

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING METRO)	ORDINANCE NO. 22-1478
CODE CHAPTER 5.05 TO CLARIFY METRO’S)	
LANDFILL CAPACITY POLICY AND MAKE)	Introduced by Chief Operating Officer
HOUSEKEEPING UPDATES)	Marissa Madrigal in concurrence with
)	Council President Lynn Peterson

WHEREAS, Metro is the solid waste system planning authority for the region and Metro regulates the solid waste system pursuant to its constitutional, statutory, and charter authority as set forth in Metro Code Title V and in accordance with the Regional Waste Plan; and

WHEREAS, Metro Code Chapter 5.05 contains the requirements for Solid Waste Flow Control; and

WHEREAS, Metro regulates the disposal of solid waste generated within the Metro jurisdictional boundary through the issuance of non-system licenses and designated facility agreements as set forth in Metro Code Chapter 5.05; and

WHEREAS, Metro Council adopted a landfill capacity policy (Ordinance No. 17-1401) that prohibits the disposal of solid waste generated within the Metro region at a new landfill or limited capacity landfill; and

WHEREAS, the landfill capacity policy was intended to ensure that solid waste generated within the region did not cause the expansion or construction of a general-purpose landfill; and

WHEREAS, the policy was not intended to affect certain limited-purpose landfills that are permitted to receive hazardous waste or only cleanup material such as contaminated soil and sediment; and

WHEREAS, over the next several years there will be a number of remediation and environmental cleanup projects occurring along the Willamette River which are expected to generate substantial amounts of contaminated sediment that must be disposed in a landfill; and

WHEREAS, the language codified in Chapter 5.05 with respect to the current landfill capacity policy fails to distinguish between general-purpose and limited-purpose landfill types, which alters the intent of Metro’s landfill capacity policy; and

WHEREAS, Metro Code Chapter 5.05 as currently codified would prohibit the disposal of any contaminated sediment at any new landfill or one that seeks expansion regardless of the landfill type; and

WHEREAS, the Chief Operating Officer recommends that Metro Council adopt amendments to Metro Code Chapter 5.05 to clarify that the landfill capacity policy does not apply to limited-purpose landfills that are permitted to receive hazardous waste or only cleanup material to ensure that there is adequate disposal capacity for environmental cleanup material generated within the region; and

WHEREAS, the Chief Operating Officer also recommends that the Metro Council adopt minor housekeeping amendments to Metro Code Section 5.05.055 and other sections of Chapter 5.05 to update code references, remove outdated information, and improve readability; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. Metro Code Chapter 5.05 is amended as set forth in the attached Exhibit A.

ADOPTED by the Metro Council this 2nd day of June 2022.

Lynn Peterson, Council President

Attest:

Approved as to Form:

Connor Ayers, Recording Secretary

Carrie MacLaren, Metro Attorney