thanks,

\*Hila

**Hila Ritter**

Solid Waste Authorization Coordinator  
Property and Environmental Services

*My gender pronouns: she, her, hers.*

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600 NE Grand Ave.  
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**From:** Vinod Singh [mailto:vsingh@farwestrecycling.com]

**Sent:** Wednesday, October 31, 2018 2:31 PM

**To:** Dan Blue <Dan.Blue@oregonmetro.gov>

**Cc:** Hila Ritter <Hila.Ritter@oregonmetro.gov>

**Subject:** RE: Public Comments Received Re: Solid Waste License Application (Hillsboro)

Yes, please send the videos.

Thanks,

Vinod Singh  
Far West Recycling  
Office# 503-200-5014 ~ Cell# 503-572-2985 ~ Fax# 503-200-5426  
[www.farwestrecycling.com](http://www.farwestrecycling.com)

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**From:** Dan Blue [mailto:Dan.Blue@oregonmetro.gov]

**Sent:** Wednesday, October 31, 2018 2:21 PM

**To:** Vinod Singh <vsingh@farwestrecycling.com>

**Cc:** Hila Ritter <Hila.Ritter@oregonmetro.gov>

**Subject:** Public Comments Received Re: Solid Waste License Application (Hillsboro)



Hello Vinod,

Attached are the 4 comments Metro received during the public comment period regarding the application Far West Recycling submitted to Metro for your Hillsboro facility. We have redacted names and contact information for these comments.

If you would like to respond to comments, please submit the response to Hila Ritter at your earliest convenience, or by November 9, 2018. Metro will include your response to comments in the staff report.

We also have three videos on file that were submitted along with the comments. If you would like copies of those videos, please let me know. They are focused on noise generated from the operation of your facility, and were filmed by a neighbor to the immediate South of your lot.

Please let me know if you have any questions. I will send a separate email with your Northeast facility comments.

Thanks,

Dan

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**Dan Blue**

Solid Waste Compliance Policy Specialist  
Property and Environmental Services  
[dan.blue@oregonmetro.gov](mailto:dan.blue@oregonmetro.gov)

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