

Legal Antecedents

Pursuant to Metro Code 5.01.180, the Council will consider the following factors when determining whether to issue a franchise:

- (1) *Whether the applicant has demonstrated that the proposed solid waste facility and authorized activities will be consistent with the Regional Waste Plan;*

Staff finds that the proposed activity is consistent with the regional values and policies outlined in the 2030 Regional Waste Plan and specifically aligns with many of the goals of the plan, including goals 12, 13 and 16:

- **Goal 12:** Manage all garbage and recycling operations to reduce their nuisance, safety and environmental impacts on workers and the public.
- **Goal 13:** Invest in communities that receive garbage and recyclables from the Metro region so that those communities regard solid waste facilities as assets.
- **Goal 16:** Maintain a system of facilities, from small recycling drop-off depots to larger full-service stations, to ensure equitable distribution of and access to services.

The proposed renewal is also in alignment with the Regional System Facilities plan adopted by Metro Council in March 2025, which envisions continued operations of the six privately owned transfer stations operating within the Metro region.

- (2) *The effect that granting a franchise will have on the cost of solid waste disposal and recycling services for the residents of the region;*

Waste Management of Oregon, Inc. has not requested any significant change in authorization or operational activities at this facility. Renewing the franchise would help ensure continuity of transfer service and minimize potential disruptions to the solid waste system. This is an existing transfer station that is part of the region's solid waste system. As such, the proposed renewal is not expected to have any significant impact on the cost of solid waste disposal and recycling services for the residents of the region.

- (3) *Whether granting a franchise is likely to adversely affect the health, safety and welfare of Metro's residents in an unreasonable manner;*

Metro staff is not aware of any facility incidents or operating procedures that adversely affected the health, safety and welfare of Metro's residents in an unreasonable manner during the term of the current franchise. Staff finds it unlikely that the franchised operation will adversely affect the health, safety and welfare of Metro's residents due to the type of activity performed and the good compliance record of the operator. The facility is also regulated and monitored by the Oregon Department of Environmental Quality (DEQ).

- (4) *Whether granting a franchise is likely to adversely affect nearby residents, property owners, or the existing character or expected future development of the surrounding neighborhood in an unreasonable manner;*

Forest Grove Transfer Station is an existing Metro-franchised transfer station and has been in operation since 1985 and owned by the current operator since 1998. Except for a few infrequent complaints, staff is not aware of any significant issues or impacts on the surrounding neighborhood during the term of the current franchise. Based on the operator's demonstrated experience and good compliance history, staff finds it unlikely that Forest Grove Transfer Station's operations would cause unreasonable adverse impacts on the surrounding neighborhood.

- (5) *Whether the applicant has demonstrated the strong likelihood that it will comply with all requirement and standards of this chapter, the administrative rules and performance standards adopted pursuant to Section 5.08 and other applicable local, state, and federal laws, rules, and regulations, ordinances, orders or permits pertaining in any manner to the proposed franchise.*

In July 2022, Metro received one noise complaint from a local resident related to a natural gas compressor onsite. Waste Management of Oregon, Inc. staff were notified and provided a response to the complaint detailing operational changes and evaluation of the property lines to add landscape creating a buffer. In 2022, the City of Forest Grove received one noise complaint. Following the complaint, the city conducted an

investigation and determined that the facility was in compliance with applicable noise regulations. No other complaints have been received to date and staff find the facility to be a well-run operation with no observable reason to suspect impending problems or issues.

Metro has a long history with this facility and staff finds that the applicant is likely to comply with regulations and standards if the franchise is renewed.