



Metro

600 NE Grand Ave.
Portland, OR 97232-2736

Meeting minutes

Meeting: Regional Waste Advisory Committee (RWAC) Meeting
Date: Thursday, September 17, 2021
Time: 8 a.m. to 10 a.m.
Place: Zoom meeting
Purpose: *The purpose of the Regional Waste Advisory Committee is to provide input on certain policies, programs, and projects that implement actions in the 2030 Regional Waste Plan, as well as to provide input on certain legislative and administrative actions that the Metro Council or Chief Operating Officer will consider related to implementation of the 2030 Regional Waste Plan.*

Members in Attendance:

Marta McGuire, Metro (Chaired the committee in Roy Brower's absence)
Sharetta Butcher, North by Northeast Community Health Center (NxNE)
Marilou Carrera, Portland Resident
Alondra Flores Aviña, Student
Christa McDermott, Community Environmental Services, PSU (PSU)
Audrey O'Brien, Oregon Department of Environmental Quality (DEQ)
Beth Vargas Duncan, Oregon Refuse and Recycling Association (ORRA)

Members Absent:

Roy Brower, Metro
Thomas Egleston, Washington County
Shannon Martin, City of Gresham
Eben Polk, Clackamas County

1. CALL TO ORDER & MEETING OVERVIEW

Marta McGuire (Metro) brought the virtual meeting to order at 8:16 am and previewed the agenda.

2. PUBLIC COMMENT PERIOD

There was one public comment from Mario Musal: Good morning. I'm from Happy Valley and new to Oregon. I moved here a year ago from Florida. We're seeing a lot of the garbage issues and it's really terrible. One thing that I've noticed that's different here than it is in Florida, all of our garbage was paid with our property taxes. So basically everyone was forced to have a garbage service. I'm seeing here that some of my neighbors apparently don't pay for recycling and they're burning their Amazon boxes in their backyard. And those are things that we just didn't see in Florida because everyone had garbage service and it didn't matter how much garbage you had, waste management would come and pick it up. So if you had a couch that needed to be picked up, they would come and pick it up and there was no extra charge for it. And I feel that if we had a system like that here, less people would be dumping things into the forests and all kinds of common areas and we'd probably have less of a garbage problem. The other comment I wanted to make was, I see that there are a lot of groups assisting and picking up the waste and the streets. And I've been doing that as well, but frankly, you feel like you're wasting your time because the minute you do it, the following day, it looks the same. And I just hope that the Metro, the city governments, the county counselors push forward to do something about picking up all this waste and enforcing the rules. The highways say if you litter, there's a \$6,200 fine. I have not seen that be enforced and we really need to make garbage pickup vandalism prevention and crime prevention one of the main priorities.

3. UPDATE OF JENNIFER STREET QUARRY PROPERTY ACQUISITION

Dan Blue (Metro) shared that he and his team are present to talk about a recent decision on a property that Metro has been looking at and investigating for the past year, and then talk about some of the lessons learned and takeaways from the community engagement. He introduced Estee Segal, project manager for the Metro south new siting project, and Gloria Pinzón, who has done community engagement on Metro siting projects for both the west side and the Metro south side. The reason Metro is looking for a new site is because the current Metro south station is at critical capacity, is challenging to operate, requires a lot of staff and resources and poses actual safety challenges for Metro and Metro customers. The facility is over 40 years old. It was never designed to handle that size of traffic or the material streams that it currently experiences.

Mr. Blue noted that one thing Metro wants to do is to realize the goals and objectives contained in the 2030 Regional Waste Plan (RWP), and Metro South Transfer Station (MSS) does not have space, nor is it designed to allow Metro to implement some of those goals, especially around reuse. Commercial food waste is a big target item for Metro. MSS does not have room to accept commercial food waste. For these reasons, and others, staff have been looking for a new home for MSS. Lastly, Mr. Blue noted that MSS is in a flood plain. In 1996, the household hazardous waste facility at MSS was underwater. This is a priority issue.

Metro signed a purchase and sale agreement with the seller of a quarry property on Jennifer Street in the Clackamas industrial area a little over nine months ago. This facility was a 26 acre heavy industrially zoned parcel, had pretty good access from the east, west and north. It was a rock quarry and it's been being filled with fill material from across the region over the last decade. This was the property that Metro staff have been doing intense site investigation work on, including geotechnical, environmental analysis, cultural resource inventory, traffic studies, survey work, and significant community engagement. Metro knew from the beginning that it was a very complex site. Ms. Segal (Metro) will speak about a recent decision that was made by senior leadership on whether to pursue this property.

Ms. Segal discussed the recent decision to not move forward with pursuing the Jennifer Street site to acquire. This was a decision made by our Chief Operating Officer in partnership with Metro Council at the end of the due diligence period for the purchase and sale agreement, which was the beginning of September, 2021. The cost to prepare the site for development appeared to be very high and risky, based on its historic use. Some of the goals of this project are around providing new facilities at a cost that makes sense and also around resiliency. The site is close to the Clackamas River, and because it's on so much fill, Metro would've had to bring in a lot of structural fill to put the buildings on, to protect from potential natural hazards like floods or earthquakes.

Metro completed the due diligence over nine months, and the findings turned up that it was going to be costly and risky based on what staff learned in that time period. Staff have now been working on communication with the project stakeholders. Through the last year, staff built a lot of new relationships with jurisdictional partners, groups like this committee (RWAC) and the Committee on Racial Equity (CORE), neighborhood residents, and CBOs in Clackamas County. The Metro website now reflects the change and direction. Ms. Segal noted that staff are preparing to continue the site search. Staff are also working with the operations team at MSS to brainstorm ways to help alleviate current pressures on that station because they are real. Metro is also kicking off the Systems Facility Plan. It's really important because it frames the project more for staff and it will give staff more direction on the facilities that are needed across our region. Ms. Segal shared that Metro staff are working on a public involvement and community engagement summary report on what Metro staff heard over the nine months about this possible site and this project. That will be shared with Metro Council, RWAC, and CORE.

Gloria Pinzon (Metro) shared the Community Lens tool which is something that can be used in the future to assess other possible sites. It will help ensure that Metro staff incorporate community

input into the project's decision-making process. It will be used along with technical information, staff space and functional criteria, as well as financial projections to evaluate sites before they're purchased by Metro. It was sourced from the input staff received from the Metro South Community Advisory Group. The group includes Metro South customers, residents of, of Clackamas County and people who work to provide essential community services and know the community. There are four main sections of the Community Lens:

1. Section one: Introduction and guiding principles
2. Section two: Community criteria for site evaluation
3. Section three: Questions for property evaluation
4. Section 4: Beyond site-selection criteria

Section 4 is meant to be considered by Metro during construction design and programming. After a property is selected for purchase, then this part of the Community Lens will be used by staff to answer questions about how a particular property meets or doesn't meet certain criteria that was shared as important by the Community Advisory Group.

Beth Vargas Duncan (ORRA) appreciated that staff did do a lot of work on this site. She is interested in what happens next, but realizes that staff might not have had an opportunity to do a lot of work on that yet. But if staff could speak more to that, that would be her area of interest.

Mr. Blue responded that Metro staff are actively investigating potential other options for a new parcel within the search area. One of the steps being considered is to work with an industrial broker, which would be in addition to the acquisition team. Mr. Blue wanted to acknowledge the tremendous work of the team. The site was buildable, it is just that it was buildable at a price tag that ultimately Metro wasn't comfortable with.

Sharetta Butcher (NxNE) asked how involved the community group was in looking for a space.

Ms. Pinzón responded that the community advisory group was formed before any site had been selected to get input from them about what Metro should be thinking about before selecting a property. Their input was broad in the sense of getting feedback on essential services, potential impact to the community, as well as the community amenities that might be part of this. During that time period, the Jennifer Street property became a possibility for purchase and staff added some meetings with this group to get feedback from them about Jennifer Street, specifically.

Audrey O'Brien (DEQ) expressed how much DEQ appreciated working closely with Metro and their consultants to assess the Jennifer Street site and said that DEQ is available to assist with both the environmental assessment, as well as if Metro is considering a prospective purchaser's agreement, and also reviewing future DEQ permitting that would be required for a site.

Alondra Flores Aviña asked about the age group of the community group that Metro worked with on this.

Ms. Pinzón responded that the age ranges of the 15 members is between 16 and 73.

Beth Vargas Duncan asked what the plans are for the current MSS and trying to make it workable in the interim.

Mr. Blue responded that staff are looking at service options, potentially another shift, which is quite costly, and looking at options for some relief for self-haul. MSS has had over one hundred 1,500-customer days in the last nine months, which a few years ago, you only saw 1,500 customers about once or twice a year. Staff are working together cross-departmentally to look at options to relieve some of the pressure and stress on MSS.

Ms. McGuire noted that Metro is bringing on an engineer to specifically focus on capital improvements that are necessary at the site. They will advise on additional investments Metro can

make now to improve the safety in the technology, knowing that it will be a longer time period before a new facility is built.

4. MATERIAL RECOVER FACILITY STANDARDS POLICY DEVELOPMENT PROJECT UPDATE

Sabrina Gogol (Metro) shared a presentation about the Material Recovery Facility (MRF) standards project, or MRF project, which is a multi-year planning effort to develop research and fully implement new requirements for MRFs that are licensed by Metro to sort the recyclables that are collected curbside through recycling programs. Essentially, this is improving the requirements for facilities that sort the blue bin that is in front of your house. These new requirements are intended to improve the marketability of recyclables that are collected curbside. It's also intended to improve the good jobs in the region, support a diverse workforce and also reduce the negative impacts associated with collecting and managing those recyclables. Today Bryce Hesterman and Resa Dimino of RRS are going to be sharing the first major deliverable from all that research and stakeholder engagement. They're going to give a high level overview of what's possible for meeting Metro's new requirements and why those options are important.

The MRF project is focused on developing and implementing new requirements to resolve interconnected challenges facing the local recycling system. So first we want to reduce the amount of contaminated material in the region's recyclables. While it remains important that residents in greater Portland do their part to recycle responsibly and keep contamination like plastic bags out of the recycling bin, Metro licensed facilities also play a role in ensuring that recyclable materials are sorted correctly. If recyclables are improperly sorted at a facility, they're leaving in contamination (trash/garbage), which ends up within the sorted bales of recycled material that gets sent ultimately to be turned into a new product. During the recent DEQ-led statewide effort to improve recycling, at least one local company that receives the bales of the Metro region's sorted recyclables said they're getting a lot of contamination in those bales. This manufacturer is essentially left holding the trash. In Oregon, there are laws around how that trash must be disposed of responsibly. Metro is aware that a significant portion of the Metro region materials are exported. Once materials are exported, it's difficult for Metro to know what happens to them. Recycled materials may be shipped to places that don't have the infrastructure to manage them, which can lead to pollution in people and pollution in waterways across the planet.

Ms. Gogol went on to explain that Metro is able to get this limited information because Metro already regulates the MRFs through a license. These licenses were established in 2018 and staff have learned about their limitations since then. While Metro's existing licenses with MRFs established requirements for many performance areas, Metro has found that the current requirements and these licenses only provide limited information.

The RWP directs Metro to improve the marketability of recyclables and the effectiveness of processing systems. And to ensure that all jobs pay a living wage and support a diverse workforce. DEQ convened the recycling steering committee, which was composed of local governments, industry representatives and industry associations, and also invited public comment in order to create a consensus agreement on how to modernize the state system. This committee's consensus agreement included a recommendation that Metro use the existing licenses with MRFs to address the problem of contamination. This committee's consensus agreement was the basis of the Plastic, Pollution and Recycling Modernization Act (Senate Bill 582).

SB582 will launch a Permit and Certification program for MRFs, which will hold these facilities to the same quality standards thereby establishing a level playing field. One positive outcome is that Metro's experience establishing the requirements for MRFs also puts Metro in a better position to participate in the rulemaking process over the next few years.

Goal 3 in the RWP is to ensure that all jobs in the sector are paid a living wage and ensure that this sector supports a diverse workforce. This project is looking at how Metro can get better data on worker wages, benefits, and workforce demographics. Metro Council does have the ability to establish requirements that are stronger than those determined by SB582 rulemaking. Metro will continue to collaborate closely with DEQ to identify opportunities and supportive touch points.

Resa Dimino (RRS) gave a brief introduction to RRS which is a mission-driven boutique recycling consultancy that has been around for about 35 years. RRS has maintained their place on the cutting edge of recycling facility development and on municipal recycling planning. Outside of Oregon, local government recycling contracts often extend into the processing element. So the local government contract includes the MRF and those contracts often include performance standard. Contracts often include performance standards, and that's where we've drawn a lot of these options from.

Bryce Hesterman (RRS) noted that they are receiving feedback from local government solid waste directors, industry representatives, including all the area MRFs and several franchise collection service providers and material brokers. They are also engaging environmental NGOs and community organizations through CORE. Mr. Hesterman pointed to five improvement categories:

1. Quality standards for inbound materials
2. Quality standards for outbound commodities and residuals
3. Facility level measurement and reporting quality
4. Facility level reporting on material destination
5. Facility level reporting on wages, benefits and demographics

The criteria is intended as a qualitative exercise to help organize pros/cons. It is not intended to be a quantitative ranking where one is going to have a score that is higher than the other, and that's the right selection. There is enforceability, transparency and accountability, effectiveness, responsibility, operational impact, cost impact, and competitiveness, both in terms of what material have additional markets through these standards.

Setting inbound standards is a step in the process of reducing contamination entering the stream at the MRF. This has an impact on worker safety, operations, and quality of the marketability of the commodities, preventing contamination from getting on the sort line reduces the risk of workers who are hand sorting materials. Safety concerns around needles, biological waste and other materials are really shared by everyone engaged in the process. The issue here is that the MRF does not operate at the part of the system where contamination is generated so it's difficult to hold them responsible for reducing contamination. That responsibility is more directly related to the role of the local government and their franchise collection service providers who are responsible for collection and education of rate payers. There are benefits to setting the standard at the MRF level, as it creates a feedback loop to help guide contamination reduction efforts. Targets can be set and measurement can be required along with regular reporting of inbound contamination that in some circumstances could potentially trace back to the route that generated the contamination at which point intervention can take place.

Mr. Hesterman shifted to outbound quality performance. RSS research shows that there are typically two ways of measuring outbound quality for MRFs: capture rate and purity rate. A capture rate refers to the amount of targeted recycled materials that are sorted into a marketable commodity or bale, while purity rates refer to the amount of contamination, or non-target material, in a given commodity or bale. Mr. Hesterman shared three capture rate options:

1. Overall MRF capture rate
2. General material capture rate
3. General and material-specific capture rate

The second two options would be more costly to track than the overall capture rate. And through interviews there has been a question about practicality and measuring these latter two options, as it requires tracking and measuring all outbound streams and not just the residue stream.

Mr. Hesterman shifted to the purity rate option. This is how pure is this material that is going to the market. Measuring purity is more involved and costly, as it requires tracking of those many different commodity streams. There were three options shared for purity rate:

1. The Institute of Scrap Recycling Industries (ISRI) and the Association of Plastic Recyclers (APR). They represent the current industry standards, they are currently going through a refresh, but they've been developed through a robust industry led process.
2. A market-based standard that represents the most status quo and practice arrangement that exists today. Market standard only relates to whether it meets the buyer's requirement, without any guidance on whether that requirement meets Metro's value.
3. New regional standard: this may have the potential to best align with the local market, the local MRF capabilities and capture Metro's values. Setting a regional standard would be a pretty involved process to get to them.

Mr. Hesterman shifted to the quality measurement and reporting options:

1. Visual/photo inspections (least invasive and costly but less statistically rigorous)
2. Manual characterization audits (what Metro has used in the past)
3. Central audit facility (most invasive of the audits)

The central audit testing options provide an ongoing picture of quality, and this could potentially bring Metro into an industry leading position. This would be an standalone site that Metro operates and funds, and MRFs would be responsible for providing samples on a regular basis. Metro would be operating these sites.

Mr. Hesterman moved on to destination reporting options which provides transparency into the flow of this materials after they leave the MRF and provides an understanding of the risk that Metro generated material could find its way into the environment through an underdeveloped country that doesn't have a strong, solid waste system. Target material is pursued by those markets and is utilized. But whatever that carried waste (contamination in those bales) is a material that if there's not a strong regulation that can just get dumped into the environment. Options are:

1. Reporting by geographical area
2. Aggregate mass balance reporting
3. Company-level reporting of all shipments (can provide of all shipments that can provide more transparency and more data to validate than the aggregate reporting)
4. Bill of landing reporting: theory is that each transaction has a paper slip (bill of landing) that is exchanged by the person picking it up/loading the truck. This would be an option of following the paper trail, but it has proven to be difficult to piece together the data into a coherent picture.

Mr. Hesterman covered the final section which is total compensation and demographic reporting options:

1. Aggregate annual report (equal opportunity, equal employment opportunity form)
 - a. Add wage information to the demographics – and grouped into wage bands
2. Detailed annual report (more detailed by each employee using employee IDs)
 - a. This is a more costly/burdensome option
3. Mix: annual workforce survey
 - a. Level of detail could be selected/determined

Ms. Gogol shared the project timeline with the group and opened up the conversation for questions.

Christa McDermott (PSU) shared something that concerned her: that the focus is on either purity of an incoming load and looking at the end of the line and life cycle, with less focus on the users or generators in the system. The Recycling Modernization Act is meant to make this a lot simpler for users. She wondered if things like the purity of a load or how things are categorized might track back to how folks might collect material differently. Instead of relying on user education and putting the burden on residents to sort things at the curb, that there might be more satellite sorting station or drop off stations for specific materials. If the focus is on the evaluation standard like how clean the material stream is going to be coming in, or even going out that we're working within the same system we've always had, that we know is broken. And that is relying on users doing a lot of complex stuff that really it's up to producers to make it much simpler with like all the plastics are easily recyclable and can go in one place. She added that when the new packaging materials list is shared from the Recycling Modernization Act, that will hopefully make it much clearer. But her concern is that the region is improving a system that really isn't user oriented and is much more industry oriented.

Ms. Gogol acknowledged Ms. McDermott's feedback and concern. She referred to the feedback loop that staff have the potential to strengthen with some of the options that were presented today, so that local governments can have more real time and transparent information about what's showing up at these facilities and then improve their, they can make the choice to improve the education work that they're doing. There's some potential connections to rule making and in the modernization act that would strengthen that feedback loop.

Ms. O'Brien added that the Recycling Modernization Act does include trying to look at the producer responsibility to make materials that are more recoverable. Cheryl Grabham is the manager in the headquarters section for Oregon DEQ materials management program. DEQ is participating in Metro's efforts to develop these standards for the MRFs. Metro and DEQ want to stay coordinated.

Ms. McDermott added that if the region sets up its own regional standards, that is the biggest lift, but the standards are more often that market driven and then it sounds like a floor is more their standards. Is there any effort being made to improve those standards or instead of us doing that work, it sounds like it should be something that is done outside of the region, but it also doesn't sound like there's a lot of confidence that they would be high quality standards.

Ms. Dimino shared that the ISRI and APR standards are a good measure of what is consistently traded in the marketplace and domestically traded in the marketplace. Most of the buyers in the marketplace will use the ISRI standard as a base and then adjust it based on what they're looking for higher or lower around certain elements based on their system and that sort of thing. Right now the plastic specifications are being reviewed and updated to be consistent with the new international trading rules. She describes them as a fair representation of what's currently happening in the marketplace.

5. CONSIDERATION AND APPROVAL OF ITEMS and FINAL REMARKS

Committee meeting minutes for July 15, 2021 were approved by the committee.

Committee bid Marilou Carrera farewell as this was her final committee meeting.

MEETING AJOURNED at 10:00 a.m.