

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING AND) RESOLUTION NO. 21-5167
ADOPTING THE LIST OF DESIGNATED)
FACILITES OF THE SOLID WASTE) Introduced by Chief Operating Officer
SYSTEM PURSUANT TO METRO CODE) Marissa Madrigal in concurrence with
CHAPTER 5.05) Council President Lynn Peterson

WHEREAS, Metro Code Chapter 5.05 governs the regulation of solid waste generated within the Metro boundary that is transported, managed and disposed at locations outside of the jurisdictional boundary; and

WHEREAS, Metro Code Chapter 5.05 states that no person may transport solid waste generated within the Metro boundary to a solid waste facility or disposal site unless it is a designated facility or the person has obtained a non-system license; and

WHEREAS, Metro Code Chapter 5.05 provides that Metro Council may designate a solid waste facility or disposal site located outside the Metro boundary as part of the solid waste system and add it to the designated facilities list; and

WHEREAS, Metro Code Chapter 5.05 prohibits disposal of waste generated within the Metro boundary at a new or “limited capacity landfill”, as defined in Metro Code Chapter 5.00, in order to conserve limited land and resources in and around the Metro region; and

WHEREAS, Metro Code Section 5.05.100 authorizes the Chief Operating Officer to execute an agreement between Metro and a designated facility or disposal site located outside the Metro boundary that Council approves pursuant to Metro Code Section 5.05.070; and

WHEREAS, Chemical Waste Management of the Northwest, Covanta Marion, Dirt Hugger, Divert Albany Processing Facility, Recology Organics – Aumsville and Recology Organics – North Plains have applied to Metro to become a designated facility of the system; and

WHEREAS, the Chief Operating Officer has considered the factors set forth in Metro Code Section 5.05.070 with respect to these applicants and recommends amending the designated facilities list to add Chemical Waste Management of the Northwest, Covanta Marion, Dirt Hugger, Divert Albany Processing Facility, Recology Organics – Aumsville and Recology Organics – North Plains, as provided in Exhibit A; and

WHEREAS, Metro Council finds that designating these solid waste facilities and disposal sites as part the solid waste system will provide Metro with greater oversight of the region’s waste and help ensure that the region’s waste is properly managed and disposed in accordance with Regional Waste Plan and other solid waste policy objectives; and

WHEREAS, Metro Council finds that designating these solid waste facilities and disposal sites as part the solid waste system will result in process improvements for Metro and users of these facilities by reducing the need for a non-system license from Metro; and

WHEREAS, Metro Council finds that, in order to minimize system disruption, it may be necessary to extend the term of certain non-system licenses that authorize the transport of waste to Covanta Marion and Divert Albany Processing Facility to provide time for the Chief Operating Officer to execute an agreement with each of those facilities; now therefore,

BE IT RESOLVED that the Metro Council:

1. Designates Chemical Waste Management of the Northwest, Covanta Marion, Dirt Hugger, Divert Albany Processing Facility, Recology Organics – Aumsville and Recology Organics – North Plains as part of the solid waste system.
2. Adopts the list of designated facilities attached as Exhibit A, effective May 1, 2021, pursuant to Metro Code Section 5.05.060.
3. Authorizes the Chief Operating Officer to remove from the list of designated facilities in Exhibit A any disposal site that is now or later becomes a “limited capacity landfill” as that term is defined in Metro Code Chapter 5.00, without requiring further Metro Council action.
4. Authorizes the Chief Operating Officer to execute agreements between Metro and Chemical Waste Management of the Northwest, Covanta Marion, Dirt Hugger, Divert Albany Processing Facility, Recology Organics – Aumsville and Recology Organics – North Plains for the types of waste described in the staff report to this resolution.
5. Authorizes the Chief Operating Officer to extend the term of the non-system licenses listed in Exhibit B to expire on December 31, 2021.

ADOPTED by the Metro Council this 29th day of April 2021.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney