

# Public Comment Report

## Proposed Updates to Metro Code Chapter 5.10 and Associated Administrative Rules



October 20, 2020

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### BACKGROUND

In March 2019, Metro adopted the 2030 Regional Waste Plan which sets the policy direction for the region's solid waste and recycling system. The plan is implemented in many ways; through collaborative programs with local government partners and community organizations, and through required actions that bring minimum standards and consistency to a large and complex system. Metro Code and Administrative Rules are the mechanism used to implement the required elements of the plan. The Metro Code and Rules need to be updated and re-written to reflect the goals, policies and programs of the new plan.

Between September 15 and October 15, 2020 Metro conducted a public comment period for proposed updates to the Metro Code Chapter 5.10 and associated administrative rules pertaining to the regional service standard<sup>1</sup>. Local government elected officials, city and county managers, residential property managers and owners, community-based organizations and tenant organizations and garbage and recycling companies were notified via email about the opportunity to comment. The email messages included audience-specific fact sheets and a Frequently Asked Questions document. A call for comments paired with an infographic was posted on Metro's three social media platforms Facebook ([www.facebook.com/oregonmetro](http://www.facebook.com/oregonmetro)), Twitter (@oregonmetro) and Instagram (@oregonmetro). Some local governments also publicized the comment period through their communication channels. Examples of the email message and social media posts are included as Attachment A.

In addition, the Metro web page dedicated to the service standards project ([www.oregonmetro.gov/servicestandards](http://www.oregonmetro.gov/servicestandards)) provided information about the proposed changes, and anticipated impacts, as well as the full text of proposed code and rules.

Comments were accepted in writing for inclusion in this report. The comments were received through an email address established for the comment period ([servicestandards@oregonmetro.gov](mailto:servicestandards@oregonmetro.gov)). As well as through a web form, accessible by a single click, designed to reduce barriers to participation. Comments were also able to be received via U.S. mail.

The web form appears to be successful in reducing barriers to submitting comments. All comments received from residents and property managers and owners were received through the web form. Four comments were received through the web form from multifamily residents within hours of the social media infographic posting.

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<sup>1</sup> Metro Code Chapters 5.00 definitions, 5.10 Regional Waste Plan, 5.15 Local Government Requirements under the Regional Waste Plan. Administrative Rules 5.15-1000 Request for Compliance Date Extension, 5.15-2000 Residential Service, 5.15-3000 Business Service Standard and Recycling Requirement, 5.15-5000 General Education. Current proposed drafts are posted at [www.oregonmetro.gov/servicestandards](http://www.oregonmetro.gov/servicestandards).

Comments were received from individuals living in multifamily homes, property managers, local governments, hauler associations and individual haulers.

## COMMENT SUMMARY

At the close of the comment period, 19 comments were received:

- Nine were clearly supportive.
- None were opposed to the proposed code.
- Six expressed concerns about economic and environmental costs of the proposed multifamily color standard administrative rule.
- Eight were interested in additional detail on the bulky waste standard; six of the eight comments were supportive of the regularly occurring bulky waste requirement.
- Five requested specific edits to the policy or had general concerns and suggestions for changes.
- Six had general suggestions to improve multifamily services.
- Four had questions related to expanding every other week collection of single-family mixed recycling and compost.
- All comments wholly or partially addressed the multifamily service standard administrative rules.

The majority of those **in favor** of the policy indicated:

- Improvements for multifamily customers are overdue and they look forward to seeing the future improvements.
- An interest in access to food scrap service for people living in multifamily homes.
- An interest in additional detail for bulky waste collection.

The **concerns** expressed by eight of the comments included the following:

- Concerns from haulers on increased costs related to implementing the multifamily color standard.
- Questions regarding additional detail on how bulky waste items would be handled.
- Concerns about how standards may be enforced.

All of the comments received, as well as the comment log with staff response, are included with this report as Attachment B.

## AMENDMENTS MADE TO DRAFT POLICY

All comments received during the comment period were reviewed by the Metro Policy and Compliance division. Those comments that requested **specific changes** to the code or administrative rules were discussed by the team and in some cases, reviewed by the Office of the Metro Attorney. The team then determined which comments necessitated changes or clarifications to the draft code and administrative rules documents and what those specific changes should be. Three comments, one from a hauler, one from a property manager and one from a local government, resulted in changes to the proposed administrative rules to improve clarity. The revised draft of the Administrative Rule 5.15-2000 Residential Service Standards, dated October 20, 2020, shows changes based on the comments during this period, and is included as Attachment C. No changes to the proposed Metro Code were made based on comments received.

## CONCLUSION

The public comments indicated general support for the policy with concerns regarding costs and requests for additional details from some groups.

- People living in multifamily homes want better signage and labeling, and better access to more organized bins.
- There is interest from multifamily residents living in the City of Portland to add food scraps collection.
- Support was expressed, but questions remain from property managers, haulers and hauler associations and a local government on details or specific standards for rules around regularly occurring bulky waste collection. Metro will work closely with local governments and other stakeholders to develop and pilot approaches and revise the rules over time.
- Haulers and hauler associations and one local government expressed concerns on environmental and economic costs to implement the multifamily color standard.

The administrative rules will have an additional 30-day comment period in January 2021 prior to adoption by the Metro COO. The complete report, including all attachments can be viewed on the Metro website: [www.oregonmetro.gov/servicestandards](http://www.oregonmetro.gov/servicestandards)

## Attachment A: Example outreach materials

### Example email with infographic

Hello,

I'm following up on an email I sent at the end of August.

Metro is proposing changes to Metro Code and rule, specifically changes to improve garbage and recycling collection for people living in multifamily homes.

Attached is a fact sheet and FAQ describing the changes.

Full text of the code and rule will be available on September 14.

Between September 15 and October 15, visit [www.oregonmetro.gov/servicestandards](http://www.oregonmetro.gov/servicestandards) to share your thoughts via a quick form. You can also email us at [ServiceStandards@oregonmetro.gov](mailto:ServiceStandards@oregonmetro.gov) or mail written comments to:

Metro  
Attn: Service Standards WPES  
600 NE Grand Avenue  
Portland, OR 97230

**Garbage and recycling changes for apartments and condos**

 <b>More service</b> Bins won't get overloaded	 <b>New bins</b> Color-coded	 <b>Stickers and signs</b> Easier to understand
---	---	--

**Tell us what you think by October 15.**  
We heard you need better service. Share this information and encourage others to let us know if these proposed changes meet their needs.

 Metro

If you have any questions please contact me, Sara Kirby [sara.kirby@oregonmetro.gov](mailto:sara.kirby@oregonmetro.gov).

Example social media post



Metro

September 22 at 11:00 AM · 🌐



Metro is proposing changes to improve garbage and recycling collection at apartments and condos. From now until October 15, visit [www.oregonmetro.gov/servicestandards](http://www.oregonmetro.gov/servicestandards) to learn what this means for you and share your thoughts.

## Garbage and recycling changes for apartments and condos



**More service**

Bins won't get overloaded

**New bins**

Color-coded

**Stickers and signs**

Easier to understand

### Tell us what you think by October 15.

We heard you need better service. Share this information and encourage others to let us know if these proposed changes meet their needs.



## Attachment B - 2020 Regional Service Standard Formal Comments Log

Comment #	Date	Time	Channel	Name	Email Address	Zip Code	Category	Comment Summary	Response
1	9/22/2020	11:51	web form	Francesca Cameron	<a href="mailto:francesca747@gmail.com">francesca747@gmail.com</a>	97205	Multifamily	I do not have time to read the drafts, but have one issue that really matters to me. I want to have access to a compostable bin in my building where I can recycle kitchen waste.	Thank you for your input. With regard to food scraps recovery, Metro has chosen to focus regional programs and policies on food scraps generated from the business sector and agreed with our local government partners that decisions about residential food scraps programs will be made at the city and county level. We have forwarded your comment to the appropriate city or county so they are aware of your request.
2	9/22/2020	12:27	web form	Justin Gilchrist	<a href="mailto:jgilchristccla@gmail.com">jgilchristccla@gmail.com</a>	97219	Multifamily	I would appreciate more organized bins. Currently we just have two dumpsters with poor labeling and everyone doesn't know which one is which and ruins all our recyclables. I would also hope it makes for a more sanitary area if the service would come more often. Thank you.	Thank you for your input.
3	9/22/2020	13:08	web form	Neel Patel	<a href="mailto:neelpatelslc@gmail.com">neelpatelslc@gmail.com</a>	97209	Multifamily	This is a great idea! I would love more options for composting in apartment buildings. I tried to lobby my building for compost but it didn't go anywhere. Also the signs are helpful, but I feel that most people put whatever they want in the recycling. One solution my be to severely reduce recycling to what can actually be meaningfully recycled?  Also maybe for signs, stressing the importance of flattening cardboard boxes?? Thanks for all your hard work!	Thank you for your input. With regard to food scraps recovery, Metro has chosen to focus regional programs and policies on food scraps generated from the business sector and agreed with our local government partners that decisions about residential food scraps programs will be made at the city and county level. We have forwarded your comment to the appropriate city or county so they are aware of your request.
4	9/22/2020	13:42	web form	Jacob Metcalf	<a href="mailto:8bitjoystick@gmail.com">8bitjoystick@gmail.com</a>	97213	Multifamily	I am a essential healthcare worker currently fighting the covet 19 epidemic. I'm also a condo owner in Portland off NE 68th. It is long overdue that we expand and reform recycling and garbage services for multi-person Portland	Thank you for your input.
5	9/23/2020	8:47	web form	Alyson Berman	<a href="mailto:emmash@gmail.com">emmash@gmail.com</a>	97210	Multifamily	It still leaves out composting for apartment users. If the city can't pick up yard debris and compost from apartment residents, it would be great if there were drop off stations so we could minimize our waste and increase our composting.	Thank you for your input. With regard to food scraps recovery, Metro has chosen to focus regional programs and policies on food scraps generated from the business sector and agreed with our local government partners that decisions about residential food scraps programs will be made at the city and county level. We have forwarded your comment to the appropriate city or county so they are aware of your request.
6	9/23/2020	11:56	web form	Lisa Chin	<a href="mailto:lisasenchin@gmail.com">lisasenchin@gmail.com</a>	97214	Multifamily	I'd like to have composting as an option. My apartment does not offer this. If this is not the channel for this request, I'd really like to know what would be the best resources. Thank you!	Thank you for your input. With regard to food scraps recovery, Metro has chosen to focus regional programs and policies on food scraps generated from the business sector and agreed with our local government partners that decisions about residential food scraps programs will be made at the city and county level. We have forwarded your comment to the appropriate city or county so they are aware of your request.
7	9/28/2020	10:55	web form	Carolyn Overby	<a href="mailto:carolynoverby@frontier.com">carolynoverby@frontier.com</a>	97008	Multifamily	I question how bulk items will be picked up. Where will residents place them, when will they be picked up and who will pay for this extra service. Currently our residents contact us for pickup. We then schedule a day with Waste Management so property doesn't load up with trashy looking items showing on the property. The residents are informed that they will pay whatever fees Waste Management charges for the pickup. I sincerely think it would be a fiasco to just allow the residents to discard their unwanted large items on the property. Many would not bother taking them to a charity group or having one pick them up. I believe the charge is what motivates them to take action. Move-outs would be disastrous! Our residents don't pay for the water, sewer or garbage. I can foresee a lot of resentment if we started implementing that. I can also foresee the home owner's around the area taking advantage of the situation, as we already combat that to some degree.  I don't think it is always a misunderstanding concerning the contamination in recycling. There is no lid they have to lift for recycling whereas they must lift the lid for garbage. We do our very best to inform and work with our residents and for the most part they are compliant. I sincerely wish whoever is making these decisions had some experience managing a multi-family complex.	Thank you for your input. Metro anticipates working closely with local governments and stakeholders on the future development of bulky waste collection service standards.
8	9/28/2020	13:59	web form	Carolyn Overby	<a href="mailto:carolynoverby@frontier.com">carolynoverby@frontier.com</a>	97008	Multifamily	Company or organization (if applicable): Sussex Village LLC Zip code: 97008 Provide your feedback: I have a question. Will it be answered? Will Waste Management have the authority to take over a slice of my property to use as a large item recycling area. They have closed the recycling center that was on Denny Road in Beaverton. Is this a way for them to use small slices of other people's land which they do not pay taxes on?	Thank you for your input. Metro anticipates working closely with local governments and stakeholders on the future development of bulky waste collection service standards.

9	10/5/2020	9:34 Email	Kristin Lechner	<a href="mailto:kristini@pridedisposal.com">kristini@pridedisposal.com</a>	97140 Commercial	<p>see full text of comment in PDF Interest in expanding every other week mixed recycling and yard debris service. Concerns economic and environmental costs related to MF color standard implementation.</p>	<p>Thank you for your input. <b>AR 5.15-2025: Single-Family Residential Service Standards</b></p> <p>3. Existing every-other-week single-family collection programs including yard debris (AR 5.15-2035) meet the service standard. Metro did not want to make significant changes to single-family curbside collection program standards ahead of the statewide Recycling Steering Committee process, therefore the proposed service standard maintains the status-quo.</p> <p>5. Thank you for suggesting wording for the rule that increases clarity, Metro will amend the rules based on this suggestion.</p> <p><b>AR 5.15-2040 Multifamily Residential Service Standards</b></p> <p>4. Thank you for your input. Metro anticipates working closely with local governments on the future development of bulky waste collection service standards.</p> <p><b>AR 5.15-2045 Multifamily Receptacle Colors; Signage; Informational Materials</b></p> <ul style="list-style-type: none"> <li>• Analysis shows minimal costs to commercial ratepayers as a result of establishing a multifamily color standard over a 7-year schedule. The analysis of costs showed a lid-only replacement to be almost as costly as replacing the entire cart, and cost savings depend on the cart body being in good condition. Replacing only the lids does not create regional consistency and would increase confusion for people living in multifamily homes. Additionally, lids of carts and containers are often left open in shared service situations rendering a lid-only color signal ineffective.</li> <li>• Orange has been used as the standard glass decal and sign color in the Metro region for commercial collection for over a decade. In addition, yellow is widely accepted as the color for hazardous waste and red indicates biomedical waste. Orange is also used by Recycle Across America, a national non-profit organization working to standardize garbage and recycling labels, to indicate a glass-only stream.</li> <li>• Metro is currently only proposing a color standard for multifamily carts and containers. There is no timeline established to set a color standard for other lines of service and likely no timeline will be established in the foreseeable future.</li> </ul>
10	10/9/2020	10:43 Web form	Ashley George	<a href="mailto:ashleygeorge@gmail.com">ashleygeorge@gmail.com</a>	97225 Multifamily	<p>Some multi-family housing units use a valet service where the residents just place their garbage and recycling outside of their door certain days of the week. It would be nice if it was required by Metro to provide residents yearly with a reminder of recycling guidelines. I frequently see my neighbors incorrectly recycling items so a reminder would be good!</p>	<p>Thank you for your input. Annual education for all customers has been a part of previous standards and is included in the proposed standards.</p>
11	10/10/2020	17:10 web form	Annee Ashton Goldfeld	<a href="mailto:goldfeld@aya.yale.edu">goldfeld@aya.yale.edu</a>	97006 Multifamily	<p>RE: 5.15 - 2040 Multifamily Residential Service Standards &amp; 5.15 - 2045 Multifamily Receptacle Colors; Signage; Informational Materials</p> <p>Regarding apartment complexes, much work needs to be done to educate both residents and staff about recycling. I speak from experience as a renter in Washington County for the last 12 years. 1) If residents perceive that recycling containers are too far from the nearest trash, they throw away their recycling in the trash. Several neighbors at The Lakes have said this as they see me walking with my recycling bucket to the collection area. 2) Bins are not always clearly labeled. I have suggested larger recycling posters to leasing office staff, but there has been no action so far. The yard waste bin used to collect glass is not labeled at all. 3) Mailboxes are a prime location to collect recyclable paper. Residents prefer to sort and dispose than carry home junk mail, etc. Clearly labeled recycling bins with slotted lids (like a mail drop slot) seem to work best. 4) Besides curbside recyclables, apartment complexes generate a lot of other "trash" when residents move out. These items include furniture, kitchen items, toys, electronics, clothes, and more that are still in good to excellent condition, just no longer wanted. My own home includes like new furniture and a fully functional computer monitor reclaimed from a dumpster area. Additionally I have sold reclaimed items on Craigslist. 5) Deposit return cans and bottles are sought in dumpsters by local neighbors struggling with poverty and/or homelessness. It would be great to have some type of compassionate alternative collection bin for returnables so that already at-risk individuals are not further endangered by biohazards and physical hazards in the dumpsters. 6) Leasing office staff needs to be engaged by local recycling authorities in regard to resident education that can happen via mass email to their residents.</p>	<p>Thank you for your input. New larger signs and clear labels for all bins are part of the proposed standards for multifamily collection system standards. Metro anticipates working closely with local governments on the future development of bulky waste collection service standards.</p>

The standards seem fairly reasonable. Weekly pickup for glass seems unnecessary. I have multiple properties with maybe 1.5 gallons glass per unit that usually aren't half full when picked up monthly. How will the standard of no bags of garbage on the ground be enforced? Most multifamily properties have people put bags of trash on the ground every day even though the dumpster is empty. I have multiple locations that find stacks of garbage on the ground in the garbage area almost every morning despite the dumpster being empty. We can clean it up regularly, but clearly marking bins and providing enough capacity is unfortunately not enough to get residents to place garbage in the bins. How about finding ways to provide bins that are accessible?

Thank you for your input. Your comments revealed some confusing language in the rules with regard to "adequate service" in section 5.15-2025; that section has been amended to improve clarity. Metro is committed to working with our local government partners to improve garbage and recycling services for multifamily customers. In future years we will be looking at how garbage and recycling areas are designed so that services are more accessible and user-friendly.

So happy you are making it easier for recycling in multi family housing. I live in an active senior adult community, and am co chair of the Green Team. There are many residents who care very much and strive to recycle correctly. There are a few residents who just don't care, and there are others who are unable. Anything you propose to make this process easier will be very welcome here. Thank you

Thank you for your input.

Clackamas County Sustainability & Solid Waste -- See PDF for full text. Questions about referring to "code" rather than "Regional Waste Plan" in code chapter 5.10 and 5.15. Additional questions related to yard debris language for residential customers. Questions around implementation of the multifamily color standard.

Thank you for your input.

**5.10 and 5.15 Code** The requirements for local governments under the Regional Waste Plan, referenced by the proposed code, are outlined on pages 113-115 of the Plan. The vast majority of actions in the Regional Waste Plan represent guidance to Metro and local governments, rather than requirements. The language, as drafted by the Metro Attorney, will remain.

**5.15 – 2030 Exemption to Single-Family Yard Debris Service Standard**

1. The language for this rule has been in place for a number of years and Metro believes it is important for rural customers to receive this annual notification.

**5.15 - 2040 Multifamily Residential Service Standards**

1. and 2. Metro agrees with this suggestion to increase clarity and will revise the rules based on this suggestion.

**5.15 – 2045 Multifamily Receptacle Colors; Signage; Informational Materials**

1. Metro's intent is to ensure that receptacles purchased after July 1, 2021 for multifamily customers meets the proposed color and signage standard. Wording suggestions to increase clarity are welcome.

2. Yes all proposed colors covered under this standard are available at 30 percent recycled content.

**5.15-2050 Exemptions to Multifamily Standards**

2. Metro believes the exemption conditions are important to maintain to ensure multifamily customers are receiving comprehensive collection services and to keep yard debris out of the garbage stream.

**5.15 – 2065 Funding Guidelines**

Thank you for your input. Metro will add "or it's designated agency" to the second sentence to increase clarity.

Sherwood, City of -- Thank you for providing an opportunity to comment on these proposed amendments - it is appreciated. Most of the changes that are proposed are administrative and minor in nature. The one important point that I would raise is to please be cautious in implementing new recycling equipment standards in terms of the effect on rates for our customers. Our franchised hauler, Pride Disposal, raised a number of these concerns to Metro in a letter that was submitted by Kristin Leichner. We echo their concerns, especially in these difficult economic times for many of our businesses and residents in these "Covid" times. Thank you again!

Thank you for your input. Independent analysis shows minimal costs to commercial ratepayers as a result of establishing a multifamily color standard over a 7-year schedule.



16	10/15/2020	3:08 PM	Email	KJ Lewis	<a href="mailto:kjlewis@republicservices.com">kjlewis@republicservices.com</a>	Multifamily	Concerned about economic and environmental costs related to MF color standard implementation. See PDF for full text	<p>Thank you for your input.</p> <p><b>5.15 – 2040 Multifamily Residential Service Standards</b> Metro anticipates working closely with local governments and stakeholders on the future development of bulky waste collection service standards and will update and revise the rules over time.</p> <p><b>5.15 -2045 Multifamily Receptacle Colors; signage; Information Materials</b></p> <ul style="list-style-type: none"> <li>• Analysis shows minimal costs to commercial ratepayers as a result of establishing a multifamily color standard over a seven year schedule.</li> <li>• Receptacles may be replaced over a seven year period. Receptacles with useful life remaining could be used in other lines of business and are not required to be disposed. The analysis of costs showed a lid-only replacement to be almost as costly as replacing the entire cart, and cost savings depend on the cart body being in good condition. Replacing only the lids does not create regional consistency and would increase confusion for people living in multifamily homes. Additionally, lids of carts and containers are often left open in shared service situations rendering a lid-only color signal ineffective.</li> <li>• Orange has been used as the standard glass decal and sign color in the Metro region for commercial collection for over a decade. Orange is also used by Recycle Across America, a national non-profit organization working to standardize garbage and recycling labels, to indicate a glass-only stream. Metro is currently only proposing a color standard for multifamily carts and containers. There is no timeline established to set a color standard for other lines of service and likely no timeline will be established in the foreseeable future.</li> </ul>
17	10/15/2020	4:31 PM	Email	Beth Vargas Duncan	<a href="mailto:bethvd@orra.net">bethvd@orra.net</a>	Multifamily	From the CCRRA - See PDF for full text. Interest in expanding every other week mixed recycling and yard debris service. Concerns economic and environmental costs related to MF color standard implementation.	<p>Thank you for your input. <b>5.15 – 2025 Single-Family Residential Service Standards 3.</b> Existing every-other-week single-family collection programs including yard debris (AR 5.15-2035) meet the service standard. Metro did not want to make significant changes to single-family curbside collection program standards ahead of the statewide Recycling Steering Committee process, therefore the proposed service standard maintains the status-quo.</p> <p>5. Metro is amending the rule based on this suggestion.</p> <p><b>5.15 -2045 Multifamily Receptacle Colors; signage; Information Materials</b></p> <ul style="list-style-type: none"> <li>• Analysis shows minimal costs to commercial ratepayers as a result of establishing a multifamily color standard over a seven year schedule.</li> <li>• Receptacles may be replaced over a seven year period. Receptacles with useful life remaining could be used in other lines of business and are not required to be disposed. The analysis of costs showed a lid-only replacement to be almost as costly as replacing the entire cart, and cost savings depend on the cart body being in good condition. Replacing only the lids does not create regional consistency and would increase confusion for people living in multifamily homes. Additionally, lids of carts and containers are often left open in shared service situations rendering a lid-only color signal ineffective.</li> <li>• Metro heard overwhelmingly from people living in multifamily homes that they want color consistency to reduce confusion in their collection services. Color consistency between decals and receptacles reinforce the message.</li> <li>• Orange has been used as the standard glass decal and sign color in the Metro region for commercial collection for over a decade. Orange is also used by Recycle Across America, a national non-profit organization working to standardize garbage and recycling labels, to indicate a glass-only stream. Metro is currently only proposing a color standard for multifamily carts and containers. There is no timeline established to set a color standard for other lines of service and likely no timeline will be established in the foreseeable future.</li> </ul>
18	10/16/2020	5:31 PM	Email	Beth Vargas Duncan	<a href="mailto:bethvd@orra.net">bethvd@orra.net</a>	Multifamily	From the PHA - See PDF for full text. Interest in expanding every other week mixed recycling and yard debris service. Concerns economic and environmental costs related to MF color standard implementation.	Three hauler associations submitted identical letters. See response above.
19	10/17/2020	6:31 PM	Email	Beth Vargas Duncan	<a href="mailto:bethvd@orra.net">bethvd@orra.net</a>	Multifamily	From the WCHA - See PDF for full text. Interest in expanding every other week mixed recycling and yard debris service. Concerns economic and environmental costs related to MF color standard implementation.	Three hauler associations submitted identical letters. See response above.

**From:** [Francesca via Metro](#) on behalf of [Metro](#)  
**To:** [ServiceStandards](#)  
**Subject:** Form submission from: Comment on the draft Regional Service Standard  
**Date:** Tuesday, September 22, 2020 11:51:30 AM

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Submitted on Tuesday, September 22, 2020 - 11:51am

Submitted by anonymous user: 172.68.174.134

Submitted values are:

First name: Francesca

Last name: Cameron

Email: francesca747@gmail.com

Company or organization (if applicable):

Zip code: 97205

Provide your feedback: I do not have time to read the drafts, but have one issue that really matters to me. I want to have access to a compostable bin in my building where I can recycle kitchen waste.

The results of this submission may be viewed at:

<https://www.oregonmetro.gov/node/31841/submission/106606>

**From:** [Justin via Metro](#) on behalf of [Metro](#)  
**To:** [ServiceStandards](#)  
**Subject:** Form submission from: Comment on the draft Regional Service Standard  
**Date:** Tuesday, September 22, 2020 12:27:40 PM

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Submitted on Tuesday, September 22, 2020 - 12:27pm

Submitted by anonymous user: 162.158.107.213

Submitted values are:

First name: Justin

Last name: Gilchrist

Email: [jgilchristfccla@gmail.com](mailto:jgilchristfccla@gmail.com)

Company or organization (if applicable):

Zip code: 97219

Provide your feedback: I would appreciate more organized bins. Currently we just have two dumpsters with poor labeling and everyone doesn't know which one is which and ruins all our recyclables. I would also hope it makes for a more sanitary area if the service would come more often. Thank you.

The results of this submission may be viewed at:

<https://www.oregonmetro.gov/node/31841/submission/106611>

**From:** [Neel via Metro](#) on behalf of [Metro](#)  
**To:** [ServiceStandards](#)  
**Subject:** Form submission from: Comment on the draft Regional Service Standard  
**Date:** Tuesday, September 22, 2020 1:07:52 PM

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Submitted on Tuesday, September 22, 2020 - 1:08pm

Submitted by anonymous user: 172.68.174.44

Submitted values are:

First name: Neel

Last name: Patel

Email: [neelpatelslc@gmail.com](mailto:neelpatelslc@gmail.com)

Company or organization (if applicable):

Zip code: 97209

Provide your feedback:

This is a great idea!

I would love more options for composting in apartment buildings. I tried to lobby my building for compost but it didn't go anywhere. Also the signs are helpful, but I feel that most people put whatever they want in the recycling. One solution may be to severely reduce recycling to what can actually be meaningfully recycled?

Also maybe for signs, stressing the importance of flattening cardboard boxes?? Thanks for all your hard work!

The results of this submission may be viewed at:

<https://www.oregonmetro.gov/node/31841/submission/106616>

**From:** [Jacob via Metro](#) on behalf of [Metro](#)  
**To:** [ServiceStandards](#)  
**Subject:** Form submission from: Comment on the draft Regional Service Standard  
**Date:** Tuesday, September 22, 2020 1:42:16 PM

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Submitted on Tuesday, September 22, 2020 - 1:42pm

Submitted by anonymous user: 172.68.174.68

Submitted values are:

First name: Jacob

Last name: Metcalf

Email: 8bitjoystick@gmail.com

Company or organization (if applicable):

Zip code: 97213

Provide your feedback: I am a essential healthcare worker currently fighting the covet 19 epidemic. I'm also a condo owner in Portland off NE 68th. It is long overdue that we expand and reform recycling and garbage services for multi-person Portland

The results of this submission may be viewed at:

<https://www.oregonmetro.gov/node/31841/submission/106621>

**From:** [Alyson via Metro](#) on behalf of [Metro](#)  
**To:** [ServiceStandards](#)  
**Subject:** Form submission from: Comment on the draft Regional Service Standard  
**Date:** Wednesday, September 23, 2020 8:47:00 AM

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Submitted on Wednesday, September 23, 2020 - 8:47am

Submitted by anonymous user: 162.158.106.82

Submitted values are:

First name: Alyson

Last name: Berman

Email: [emmash@gmail.com](mailto:emmash@gmail.com)

Company or organization (if applicable):

Zip code: 97210

Provide your feedback: It still leaves out composting for apartment users. If the city can't pick up yard debris and compost from apartment residents, it would be great if there were drop off stations so we could minimize our waste and increase our composting.

The results of this submission may be viewed at:

<https://www.oregonmetro.gov/node/31841/submission/106651>

**From:** [Lisa via Metro](#) on behalf of [Metro](#)  
**To:** [ServiceStandards](#)  
**Subject:** Form submission from: Comment on the draft Regional Service Standard  
**Date:** Wednesday, September 23, 2020 11:56:21 AM

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Submitted on Wednesday, September 23, 2020 - 11:56am

Submitted by anonymous user: 172.68.174.80

Submitted values are:

First name: Lisa

Last name: Chin

Email: [lisasenchin@gmail.com](mailto:lisasenchin@gmail.com)

Company or organization (if applicable):

Zip code: 97214

Provide your feedback: I'd like to have composting as an option. My apartment does not offer this. If this is not the channel for this request, I'd really like to know what would be the best resources. Thank you!

The results of this submission may be viewed at:

<https://www.oregonmetro.gov/node/31841/submission/106666>

**From:** [Carolyn via Metro](#) on behalf of [Metro](#)  
**To:** [ServiceStandards](#)  
**Subject:** Form submission from: Comment on the draft Regional Service Standard  
**Date:** Monday, September 28, 2020 10:53:14 AM

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Submitted on Monday, September 28, 2020 - 10:55am

Submitted by anonymous user: 172.68.174.80

Submitted values are:

First name: Carolyn

Last name: Overby

Email: [carolynoverby@frontier.com](mailto:carolynoverby@frontier.com)

Company or organization (if applicable): Sussex Village LLC

Zip code: 97008

Provide your feedback:

I question how bulk items will be picked up. Where will residents place them, when will they be picked up and who will pay for this extra service. Currently our residents contact us for pickup. We then schedule a day with Waste Management so property doesn't load up with trashy looking items showing on the property. The residents are informed that they will pay whatever fees Waste Management charges for the pickup. I sincerely think it would be a fiasco to just allow the residents to discard their unwanted large items on the property. Many would not bother taking them to a charity group or having one pick them up. I believe the charge is what motivates them to take action. Move-outs would be disastrous! Our residents don't pay for the water, sewer or garbage. I can foresee a lot of resentment if we started implementing that. I can also foresee the home owner's around the area taking advantage of the situation, as we already combat that to some degree.

I don't think it is always a misunderstanding concerning the contamination in recycling. There is no lid they have to lift for recycling whereas they must lift the lid for garbage. We do our very best to inform and work with our residents and for the most part they are compliant. I sincerely wish whoever is making these decisions had some experience managing a multi-family complex.

The results of this submission may be viewed at:

<https://www.oregonmetro.gov/node/31841/submission/106771>



**From:** [Carolyn via Metro](#) on behalf of [Metro](#)  
**To:** [ServiceStandards](#)  
**Subject:** Form submission from: Comment on the draft Regional Service Standard  
**Date:** Monday, September 28, 2020 1:56:52 PM

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Submitted on Monday, September 28, 2020 - 1:59pm

Submitted by anonymous user: 172.68.174.44

Submitted values are:

First name: Carolyn

Last name: Overby

Email: [carolynoverby@frontier.com](mailto:carolynoverby@frontier.com)

Company or organization (if applicable): Sussex Village LLC

Zip code: 97008

Provide your feedback: I have a question. Will it be answered? Will Waste Management have the authority to take over a slice of my property to use as a large item recycling area. They have closed the recycling center that was on Denny Road in Beaverton. Is this a way for them to use small slices of other people's land which they do not pay taxes on?

The results of this submission may be viewed at:

<https://www.oregonmetro.gov/node/31841/submission/106776>



October 5, 2020

Re: Comments on Proposed Revisions to Metro Code Chapter 5.10

Thank you for the opportunity to provide comments on the proposed changes. Our comments, questions, and concerns are addressed below.

**Administrative Rule 5.15 – 2025:**

#3: This service standard rule requires weekly collection of yard debris. Four of the jurisdictions that Pride Disposal services have every other week yard debris collection and always have. And I know that many other jurisdictions across the region have the same service level. This rule should be modified so that can continue, and so other jurisdictions can consider that service level in the future. Related to #5 in this section, if every other week yard debris with food scraps is allowed, there is no reason that every other week yard debris without food scraps should not also be allowed. I understand that 5.15 – 2035 allows any programs existing as of January 1, 2019 to continue, but there is no reason that a jurisdiction should be prevented from moving to an every other week yard debris program if that local jurisdiction chooses to do so.

#3: This service standard rule requires weekly collection of recycling. Five of the jurisdictions that Pride Disposal services have every other week recycling collection. Metro recently did a study finding that every other week recycling had similar outcomes to weekly recycling in terms of effectiveness. One less weekly pick-up also results in reduced GHG, neighborhood and arterial truck traffic, and reduced costs to ratepayers. I understand that 5.15 – 2035 allows any programs existing as of January 1, 2019 to continue, but there is no reason that a jurisdiction should be prevented from moving to an every other week program if that local jurisdiction chooses to do so.

#5: As at least 1 jurisdiction in the region is currently providing every other week yard debris with food scraps collection, I propose this rule be changed to read as follows: “Residential food scraps with yard debris can be offered at weekly or every other week frequency. Every other week collection of residential food scraps mixed with yard debris is only allowed if approved by the processing facility receiving the material and acceptance does not violate any other government ordinance, regulation, permit, health, or safety code.”

**Administrative Rule 5.15 – 2040:**

#4: I am supportive of the requirement for regularly occurring bulky waste collection at multi-family properties. My concern is that while other areas of this section have volume and frequency clearly defined, this item is not clearly defined. There should be consistency across all material types if a minimum standard is present. Does regularly occurring mean annually, weekly, monthly? I would propose a minimum frequency be established based on number of units.

**Administrative Rule 5.15 – 2045:** I understand and appreciate the desire for color coding throughout the system for better clarity for customers, but I do have several concerns about this path forward:

- There will be a large cost on the system to color code containers across the region. For metal containers, this will involve repainting all recycling containers. For plastic roll carts, this will involve replacement of carts that typically last for 20+ years. We even have some carts that have been in use for 30 years. This equipment has already been paid for by rate payers and Metro would be requiring rate payers to pay for refurbishment and/or replacement of containers on an accelerated schedule, which will cause rates to increase. While I understand the receptacles can be recycled, the recycling mantra of “Reduce, Reuse, Recycle” is a hierarchy with “Recycle” being the lowest priority in terms of importance. You are asking haulers across the region to prematurely discard thousands of receptacles across the region. Additionally, recycling of plastic roll carts has a cost associated with it, which will be borne by the rate payers. We have proposed on multiple occasions that a better path forward would involve color coding of lids, rather than color coding the entire receptacle. This is a more cost effective and far less wasteful change that would still achieve the color coding that is desired.
- I also have concerns about color coding instructional stickers to have the sticker color match the intended receptacle color. For example, the recycling stickers that have been designed are blue and are intended to be placed on containers that are also blue. Even with contrast within the sticker, the stickers will not stand out enough for customers to clearly see the sticker. I believe this will not achieve the goal of reducing customer confusion and therefore reducing recycling contamination.
- I believe that choosing orange for the glass bin color is a mistake. Across the region, glass is primarily put in yellow bins or red bins. It would be far more logical, environmentally friendly and cost effective to choose one of these 2 colors so not every bin across the entire region has to be changed. I would propose analysis be done on how many color-coded red bins vs. color coded yellow bins there are across the region and then the color that is more prevalent can be chosen.
- While I understand the current proposal is only regarding color coding of multi-family receptacles, I also understand that the intent within the Regional Waste Plan is to eventually color code receptacles across all lines of business in the region. With that in mind, I would like to again strongly emphasize the need to consider color coding of lids only and not color coding of entire receptacles. Our company has always provided blue lids on recycling carts and have, in the last few years, begun providing yard debris carts with green lids. If we are mandated in the future to replace all these carts, it would involve purchasing and disposing of approximately 70,000 carts.

Thank you,

Kristin Lechner  
President  
Pride Disposal & Recycling Company

**From:** [Ashley via Metro](#) on behalf of [Metro](#)  
**To:** [ServiceStandards](#)  
**Subject:** Form submission from: Comment on the draft Regional Service Standard  
**Date:** Friday, October 9, 2020 10:44:44 AM

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Submitted on Friday, October 9, 2020 - 10:43am  
Submitted by anonymous user: 108.162.245.96  
Submitted values are:

First name: Ashley  
Last name: George  
Email: ashleyhgeorge@gmail.com  
Company or organization (if applicable):  
Zip code: 97225

Provide your feedback: Some multi-family housing units use a valet service where the residents just place their garbage and recycling outside of their door certain days of the week. It would be nice if it was required by Metro to provide residents yearly with a reminder of recycling guidelines. I frequently see my neighbors incorrectly recycling items so a reminder would be good!

The results of this submission may be viewed at:  
<https://www.oregonmetro.gov/node/31841/submission/107051>

**From:** [Annee via Metro](#) on behalf of [Metro](#)  
**To:** [ServiceStandards](#)  
**Subject:** Form submission from: Comment on the draft Regional Service Standard  
**Date:** Saturday, October 10, 2020 5:11:03 PM

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Submitted on Saturday, October 10, 2020 - 5:10pm

Submitted by anonymous user: 172.68.174.68

Submitted values are:

First name: Annee

Last name: Ashton Goldfeld

Email: [goldfeld@aya.yale.edu](mailto:goldfeld@aya.yale.edu)

Company or organization (if applicable):

Zip code: 97006

Provide your feedback:

RE:

5.15 - 2040 Multifamily Residential Service Standards

5.15 - 2045 Multifamily Receptacle Colors; Signage; Informational Materials

Regarding apartment complexes, much work needs to be done to educate both residents and staff about recycling. I speak from experience as a renter in Washington County for the last 12 years. 1) If residents perceive that recycling containers are too far from the nearest trash, they throw away their recycling in the trash. Several neighbors at The Lakes have said this as they see me walking with my recycling bucket to the collection area. 2) Bins are not always clearly labeled. I have suggested larger recycling posters to leasing office staff, but there has been no action so far. The yard waste bin used to collect glass is not labeled at all. 3) Mailboxes are a prime location to collect recyclable paper. Residents prefer to sort and dispose than carry home junk mail, etc. Clearly labeled recycling bins with slotted lids (like a mail drop slot) seem to work best. 4) Besides curbside recyclables, apartment complexes generate a lot of other "trash" when residents move out. These items include furniture, kitchen items, toys, electronics, clothes, and more that are still in good to excellent condition, just no longer wanted. My own home includes like new furniture and a fully functional computer monitor reclaimed from a dumpster area. Additionally I have sold reclaimed items on Craigslist. 5) Deposit return cans and bottles are sought in dumpsters by local neighbors struggling with poverty and/or homelessness. It would be great to have some type of compassionate alternative collection bin for returnables so that already at-risk individuals are not further endangered by biohazards and physical hazards in the dumpsters. 6) Leasing office staff needs to be engaged by local recycling authorities in regard to resident education that can happen via mass email to their residents. Thank you.

The results of this submission may be viewed at:

<https://www.oregonmetro.gov/node/31841/submission/107106>

**From:** [Sam via Metro](#) on behalf of [Metro](#)  
**To:** [ServiceStandards](#)  
**Subject:** Form submission from: Comment on the draft Regional Service Standard  
**Date:** Wednesday, October 7, 2020 2:41:52 PM

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Submitted on Wednesday, October 7, 2020 - 2:40pm

Submitted by anonymous user: 172.68.174.44

Submitted values are:

First name: Sam

Last name: Wisner

Email: [swisner@tokolaproperties.com](mailto:swisner@tokolaproperties.com)

Company or organization (if applicable): Tokola Properties

Zip code: 97030

Provide your feedback:

The standards seem fairly reasonable. Weekly pickup for glass seems unnecessary. I have multiple properties with maybe 1.5 gallons glass per unit that usually aren't half full when picked up monthly.

How will the standard of no bags of garbage on the ground be enforced? Most multifamily properties have people put bags of trash on the ground every day even though the dumpster is empty. I have multiple locations that find stacks of garbage on the ground in the garbage area almost every morning despite the dumpster being empty. We can clean it up regularly, but clearly marking bins and providing enough capacity is unfortunately not enough to get residents to place garbage in the bins.

How about finding ways to provide bins that are accessible?

The results of this submission may be viewed at:

<https://www.oregonmetro.gov/node/31841/submission/107006>

**From:** [Katherine via Metro](#) on behalf of [Metro](#)  
**To:** [ServiceStandards](#)  
**Subject:** Form submission from: Comment on the draft Regional Service Standard  
**Date:** Wednesday, October 14, 2020 9:01:40 PM

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Submitted on Wednesday, October 14, 2020 - 9:02pm  
Submitted by anonymous user: 172.68.174.68  
Submitted values are:

First name: Katherine  
Last name: Suri  
Email: [ksuri@sbcglobal.net](mailto:ksuri@sbcglobal.net)  
Company or organization (if applicable): Master Recycler  
Zip code: 97239

Provide your feedback:

So happy you are making it easier for recycling in multi family housing. I live in an active senior adult community, and am co chair of the Green Team. There are many residents who care fery much and strive to recycle correctly. There are a few residents who just don't care, and there are others fwwho are unable. Anything you propose to make this process easier will be very welcome here.  
Thank you

The results of this submission may be viewed at:  
<https://www.oregonmetro.gov/node/31841/submission/107311>

**From:** [Eben via Metro](#) on behalf of [Metro](#)  
**To:** [ServiceStandards](#)  
**Subject:** Form submission from: Comment on the draft Regional Service Standard  
**Date:** Thursday, October 15, 2020 1:32:15 PM

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Submitted on Thursday, October 15, 2020 - 1:33pm  
Submitted by anonymous user: 108.162.215.70  
Submitted values are:

First name: Eben  
Last name: Polk  
Email: [epolk@clackamas.us](mailto:epolk@clackamas.us)  
Company or organization (if applicable): Clackamas County Sustainability & Solid Waste  
Zip code: 97045  
Provide your feedback:

We are in support of the 2030 Regional Waste Plan (RWP) actions and enhancing multifamily service to make it more equitable for multifamily residents, and we are committed to doing our part and working with our cities and collectors to realize this goal. We support the updating of Code and Rules for clarity and to incorporate the 2030 RWP.

While we recognize the benefits of moving some of the items that have a significant impact on collection programs from Code to Rules, more substantive pieces should remain in Code (even though we don't have specific recommendations at this time).

Additionally, we have some feedback to specific content:

- Throughout various sections of the proposed Code (including, but not limited to, 5.15.020, 5.10.030, 5.15.060, 5.15.310) and proposed Rules (5.15-1000, 5.15-2000, 5.15-5000), the RWP is codified and binding; however, some items in the RWP are aspirational. As the requirements of the RWP are incorporated into Code/Rule, we recommend the following modifications to reference the binding nature of Code/Rule, not the RWP:

o 5.15.020 Application

The Code applies to all portions of Clackamas, Washington, and Multnomah Counties within Metro's jurisdictional boundary.

o 5.10.030 Regional Waste Plan Requirements

(a) The Code contains requirements and performance standards from the Regional Waste Plan that are binding on a local government within Metro's jurisdictional boundary. The requirements and performance standards that are binding on a local government are set forth in Chapter 5.15 and associated administrative rules.

(b) The Code contains requirements and performance standards from the Regional Waste Plan that may result in changes to other sections of Metro Code including, but not limited to, all chapters in Title V and other code sections related to solid waste matters.

o 5.15.060 Local Government Conformity to the Code

A local government may not adopt any ordinance, order, regulation, or contract affecting solid waste management that conflicts with the Code.

o 5.15.310 Purpose and Intent (General Education)

A local government must adopt and implement the general education standard as required by the Code and as specified in this chapter and administrative rules. The education standard ensures a comprehensive and consistent level of garbage, recycling, composting, waste prevention and reuse education and assistance for all customers in the region.

o The same recommendations pertain to the similar references throughout the proposed Rules.

- 5.15 – 2015 Applicability of Rules (proposed Rules 5.15-2000, pg 3)

o Thank you for stating that this is a recommendation for the watershed areas outside of Metro's boundary.

o Thanks again for the same in 5.15 - 5000 General Education (proposed Rules 5.15-5000, pg 2).

- 5.15 – 2025 Single-Family Residential Service Standards (proposed Rules 5.15-2000, pg 3)

o 7. "Ensure that property owners and managers provide access to adequate on-site recycling collection service



to renters of single-family residential properties.”

We acknowledge that many scenarios can exist in this setting. We support ensuring access to recycling for all residents. We want to make sure that “provide access to recycling collection service” does not mean that the landlord must be the account holder.

- 5.15 – 2030 Exemption to Single-Family Yard Debris Service Standard

o 1. “A local government may exempt rural service areas from regular on-route collection of yard debris provided that the local government distributes informational material to rural customers at least annually that provides options for proper management of yard debris, including instructions to not place yard debris in solid waste receptacles destined for disposal.”

We do not have any data indicating that yard debris in rural garbage containers is a problem.

We currently do not have a ban on placing yard debris in garbage.

We believe this is an opportunity to simplify Metro Rules and recommend eliminating the last portion of the sentence, “...including instructions to not place yard debris in solid waste receptacles destined for disposal.”

- 5.15 - 2040 Multifamily Residential Service Standards (proposed Rules 5.15-2000, pg 4)

o We support the per unit per week minimums to use as a tool to help ensure adequate service (no overflow, snow-coning, etc.).

o We also recognize that minimum service may not be adequate service.

o 1.&2. Our literal read of – “a local government must;” in combination with “provide,” suggests the local government is performing the collection service.

We suggest: A local government must: Implement a minimum service volume standard...

o 4. “Ensure provision of regularly-occurring bulky waste collection service by July 1, 2025.”

We acknowledge that bulky waste is problematic at some communities, and we support the adoption of language to improve bulky waste collection at multifamily communities. However, we think the region would be better served by postponing this rule until we can implement pilot projects to study the situation and explore potential solutions.

- 5.15 – 2045 Multifamily Receptacle Colors; Signage; Informational Materials (proposed Rules 5.15-2000, pg 4)

o We support regional color consistency and signage to help multifamily residents better identify and understand their bins.

o 1. “All receptacles ordered after July 1, 2021 must comply with the color standard below and must be labeled with the correct Metro-approved regional signage.”

Since the proposed rules state that the deadline for multifamily receptacle colors is 2028, we would like to understand why this provision is necessary.

Is Metro’s intent to influence the color of receptacles provided at a property in situations where the franchised collector may be swapping out receptacles? “Ordering” could be interpreted in a number of ways. “Providing” can be done without ordering.

o 2. “All plastic receptacles for garbage, mixed recyclable materials, and yard debris and/or food scraps ordered after July 1, 2021 must contain at least 30% post-consumer recycled content.”

Is it known that all proposed colors are available (at a reasonable cost) at 30% post-consumer recycled content?

o 3. We recommend that garbage containers be gray or black

o 3. We observe that the financial implications of this color change are not cost-neutral in seven years. There are likely additional costs associated with a seven-year timeline, though these costs may be reasonable given our outreach and consistency objectives. We would like to see some discussion about how to manage the disposition of carts that are in good condition, acknowledging that these are sunk costs.

o 5. We support the deployment of a region-wide re-stickering taskforce in order to meet this deadline.

- 5.15-2050 Exemptions to Multifamily Standards (proposed Rules 5.15-2000, pg 5)

o 2. Exempt yard debris from collection.

We believe this is an opportunity to simplify Metro’s Rules. We acknowledge that conditions are listed in the current rules; however, we believe, moving forward, these conditions should not be included, because:

There is no ban on yard debris in garbage.

There has been no indication there is significant amount of yard debris in multifamily garbage.

It is difficult to enforce.

- 5.15 – 2065 Funding Guidelines (proposed Rules 5.15-2000, pg 5)
  - o The local government must also enter into an intergovernmental agreement with Metro. In the first sentence it says, "...a local government or its designated agency," that should be repeated in the second sentence.
  - o While we do not recommend withholding of funds, we recommend that any withholding of funds should be limited to the funds earmarked for the implementation of specific provision of the Regional Waste Plan or Code. For example, this would be consistent with Metro's decision to withhold funding for business technical assistance in the City of Estacada.

The results of this submission may be viewed at:

<https://www.oregonmetro.gov/node/31841/submission/107351>

**From:** [Joseph via Metro](#) on behalf of [Metro](#)  
**To:** [ServiceStandards](#)  
**Subject:** Form submission from: Comment on the draft Regional Service Standard  
**Date:** Thursday, October 15, 2020 2:05:41 PM

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Submitted on Thursday, October 15, 2020 - 2:06pm  
Submitted by anonymous user: 172.68.174.134  
Submitted values are:

First name: Joseph  
Last name: Gall  
Email: [gallj@sherwoodoregon.gov](mailto:gallj@sherwoodoregon.gov)  
Company or organization (if applicable): Sherwood, City of (OR)  
Zip code: 97140

Provide your feedback: Thank you for providing an opportunity to comment on these proposed amendments - it is appreciated. Most of the changes that are proposed are administrative and minor in nature. The one important point that I would raise is to please be cautious in implementing new recycling equipment standards in terms of the effect on rates for our customers. Our franchised hauler, Pride Disposal, raised a number of these concerns to Metro in a letter that was submitted by Kristin Leichner. We echo their concerns, especially in these difficult economic times for many of our businesses and residents in these "Covid" times. Thank you again!

The results of this submission may be viewed at:  
<https://www.oregonmetro.gov/node/31841/submission/107361>



Re: Comments on Proposed Revisions to Metro Code Chapter 5.10

Thank you for allowing comment on Metro's proposed code changes and changes to the regional service standards.

While reviewing proposed administrative rule changes, several concerns surfaced. We would advise staff to let Council know that many of the proposed changes will increase ratepayer/constituent costs. These cost increases are particularly impactful during this time, when many people are already struggling.

Regarding Administrative Rule 5.15 – 2040 (Multifamily Residential Service Standards), we agree that regularly occurring bulky waste collection at multifamily properties is a laudable goal. However, we ask that service volume and frequency be further defined. Does regularly occurring mean annually, monthly, weekly? This section is ambiguous.

Most concerning is Administrative Rule 5.15 -2045 (Multifamily Receptacle Colors; signage; Information Materials). While we agree that color coding would like increase clarity for ratepayers/constituents there are many things to consider:

- There will be significant cost to color code receptacles, which will increase ratepayer/constituent costs. Metal containers have to be repainted, plastic roll carts will have to be replaced. Ratepayers/constituents as well as the company have already paid for this equipment.. Metro would be requiring ratepayers/constituents to refurbish/replace equipment that may still have many years of use.
- While receptacles may be recycled, replacing all receptacles at once will have significant environmental impact. Metro would be requiring us to prematurely discard thousands of receptacles. We recommend that Metro instead require color coding of lids instead of color coding the entire receptacle. This would both achieve Metro's goal to color code, and reduce waste.
- Requiring changing the glass bin color to orange is again wasteful. It would be more environmentally friendly and cost effective to conduct an audit of what color bins are currently being used across the region and then chose the most ubiquitous color(s).

We acknowledge that current proposed changes are regarding color coding of multifamily properties, but we also understand that the intent of the Regional Waste Plan is to eventually color code receptacles across all lines of business in the region. We ask that Metro consider all the environmental impacts, costs that would be incurred related to color coding receptacles versus lids only, and the impact that will have on ratepayers/constituents. In our case, we would have to dispose of more than 35,500 carts and containers, excluding glass bins.

We believe industry has provided some realistic solutions to help more forward the Regional Waste Plan in a responsible and effective way to continue to align the Metro Region with strong service standards for the Solid Waste and Recycling Services. Thank you for your consideration of these comments.

Sincerely,

Jason Jordan – General Manager of Republic Services  
Portland Metro

October 15, 2020

Metro Council  
600 NE Grand Avenue  
Portland, OR 97232- 2736

Re: Comments on Proposed Revisions to Metro Code Chapter 5.10

This letter represents the Clackamas County Refuse and Recycling Association's (CCRRA) comments regarding Metro's proposed code changes and regional service standards. PHA appreciates this opportunity provide these comments. We are committed to working cooperatively with our regulatory local governments to provide safe, modern, and efficient waste collection services that include garbage, recycling, and organics collection at reasonable rates.

With these changes, we understand Metro proposes dividing code 5.10, creating one section for the Regional Waste Plan (5.10) and another for local government requirements (5.15). Some details currently in Metro's code will be moved to administrative rule. Code changes require Metro Council action and require a 90 days prior to implementation. Administrative rule changes do not require Council action; rules may be adopted by Metro's COO and require only 30 days for implementation.

In reviewing the proposed administrative rule changes, we have identified several concerns. Many of Metro's proposed service standards require added costs from ratepayers and consumers. We submit these comments with great consideration of the impact Metro's proposed system requirements may have on persons of color, low-income and marginalized community members.

**Administrative Rule 5.15 – 2025 Single-Family Residential Service Standards:**

#3: Requires weekly collection of yard debris. Several jurisdictions across the region provide every other week yard debris collection and have done so successfully for many years. This standard #3 relates to #5 in this section. If every other week yard debris with food scraps is allowed, then every other week yard debris without food scraps should be allowed. We understand Metro rule 5.15 – 2035 allows any programs existing as of January 1, 2019 to continue, but jurisdictions should be allowed to transition to an every other week yard debris program if that local jurisdiction so chooses.

#3: Requires weekly collection of recycling. Several jurisdictions in the region provide every other week recycling collection. Metro recently did a study finding that every other week recycling had similar outcomes to weekly recycling in terms of effectiveness. One less weekly pick-up also results in reduced GHG, neighborhood and arterial truck traffic, and reduced costs to ratepayers. We understand that 5.15 – 2035 allows any programs existing as of January 1, 2019 to continue, but jurisdictions should be allowed to transition to an every other week recycling program if that local jurisdiction so chooses.

#5: Allows every other week yard debris with food scraps. At least one jurisdiction in the region currently provides every other week yard debris with food scraps collection. We propose this rule be changed to read as follows: "Residential food scraps with yard debris can be offered at weekly or every other week frequency. Every other week collection of residential food scraps mixed with yard debris is only allowed if approved by the processing facility receiving the material and acceptance does not violate any other government ordinance, regulation, permit, health, or safety code."

Recommendation: These sections #3 and #5 should be modified so that every other week yard debris, yard debris with food scraps, and recycling collection can continue, and other jurisdictions can consider such service levels in the future. And #5 rule language be changed as noted in the preceding paragraph.

**Administrative Rule 5.15 – 2040 Multifamily Residential Service Standards:**

#4: Requires regularly occurring bulky waste service by July 1, 2025. We support ensuring regularly occurring bulky waste collection at multifamily properties. However, the service volume and frequency is not clearly defined as in other sections. There should be consistency across all material types if a minimum standard is present. Does regularly occurring mean annually, weekly, monthly?

Recommendation: A minimum frequency should be established based on number of units such as monthly or every other month.

**Administrative Rule 5.15 – 2045 Multifamily Receptacle Colors; Signage; Information Materials:** While color coding throughout the system could increase clarity for customers, we have several concerns.

- Significant cost to color code receptacles. All metal recycling containers will have to be repainted. Plastic roll carts that typically last 20+ years will be replaced. This equipment has already been paid for by rate payers and Metro would be requiring rate payers to pay for refurbishment and/or replacement of metal and plastic containers on an accelerated schedule, which will cause rates to increase.
- Waste creation by replacing receptacles. While receptacles may be recycled, the recycling mantra of “Reduce, Reuse, Recycle” is a hierarchy with “Recycle” being the lowest priority in terms of importance and arguably the highest environmental impact. Metro would be requiring haulers across the region to prematurely discard thousands of receptacles. Additionally, recycling of plastic roll carts has a cost associated with it, which will be borne by the rate payers. Recommendation: As we have proposed repeatedly to Metro staff, a better path forward would involve color coding of lids, rather than color coding the entire receptacle. This is a more cost effective and far less wasteful change that would still achieve the color coding that is desired. Alternative Recommendation: Require color coding upon replacement or maintenance of carts and containers. While this option may take longer to achieve color coding, there would be no added system costs or transportation impact in trading out large quantities of receptacles in a compressed time period.
- Decal Colors. We have concerns about color coding instructional stickers when the sticker color matches the intended receptacle color. For example, the recycling stickers that have been designed are blue and are intended to be placed on containers that are also blue. Even with contrast within the sticker, the stickers will not stand out enough for customers to clearly see the sticker. We believe this will not achieve the goal of reducing customer confusion and therefore reducing recycling contamination. Recommendation: Design stickers with a contrasting color so they visually stand out against the background of the receptacle.
- Glass Bins We believe that choosing orange for the glass bin color is a mistake. Across the region, glass is primarily put in yellow bins or red bins. It would be far more logical, environmentally friendly and cost effective to choose one of these 2 colors so not every bin across the entire region has to be changed. Recommendation: Quantify the number of red bins versus yellow bins across the region and choose the color that is more prevalent. Alternative Recommendation: Require color coding upon natural bin replacement. While this option may take longer to achieve color coding, there would be no added system costs.

Concern of color coding expansion. We recognize the current proposal is only regarding color coding of multi-family receptacles, but we also understand that the intent within the Regional Waste Plan is to eventually color code receptacles across all lines of business in the region.

Recommendation: Carefully consider all costs related to color coding all receptacles versus only the lids. For example, expanding this mandate across all lines of business would require one member hauler to purchase and dispose of approximately 70,000 carts.

In conclusion, while we hope our recommendations will be adopted, we could support the changes provided local governments will support the added cost in their rate setting processes and that there is adequate lead time (i.e. seven years) for implementation of color coding multifamily recycling containers.

We look forward to the opportunity to continue serving as a resource, imparting experience from our own challenges as large and many small, family and women-owned companies, in navigating the business of waste management while promoting our common values advancing equity in waste management. Please don't hesitate to contact Beth Vargas Duncan at 971-707-1683 or [bethvd@orra.net](mailto:bethvd@orra.net) with any questions.

Sincerely,

Josh Brown, President  
Clackamas County Refuse and Recycling Association

October 15, 2020

Metro Council  
600 NE Grand Avenue  
Portland, OR 97232- 2736

Re: Comments on Proposed Revisions to Metro Code Chapter 5.10

This letter represents the Portland Haulers' Association (PHA) comments regarding Metro's proposed code changes and regional service standards. PHA appreciates this opportunity provide these comments. We are committed to working cooperatively with our regulatory local governments to provide safe, modern, and efficient waste collection services that include garbage, recycling, and organics collection at reasonable rates.

With these changes, we understand Metro proposes dividing code 5.10, creating one section for the Regional Waste Plan (5.10) and another for local government requirements (5.15). Some details currently in Metro's code will be moved to administrative rule. Code changes require Metro Council action and require a 90 days prior to implementation. Administrative rule changes do not require Council action; rules may be adopted by Metro's COO and require only 30 days for implementation.

In reviewing the proposed administrative rule changes, we have identified several concerns. Many of Metro's proposed service standards require added costs from ratepayers and consumers. We submit these comments with great consideration of the impact Metro's proposed system requirements may have on persons of color, low-income and marginalized community members.

**Administrative Rule 5.15 – 2025 Single-Family Residential Service Standards:**

#3: Requires weekly collection of yard debris. Several jurisdictions across the region provide every other week yard debris collection and have done so successfully for many years. This standard #3 relates to #5 in this section. If every other week yard debris with food scraps is allowed, then every other week yard debris without food scraps should be allowed. We understand Metro rule 5.15 – 2035 allows any programs existing as of January 1, 2019 to continue, but jurisdictions should be allowed to transition to an every other week yard debris program if that local jurisdiction so chooses.

#3: Requires weekly collection of recycling. Several jurisdictions in the region provide every other week recycling collection. Metro recently did a study finding that every other week recycling had similar outcomes to weekly recycling in terms of effectiveness. One less weekly pick-up also results in reduced GHG, neighborhood and arterial truck traffic, and reduced costs to ratepayers. We understand that 5.15 – 2035 allows any programs existing as of January 1, 2019 to continue, but jurisdictions should be allowed to transition to an every other week recycling program if that local jurisdiction so chooses.

#5: Allows every other week yard debris with food scraps. At least one jurisdiction in the region currently provides every other week yard debris with food scraps collection. We propose this rule be changed to read as follows: "Residential food scraps with yard debris can be offered at weekly or every other week frequency. Every other week collection of residential food scraps mixed with yard debris is only allowed if approved by the processing facility receiving the material and acceptance does not violate any other government ordinance, regulation, permit, health, or safety code."

Recommendation: These sections #3 and #5 should be modified so that every other week yard debris, yard debris with food scraps, and recycling collection can continue, and other jurisdictions can consider such service levels in the future. And #5 rule language be changed as noted in the preceding paragraph.



**Administrative Rule 5.15 – 2040 Multifamily Residential Service Standards:**

#4: Requires regularly occurring bulky waste service by July 1, 2025. We support ensuring regularly occurring bulky waste collection at multifamily properties. However, the service volume and frequency is not clearly defined as in other sections. There should be consistency across all material types if a minimum standard is present. Does regularly occurring mean annually, weekly, monthly?

Recommendation: A minimum frequency should be established based on number of units such as monthly or every other month.

**Administrative Rule 5.15 – 2045 Multifamily Receptacle Colors; Signage; Information Materials:** While color coding throughout the system could increase clarity for customers, we have several concerns.

- Significant cost to color code receptacles. All metal recycling containers will have to be repainted. Plastic roll carts that typically last 20+ years will be replaced. This equipment has already been paid for by rate payers and Metro would be requiring rate payers to pay for refurbishment and/or replacement of metal and plastic containers on an accelerated schedule, which will cause rates to increase.
- Waste creation by replacing receptacles. While receptacles may be recycled, the recycling mantra of “Reduce, Reuse, Recycle” is a hierarchy with “Recycle” being the lowest priority in terms of importance and arguably the highest environmental impact. Metro would be requiring haulers across the region to prematurely discard thousands of receptacles. Additionally, recycling of plastic roll carts has a cost associated with it, which will be borne by the rate payers. Recommendation: As we have proposed repeatedly to Metro staff, a better path forward would involve color coding of lids, rather than color coding the entire receptacle. This is a more cost effective and far less wasteful change that would still achieve the color coding that is desired. Alternative Recommendation: Require color coding upon replacement or maintenance of carts and containers. While this option may take longer to achieve color coding, there would be no added system costs or transportation impact in trading out large quantities of receptacles in a compressed time period.
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Recommendation: Carefully consider all costs related to color coding all receptacles versus only the lids. For example, expanding this mandate across all lines of business would require one member hauler to purchase and dispose of approximately 70,000 carts.

In conclusion, while we hope our recommendations will be adopted, we could support the changes provided local governments will support the added cost in their rate setting processes and that there is adequate lead time (i.e. seven years) for implementation of color coding multifamily recycling containers.

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Sincerely,

Vallerie Gruetter Hill, President  
Portland Haulers' Association

October 15, 2020

Metro Council  
600 NE Grand Avenue  
Portland, OR 97232- 2736

Re: Comments on Proposed Revisions to Metro Code Chapter 5.10

This letter represents the Washington County Haulers' Association (WCHA) comments regarding Metro's proposed code changes and regional service standards. PHA appreciates this opportunity provide these comments. We are committed to working cooperatively with our regulatory local governments to provide safe, modern, and efficient waste collection services that include garbage, recycling, and organics collection at reasonable rates.

With these changes, we understand Metro proposes dividing code 5.10, creating one section for the Regional Waste Plan (5.10) and another for local government requirements (5.15). Some details currently in Metro's code will be moved to administrative rule. Code changes require Metro Council action and require a 90 days prior to implementation. Administrative rule changes do not require Council action; rules may be adopted by Metro's COO and require only 30 days for implementation.

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Sincerely,

Mike Leichner, President  
Washington County Haulers' Association

## Attachment C: Solid Waste Administrative Rules

### **Solid Waste Administrative Rule**

**AR 5.15-2000 through 2065**

Administrative Rule of Metro Code Chapter 5.15  
Administrative Rule Adoption Record and Findings

### **AR 5.15-2000 through 2065 Residential Service Administrative Rules**

These administrative rules are adopted under the authority of Metro Code, which authorizes the Chief Operating Officer (COO) to adopt and amend administrative rules. In accordance with Metro Code Chapter 5.08, the COO provided an opportunity for public comment and held a public hearing on these rules before their adoption.

The COO finds that these administrative rules are necessary to implement certain provisions of Metro Code Chapter 5.15 and hereby adopts Administrative Rules Nos. 5.15-2000 through 2065. The requirements of these administrative rules are in addition to all other requirements and provisions in Metro Code Chapter 5.15. These rules have the same force and effect as any other provision of Metro Code Chapter 5.15.

It is so ordered:

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Marissa Madrigal  
Metro Chief Operating Officer

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Date

**SOLID WASTE  
ADMINISTRATIVE RULES**  
Residential Service

**AR 5.15-2000 through 2065**

Effective: XXXXX

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5.15 - 2010	Definitions
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5.15 - 2030	Exemption to Single-Family Yard Debris Service Standard
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**5.15 – 2000 Purpose**

To implement the residential service standard as set forth in Metro Code Chapter 5.15 and as required by the Regional Waste Plan to ensure a comprehensive and consistent level of recycling service for the region.

**5.15 – 2005 Legal Authority**

1. Metro’s solid waste planning and implementing authority is established under the Metro Charter, the Constitution of the State of Oregon, and ORS Chapters 268 and 459.
2. These rules are issued under the authority of Metro Code. These rules are in addition to all other requirements and provisions in Metro Code Chapters 5.10 and 5.15.

**5.15 – 2010 Definitions**

Unless otherwise specifically defined below, all terms used are as defined in Metro Code Chapter 5.00.

**Acceptable recyclable materials** are a type of source-separated recyclable as-defined in Metro Code Chapter 5.00. For the purposes of these administrative rules, acceptable recyclable materials include the following:

Mixed waste paper	Steel cans
Newspaper	Aluminum
Magazines	Scrap metal
Corrugated cardboard	Plastic bottles and jars

Kraft paper  
Aseptic containers  
Yard debris

Round plastic containers/tubs  
Glass bottles and jars  
Motor oil

~~Adequate service means no overflow of garbage or recycling; receptacle lids must close. Bulky waste should not accumulate for more than seven days or impede access to service area. No bagged or overflow garbage present in recycling receptacles.~~

**Minimum service** means the lowest amount of acceptable recyclable material, glass, yard debris, and garbage collection service volume to be in compliance with residential service standard.

**Commented [SK1]:** A comment received by Sam Wisner showed that the adequate service definition added confusion to understanding the Multifamily Residential Service Standards. The definition was removed from rule and will be added to a guidance document.

### 5.15 – 2015 Applicability of Rules

The requirements of the Regional Waste Plan’s residential service standard apply to all portions of Clackamas, Washington, and Multnomah Counties within Metro’s jurisdictional boundary. For areas of Clackamas, Multnomah and Washington Counties outside of Metro’s jurisdictional boundary, the performance standards are recommendations.

### 5.15 - 2020 Glass Separation Requirement

For all residential customers, a local government must require that glass is kept separate from all other acceptable recyclable materials in collection receptacles and on collection vehicles.

### 5.15 - 2025 Single-Family Residential Service Standards

For all single-family residential customers, a local government must:

1. Provide at least one receptacle, with capacity of at least 60 gallons, for the collection of all acceptable recyclable materials except glass and motor oil.
2. Provide at least one receptacle for source-separated glass collection. The receptacle must have a capacity of at least five gallons.
3. Provide weekly collection of acceptable recyclable materials, glass, motor oil, and yard debris on the same day of the week as garbage, unless exempted under administrative rule 5.15-2030 or administrative rule 5.15-2035.
4. Provide at least one receptacle for yard debris collection. The receptacle must have a capacity of at least 60 gallons.

~~If food scraps service is offered, provide weekly collection of residential food scraps mixed with yard debris. Every other week collection of residential food scraps mixed with yard debris is allowed if approved by the processing facility receiving the material and acceptance does not violate any other government ordinance, regulation, permit, health or safety code.~~

5. ~~Residential food scraps with yard debris can be offered at weekly or every other week frequency. Every other week collection of residential food scraps mixed with yard debris is allowed only if approved in advance by the processing facility receiving the material and acceptance does not violate any other government ordinance, regulation, permit, health, or safety code.~~

6. Provide bulky waste collection service.

7. Ensure that property owners and managers provide access to ~~adequate on-site garbage and~~ recycling collection service to renters of single-family residential properties.

**Commented [SK2]:** A comment submitted by Kristen Lechner provided wording that increased clarity. The wording has been changed to reflect her suggestion.

**Commented [SK3]:** This edit is related to comment submitted by Sam Wisner. The term adequate is being removed.



#### 5.15 - 2030 Exemption to Single-Family Yard Debris Service Standard

1. A local government may exempt rural service areas from regular on-route collection of yard debris provided that the local government distributes informational material to rural customers at least annually that provides options for proper management of yard debris, including instructions to not place yard debris in solid waste receptacles destined for disposal.
2. A local government may define “rural service areas” for purposes of solid waste collection and must provide its definition to Metro. A local government must notify Metro of any changes to that definition.

#### 5.15 - 2035 Exemption for Single-Family Every Other Week Recycling and Yard Debris Collection Programs

A local government with an every-other-week recycling and/or yard debris collection program in place as of January 1, 2019 meets the residential service standard. A second recycling collection receptacle of at least 60 gallons capacity must be provided to every-other-week customers upon request and at no additional charge.

#### 5.15 - 2040 Multifamily Residential Service Standards

For all multifamily residential customers, a local government must:

1. ~~Provide/Implement~~ a minimum service volume of 20 gallons per unit per week for garbage collection service.
2. ~~Provide/Implement~~ a minimum service volume of 20 gallons per unit per week for acceptable recyclable materials and a minimum service volume of one gallon per unit per week for source-separated glass.
3. Ensure all material streams are collected at least weekly. On call services are exempt from collection frequency and minimum service volume requirements.
4. Ensure provision of regularly-occurring bulky waste collection service by July 1, 2025.

**Commented [SK4]:** Clackamas County suggested provided this wording to increase clarity.

#### 5.15 - 2045 Multifamily Receptacle Colors; Signage; Informational Materials

For all multifamily residential customers, a local government must comply with the regional standards for collection receptacles by the dates below.

1. All receptacles ordered after July 1, 2021 must comply with the color standard below and must be labeled with the correct Metro-approved regional signage.
2. All plastic receptacles for garbage, mixed recyclable materials, and yard debris and/or food scraps ordered after July 1, 2021 must contain at least 30% post-consumer recycled content.
3. Garbage receptacles must be gray, mixed recyclable materials receptacles must be blue, yard debris and/or food scraps receptacles must be green and source-separated glass receptacles must be orange by July 1, 2028. Metro will provide a list of approved receptacle colors by vendor.
4. Color standards do not apply to compactors and drop boxes.
5. As of December 31, 2023, all receptacles must be labeled with the correct Metro-approved regional decals for acceptable recyclable materials, glass, yard debris, and garbage. All previous garbage and

recycling instructional decals must be completely removed from each receptacle and replaced with correct and approved regional decals.

**5.15 - 2050 Exemptions to Multifamily Standards**

Notwithstanding administrative rule 5.15-2045, a local government may:

1. Exempt used motor oil from collection.
2. Exempt yard debris from collection if no yard debris is generated on-site, or the customer meets one of the following conditions:
  - a. Uses a landscape maintenance firm that transports yard debris to a Metro-authorized facility;
  - b. Manages its yard debris on-site such as composting or mulching;
  - c. Self-hauls its yard debris to a Metro-authorized facility;
  - d. Uses another method approved by Metro.

**5.15 - 2055 Compliance and Enforcement**

A local government must comply with the requirements of the Regional Waste Plan’s residential service standard. If a local government does not comply, Metro will withhold funding associated with the implementation of the Regional Waste Plan. Metro may also withhold discretionary funding associated with other programs and seek any remedy under its Charter, Code or applicable state law.

**5.15 - 2060 Reporting**

As part of regular annual reporting requirements, a local government must provide the information necessary for Metro to determine compliance with the residential service standard.

**5.15 - 2065 Funding Guidelines**

In order to receive funding associated with the Regional Waste Plan, a local government or its designated agency must comply with the requirements of Metro Code Chapter 5.15 and these rules. The local government or its designated agency must also enter into an intergovernmental agreement with Metro.

**Commented [SK5]:** Clackamas County suggested provided this wording to increase clarity.