

Summary and Detail of Proposed Changes

All tonnage allocation administrative rules are listed below. Rules with proposed changes are further described with a summary of the nature and purpose of the change followed by a table comparing the current and proposed language. In each table, the left column presents the current administrative rule with edits: purple strikethrough font represents language removed; red font represents new language. The right column presents the proposed final language with changes in bold black font.

5.01 – 1300 Definitions [No change]

5.01 – 1305 Effective Dates [No change]

5.01 – 1310 Transitional Putrescible Waste Tonnage Allocation Methodology [No change]

5.01 – 1315 Equal Share Calculation [No change]

5.01 – 1320 Goals-based Share Calculation

Added “Goal” to each goal in list. Added reference to standard forms for application process.

<p>5.01 – 1320 Goals-based Share Calculation Goals-based shares are determined as follows:</p> <ol style="list-style-type: none"> 1. Private transfer stations may choose to apply for goals-based tonnage for up to five COO-approved Regional Waste Plan (RWP) goals. <ol style="list-style-type: none"> a. Living Wages and Good Benefits (RWP Goal 3) b. Increase Diversity in Workforce (RWP Goal 4) c. Minimize Environmental Impacts (RWP Goal 12) d. Invest in Communities (RWP Goal 13) e. Affordable and Consistent Rates (RWP Goal 14) 	<p>5.01 – 1320 Goals-based Share Calculation Goals-based shares are determined as follows:</p> <ol style="list-style-type: none"> 1. Private transfer stations may choose to apply for goals-based tonnage for up to five COO-approved Regional Waste Plan (RWP) goals. <ol style="list-style-type: none"> a. Living Wages and Good Benefits (RWP Goal 3) b. Increase Diversity in Workforce (RWP Goal 4) c. Minimize Environmental Impacts (RWP Goal 12) d. Invest in Communities (RWP Goal 13) e. Affordable and Consistent Rates (RWP Goal 14)
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<p>2. To calculate the tonnage amount available per goal, Metro will calculate thirty percent of the Adjusted Regional Tonnage, divide that amount by the number of goals, and then divide each goal's share by the number of in-region, privately owned authorized transfer stations. This represents the amount of tonnage each transfer station may receive per goal, if it meets the criteria for that goal.</p> <p>3. A private transfer station may apply for goals-based tonnage by demonstrating to Metro that it has met the criteria necessary to receive one or more of its chosen goals-based allocations for the following calendar year.</p> <p>4. A transfer station must meet the reporting and implementation requirements of each goal in its application as set forth in administrative rule and by the date set by the Chief Operating Officer. An applicant for goal-based tonnage must file an application on the forms or in the format required by the Chief Operating Officer and as set forth in administrative rules. A transfer station must meet the reporting and implementation requirements of a criterion or criteria in order to qualify for the applicable goal-based tonnage.</p> <p>5. Metro may not allocate goals-based tonnage until it has reviewed and accepted the criteria evidence.</p> <p>Goals-based shares are not available to out-of-region transfer stations.</p>	<p>2. To calculate the tonnage amount available per goal, Metro will calculate thirty percent of the Adjusted Regional Tonnage, divide that amount by the number of goals, and then divide that amount by the number of in-region, privately owned authorized transfer stations. This represents the amount of tonnage each transfer station may receive per goal, if it meets the criteria for that goal.</p> <p>3. A private transfer station may apply for goals-based tonnage by demonstrating to Metro that it has met the criteria necessary to receive one or more of its chosen goals-based allocations for the following calendar year.</p> <p>4. An applicant for goal-based tonnage must file an application on the forms or in the format required by the Chief Operating Officer and as set forth in administrative rules. A transfer station must meet the reporting and implementation requirements of a criterion or criteria in order to qualify for the applicable goal-based tonnage.</p> <p>5. Metro may not allocate goals-based tonnage until it has reviewed and accepted the criteria evidence.</p> <p>Goals-based shares are not available to out-of-region transfer stations.</p>
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5.01 – 1325 Determining Transfer Station Allocation for In-Region Stations [No change]

Note: This comment period is limited to the Administrative rules with proposed changes (highlighted in bold).

5.01 – 1330 Determining Transfer Station Allocation for Out-of-Region Stations

Removed reference to 2021.

5.01 – 1330 Determining Transfer Station Annual Allocations for Out-of-Region Stations

The ~~2021~~ transfer station allocation for each out-of-region transfer station is its Equal Share amount.

5.01 – 1330 Determining Transfer Station Annual Allocations for Out-of-Region Stations

The transfer station allocation for each out-of-region transfer station is its Equal Share amount.

5.01 – 1335 Conditions and Adjustments [No change]

5.01 – 1340 Criteria for “Living Wages and Good Benefits” Goal

Added “regardless of plan selected” and reworded for clarity.

5.01 – 1340 Criterion for “Living Wages and Good Benefits” Goal

To qualify for this goal, a transfer station must either have a union negotiated salary and benefits contract in place that applies to the lowest paid workers or do each of the following:

1. Pay no less than \$17.50 per hour to any employee who supports transfer station activities,
2. For employees receiving a wage less than \$20.70 per hour, provide employer-paid medical insurance benefits that ~~are~~ either:
 - a. **Are equivalent to** at least \$3.20 per hour; OR
 - b. ~~pay employees’ medical insurance premiums at 100%,~~ **Cover 100% of employees’ medical insurance premiums regardless of the plan selected by the employee, AND**
3. Maintain the benefits it offers to any of its employees until at least December 31, ~~2022~~.

5.01 – 1340 Criteria for “Living Wages and Good Benefits” Goal

To qualify for this goal, a transfer station must either have a union negotiated salary and benefits contract in place that applies to the lowest paid workers or do each of the following:

1. Pay no less than \$17.50 per hour to any employee who supports transfer station activities,
2. For employees receiving a wage less than \$20.70 per hour, provide employer-paid medical insurance benefits that either:
 - a. **Are equivalent to** at least \$3.20 per hour; OR
 - b. **Cover 100% of employees’ medical insurance premiums regardless of the plan selected by the employee, AND**
3. Maintain the benefits it offers to any of its employees until at least December **31**.

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5.01 – 1345 Reporting and Implementation for “Living Wages and Good Benefits” Goal

Removed references to 2022. Under 4b. added “employer offers at least one medical insurance plan that covers 100% of the employees’ medical insurance premiums for all types of individual and family coverage levels.” Item 6 split into items 6 and 7. Reworded throughout for clarity.

<p>5.01 – 1345 Reporting and Implementation for “Living Wages and Good Benefits” Goal</p> <ol style="list-style-type: none"> 1. By the date of application for goals-based tonnage, a transfer station must provide written notice to Metro certifying that the lowest base wage paid to any employee as of the date of application that supports the transfer station’s operations meets or exceeds the thresholds established in Rule 5.01-1340. 2. The notification in subsection (1) must list the dollar amount of the lowest hourly base wage paid at the transfer station and the position titles and number of employees who receive that lowest base wage. 3. The notification in subsection (1) must state that the transfer station will pay no less than that wage for twelve consecutive months beginning January 1, 2022, and no employee benefits will be reduced until at least December 31, 2022. 4. For employees earning less than \$20.70 per hour, transfer stations must also provide written notice to Metro of at least one of the following: 	<p>5.01 – 1345 Reporting and Implementation for “Living Wages and Good Benefits” Goal</p> <ol style="list-style-type: none"> 1. By the date of application for goals-based tonnage, a transfer station must certify to Metro that as of the date of application the lowest base wage paid to any employee that supports the transfer station’s operations meets or exceeds the thresholds established in Rule 5.01-1340. 2. The notification in subsection (1) must list the dollar amount of the lowest hourly base wage paid at the transfer station and the position titles and number of employees who receive that lowest base wage. 3. The notification in subsection (1) must state that the transfer station will pay no less than that wage for twelve consecutive months beginning January 1, and no employee benefits will be reduced until at least December 31. 4. For employees earning less than \$20.70 per hour, transfer stations must also provide written notice to Metro of at least one of the following: <ol style="list-style-type: none"> a. the employer-paid medical benefits are at least \$3.20 per hour, OR
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<p>a. the employer-paid medical benefits are at least \$3.20 per hour, OR</p> <p>b. the medical benefits include primary and emergency care and the employer pays 100% of the employees' medical insurance premiums offers at least one medical insurance plan that covers 100% of the employees' medical insurance premiums for all types of individual and family coverage levels.</p> <p>5. The notification in subsection (4) must describe the medical benefits offered to employees earning less than \$20.70 per hour including, but not limited to, the dollar amount of the annual insurance premiums of the medical insurance plans offered to those employees, the dollar amount that the employer contributes towards the annual insurance premiums, and whether the medical benefits include primary and emergency care.</p> <p>6. Instead of the options in subsection (4), a transfer station may raise those employees' wages to \$20.70 per hour, which is the sum of the \$17.50 per hour wage floor and the \$3.20 per hour in minimum employer-paid medical benefits.</p> <p>7. <i>[separated from 6 above]</i> The medical insurance plans in subsection (4) must be available to the lowest paid employees and include options to cover spouses and children.</p> <p>8. If the employer offers employer-paid medical insurance benefits equivalent to at least \$3.20 per hour, but one</p>	<p>b. the medical benefits include primary and emergency care and the employer offers at least one medical insurance plan that covers 100% of the employees' medical insurance premiums for all types of individual and family coverage levels.</p> <p>5. The notification in subsection (4) must describe the medical benefits offered to employees earning less than \$20.70 per hour including, but not limited to, the dollar amount of the annual insurance premiums of the medical insurance plans offered to those employees, the dollar amount that the employer contributes towards the annual insurance premiums, and whether the medical benefits include primary and emergency care.</p> <p>6. Instead of the options in subsection (4), a transfer station may raise those employees' wages to \$20.70 per hour.</p> <p>7. The medical insurance plans in subsection (4) must be available to the lowest paid employees and include options to cover spouses and children.</p> <p>8. If the employer offers employer-paid medical insurance benefits equivalent to at least \$3.20 per hour, but one or more employees decline the benefits, then the private transfer station meets the criterion in subsection (4).</p> <p>9. Transfer stations must also describe the methods used to clearly inform and advertise to employees the medical plans available to them and the associated costs to employees of each plan, and certify that the transfer station</p>
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<p>or more employees decline the benefits, then the private transfer station meets the criterion in subsection (4).</p> <p>9. Transfer stations must also provide written notice to Metro describing the methods used to clearly inform and advertise to employees the medical plans available to them and the associated costs to employees of each plan, and certify that the transfer station will not discourage any employee from taking advantage of the benefits available to that employee.</p>	<p>will not discourage any employee from taking advantage of the benefits available to that employee.</p>
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5.01 – 1350 Criteria for “Increase Diversity in Workforce” Goal [No change]

5.01 – 1352 Reporting and Implementation for “Increase Diversity in Workforce” Goal

Added “for all individuals who support putrescible waste transfer station operations or make decisions about local facilities’ operations and investments.” Added reporting of position title and line of work.

<p>5.01 – 1352 Reporting and Implementation for “Increase Diversity in Workforce” Goal</p> <p>1. A transfer station must complete a reporting form provided by Metro that specifies provide the following characteristics for each position that supports the operations of that facility, by title:</p> <ol style="list-style-type: none"> a. Gender b. Race and Ethnicity c. Full-time or part-time position d. Status: Regular or temporary employee e. Position title f. Supervisor or lead worker 	<p>5.01 – 1352 Reporting and Implementation for “Increase Diversity in Workforce” Goal</p> <p>1. A transfer station must provide the following characteristics for all individuals who support putrescible waste transfer station operations or make decisions about local facilities’ operations and investments:</p> <ol style="list-style-type: none"> a. Gender b. Race and Ethnicity c. Full-time or part-time position d. Status: Regular or temporary employee e. Position title
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<p>g. Years Length of service with the company</p> <p>h. Line of work (putrescible waste only, putrescible and non-putrescible, collection)</p> <p>2. The report must include all paid part-time, temporary, front line and managerial positions.</p>	<p>f. Supervisor or lead worker</p> <p>g. Length of service with the company</p> <p>h. Line of work (putrescible waste only, putrescible and non-putrescible, collection)</p> <p>2. The report must include all paid part-time, temporary, front line and managerial positions.</p>
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5.01 – 1355 Criteria for “Minimize Environmental Impacts” Goal [No change]

5.01 – 1357 Reporting and Implementation for “Minimize Environmental Impacts” Goal

Reorganized language for simplicity and clarity. Offers certification in lieu of providing a fuel contract. Reduces requirements to provide other documentation and invoices. Moved definitions of “low emissions fuel,” “main pieces of equipment,” and “emissions control device” into items 4-6.

<p>5.01 – 1357 Reporting and Implementation for “Minimize Environmental Impacts” Goal</p> <p>1. If a transfer station chooses Option 1 in Rule 5.01-1355, then by the time of application for goals-based tonnage, it must complete the following three actions:</p> <p>a. Demonstrate or certify that 25 percent or more of the transfer station’s main pieces of non-road/rolling stock equipment use a low emissions fuel; and</p> <p>b. Provide Metro with the total pieces of rolling stock equipment in routine operation or maintenance at the transfer station; and</p> <p>c. Provide to Metro the following information about at least 25% of the non-road equipment:</p> <ul style="list-style-type: none"> • Equipment type (for example: wheel loader, skid-steer loader, forklift, dozer, excavator, yard goat) 	<p>5.01 – 1357 Reporting and Implementation for “Minimize Environmental Impacts” Goal</p> <p>1. If a transfer station chooses Option 1 in Rule 5.01-1355, then by the time of application for goals-based tonnage, it must demonstrate that 25 percent or more of the transfer station’s main pieces of non-road/rolling stock equipment use a low emissions fuel.</p> <p>2. If a transfer station chooses Option 2 in Rule 5.01-1355, then by the date of application for goals-based tonnage, it must:</p> <ul style="list-style-type: none"> a. Demonstrate that for long-haul disposal transport operations, the transfer station has committed to the exclusive use of R99 renewable diesel or another blend of renewable diesel with a carbon intensity score of less than 60 grams of carbon
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- ~~Fuel type (for example: electricity, renewable diesel, renewable propane, compressed natural gas, liquefied natural gas, B20 biodiesel)~~
- ~~Fuel producer/electric utility company~~
- ~~Fuel carbon intensity value (in gCO₂e/MJ)~~
- ~~Fuel pathway code approved by the Oregon Department of Environmental Quality (DEQ)~~
- ~~Equipment manufacturer/make and model~~
- ~~Equipment model year~~
- ~~Engine manufacturer/make and model~~
- ~~Engine model year~~
- **Engine family number**

demonstrate that 25 percent or more of the transfer station's main pieces of non-road/rolling stock equipment use a low emissions fuel.

2. If a transfer station chooses Option 2 in Rule 5.01-1355, then by the date of application for goals-based tonnage, it must ~~complete the following three actions:~~
 - a. Demonstrate that ~~the transfer station's long-haul disposal transport contract specifies the use of R99-renewable diesel or another blend of renewable diesel with a carbon intensity score below 59 grams of carbon dioxide equivalent per megajoule (gCO₂e per MJ), based on the most recent DEQ data~~ for long-haul disposal transport operations, the transfer station has committed to the exclusive use of R99 renewable diesel or another blend of renewable diesel with a carbon

dioxide equivalent per megajoule (gCO₂e per MJ), by either:

- i. **Providing Metro a copy of the contractual agreement that specifies that R99 renewable diesel or another blend of renewable diesel with a carbon intensity value of less than 60 gCO₂e per MJ is the primary fuel used in transporting waste during the duration of the contract, but at least between January 1 and December 31 of the year in which the goals-based tonnage allocations will be in effect, except under special circumstances such as lack of or interruptions in the supply of renewable diesel; OR**
 - ii. **Certifying that the transfer station will use R99 renewable diesel or another blend of renewable diesel with a carbon intensity value of less than 60 gCO₂e per MJ as the primary fuel in long-haul transport of waste during the year in which the goals-based tonnage allocations will be in effect, except under special circumstances such as lack of or interruptions in the supply of renewable diesel, and that the transfer station agrees to provide to Metro copies of paid invoices or receipts for all fuel purchases on request.**
- b. **Identify the following for all long-haul disposal transport operations:**

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intensity score of less than 60 grams of carbon dioxide equivalent per megajoule (gCO_{2e}per MJ) by either:

- i. Providing Metro a copy of the contractual agreement that specifies that R99 renewable diesel or another blend of renewable diesel with a carbon intensity value of less than 60 gCO_{2e} per MJ is the primary fuel used in transporting waste during the duration of the contract, but at least between January 1 and December 31 of the year in which the goals-based tonnage allocations will be in effect, except under special circumstances such as lack of or interruptions in the supply of renewable diesel; OR
 - ii. Certifying that the transfer station will use R99 renewable diesel or another blend of renewable diesel with a carbon intensity value of less than 60 gCO_{2e} per MJ as the primary fuel in long-haul transport of waste during the year in which the goals-based tonnage allocations will be in effect, except under special circumstances such as lack of or interruptions in the supply of renewable diesel, and that the transfer station agrees to provide to Metro copies of paid invoices or receipts for all fuel purchases.
- ~~b. Provide Metro a copy of the contractual agreement to use R99 or another blend of renewable diesel with a carbon intensity value less than 60 grams of carbon dioxide equivalent per megajoule (gCO_{2e}/MJ); and~~

- **Estimated quantity of renewable diesel to be purchased between January 1 and December 31 of the year in which the goals-based tonnage allocations will be in effect**
 - Fuel type (for example: R99)
 - Fuel **seller's** name, and
 - **For renewable diesel blends other than R99, the fuel carbon intensity value (in gCO_{2e}/MJ) or, in cases in which multiple renewable diesel feedstocks are used in the blend, the average carbon intensity value of the blend calculated within the last two years prior to the time of application for goals-based tonnage allocations.**
3. If a transfer station chooses Option 3 in Rule 5.01-1355, then by the date of application for goals-based tonnage, it must **demonstrate that 25 percent of the transfer station's main pieces of non-road equipment meet Tier 4 federal emission standards for diesel engines or are retrofitted with emission control devices, or have engines powered by electricity, regular or renewable propane, compressed or renewable natural gas, liquefied or renewable petroleum gas, or hydrogen. A transfer station may meet the 25% threshold above with a mix of Tier 4 equipment and equipment retrofitted with emission control devices.**
 4. **For the purposes of this rule, "low emissions fuel" is defined as electricity or any fuel that serves as an**

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Identify the following for all long-haul disposal transport operations:

- ~~Estimated quantity of fuel renewable diesel to be purchased between January 1 and December 31 of the year in which the goals-based tonnage allocations will be in effect~~
- Fuel type (for example: R99)
- Fuel ~~producer~~ seller's name
- ~~Fuel carbon intensity value (in gCO₂e/MJ)~~
- ~~Fuel pathway code approved by the Oregon Department of Environmental Quality (DEQ)~~
- For renewable diesel blends other than R99, the fuel carbon intensity value (in gCO₂e/MJ) or, in cases in which multiple renewable diesel feedstocks are used in the blend, the average carbon intensity value of the blend calculated within the last two years prior to the time of application for goals-based tonnage allocations

3. If a transfer station chooses Option 3 in Rule 5.01-1355, then by the date of application for goals-based tonnage, it must ~~complete the following three actions:~~
 - a. ~~Demonstrate that 25 percent of non-road equipment regularly used in transfer station operations has an engine that meets Tier 4 federal emission standards or is retrofitted with an Emission Control Device, as defined below:~~
 - ~~Emission Control Device—Technology added to equipment to reduce harmful emissions; including-~~

alternative to gasoline or diesel with a carbon intensity value lower than the Oregon Clean Fuel Standards set in Oregon Administrative Rule (OAR) 340-253-8010 for the year when applications for goals-based tonnage are due, and using the list of fuel carbon intensity values published by the Oregon Department of Environmental Quality as of July 15 of the same year.

5. **For the purposes of this rule, “main pieces of equipment”** are defined as those used regularly in transfer station operations year-round and does not include backup equipment that is used only sporadically or only in the event that the main equipment fails.
6. **For the purposes of this rule, “emission control device” is defined as technology added to equipment to reduce harmful emissions; including diesel particulate filters (DPFs) and diesel oxidation catalysts (DOCs), where:**
 - a. **Diesel particulate filters are devices designed to trap diesel particulate matter above a certain size with a removal efficiency of at least 85 percent, AND**
 - b. **Diesel oxidation catalysts are flow-through devices designed to reduce harmful diesel emissions such as carbon monoxide, hydrocarbons and diesel particulate emissions, with a diesel particulate matter removal efficiency of at least 20 percent.**

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~~diesel particulate filters (DPF) and diesel oxidation catalysts (DOC).~~

- ~~• Diesel oxidation catalyst (DOC) — A flow-through device designed to reduce harmful diesel emissions such as carbon monoxide, hydrocarbons and diesel particulate emissions, with a diesel particulate-matter removal efficiency of at least 20%.~~
 - ~~• Diesel particulate filter (DPF) — A device designed to trap diesel particulate matter above a certain size with a removal efficiency of at least 85%; and~~
- ~~b. Provide Metro with the total number of pieces of non-road equipment in routine operation or maintenance at the transfer station; and~~
- ~~c. Provide Metro with an invoice or statement signed by the installer of the retrofit technology showing:~~
- ~~• The date when each Emission Control Device installation was performed~~
 - ~~• The type of Emission Control Device installed (for example: DOC or DPF)~~
 - ~~• The make, model and year of the engine on which the Emission Control Device was installed~~
 - ~~• The make, model and year of the piece of equipment on which the Emission Control Device was installed~~
- demonstrate that 25 percent of the transfer station's main pieces of non-road equipment meet Tier 4 federal emission standards for diesel engines or are retrofitted with emission control devices, or have engines powered by electricity, regular or renewable propane,

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compressed or renewable natural gas, liquefied or renewable petroleum gas, or hydrogen. A transfer station may meet the 25 percent threshold above with a mix of Tier 4 equipment and equipment retrofitted with emission control devices.

4. For the purposes of this rule, “low emissions fuel” is defined as electricity or any fuel that serves as an alternative to gasoline or diesel with a carbon intensity value lower than the Oregon Clean Fuel Standards set in Oregon Administrative Rule (OAR) 340-253-8010 for the year when applications for goals-based tonnage are due, and using the list of fuel carbon intensity values published by the Oregon Department of Environmental Quality as of July 15 of the same year.
5. For the purposes of this rule, “main pieces of equipment” are defined as those used regularly in transfer station operations year-round and does not include backup equipment that is used only sporadically or only in the event that the main equipment fails.
6. For the purposes of this rule, “emission control device” is defined as technology added to equipment to reduce harmful emissions; including diesel particulate filters (DPFs) and diesel oxidation catalysts (DOCs), where:
 - a. Diesel particulate filters are devices designed to trap diesel particulate matter above a certain size with a removal efficiency of at least 85 percent;
AND
 - b. Diesel oxidation catalysts are flow-through devices designed to reduce harmful diesel

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emissions such as carbon monoxide, hydrocarbons and diesel particulate emissions, with a diesel particulate matter removal efficiency of at least 20 percent.

5.01 – 1360 Criteria for “Invest in Communities” Goal

Added “Transfer stations that are authorized to perform material recovery onsite may alternatively choose” option b to align with goal intent of a making meaningful investment in the community.

5.01 – 1360 Criteria for “Invest in Communities” Goal

To qualify for this goal, a transfer station must ~~do one of the following:~~

- a. Collect and remit a supplemental community investment fee of \$0.50 per ton on all putrescible waste that the transfer station receives in addition to any community enhancement fee required under Metro Code; OR
- b. **Transfer stations that are authorized to perform material recovery onsite may alternatively choose to collect** Collect and remit a supplemental community investment fee of \$1.00 per ton on all types of waste received at the transfer station that are not otherwise subject to community enhancement fees.

5.01 – 1360 Criteria for “Invest in Communities” Goal

To qualify for this goal, a transfer station must:

- a. Collect and remit a supplemental community investment fee of \$0.50 per ton on all putrescible waste that the transfer station receives in addition to any community enhancement fee required under Metro Code; OR,
- b. **Transfer stations that are authorized to perform material recovery onsite may alternatively choose to collect and remit a supplemental community investment fee of \$1.00 per ton on all types of waste received at the transfer station that are not otherwise subject to community enhancement fees.**

5.01 – 1362 Reporting and Implementation for “Invest in Communities” Goal [No change]

5.01 – 1365 Criteria for “Affordable and Consistent Rates” Goal

Changed “total rate per ton inclusive of all fees and charges” to “a transfer station’s total charge (inclusive of the rate plus any additional fees and charges)” to clarify that the comparison applies to the total amount charged to a customer. Added “for an equivalent load” and removed “within the acceptable range.”

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5.01 – 1365 Criterion for “Affordable and Consistent Rates” Goal

To qualify for this goal, a transfer station’s total ~~rate per ton charge~~ (inclusive of ~~the rate plus any additional~~ fees and charges) ~~actually~~ charged to commercial customers must be no more than Metro’s garbage disposal fee ~~for an equivalent load~~ at the Metro public transfer stations. The rate must be effective no later than January 1 of the year for which allocations will take effect, and the transfer station ~~must maintain rates within the acceptable range~~ **charges must not exceed Metro’s garbage disposal fee for an equivalent load** for at least twelve consecutive months.

5.01 – 1365 Criterion for “Affordable and Consistent Rates” Goal

To qualify for this goal, a transfer station’s **total charge (inclusive of the rate plus any additional fees and charges) charged to commercial customers must be no more than Metro’s garbage disposal fee for an equivalent load at the Metro public transfer stations.** The rate must be effective no later than January 1 of the year for which allocations will take effect, and the transfer station **charges must not exceed Metro’s garbage disposal fee for an equivalent load** for at least twelve consecutive months.

5.01 – 1367 Reporting and Implementation for “Affordable and Consistent Rates” Goal

Changed “total rate per ton inclusive of all fees and charges” to “a transfer station’s total charge (inclusive of the rate plus any additional fees and charges)” for clarity. Specified Metro automated scalehouse transaction fee, equivalent load, on same date for calculation of comparison charge. Specified “This rate criterion applies to all commercial loads that are equal to or less than 12 tons in weight” because 95 percent of incoming commercial payloads are under 12 tons. Split item 2 into items 2 and 3 and added notification must be “at least 30 days in advance of any rate changes.”

5.01 – 1367 Reporting and Implementation for “Affordable and Consistent Rates” Goal

1. A transfer station’s ~~must charge a total charge commercial rate per ton~~ (inclusive of ~~the rate plus any additional~~ fees and charges) ~~that is~~ **must be no more than the total garbage disposal tip fee combined with the automated scalehouse transaction fee** charged at ~~a~~ Metro transfer stations ~~effective~~ **for the equivalent load effective on the same date during the**

5.01 – 1367 Reporting and Implementation for “Affordable and Consistent Rates” Goal

1. A transfer station’s **total charge (inclusive of the rate plus any additional fees and charges) must be no more than the total garbage disposal tip fee combined with the automated scalehouse transaction fee charged at a Metro transfer station for the equivalent load effective on the same date during the calendar year**

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<p>calendar year starting January 1. This rate criterion applies to all commercial loads that are less than or equal to 12 tons in weight.</p> <ol style="list-style-type: none"> 2. By the date of application, a transfer station must provide written notice to Metro of the total rate document the rate and all transaction or other fees that it will charge by customer and waste type for twelve consecutive months beginning as of January 1. 3. <i>[separated from 2 above]</i> The facility A transfer station must notify Metro in writing if it changes its rates during that calendar year. 4. A transfer station must provide Metro with a copy of any rate notifications it sends to its commercial customers and must post its rates at all public entrances in accordance with its franchise requirements. 5. A transfer station must report to Metro the actual amount it charged to each customer in the same manner as required under its franchise, Metro’s SWIS eFile data standard, or as otherwise prescribed by Metro. 	<p>starting January 1. This rate criterion applies to all commercial loads that are less than or equal to 12 tons in weight.</p> <ol style="list-style-type: none"> 2. By the date of application, a transfer station must document the rate and all transaction or other fees that it will charge by customer and waste type as of January 1. 3. A transfer station must notify Metro in writing at least 30 days in advance of any rate or fee changes during that calendar year. 4. A transfer station must provide Metro with a copy of any rate notifications it sends to its commercial customers and must post its rates at all public entrances in accordance with its franchise requirements. 5. A transfer station must report to Metro the actual amount it charged to each customer in the same manner as required under its franchise, Metro’s SWIS eFile data standard, or as otherwise prescribed by Metro.
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5.01 – 1370 Consequences of Failing to Maintain Criteria, Reporting or Implementation Requirements [No change]

5.01 – 1375 Appeal of Decision Regarding Failure to Qualify for Goals-based Tonnage [No change]

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