

### **5.01.195 Putrescible Waste Tonnage Allocation Framework**

- (a) The Chief Operating Officer will allocate putrescible waste tonnage amounts to a transfer station in accordance with the allocation methodology under applicable administrative rule and this chapter's requirements.
- (b) The Chief Operating Officer may allocate tonnage to either a transfer station that is franchised under this chapter or a transfer station that is designated under Chapter 5.05.
- (c) In addition to the allocation methodology factors adopted by administrative rule, the Chief Operating Officer may also consider the following factors when allocating tonnage amounts annually:
  - (1) The public benefits to the regional solid waste system;
  - (2) How the allocation will affect the regional solid waste system;
  - (3) How the allocation will affect the proportional amount of regional tonnage reserved for Metro's transfer stations (a minimum of 40 percent of the regional tonnage is to be reserved for Metro transfer stations);
  - (4) The proportional amount of regional tonnage allocated to companies;
  - (5) The rate that the transfer station charges for accepting putrescible waste; and
  - (6) Any other factor the Chief Operating Officer considers relevant to achieve the purposes and intent of this section.
- (d) The Chief Operating Officer may further adjust a transfer station's tonnage allocation at other times if it is in the public interest and necessary to address a significant disruption as defined in Chapter 5.00. An adjustment under this subsection does not require Council approval.
- (e) The Chief Operating Officer may not allocate more than 40 percent of the available regional tonnage to any combination of transfer stations owned by the same company.

### **5.01.260 Obligations and limits for selected types of activities**

- (f) A transfer station franchisee:
  - (5) May not accept solid waste generated outside the Metro region if to do so would limit the franchisee from accepting solid waste generated inside the Metro region;
  - (6) May not accept solid waste collected outside of its wasteshed if to do so would deny access to a waste hauler that collects solid waste within the wasteshed of the transfer station;
  - (7) Must allow access to any unaffiliated waste hauler located within a transfer station's wasteshed, unless due cause exists for the franchisee to deny access, or unless the franchisee gives written notice to Metro at least 15 days in advance. Due cause includes, but is not limited to, repeated load contamination, failure to pay or risk of exceeding the franchise tonnage allocation.

The Chief Operating Officer may investigate a franchisee as appropriate to ensure that it complies with this subsection.

DRAFT 10/5/18