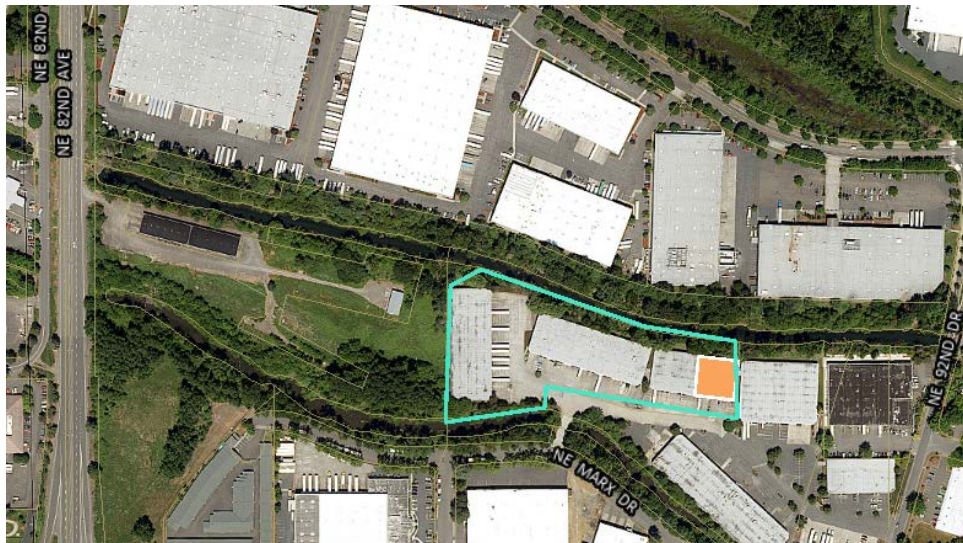




Memo

Date: April 22, 2024
To: Warren Johnson, Policy and Compliance Program Director
From: Joanna Dyer, Solid Waste Authorization Coordinator
Subject: Issuance of new Solid Waste Facility License No. L-200-24 for Ridwell, Inc.

Attached for your signature is new Solid Waste Facility License No. L-200-24 authorizing Ridwell, Inc. to receive and process source-separated recyclable materials and certain special wastes for the purpose of reuse or recycling at its facility located at 8933 NE Marx Dr., Suite C in Portland (Metro District 5). Ridwell is an existing Metro authorized solid waste facility and proposes to move its operations. Ridwell is required to obtain a new solid waste facility license prior to operating at its new location. This memo provides background information on the applicant's request and recommends that Metro issue the proposed license to Ridwell.



8933 NE Marx Dr. in Portland. Ridwell has leased the space highlighted in orange.

Under Metro Code Section 5.01.080, the proposed license is to be approved or denied by the Chief Operating Officer (COO). On August 7, 2023, the COO delegated to the Policy and Compliance Program Director (the Director) authority to carry out the COO's responsibilities under Metro Code Chapter 5.01 for approving or denying a solid waste facility license. As such, the Director is authorized to approve this proposed license.

BACKGROUND

Ridwell Inc., headquartered in Seattle, Washington, operates a Metro-licensed material recovery facility (No. L-196-22) located at 7006 NE 79th Court in Portland. Ridwell notified Metro of its proposal to move its operations to a new facility located at 8933 NE Marx Dr., Suite C in Portland which requires a new Metro license. Metro informed the applicant that it cannot begin operating at the new facility until the new authorization has been issued. If the new license is approved, Metro will terminate the current license (No. L-196-22) after a Metro solid waste facility inspector verifies that all solid waste has been removed from the current facility and the facility closure is complete.

The existing Ridwell facility receives source-separated recyclable materials, reusable materials, and certain special wastes (such as a batteries and lightbulbs) that are collected as part of Ridwell's subscription service. Ridwell provides doorstep collection of hard-to-recycle items including plastic film, multi-layer plastics, batteries, light bulbs, clothing, plastic clamshell takeout containers, Styrofoam, as well as a rotating category of reusable items such as handheld tools, bike accessories and holiday lights for the purpose of reuse or recycling. Generators source-separate items into cloth or plastic bags provided by Ridwell and place the bags into or near the Ridwell-provided doorstep bin on the day of collection.



Collection bags and bin provided to customers by Ridwell.



Ridwell Portland Warehouse - 8933 NE Marx Dr., Suite C, Portland

The collected materials are transported to the Ridwell Portland Warehouse, where they are sorted, screened for unacceptable waste and consolidated for transport to reuse and recycling markets. To minimize risk of fires and release of toxins due to breakage, special waste management plans approved by the Oregon Department of Environmental Quality (DEQ) are in place for household batteries, lightbulbs, and covered electronic devices as defined in ORS 459A.305. The facility has two balers in place to mechanically compact plastic film and other plastics for more efficient storage and transport. The facility then transports the recyclable materials to local and national markets or partner reuse organizations as identified on Ridwell's website at [Ridwell.com/transparency](https://www.ridwell.com/transparency). The facility separates any non-recyclable waste that it inadvertently receives and disposes it through standard commercial waste collection service in the city of Portland.

Operations will remain the same at the new proposed facility with the addition of one material. The facility intends to receive latex paint at the new facility for reload to MetroPaint or Habitat for Humanity. Ridwell has entered into a Memorandum of Understanding with Metro that defines the parameters of a one-year pilot project where Ridwell will collect sealed containers of used paint from its subscribers in the Metro region, consolidate the containers at the Ridwell facility and then transport the containers to MetroPaint's Swan Island facility for processing. Ridwell staff will not open any paint containers at any time. Paint is considered a special waste, and Ridwell is authorized in its current license to accept certain types of special waste. Staff proposes to add a provision to Section 3.4 that requires the facility to obtain Metro's approval via an updated operating plan, prior to receiving any new type of special waste. The operating plan Ridwell submitted as part of its application includes procedures for receiving and managing paint.

Ridwell Inc. was founded in Seattle, Washington in 2018. Ridwell launched its subscription service in Portland in December 2020 and began operating its current facility on NE 79th Court in February 2021. Ridwell has been licensed by Metro since April 2022. Ridwell holds a Solid Waste Disposal Site Permit (No. 1707) issued by DEQ and has applied for a new DEQ permit for the new facility.

On February 6, 2024, Ridwell submitted an application to Metro and paid the \$300 application fee for a new solid waste facility license for the proposed facility. The property is zoned General Employment 2 (EG2), and the proposed use is allowed outright in this zone by the City of Portland as indicated on the Land Use Compatibility Statement signed by a representative of the City. The application was deemed complete on February 22, 2024.

PUBLIC NOTICE AND OPPORTUNITY TO COMMENT

On March 14, 2024, Metro issued public notice and provided the public an opportunity to review and comment on the license application for 30 days. A description of the proposed facility and the license application was available on Metro's website. Interested parties could submit comments via an online form or leave a voicemail on a multi-language phone line. Postcards with information in six languages about the proposed license and comment period were mailed to 113 businesses, residents and owners of properties located within approximately one-quarter mile of the facility. Notice was also emailed to community-based organizations and neighborhood associations located in the vicinity of the facility and emailed to stakeholders with general interest in solid waste issues.

Metro received 22 comments during the public comment period all of which were submitted by the general public. Twenty-one comments expressed general support for Ridwell and the services it provides, and seven commenters self-identified as Ridwell customers. One comment expressed opposition to the facility license application. Staff identified four main themes within the comments as summarized below with Metro's response. Staff does not recommend any special license conditions based on the comments received. Ridwell responded to the comments with a brief statement of appreciation of the residents of the Portland region. All the comments received and Ridwell's response to the comments are attached to this memo.

Summary of Comments:

1. Support of Ridwell's collection service

Metro received several comments in support of Ridwell's collection service. These comments praised the convenience of Ridwell's service, the opportunity for reuse, and Ridwell's transparency about end markets of the materials collected.

Metro response: Metro thanks those who took time to provide comment.

2. The need to recycle more types of materials.

- Local jurisdictions, specifically Clackamas County and Gresham, should allow Ridwell to operate.
- Metro needs to figure out how to recycle more items because residents shouldn't have to pay for two services (curbside collection and Ridwell).
- Until Metro is able to accept and process more materials, alternatives like Ridwell should be encouraged.

Metro response: Metro sets minimum requirements for the recycling programs in cities and counties in the Metro region based on requirements in state law. Cities and counties regulate local collection services for recycling, yard debris, food waste and garbage in their respective jurisdictions. Each local government reviews and approves the collection services offered in their respective jurisdictions in accordance with its code and administrative rules.

These comments are outside of the scope of this application which is for the proposed Ridwell facility and not the collection services that Ridwell provides. However, Metro acknowledges that Oregon's

system of collection and processing recyclable materials was created decades ago – and it was not built for what is collected curbside today. The [Recycling Modernization Act](#) was passed by the Oregon State Legislature in 2021 and will go into effect July 2025. Metro is participating in the rulemaking process led by DEQ.

3. Ridwell’s services create more environmental burden than benefit; recycling has minimal impact against climate change.

Metro response: Metro follows state guidance to apply a lifecycle approach to managing waste and materials, which helps understand the relative benefits of recycling different types of materials in terms of reducing carbon emissions and other sources of pollution. Not all materials yield the same environmental benefits when recycled and the benefits of recycling are highest when recycling enables virgin materials to be replaced with recycled content. DEQ is leading a system-wide update that will modernize Oregon’s recycling system, and create environmental benefits while reducing social and environmental harms. Metro establishes criteria for solid waste facilities in the region, including Ridwell, to ensure that all solid waste generated in the region is managed in a manner that protects public health and safety and safeguards the environment.

4. The facility should install solar panels on the roof or nearby to address electrical needs of the facility.

Metro response: Solar panels or other alternative energy sources are not factors that Metro considers when evaluating solid waste facility license applications.

METRO CODE LICENSE REQUIREMENTS

Ridwell participated in a pre-application conference with Metro on February 12, 2024, and subsequently submitted to Metro a complete license application and the appropriate application fee of \$300, as required by Metro Code Chapter 5.01. The application was deemed complete on February 22, 2024.

Pursuant to Metro Code 5.01.070, a license application must 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;*

The applicant has provided documentation demonstrating that it meets 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;*

The applicant has submitted a copy of its application for a DEQ Solid Waste Disposal Site Permit. On February 28, 2024, DEQ opened a public comment period on a proposed permit for a transfer station/material recovery facility. A virtual public hearing was held on April 3, 2024. The public comment period closed on April 8, 2024. DEQ did not receive any comments during the public comment period. DEQ intends to issue Solid Waste Disposal Site Permit No. 1758 to Ridwell, with an expiration date of Feb. 16, 2032.

- (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;*

DEQ finds that the Ridwell Portland Warehouse is a low-risk facility based on the wastes accepted, collection, handling and storage procedures, and that the wastes are not deposited permanently at the site but are removed regularly. Therefore, DEQ finds the facility exempt from financial assurance requirements. The facility has included a closure plan in the operating plan submitted to Metro.

- (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 submitted a property use consent form signed by the property owner, which includes a consent to be bound by the provisions of Metro Code. The applicant has a lease on the property through March 2029 with a right to renew. Metro may suspend or terminate the license if property use consent changes or is revoked.

- (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; and*

The applicant provided a copy of a Land Use Compatibility Statement signed by a representative of the city of Portland stating that the proposed use of the site is allowed outright.

- (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.*

A DEQ Solid Waste Disposal Site Permit is the only permit that is required by a governmental agency at this time. The applicant has provided a copy of the permit application.

COMPLIANCE HISTORY OF THE APPLICANT

Ridwell has a good record of compliance with respect to Metro's regulations and the existing facility is in compliance with the conditions of its license. Metro conducted approximately three inspections of Ridwell during the term of the current license (April 2022 to present). Metro has not received any complaints regarding the existing facility and has not taken any enforcement actions during the term of the current license. DEQ solid waste staff and City of Portland staff both report that there have been no compliance issues or enforcement actions during the past two years. Staff finds that facilities like Ridwell play an important role in the region's solid waste recovery efforts and it is in the public interest to renew the facility's license.

STAFF RECOMMENDATION

Staff recommends issuing new Solid Waste Facility License No. L-200-24 to Ridwell, Inc. authorizing it to receive and process source-separated recyclable and reusable materials and certain special waste generated by residential customers. If approved, the proposed license will take effect on April 24, 2024 and expire on December 31, 2028. A copy of the proposed license is attached for your signature.

Attachments:

- Proposed Solid Waste Facility License No. L-200-24
- Ridwell Inc. solid waste facility license public comments
- Ridwell Inc. statement in response to comments received