

Council meeting agenda

Thursday, October 30, 2025

9:00 AM

Metro Regional Center, Council chamber;
<https://zoom.us/j/615079992> (Webinar ID:
615079992) or 253-205-0468 (toll free),
www.youtube.com/watch?v=XdGtms5btQo

This meeting will be held electronically and in person at the Metro Regional Center Council Chamber.

You can join the meeting on your computer or other device by using this link:

<https://zoom.us/j/615079992> (Webinar ID: 615 079 992), Stream on YouTube:

www.youtube.com/watch?v=XdGtms5btQo

Note: This Council meeting will consist primarily of a special presentation, and Council will not take public testimony at this meeting. Written testimony will be accepted at any time. The next opportunity for oral public testimony is the following Thursday, November 6.

1. Call to Order and Roll Call

2. Consent Agenda

- 2.1 Resolution No. 25-5530 For the Purpose of Amending the [RES 25-5530](#)
Non-System License (No. N-028-25) Issued to Epson
Portland, Inc. to Include Transport of Putrescible Waste to
the Spokane Waste-To-Energy Facility for Disposal
Attachments: [Resolution No. 25-5530](#)
[Exhibit A](#)
[Exhibit B](#)
[Staff Report](#)
[Attachment 1 - Draft Non-System License with Red-Line](#)
- 2.2 Resolution No. 25-5518 For the Purpose of Authorizing [RES 25-5518](#)
the Chief Operation Officer to Issue a New Non-System
License to Eaton Corporation for Transport and Disposal
of Non-Recoverable Solid Waste, Including Putrescible
Waste at the Spokane Regional Waste-to-Energy Facility
Located in Spokane, Washington

Attachments: [Resolution No. 25-5518](#)
[Exhibit A](#)
[Exhibit B](#)
[Staff Report](#)

- 2.3 Resolution No. 25-5531 For the Purpose of Renewing [RES 25-5531](#)
Willamette Resources, Inc. & Republic Services of
Clackamas and Washington Counties Joint Non-System
License to Transport Commercial Food Waste and Yard
Debris Mixed with Residential Food Waste to the Pacific
Region Compost Facility Located In Benton County, OR

Attachments: [Resolution No. 25-5531](#)
[Exhibit A](#)
[Exhibit B](#)
[Staff Report](#)

3. Presentations

- 3.1 Special Presentation from Tracy Hadden Loh, Brookings [25-6390](#)
Metro Fellow

4. Adjourn

Metro respects civil rights

Metro fully complies with Title VI of the Civil Rights Act of 1964, Title II of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act and other statutes that ban discrimination. If any person believes they have been discriminated against regarding the receipt of benefits or services because of race, color, national origin, sex, age or disability, they have the right to file a complaint with Metro. For information on Metro's civil rights program, or to obtain a discrimination complaint form, visit oregonmetro.gov/civilrights or call 503-797-1890. Metro provides services or accommodations upon request to persons with disabilities and people who need an interpreter at public meetings. If you need a sign language interpreter, communication aid or language assistance, call 503-797-1890 or TDD/TTY 503-797-1804 (8 a.m. to 5 p.m. weekdays) 5 business days before the meeting. All Metro meetings are wheelchair accessible. Individuals with service animals are welcome at Metro facilities, even where pets are generally prohibited. For up-to-date public transportation information, visit TriMet's website at trimet.org

Thông báo về sự Metro không kỳ thị của

Metro tôn trọng dân quyền. Muốn biết thêm thông tin về chương trình dân quyền của Metro, hoặc muốn lấy đơn khiếu nại về sự kỳ thị, xin xem trong www.oregonmetro.gov/civilrights. Nếu quý vị cần thông dịch viên ra dấu bằng tay, trợ giúp về tiếng nói hay ngôn ngữ, xin gọi số 503-797-1700 (từ 8 giờ sáng đến 5 giờ chiều vào những ngày thường) trước buổi họp 5 ngày làm việc.

Повідомлення Metro про заборону дискримінації

Metro з повагою ставиться до громадянських прав. Для отримання інформації про програму Metro із захисту громадянських прав або форми скарги про дискримінацію відвідайте сайт www.oregonmetro.gov/civilrights. або Якщо вам потрібен перекладач на зборах, для задоволення вашого запиту зателефонуйте за номером 503-797-1700 з 8.00 до 17.00 у робочі дні за п'ять робочих днів до зборів.

Metro 的不歧視公告

尊重民權。欲瞭解Metro民權計畫的詳情，或獲取歧視投訴表，請瀏覽網站 www.oregonmetro.gov/civilrights。如果您需要口譯方可參加公共會議，請在會議召開前5個營業日撥打503-797-1700（工作日上午8點至下午5點），以便我們滿足您的要求。

Ogeysiiska takooris la'aanta ee Metro

Metro waxay ixtiraamtaa xuquuqda madaniga. Si aad u heshid macluumaad ku saabsan barnaamijka xuquuqda madaniga ee Metro, ama aad u heshid warqadda ka cabashada takoorista, booqo www.oregonmetro.gov/civilrights. Haddii aad u baahan tahay turjubaan si aad uga qaybqaadatid kullaan dadweyne, wac 503-797-1700 (8 gallinka hore illaa 5 gallinka dambe maalmaha shaqada) shan maalmo shaqo ka hor kullanka si loo tixgaliyo codsashadaada.

Metro의 차별 금지 관련 통지서

Metro의 시민권 프로그램에 대한 정보 또는 차별 항의서 양식을 얻으려면, 또는 차별에 대한 불만을 신고 할 수 www.oregonmetro.gov/civilrights. 당신의 언어 지원이 필요한 경우, 회의에 앞서 5 영업일 (오후 5시 주중에 오전 8시) 503-797-1700를 호출합니다.

Metro의 差別禁止通知

Metroでは公民権を尊重しています。Metroの公民権プログラムに関する情報について、または差別苦情フォームを入手するには、www.oregonmetro.gov/civilrights。までお電話ください。公開会議で言語通訳を必要とされる方は、Metroがご要望に対応できるよう、公開会議の5営業日前までに503-797-1700（平日午前8時～午後5時）までお電話ください。

សេចក្តីជូនដំណឹងអំពីការមិនរើសអើងរបស់ Metro

ការគោរពសិទ្ធិពលរដ្ឋរបស់ ១ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬដើម្បីទទួលបានការបង្កើនសេចក្តីស្មោះត្រង់សម្រាប់ការស្រាវជ្រាវរបស់ Metro។ www.oregonmetro.gov/civilrights។
បើលោកអ្នកត្រូវការអ្នកបកប្រែភាសានៅពេលអង្គប្រជុំសាធារណៈ សូមទូរស័ព្ទមកលេខ 503-797-1700 (ម៉ោង 8 ព្រឹកដល់ម៉ោង 5 ល្ងាច ថ្ងៃធ្វើការ) ប្រាំពីរថ្ងៃ មុនថ្ងៃប្រជុំដើម្បីអាចឱ្យគេសម្រួលតាមសំណើរបស់លោកអ្នក។

إشعار بعدم التمييز من Metro

تحتزم Metro الحقوق المدنية. للمزيد من المعلومات حول برنامج Metro للحقوق المدنية أو لإيداع شكوى ضد التمييز، يُرجى زيارة الموقع الإلكتروني www.oregonmetro.gov/civilrights. إن كنت بحاجة إلى مساعدة في اللغة، يجب عليك الاتصال مقدماً برقم الهاتف 503-797-1700 (من الساعة 8 صباحاً حتى الساعة 5 مساءً، أيام الاثنين إلى الجمعة) قبل خمسة (5) أيام عمل من موعد الاجتماع.

Paunawa ng Metro sa kawalan ng diskriminasyon

Iginagalang ng Metro ang mga karapatang sibil. Para sa impormasyon tungkol sa programa ng Metro sa mga karapatang sibil, o upang makakuha ng porma ng reklamo sa diskriminasyon, bisitahin ang www.oregonmetro.gov/civilrights. Kung kailangan ninyo ng interpreter ng wika sa isang pampublikong pulong, tumawag sa 503-797-1700 (8 a.m. hanggang 5 p.m. Lunes hanggang Biyernes) lima araw ng trabaho bago ang pulong upang mapagbigyan ang inyong kahilingan.

Notificación de no discriminación de Metro

Metro respeta los derechos civiles. Para obtener información sobre el programa de derechos civiles de Metro o para obtener un formulario de reclamo por discriminación, ingrese a www.oregonmetro.gov/civilrights. Si necesita asistencia con el idioma, llame al 503-797-1700 (de 8:00 a. m. a 5:00 p. m. los días de semana) 5 días laborales antes de la asamblea.

Уведомление о недопущении дискриминации от Metro

Metro уважает гражданские права. Узнать о программе Metro по соблюдению гражданских прав и получить форму жалобы о дискриминации можно на веб-сайте www.oregonmetro.gov/civilrights. Если вам нужен переводчик на общественном собрании, оставьте свой запрос, позвонив по номеру 503-797-1700 в рабочие дни с 8:00 до 17:00 и за пять рабочих дней до даты собрания.

Avizul Metro privind nediscriminare

Metro respectă drepturile civile. Pentru informații cu privire la programul Metro pentru drepturi civile sau pentru a obține un formular de reclamație împotriva discriminării, vizitați www.oregonmetro.gov/civilrights. Dacă aveți nevoie de un interpret de limbă la o ședință publică, sunați la 503-797-1700 (între orele 8 și 5, în timpul zilelor lucrătoare) cu cinci zile lucrătoare înainte de ședință, pentru a putea să vă răspunde în mod favorabil la cerere.

Metro txoj kev ntxub ntxaug daim ntawv ceeb toom

Metro tributes cai. Rau cov lus qhia txog Metro txoj cai kev pab, los yog kom sau ib daim ntawv tsis txaus siab, mus saib www.oregonmetro.gov/civilrights. Yog hais tais koj xav tau lus kev pab, hu rau 503-797-1700 (8 teev sawv ntov txog 5 teev tsaus ntuj weekdays) 5 hnub ua hauj lwv ua ntej ntawm lub rooj sib tham.



Metro

600 NE Grand Ave.
Portland, OR 97232-2736
oregonmetro.gov

Agenda #: 2.1

File #: RES 25-5530

Agenda Date: 10/30/2025

Resolution No. 25-5530 For the Purpose of Amending the Non-System License (No. N-028-25) Issued to Epson Portland, Inc. to Include Transport of Putrescible Waste to the Spokane Waste-To-Energy Facility for Disposal

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE NON-	)	RESOLUTION NO. 25-5530
SYSTEM LICENSE (NO. N-028-25) ISSUED TO	)	
EPSON PORTLAND, INC. TO INCLUDE	)	Introduced by Chief Operating Officer
TRANSPORT OF PUTRESCIBLE WASTE TO	)	Marissa Madrigal in concurrence with
THE SPOKANE WASTE-TO-ENERGY	)	Council President Lynn Peterson
FACILITY FOR DISPOSAL	)	

WHEREAS, Metro Code Chapter 5.05 requires a non-system license (“NSL”) of any person that transports solid waste generated from within the Metro Region to a non-system facility; and

WHEREAS, Epson Portland, Inc. holds Metro NSL No. N-028-25 that expires on December 31, 2027, and authorizes the transport of industrial non-putrescible solid waste to Spokane Waste-to-Energy in Spokane, Washington.

WHEREAS, Epson Portland, Inc. submitted a complete application in September 2025 seeking to amend its NSL No. N-028-25 to include transport of putrescible solid waste to Spokane Waste-to-Energy for disposal under the provisions of Metro Code Chapter 5.05, “Solid Waste Flow Control”; and

WHEREAS, Metro Code Chapter 5.05 provides that the Chief Operating Officer will review an application for an NSL for putrescible waste and that Metro Council has authority to approve or deny the application; and

WHEREAS, the Chief Operating Officer has analyzed the application and considered the relevant factors under Metro Code and the Council incorporates the Chief Operating Officer’s analysis as set forth in Exhibit B to this Resolution; and

WHEREAS, the Chief Operating Officer recommends that Metro issue amended NSL No. N-028-25(A) to Epson Portland, Inc as provided in Exhibit A to the Resolution; now therefore.

BE IT RESOLVED that the Metro Council:

1. Approves Epson Portland, Inc.’s amended NSL application subject to the terms, conditions, and limitations contained in Exhibit A to this Resolution.
2. Authorizes the Chief Operating Officer to issue Epson Portland, Inc. an amended NSL substantially similar to the one attached as Exhibit A, to expire on December 31, 2027.
3. Has considered the factors described in Metro Code Section 5.05.140 as further set forth in Exhibit B.

ADOPTED by the Metro Council this 30th day of October 2025.

Approved as to Form:

Lynn Peterson, Council President

Carrie MacLaren, Metro Attorney



600 NE Grand Ave.
Portland, OR 97232-2736
oregonmetro.gov

METRO SOLID WASTE FACILITY NON-SYSTEM LICENSE

No. N-028-25A

LICENSEE:
Epson Portland Inc. 3950 NE Alcolek Place Hillsboro, OR 97124
CONTACT PERSON:
Brady Youngerman Phone: 503-617-5783 Email: brady.youngerman@epi.epson.com
MAILING ADDRESS:
Epson Portland Inc. 3950 NE Alcolek Place Hillsboro, OR 97124

This non-system license supersedes the provisions of Metro Solid Waste Non-System License No. N-028-25.

ISSUED BY METRO:

Warren Johnson Policy and Compliance Program Director

Date

1	NATURE OF WASTE COVERED BY LICENSE
	1. Industrial solid waste, consisting primarily of non-putrescible solid waste including defective ink cartridges and bottles, received or generated at the Epson Portland, Inc. site located at 3950 NW Alcock Place in Hillsboro, Oregon. 2. Putrescible waste including restroom and lunch room waste generated at the Epson Portland, Inc. site located at 3950 NW Alcock Place in Hillsboro, Oregon.
2	CALENDAR YEAR TONNAGE LIMITATION
	The licensee is authorized to transport to the non-system facility listed in Section 3 up to 500 tons per calendar year of the combined waste described in Section 1.
3	NON-SYSTEM FACILITY
	1. The licensee is authorized to transport the waste described in Section 1 to the following non-system facility: - Spokane Regional Waste to Energy Facility 2900 S Geiger Blvd - Spokane, WA 99208 2. This license is issued on condition that the non-system facility named in this section is authorized to accept the type of waste described in Section 1. If Metro determines that a non-system facility listed in this section is not authorized to accept such waste, Metro may immediately amend, suspend, or terminate this license pursuant to Section 9.
4	TERM OF LICENSE
	The license originally commenced on May 1, 2025, and expires December 31, 2027, unless amended, suspended, terminated or revoked as provided in this license.
5	COVERED LOADS
	To prevent spillage of waste while in transit, the licensee must suitably contain and cover, on all sides, all loads of the waste described in Section 1 that are transported under authority of this license to any non-system facility listed in Section 3.
6	REPORTING OF ACCIDENTS AND CITATIONS
	The licensee must report to Metro any significant incidents (such as fires), accidents and citations involving any vehicle transporting the solid waste authorized by this license.

7	REGIONAL SYSTEM FEE AND EXCISE TAX
	The licensee is liable for payment of the Metro regional system fee as provided in Metro Code Chapter 5.02, and the Metro excise tax, as provided in Metro Code Chapter 7.01, on all solid waste generated within the Metro jurisdictional boundary that is ultimately transported to a disposal site under authority of this license.

8	RECORD KEEPING AND REPORTING
	1. The licensee must keep and maintain accurate records of the amount of all waste that the licensee transports to the non-system facility described in Section 3. These records include the information specified in the Metro document titled <u>Reporting Requirements and Data Standards for Metro Solid Waste Licensees, Franchisees, and Parties to Designated Facility Agreements</u>. 2. The licensee must properly classify all waste for the purpose of determine regional system fee and excise tax payments for Metro area waste. 3. The licensee must electronically record the weight of each outbound transaction based on actual and accurate scale weights or other method approved in writing by Metro. 4. The licensee must: (a) Report to Metro the records required under Section 8.1, no later than 15 days following the end of each month in the form and format prescribed by Metro. An authorized representative of the licensee must certify that the report is accurate; and (b) Pay to Metro the requisite regional system fee and excise tax by the last day of the month for waste disposed of in the preceding month, in accordance with this license and Metro Code provisions applicable to the collection, payment and accounting of those fees and taxes. 5. The licensee must make available to Metro (or Metro's designated agent) all records from which Section 8.1 through 8.4 are derived for its inspection or copying or both, as long as Metro provides at least three business days written notice of an intent to inspect or copy documents. The licensee must also sign or otherwise provide to Metro any consent or waiver necessary for Metro to obtain information or data from a third party, including the non-system facilities named in Section 3. 6. Metro may require the licensee to report the information required by this section on a weekly or daily basis. 7. If the licensee fails to submit the records or payments to Metro by the timeline set forth in Section 8, each day by which the licensee exceeds the due date may constitute a separate violation subject to a penalty of up to \$500 per violation, in accordance with Metro Code Chapter 5.05.

9	ADDITIONAL LICENSE CONDITIONS
	This non-system license is subject to the following conditions:

	1. The transport of solid waste to the non-system facility, listed in Section 3, authorized by this license, is subordinate to any subsequent decision by Metro to direct the solid waste described in this license to any other facility. 2. Metro may amend, suspend, revoke, or terminate this license pursuant to Metro Code or in the event that Metro determines that: (a) There has been sufficient change in any circumstances under which Metro issued this license; or (b) Metro's solid waste system or the public will benefit from, and will be better served by, transporting the waste described in Section 1 of this license to a facility other than the one listed in Section 3. 3. The licensee cannot transfer or assign any right or interest in this license without Metro's prior written approval. 4. Metro may amend or terminate this license upon the execution of a designated facility agreement with a facility listed in Section 3 that authorizes the facility to accept the waste described in Section 1. 5. This license authorizes transport of solid waste only to the facility listed in Section 3. Transfer of waste generated within the Metro jurisdictional boundary to any non-system facility other than that specified in this license is prohibited unless authorized in writing by Metro. 6. Metro may direct the licensee's waste flow under this non-system license to Metro Central Transfer Station or Metro South Transfer Station with a minimum of 24 hours written notice. Any redirection of the waste flow by Metro is effective immediately. If the licensee exceeds the calendar year limitation set forth in Section 2, each ton or portion thereof by which the licensee exceeds the limitation constitutes a separate violation subject to a penalty of up to \$500, in accordance with Metro Code Chapter 5.05. 7. Unless otherwise specified, all terms are as defined in Metro Code Chapter 5.00. (a) "Metro Area Waste" means solid waste generated from within the Metro jurisdictional boundary, including solid waste generated from outside the boundary if mixed in the same vehicle or container with solid waste generated from inside the boundary, unless the licensee provides documentation to Metro establishing the weight of the solid waste generated from inside the boundary.
--	--

10	COMPLIANCE WITH LAW
	The licensee must fully comply with all applicable local, regional, state and federal laws, rules, regulations, ordinances, orders, and permits pertaining in any manner to this license. This includes all applicable Metro Code provisions and administrative rules regardless of whether this license specifically mentions or cites those provisions. All conditions imposed on the collection and hauling of the licensee's solid waste by federal, state, regional or local governments or agencies having jurisdiction over solid waste generated by the licensee shall be deemed part of this license as if specifically set forth.

11	INDEMNIFICATION
	The licensee must defend, indemnify and hold harmless Metro, its elected officials, officers, employees, agents and representatives from any and all claims, demands, damages, causes of action, or losses and expenses arising out of or related in any way to the issuance or administration of this non-system license. Expenses include, but are not limited to, all attorneys' fees, whether incurred before litigation is commenced, during litigation or on appeal.

LC

Legal Antecedents

Pursuant to Metro Code 5.05.140, the Metro Council must consider the following factors when determining to issue a non-system license:

- (1) The degree to which prior users of the non-system facility and waste types accepted at the non-system facility are known and the degree to which those wastes pose a future risk of environmental contamination;*

The Spokane Waste-to-Energy Facility began operation in late 1991 and is owned and operated by the City of Spokane's Solid Waste Disposal Department. The facility incinerates municipal solid waste to recover energy in the form of electricity. The facility manages up to 800 tons of municipal solid waste per day. The waste is burned in two 400-ton capacity mass-burn waterwall boiler combustors. The combustion gases exit the boiler economizer and are routed through air pollution control equipment and processes including a spray dry absorber and baghouse system. The facility has mechanisms in place to control air emissions including NOx, mercury, dioxins, SO2 and particulates. The ash generated at the facility is used as alternative daily cover at Finley Buttes landfill.

- (2) The non-system facility owner's and operator's regulatory compliance record with federal, state and local requirements including but not limited to public health, safety and environmental regulations;*

Metro staff's investigation of the Spokane Waste-to-Energy facility revealed a good record of compliance with local and state agencies responsible for health, safety and environmental regulations. The facility holds a Solid Waste Handling permit issued annually by the Spokane Regional Health District (SRHD) (Permit No. SW-SPORSWDP-001, expires December 31, 2025). SRHD staff reported the facility is in good standing, receives routine inspections and has not been involved in any enforcement activities for at least the last two years. The facility holds an Air Operating Permit issued by the Spokane Regional Clean Air Agency (SRCAA) (Permit No. AOP-3 Renewal #3, expires June 30, 2027). SRCAA issued one notice of violation to the facility in 2023 for exceeding their allowable hours of operation during an outage due to a contractor's use of the facility's generator. SRCAA staff report they do not have any concerns about the facility's operational practices or management controls.

- (3) The adequacy of the non-system facility's operational practices and management controls;*

The facility uses operational practices and management controls considered appropriate by the Washington Department of Ecology, SRHD, and SRCAA for the protection of health, safety and the environment. In addition to obtaining a non-system license from Metro, any generator in the Metro region seeking to use this non-system facility for disposal must submit a request to the facility to receive approval in accordance with its special handling and non-typical waste procedures prior to transporting waste to the facility.

- (4) The expected impact on the region's recycling and waste reduction efforts;*

The type of waste covered by the proposed non-system license is not conducive to recovery because it consists of non-recoverable solid waste, including putrescible waste. The Metro area waste that is transported to Spokane WTE is not included in Metro's recovery rate calculation because state statute (ORS 459A.010) provides that only those wastesheds that burn mixed solid waste for energy recovery within their wasteshed boundaries may count a portion of it towards their DEQ recovery rate calculation, and there are no waste-to-energy facilities operating in Oregon. Approval of the proposed non-system license is not expected to impact the region's recycling and waste reduction efforts.

(5) The proposed non-system license's effect with Metro's existing contractual arrangements;

This proposed non-system license amendment will not affect Metro's existing contractual arrangements.

(6) The applicant's record regarding compliance with Metro ordinances and agreements or assistance to Metro in Metro ordinance enforcement and with federal, state and local requirements including but not limited to public health, safety and environmental regulations;

Epson Portland Inc. has a good record of compliance with Metro's requirements.

(7) Any other factor the Chief Operating officer considers appropriate.

Spokane WTE is the closest incineration facility to the Metro region upon the closure of Reworld Marion on December 31, 2024. Spokane WTE is the primary disposal site for municipal solid waste generated in the vicinity of Spokane County. Metro staff met with City of Spokane staff on November 25, 2024, to discuss Metro's flow control requirements. City staff stated the facility has sufficient capacity to receive waste generated from the Metro region that was formally transported to Reworld Marion for disposal, and it will evaluate any new customer requests on a case-by-case basis. City staff will notify Metro when inquiries are received from generators in the Metro region and refer them to Metro for information about the licensing process.

LC

IN CONSIDERATION OF RESOLUTION NO. 25-5530 FOR THE PURPOSE OF AMENDING NON-SYSTEM LICENSE (NO. N-028-25) ISSUED TO EPSON PORTLAND, INC. TO INCLUDE TRANSPORT OF PUTRESCIBLE WASTE TO THE SPOKANE WASTE-TO-ENERGY FACILITY FOR DISPOSAL.

Date: October 14, 2025
Department: Waste Prevention and
Environmental Services
Meeting Date: October 30, 2025

Prepared by: Lisa Clark, 971-806-7459,
lisa.clark@oregonmetro.gov
Presenter if requested: Hila Ritter
Length: Consent agenda

ISSUE STATEMENT

Epson Portland, Inc. seeks a change of authorization to its current non-system license (No. N-028-25) that authorizes the transport of non-putrescible waste to the Spokane Waste-to-Energy (WTE) facility located in Spokane, Washington, to also include putrescible waste generated at its site. Metro Code Section 5.05.160 states that Metro Council will determine whether to approve or deny a non-system license application for putrescible waste.

ACTION REQUESTED

Approve Resolution No. 25-5530 to authorize the Chief Operating Officer to amend Non-System License No. N-028-25 to include putrescible waste generated at Epson Portland, Inc. located at 3950 NW Alcock Place in Hillsboro, Oregon.

IDENTIFIED POLICY OUTCOMES

Approval of this resolution will authorize Epson Portland, Inc. to transport up to a total of 500 tons of solid waste, including non-putrescible and putrescible waste, to Spokane WTE for disposal.

POLICY QUESTION(S)

Should Metro Council approve amending Non-System License No. N-028-25 to authorize Epson Portland, Inc. to transport putrescible waste generated at its site to the Spokane WTE for disposal?

POLICY OPTIONS FOR COUNCIL TO CONSIDER

1. Adopt Resolution No. 25-5530 as proposed to authorize the Chief Operating Officer to issue an amended non-system license (No. N-028-25A) to Epson Portland, Inc. to include putrescible waste.

Approval of Resolution No. 25-5530 will authorize the Chief Operating Officer to amend the current non-system license for Epson Portland, Inc. to transport up to a total of 500 tons per calendar year of solid waste, including industrial non-putrescible and putrescible waste, to Spokane WTE for disposal.
2. Amend the resolution to establish different non-system license conditions than those recommended by staff.
3. Do not approve Resolution No. 25-5530. If this resolution is not approved, Epson Portland, Inc. will not be authorized to transport putrescible waste to Spokane WTE for disposal.

STAFF RECOMMENDATIONS

Staff recommends that Metro Council adopt Resolution No. 25-5530 to approve a change of authorization for Epson Portland, Inc. and authorize the Chief Operating Officer to amend Non-System License No. N-028-25 to include putrescible waste generated at Epson Portland, Inc. A red-line version illustrating the changes of the proposed amended non-system license is included as Attachment 1 to this staff report, and a clean draft version of the proposed amended non-system license with changes incorporated is included as Exhibit A to Resolution No. 25-5530.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

A non-system license is required for any person to transport, or cause to be transported, any solid waste generated within the Metro jurisdictional boundary to any non-system facility for disposal. A non-system license allows Metro to closely monitor the region's solid waste to ensure it is transported to authorized facilities and properly managed.

On July 30, 2025, Epson Portland, Inc. submitted a change of authorization application to Metro to include putrescible waste in its non-system license. This was the only change requested by the applicant. The current tonnage limit and term of the license would not change under the proposed amended non-system license.

Known Opposition

There is no known opposition to the proposed non-system license.

Legal Antecedents

Metro Code Section 5.05.040 prohibits any person from transporting solid waste generated within the Metro region to a non-system facility without a valid, Metro-issued non-system license. Metro Council must consider factors described in Section 5.05.140 when determining whether to approve a non-system license application, as set forth in the staff analysis and information included as Exhibit B to Resolution No. 25-5530.

Financial Implications

The proposed amended non-system license will not impact Metro's budget. If approved, Epson Portland Inc. will continue to report all solid waste transported to Spokane WTE and remit to Metro the requisite regional system fees and excise taxes due at the time of disposal.

BACKGROUND

Epson Portland, Inc. is a US manufacturing company of Japan's Seiko Epson Corporation, a multinational electronics company and one of the world's largest manufacturers of printers and information-and-imaging related equipment. Epson Portland, Inc. is located at 3950 NE Alcolek Dr, Hillsboro, OR 97124 and has been in operation since 1985.

Epson Portland, Inc. has held a series of Metro non-system licenses from 2000 to 2021 to transport industrial non-putrescible waste (including defective and counterfeit ink cartridges) and putrescible waste (including restroom and general plant waste) generated at its facility to the Reworld Marion (formerly Covanta Marion) facility for disposal. In October 2021, Reworld Marion became a Metro Designated Facility and a non-system license was no longer required to transport waste to that facility after that time. However, Reworld Marion has since closed and is no longer accepting waste.

Epson Portland, Inc. obtained Non-System License No. N-028-25 from Metro on May 1, 2025 to transport up to 500 tons annually of industrial non-putrescible waste including defective ink cartridges and bottles to Spokane WTE for disposal. The current non-system license covers only

non-putrescible waste and was approved by the Chief Operating Officer pursuant to Metro Code Section 5.05.150. Epson Portland, Inc. now seeks to amend its current non-system license to also include putrescible waste such as restroom and lunch room waste generated at its site. Non-System License decisions for putrescible waste are determined by Metro Council pursuant to Metro Code 5.05.160.

ATTACHMENTS

1. Draft Non-System License N-028-25A with Red-Line



600 NE Grand Ave.
Portland, OR 97232-2736
oregonmetro.gov

METRO SOLID WASTE FACILITY NON-SYSTEM LICENSE

No. N-028-25A

LICENSEE:
Epson Portland Inc. 3950 NE Alcolek Place Hillsboro, OR 97124
CONTACT PERSON:
Brady Youngerman Phone: 503-617-5783 Email: brady.youngerman@epi.epson.com
MAILING ADDRESS:
Epson Portland Inc. 3950 NE Alcolek Place Hillsboro, OR 97124

This non-system license supersedes the provisions of Metro Solid Waste Non-System License No. N-028-25.

ISSUED BY METRO:

Warren Johnson Policy and Compliance Program Director

Date

1	NATURE OF WASTE COVERED BY LICENSE
	<u>1.</u> Industrial solid waste, consisting primarily of non-putrescible solid waste including defective ink cartridges and bottles, received or generated at the Epson Portland, Inc. site located at 3950 NW Aloclek Place in Hillsboro, Oregon. <u>2.</u> Putrescible waste including restroom and lunch room waste generated at the Epson Portland, Inc. site located at 3950 NW Aloclek Place in Hillsboro, Oregon.
2	CALENDAR YEAR TONNAGE LIMITATION
	The licensee is authorized to transport to the non-system facility listed in Section 3 up to 500 tons per calendar year of the combined waste described in Section 1.
3	NON-SYSTEM FACILITY
	1. The licensee is authorized to transport the waste described in Section 1 to the following non-system facility: Spokane Regional Waste to Energy Facility 2900 S Geiger Blvd Spokane, WA 99208 2. This license is issued on condition that the non-system facility named in this section is authorized to accept the type of waste described in Section 1. If Metro determines that a non-system facility listed in this section is not authorized to accept such waste, Metro may immediately amend, suspend, or terminate this license pursuant to Section 9.
4	TERM OF LICENSE
	The license originally commenced on May 1, 2025, and expires- December 31, 2027, unless amended, suspended, terminated or revoked as provided in this license.
5	COVERED LOADS
	To prevent spillage of waste while in transit, the licensee must suitably contain and cover, on all sides, all loads of the waste described in Section 1 that are transported under authority of this license to any non-system facility listed in Section 3.
6	REPORTING OF ACCIDENTS AND CITATIONS
	The licensee must report to Metro any significant incidents (such as fires), accidents and citations involving any vehicle transporting the solid waste authorized by this license.

7	REGIONAL SYSTEM FEE AND EXCISE TAX
	The licensee is liable for payment of the Metro regional system fee as provided in Metro Code Chapter 5.02, and the Metro excise tax, as provided in Metro Code Chapter 7.01, on all solid waste generated within the Metro jurisdictional boundary that is ultimately transported to a disposal site under authority of this license.

8	RECORD KEEPING AND REPORTING
	1. The licensee must keep and maintain accurate records of the amount of all waste that the licensee transports to the non-system facility described in Section 3. These records include the information specified in the Metro document titled <u>Reporting Requirements and Data Standards for Metro Solid Waste Licensees, Franchisees, and Parties to Designated Facility Agreements</u>. 2. The licensee must properly classify all waste for the purpose of determine regional system fee and excise tax payments for Metro area waste. 3. The licensee must electronically record the weight of each outbound transaction based on actual and accurate scale weights or other method approved in writing by Metro. 4. The licensee must: (a) Report to Metro the records required under Section 8.1, no later than 15 days following the end of each month in the form and format prescribed by Metro. An authorized representative of the licensee must certify that the report is accurate; and (b) Pay to Metro the requisite regional system fee and excise tax by the last day of the month for waste disposed of in the preceding month, in accordance with this license and Metro Code provisions applicable to the collection, payment and accounting of those fees and taxes. 5. The licensee must make available to Metro (or Metro's designated agent) all records from which Section 8.1 through 8.4 are derived for its inspection or copying or both, as long as Metro provides at least three business days written notice of an intent to inspect or copy documents. The licensee must also sign or otherwise provide to Metro any consent or waiver necessary for Metro to obtain information or data from a third party, including the non-system facilities named in Section 3. 6. Metro may require the licensee to report the information required by this section on a weekly or daily basis. 7. If the licensee fails to submit the records or payments to Metro by the timeline set forth in Section 8, each day by which the licensee exceeds the due date may constitute a separate violation subject to a penalty of up to \$500 per violation, in accordance with Metro Code Chapter 5.05.

9	ADDITIONAL LICENSE CONDITIONS
	This non-system license is subject to the following conditions:

	1. The transport of solid waste to the non-system facility, listed in Section 3, authorized by this license, is subordinate to any subsequent decision by Metro to direct the solid waste described in this license to any other facility. 2. Metro may amend, suspend, revoke, or terminate this license pursuant to Metro Code or in the event that Metro determines that: (a) There has been sufficient change in any circumstances under which Metro issued this license; or (b) Metro's solid waste system or the public will benefit from, and will be better served by, transporting the waste described in Section 1 of this license to a facility other than the one listed in Section 3. 3. The licensee cannot transfer or assign any right or interest in this license without Metro's prior written approval. 4. Metro may amend or terminate this license upon the execution of a designated facility agreement with a facility listed in Section 3 that authorizes the facility to accept the waste described in Section 1. 5. This license authorizes transport of solid waste only to the facility listed in Section 3. Transfer of waste generated within the Metro jurisdictional boundary to any non-system facility other than that specified in this license is prohibited unless authorized in writing by Metro. 6. Metro may direct the licensee's waste flow under this non-system license to Metro Central Transfer Station or Metro South Transfer Station with a minimum of 24 hours written notice. Any redirection of the waste flow by Metro is effective immediately. If the licensee exceeds the calendar year limitation set forth in Section 2, each ton or portion thereof by which the licensee exceeds the limitation constitutes a separate violation subject to a penalty of up to \$500, in accordance with Metro Code Chapter 5.05. 7. Unless otherwise specified, all terms are as defined in Metro Code Chapter 5.00. (a) "Metro Area Waste" means solid waste generated from within the Metro jurisdictional boundary, including solid waste generated from outside the boundary if mixed in the same vehicle or container with solid waste generated from inside the boundary, unless the licensee provides documentation to Metro establishing the weight of the solid waste generated from inside the boundary.
--	--

10	COMPLIANCE WITH LAW
	The licensee must fully comply with all applicable local, regional, state and federal laws, rules, regulations, ordinances, orders, and permits pertaining in any manner to this license. This includes all applicable Metro Code provisions and administrative rules regardless of whether this license specifically mentions or cites those provisions. All conditions imposed on the collection and hauling of the licensee's solid waste by federal, state, regional or local governments or agencies having jurisdiction over solid waste generated by the licensee shall be deemed part of this license as if specifically set forth.

11	INDEMNIFICATION
	The licensee must defend, indemnify and hold harmless Metro, its elected officials, officers, employees, agents and representatives from any and all claims, demands, damages, causes of action, or losses and expenses arising out of or related in any way to the issuance or administration of this non-system license. Expenses include, but are not limited to, all attorneys' fees, whether incurred before litigation is commenced, during litigation or on appeal.

LC



Agenda #: 2.2

File #: RES 25-5518

Agenda Date: 9/25/2025

Resolution No. 25-5518 For the Purpose of Authorizing the Chief Operation Officer to Issue a New Non-System License to Eaton Corporation for Transport and Disposal of Non-Recoverable Solid Waste, Including Putrescible Waste at the Spokane Regional Waste-to-Energy Facility Located in Spokane, Washington

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING THE CHIEF	)	RESOLUTION NO. 25-5518
OPERATING OFFICER TO ISSUE A NEW NON-	)	
SYSTEM LICENSE TO EATON CORPORATION FOR	)	Introduced by Chief Operating
TRANSPORT AND DISPOSAL OF NON-	)	Officer Marissa Madrigal in
RECOVERABLE SOLID WASTE, INCLUDING	)	concurrence with Council
PUTRESCIBLE WASTE AT THE SPOKANE	)	President Lynn Peterson
REGIONAL WASTE-TO-ENERGY FACILITY	)	
LOCATED IN SPOKANE, WASHINGTON	)	

WHEREAS, the Metro Code requires a non-system license of any person that transports solid waste generated from within the Metro Region to a non-system disposal facility; and

WHEREAS, Eaton Corporation (Eaton) has filed a complete application seeking a non-system license to transport non-recoverable solid waste, including putrescible waste, to the Spokane Regional Waste-to-Energy facility for disposal under the provisions of Metro Code Chapter 5.05, "Solid Waste Flow Control;" and

WHEREAS, Metro Code Chapter 5.05 provides that the Chief Operating Officer will review an application for a non-system license to transport putrescible waste and that Metro Council has authority to approve or deny the application; and

WHEREAS, the Chief Operating Officer has analyzed the application and considered the relevant factors under the Metro Code and the Council incorporates the Chief Operating Officer's analysis as set forth in Exhibit B to this Resolution; and

WHEREAS, the Chief Operating Officer recommends that the new non-system license be issued together with specific conditions as provided in Exhibit A to this Resolution; now therefore,

BE IT RESOLVED that the Metro Council:

1. Approves the non-system license application of Eaton subject to the terms, conditions, and limitations set forth in Exhibit A.
2. Authorizes the Chief Operating Officer to issue to Eaton a new non-system license substantially similar to the one attached as Exhibit A.
3. Has considered the factors described in Metro Code Section 5.05.140 as further set forth in Exhibit B.

ADOPTED by the Metro Council this 30th day of October, 2025.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney



600 NE Grand Ave.
Portland, OR 97232-2736
oregonmetro.gov

METRO SOLID WASTE FACILITY NON-SYSTEM LICENSE

No. N-212-25

LICENSEE:
Eaton Corporation 10955 SW Avery St., Tualatin, OR 97062
CONTACT PERSON:
Aaron Max Phone: 503-869-3672 E-Mail: aaronmax@eaton.com
MAILING ADDRESS:
Eaton Corporation 10955 SW Avery St., Tualatin, OR 97062

ISSUED BY METRO:

Warren Johnson
Policy and Compliance Program Director

Date

1	NATURE OF WASTE COVERED BY LICENSE
	Non-recoverable, non-putrescible waste commingled with putrescible waste generated at two Eaton facilities located at 26850 SW Kinsman Rd. in Wilsonville, Oregon, and 10955 SW Avery St., Tualatin, Oregon.
2	CALENDAR YEAR TONNAGE LIMITATION
	The licensee is authorized to transport to the non-system facility listed in Section 3 up to 500 tons per calendar year of the waste described in Section 1.
3	NON-SYSTEM FACILITY
	- The licensee is authorized to transport the waste described in Section 1 to the following non-system facility: Spokane Regional Waste to Energy Facility 2900 S Geiger Boulevard Spokane, WA 99224 - This license is issued on condition that the non-system facility named in this section are authorized to accept the type of waste described in Section 1. If Metro determines that a non-system facility listed in this section is not authorized to accept such waste, Metro may immediately amend, suspend, or terminate this license pursuant to Section 9.
4	TERM OF LICENSE
	November 1, 2025 to October 31, 2028, unless amended, suspended, revoked or terminated as provided in this license.
5	COVERED LOADS
	To prevent spillage of waste while in transit, the licensee must suitably contain and cover, on all sides, all loads of the waste described in Section 1 that are transported under authority of this license to any non-system facility listed in Section 3.
6	REPORTING OF ACCIDENTS AND CITATIONS
	The licensee must report to Metro within five business days any significant incident (such as a fire), accident, or citation involving any vehicle transporting the solid waste authorized by this license.

7	REGIONAL SYSTEM FEE AND EXCISE TAX
	The licensee is liable for payment of the Metro regional system fee as provided in Metro Code Chapter 5.02, and the Metro excise tax, as provided in Metro Code Chapter 7.01, on all solid waste generated within the Metro jurisdictional boundary that is ultimately transported to a disposal site under authority of this license.

8	RECORD KEEPING AND REPORTING
	1. The licensee must keep and maintain accurate records of the amount of all waste that the licensee transports to any non-system facility listed in Section 3. These records include the information specified in the Metro document titled <u>Reporting Requirements and Data Standards for Metro Solid Waste Licensees, Franchisees, and Parties to Designated Facility Agreements</u>. 2. The licensee must: (a) Report to Metro the records required under Section 8.1, no later than 15 days following the end of each month in the form and format prescribed by Metro. An authorized representative of the licensee must certify that the report is accurate; and (b) Pay to Metro the requisite regional system fee and excise tax by the last day of the month for waste disposed of in the preceding month, in accordance with this license and Metro Code provisions applicable to the collection, payment and accounting of those fees and taxes. 3. The licensee must make available to Metro (or Metro's designated agent) all records from which Section 8.1 and 8.2 are derived for its inspection or copying or both, as long as Metro provides at least three business days written notice of an intent to inspect or copy documents. The licensee must also sign or otherwise provide to Metro any consent or waiver necessary for Metro to obtain information or data from a third party, including any non-system facility named in Section 3. 4. Metro may require the licensee to report the information required by this section on a weekly or daily basis. 5. If the licensee fails to submit the records or payments to Metro by the timeline set forth in Section 8, each day by which the licensee exceeds the due date may constitute a separate violation subject to a penalty of up to \$500 per violation, in accordance with Metro Code Chapter 5.05.

9	ADDITIONAL LICENSE CONDITIONS
	This non-system license is subject to the following conditions: 1. The transport of solid waste to any non-system facility listed in Section 3 is subordinate to any subsequent Metro decision to direct the solid waste described in this license to any other facility. 2. Metro may amend, suspend, revoke, or terminate this license pursuant to Metro Code or in the event that Metro determines that: (a) There has been sufficient change in any circumstances under which Metro issued this license; or

	(b) Metro's solid waste system or the public will benefit from, and will be better served by, transporting the waste described in Section 1 to a facility other than the one listed in Section 3. 3. The licensee cannot transfer or assign any right or interest in this license without Metro's prior written approval. 4. Metro may amend or terminate this license upon the execution of a designated facility agreement with a facility listed in Section 3 that authorizes the facility to accept the waste described in Section 1. 5. This license authorizes transport of solid waste only to the facility listed in Section 3. Transfer of waste generated from within the Metro jurisdictional boundary to any non-system facility other than that specified in this license is prohibited unless authorized in writing by Metro. 6. Metro may direct the licensee's waste flow under this non-system license to Metro Central Transfer Station or Metro South Transfer Station with a minimum of 24 hours written notice. Any redirection of the waste flow by Metro is effective immediately. 7. If the licensee exceeds the calendar year limitation set forth in Section 2, each ton or portion thereof by which the licensee exceeds the limitation constitutes a separate violation subject to a penalty of up to \$500, in accordance with Metro Code Chapter 5.05. 8. Unless otherwise specified, all terms are as defined in Metro Code Chapter 5.00.
--	---

10	COMPLIANCE WITH LAW
	The licensee must fully comply with all applicable local, regional, state and federal laws, rules, regulations, ordinances, orders, and permits pertaining in any manner to this license. This includes all applicable Metro Code provisions and administrative rules regardless of whether this license specifically mentions or cites those provisions. All conditions imposed on the collection and hauling of the licensee's solid waste by federal, state, regional or local governments or agencies having jurisdiction over solid waste generated by the licensee shall be deemed part of this license as if specifically set forth.

11	INDEMNIFICATION
	The licensee must defend, indemnify and hold harmless Metro, its elected officials, officers, employees, agents and representatives from any and all claims, demands, damages, causes of action, or losses and expenses arising out of or related in any way to the issuance or administration of this non-system license. Expenses include, but are not limited to, all attorneys' fees, whether incurred before litigation is commenced, during litigation or on appeal.

Legal Antecedents

Metro Code Section 5.05.040 prohibits any person from transporting solid waste generated within the Metro region to a non-system facility without a valid, Metro-issued non-system license. The proposed resolution seeks to authorize Eaton Corporation to transport non-recoverable solid waste including putrescible waste to Spokane Regional Waste to Energy (Spokane WTE) facility located at 2900 S Geiger Blvd, Spokane, WA 99208. Metro Code Section 5.05.140 provides that the Metro Council must consider the following factors to the extent relevant to determine whether to issue a non-system license.

- (1) The degree to which prior users of the non-system facility and waste types accepted at the non-system facility are known and the degree to which those wastes pose a future risk of environmental contamination;*

The Spokane WTE Facility began operation in late 1991 and is owned and operated by the City of Spokane's Solid Waste Disposal Department. The facility incinerates municipal solid waste to recover energy in the form of electricity. The facility manages up to 800 tons of municipal solid waste per day. The waste is burned in two 400-ton capacity mass-burn waterwall boiler combustors. The combustion gases exit the boiler economizer and are routed through air pollution control equipment and processes including a spray dry adsorber and a baghouse system. The facility has mechanisms in place to control air emissions including NO_x, mercury, dioxins, SO₂ and particulates. The ash generated at the facility is used as alternative daily cover at the Finley Buttes Landfill.

- (2) The non-system facility owner's and operator's regulatory compliance record with federal, state and local requirements, including but not limited to public health, safety and environmental regulations;*

Metro staff's investigation of the Spokane WTE Facility revealed a good record of compliance with local and state agencies responsible for health, safety and environmental regulations. The facility holds a Solid Waste Handling Permit issued annually by the Spokane Regional Health District (SRHD) (permit No. SW-SPORSWDP-001, expires December 31, 2025). SRHD staff reported that the facility is in good standing, receives routine inspections and has not been involved in any enforcement activities for at least the last two years. The facility also holds an Air Operating Permit issued by the Spokane Regional Clean Air Agency (SRCAA) (permit No. AOP-3 Renewal #3, expires June 30, 2027). SRCAA issued one notice of violation to the facility in 2023 for exceeding their allowable hours of operation during an outage due a contractor's use of the facility's generator. SRCAA staff report they do not have any concerns about the facility's operational practices or management controls.

- (3) The adequacy of the non-system facility's operational practices and management controls;*

The facility uses operational practices and management controls that are considered appropriate by the Washington Department of Ecology, SRHD and SRCAA for the protection of health, safety, and the environment. In addition to obtaining an NSL from Metro, any generator in the Metro region seeking to use this non-system facility for disposal must submit a request to the facility and receive approval in accordance with its special handling and non-typical waste procedures prior to transporting waste to the facility.

- (4) The expected impact on the region's recycling and waste reduction efforts;*

The type of waste covered by the proposed NSL is not conducive to recovery because it consists of non-recoverable solid waste, including putrescible waste. The Metro area waste that is

transported to Spokane WTE is not included in Metro's recovery rate calculation because state statute (ORS 459A.010) stipulates that only those wastesheds that burn mixed solid waste for energy recovery within their wasteshed boundaries may count a portion of it towards their DEQ recovery rate calculation, and there are no waste-to-energy facilities operating in Oregon. Approval of the proposed NSL is not expected to impact the region's recycling and waste reduction efforts.

(5) The proposed non-system license's effect with Metro's existing contractual arrangements;

This NSL will not affect any of Metro's existing contractual arrangements.

(6) The applicant's record regarding compliance with Metro ordinances and agreements or assistance to Metro in Metro ordinance enforcement and with federal, state and local requirements, including but not limited to public health, safety and environmental regulations;

There are no known compliance issues with Eaton Corporation

(7) Any other factor the Chief Operating Officer considers appropriate.

The Spokane WTE Facility is the closest incineration facility to the Metro region upon the closure of Reworld Marion on December 31, 2024. The Spokane WTE Facility is the primary disposal site for municipal solid waste generated in the vicinity of Spokane County. Metro staff met with City of Spokane staff on November 25, 2024, to discuss Metro's flow control requirements. City staff stated that the facility has sufficient capacity to receive waste generated from the Metro region that was formerly approved to transport to Reworld Marion for disposal, and it will evaluate any new customer requests on a case-by-case basis. City staff will notify Metro compliance staff when they receive inquiries from generators in the Metro region and will refer these generators to Metro for more information about the NSL application process.

BE

IN CONSIDERATION OF RESOLUTION NO. 25-5518 AUTHORIZING THE CHIEF OPERATING OFFICER TO ISSUE A NEW NON-SYSTEM LICENSE TO EATON CORPORATION FOR TRANSPORT AND DISPOSAL OF NON-RECOVERABLE SOLID WASTE, INCLUDING PUTRESCIBLE WASTE AT THE SPOKANE REGIONAL WASTE-TO-ENERGY FACILITY LOCATED IN SPOKANE, WASHINGTON

Date: October 13, 2025
Department: Waste Prevention and
Environmental Services
Meeting Date: October 30, 2025

Prepared by: Brice Ehmig
Brice.Ehmig@oregonmetro.gov
Presenter if requested: Hila Ritter
Length: Consent agenda

ISSUE STATEMENT

All solid waste generated within the Metro jurisdictional boundary must be transported to a designated facility, or to another approved destination under a non-system license, for processing or disposal. Eaton Corporation (Eaton) is a power management company that designs and manufactures customized electrical power equipment at its two facilities located at 10955 SW Avery St., Tualatin, OR, and 26850 SW Kinsman Rd., Wilsonville, OR. It has applied for a new non-system license to transport putrescible waste to a non-system facility pursuant to Metro Code Chapter 5.05.

ACTION REQUESTED

Adopt Resolution No. 25-5518 to authorize the Chief Operating Officer (COO) to issue a new non-system license (No. N-212-25) to Eaton authorizing it to transport non-recoverable solid waste, including putrescible waste, to the Spokane Regional Waste to Energy facility (Spokane WTE).

IDENTIFIED POLICY OUTCOMES

If adopted, Resolution No. 25-5518 would authorize the COO to issue a non-system license to Eaton to transport up to 500 tons per calendar year of non-recoverable solid waste, including putrescible waste, to the Spokane WTE facility for disposal. The proposed license will begin on November 1, 2025, and end on October 31, 2028.

POLICY QUESTION

Should Metro Council approve a non-system license authorizing Eaton to transport up to 500 tons per calendar year of non-recoverable solid waste, including putrescible waste, generated in the Metro jurisdictional boundary to the Spokane WTE facility for disposal?

POLICY OPTIONS FOR COUNCIL TO CONSIDER

1. Adopt Resolution No. 25-5518 and authorize Eaton to transport Metro area solid waste to a non-system facility

Authorizing a non-system license for Eaton will help Metro ensure that solid waste generated inside the jurisdictional boundary is transported to an appropriate destination and properly managed when it leaves the region. A non-system license also enables Metro to effectively monitor and enforce its solid waste requirements such as reporting and collecting fee and tax payments.

2. Do not adopt Resolution No. 25-5518 to authorize Eaton to transport Metro area solid waste to a non-system facility

If Council does not adopt this resolution, Eaton will not be authorized to transport solid waste to the Spokane WTE facility and would need to transport the waste to a designated facility.

STAFF RECOMMENDATIONS

Staff recommends that Metro Council adopt Resolution No. 25-5518 to issue a non-system license to Eaton to transport Metro area waste to the Spokane WTE facility.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

A non-system license is required for any person to transport, or cause to be transported, any solid waste generated within the Metro jurisdictional boundary to any non-system facility for processing or disposal. The Metro Council may approve or deny an application for a non-system license to transport putrescible waste to a non-system facility after the Chief Operating Officer reviews the application. If Metro Council approves, then the Chief Operating Officer will issue the non-system license.

A non-system licensee must report to Metro the amount of solid waste that it delivers to the non-system facility each month. The licensee must also remit to Metro the requisite regional system fee and excise tax for each ton of waste transported to the non-system facility. A new non-system license has an initial maximum term of three years, with two-year renewal terms thereafter.

On June 13, 2025, Eaton submitted a non-system license application to Metro to transport waste generated at its Tualatin and Wilsonville facilities to the Spokane WTE facility for disposal. Eaton is a power management company that specializes in custom product configurations such as motor control centers, low and medium voltage assemblies, medium voltage control, and medium voltage systems. Both of the Eaton facilities generate general miscellaneous non-recoverable waste including office, restroom, and cafeteria waste. The Tualatin facility also generates industrial processing waste including a small quantity of drip-dried 5-gallon containers that previously held chemical components. Eaton previously transported this waste for disposal at Reworld Marion (formerly Covanta Marion) in Marion County under a non-system license (No. N-170-16) that was issued in 2016 and later under a Designated Facility Agreement with Reworld Marion in 2021. Although this waste is generally disposed of in a landfill, Eaton seeks to transport the waste to an energy recovery facility as a part of its business sustainability goal. The Spokane WTE is the closest municipal solid waste incinerator located near the Metro region.

Legal Antecedents

Metro Code Section 5.05.040 prohibits any person from transporting solid waste generated within the Metro region to a non-system facility without a valid, Metro-issued non-system license. To determine whether to issue a non-system license, Metro Council must consider the factors described in Metro Code Section 5.05.140 as set forth in the staff analysis and information included as Exhibit B to Resolution 25-5518.

Financial Implications

The issuance of this non-system license will not impact Metro's budget. Upon issuance of this NSL, Eaton will be responsible for reporting and remitting the fees and taxes to Metro monthly.

Known Opposition

There is no known opposition to the proposed new non-system license.

BE



Agenda #: 2.3

File #: RES 25-5531

Agenda Date:10/30/2025

Resolution No. 25-5531 For the Purpose of Renewing Willamette Resources, Inc. & Republic Services of Clackamas and Washington Counties Joint Non-System License to Transport Commercial Food Waste and Yard Debris Mixed with Residential Food Waste to the Pacific Region Compost Facility Located In Benton County, OR

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF RENEWING	)	RESOLUTION NO. 25-5531
WILLAMETTE RESOURCES, INC. &	)	
REPUBLIC SERVICES OF CLACKAMAS AND	)	Introduced by Chief Operating Officer
WASHINGTON COUNTIES JOINT NON-	)	Marissa Madrigal in concurrence with
SYSTEM LICENSE TO TRANSPORT	)	Council President Lynn Peterson
COMMERCIAL FOOD WASTE AND YARD	)	
DEBRIS MIXED WITH RESIDENTIAL FOOD	)	
WASTE TO THE PACIFIC REGION COMPOST	)	
FACILITY LOCATED IN BENTON COUNTY,	)	
OR	)	

WHEREAS, Metro Code Chapter 5.05 requires a non-system license (“NSL”) of any person that transports solid waste generated from within the Metro Region to a non-system facility; and

WHEREAS, Willamette Resources, Inc. & Republic Services of Clackamas and Washington Counties jointly hold Metro NSL No. N-005-24(4) that expires on December 31, 2025, and

WHEREAS, NSL No. N-005-24(4) authorizes the transport of source-separated commercial food waste and yard debris mixed with residential food waste to Pacific Region Compost, which is a non-system solid waste facility located in Benton County, Oregon; and

WHEREAS, Willamette Resources, Inc. & Republic Services of Clackamas and Washington Counties filed a complete application in September 2025 seeking to renew a NSL to transport commercial food waste and yard debris mixed with residential food waste to Pacific Region Compost under the provisions of Metro Code Chapter 5.05, “Solid Waste Flow Control”; and

WHEREAS, Metro Code Chapter 5.05 provides that the Chief Operating Officer will review an application for an NSL for putrescible waste and that Metro Council has authority to approve or deny the application; and

WHEREAS, the Chief Operating Officer has analyzed the application and considered the relevant factors under Metro Code and the Council incorporates the Chief Operating Officer’s analysis as set forth in Exhibit B to this Resolution; and

WHEREAS, the Chief Operating Officer recommends that Metro issue a renewed NSL jointly to Willamette Resources, Inc. & Republic Services of Clackamas and Washington; now therefore

BE IT RESOLVED that the Metro Council:

1. Approves Willamette Resources, Inc. & Republic Services of Clackamas and Washington Counties NSL renewal application subject to the terms, conditions, and limitations contained in Exhibit A to this Resolution.
2. Authorizes the Chief Operating Officer to issue Willamette Resources, Inc. & Republic Services of Clackamas and Washington Counties a renewed NSL substantially similar to the one attached as Exhibit A, to expire December 31, 2027.

3. Has considered the factors described in Metro Code Section 5.05.140 as further set forth in Exhibit B.

ADOPTED by the Metro Council this 30th day of October 2025.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney



600 NE Grand Ave.
Portland, OR 97232-2736
oregonmetro.gov

METRO SOLID WASTE FACILITY NON-SYSTEM LICENSE

No. N-005-26

LICENSEE:
Willamette Resources, Inc. & Republic Services of Clackamas and Washington Counties 10295 SW Ridder Road Wilsonville, OR 97070
CONTACT PERSON:
Jason Jordan Phone: 503-404-4180 Email: jason.jordan@republicservices.com
MAILING ADDRESS:
Willamette Resources, Inc. & Republic Services of Clackamas and Washington Counties 10295 SW Ridder Road Wilsonville, OR 97070

ISSUED BY METRO:

Warren Johnson Policy and Compliance Program Director

Date

1	NATURE OF WASTE COVERED BY LICENSE
	1. Source-separated commercial food waste and residential food waste that is generated within the Metro boundary and received at Willamette Resources, Inc. in accordance with its Metro solid waste facility franchise; and 2. Source-separated commercial food waste and residential food waste that is generated within the Metro boundary and collected by Republic Services of Clackamas and Washington Counties.
2	CALENDAR YEAR TONNAGE LIMITATION
	The licensee is authorized to transport to the non-system facility listed in Section 3 up to 25,000 tons per calendar year of the waste described in Section 1.
3	NON-SYSTEM FACILITY
	1. The licensee is authorized to transport the waste described in Section 1 to the following non-system facility for processing and composting: - Pacific Region Compost Facility 29969 Camp Adair Road - Corvallis, OR 97330 2. This license is issued on condition that the non-system facility named in this section is authorized to accept the type of waste described in Section 1. If Metro determines that this non-system facility is not authorized to accept such waste, Metro may immediately amend, suspend or terminate this license pursuant to Section 10.
4	TERM OF LICENSE
	January 1, 2026 to December 31, 2027, unless amended, suspended, revoked or terminated as provided in this license.
5	COVERED LOADS
	To prevent spillage of waste while in transit, the licensee must suitably contain and cover, on all sides, all loads of the waste described in Section 1 that are transported under authority of this license to the non-system facility listed in Section 3.
6	REPORTING OF ACCIDENTS AND CITATIONS
	The licensee must report to Metro within five business days any significant incidents (such as a fire), accident, or citation involving any vehicle transporting the solid waste authorized by this license.

7	MATERIAL MANAGEMENT
	The licensee is authorized to deliver the waste described in Section 1 to the non-system facility listed in Section 3 under the following conditions: 1. The non-system facility must accept all solid waste that is transported under authority of this license for the sole purpose of processing and composting on-site. The licensee must not dispose of any source-separated recyclable material, except as provided in Section 8; and 2. The non-system facility must receive, manage, process, and compost all solid waste that is transported under authority of this license in accordance with all applicable local, state and federal laws, rules, regulations, ordinances, orders, and permits.
8	REGIONAL SYSTEM FEE AND EXCISE TAX
	The licensee is subject to the following conditions: 1. The waste described in Section 1 is exempt from regional system fee and excise tax in accordance with Metro Code Chapters 5.02 and 7.01, provided that it is delivered transported under the authority of this license and is accepted and composted at the non-system facility listed in Section 3 in accordance with all applicable regulations. 2. If the licensee transports waste under this license to the non-system facility listed in Section 3, but the material does not meet the facility's acceptance criteria (for example, the material is too contaminated for processing or composting) or the non-system facility fails to process and compost the material as required as a condition of this license, the licensee must pay to Metro an amount equal to the: (a) Regional system fee, as provided in Metro Code Chapter 5.02, for each ton or portion thereof of waste transported to the non-system facility that is ultimately transported to a disposal site. (b) Excise tax, as provided in Metro Code Chapter 7.01, for each ton or portion thereof of waste transported to the non-system facility that is ultimately delivered to a disposal site.
9	RECORD KEEPING AND REPORTING
	1. The licensee must keep and maintain accurate records of the amount of all waste that the licensee transports to the non-system facility listed in Section 3. These records include the information specified in the Metro document titled, <i>Reporting Requirements and Data Standards for Metro Solid Waste Licensees, Franchisees, and Parties to Designated Facility Agreements</i>. 2. The licensee must report to Metro the records required under Section 9.1 no later than fifteen days following the end of each month in the form and format prescribed by Metro. An authorized representative of the licensee must certify that the report is accurate. 3. The licensee must make available to Metro (or Metro's designated agent) all records from which Section 9.1 is derived for its inspection or copying or both, as long as Metro provides at least three business days written notice of an intent to inspect or copy documents. The licensee must also sign or otherwise provide to Metro any consent or waiver necessary for Metro to obtain information or data from a third party, including the non-system facility named in Section 3.

	4. Metro may require the licensee to report the information required by this section on a weekly or daily basis. 5. If the licensee fails to submit the records or payments to Metro by the timeline set forth in Section 9, each day by which the licensee exceeds the due date may constitute a separate violation subject to a penalty of up to \$500 per violation, in accordance with Metro Code Chapter 5.05.
--	--

10	ADDITIONAL LICENSE CONDITIONS
	This non-system license is subject to the following conditions: 1. The transport of solid waste to the non-system facility listed in Section 3 is subordinate to any subsequent Metro decision to direct the solid waste described in this license to any other facility. 2. Metro may amend, suspend, revoke or terminate this license pursuant to Metro Code in the event that Metro determines that: (a) There has been sufficient change in any circumstances under which Metro issued this license; (b) Metro's solid waste system or the public will benefit from, and will be better served by, transporting the waste described in Section 1 to a facility other than the one listed in Section 3; (c) The non-system facility listed in Section 3 fails to manage the waste subject to this license in accordance with the material management requirements described in Section 7; (d) The non-system facility listed in Section 3 does not control and minimize odors that are detectable off-site; or (e) The Metro Council adopts legislation or other policy which affects food waste management practices in the region. 3. The licensee cannot transfer or assign any right or interest in this license without Metro's prior written approval. 4. Metro may amend or terminate this license upon the execution of a designated facility agreement with a facility listed in Section 3 that authorizes the facility to accept the waste described in Section 1. 5. This license authorizes transport of solid waste only to the facility listed in Section 3. Transfer of waste generated from within the Metro boundary to any non-system facility other than that specified in this license is prohibited unless authorized in writing by Metro. 6. Metro may direct the licensee's waste flow under this non-system license to Metro Central Transfer Station or Metro South Transfer Station with a minimum of 24 hours written notice. Any redirection of the waste flow by Metro is effective immediately. 7. If the licensee exceeds the calendar year limitation set forth in Section 2, each ton or portion thereof by which the licensee exceeds the limitation constitutes a separate violation subject to a penalty of up to \$500, in accordance with Metro Code Chapter 5.05. 8. Unless otherwise specified, all terms are as defined in Metro Code Chapter 5.00. (a) "Food waste" means waste from fruits, vegetables, meats, dairy products, fish, shellfish, nuts, seeds, grains, coffee grounds, and other food that results from the distribution, storage, preparation, cooking, handling, selling or serving of food for human consumption. Food waste

	includes but is not limited to excess, spoiled or unusable food and includes inedible parts commonly associated with food preparation such as pits, shells, bones, and peels. Food waste does not include liquids or large amounts of oils and meats which are collected for rendering, fuel production or other non-disposal applications, or any food fit for human consumption that has been set aside, stored properly and is accepted for donation by a charitable organization and any food collected to feed animals in compliance with applicable regulations. (b) “Residential Food Waste” means source-separated yard debris mixed with residential food waste from a curbside collection program adopted or otherwise authorized by a local government.
--	--

11	COMPLIANCE WITH LAW
	The licensee must fully comply with all applicable local, regional, state and federal laws, rules, regulations, ordinances, orders, and permits pertaining in any manner to this license. This includes all applicable Metro Code provisions and administrative rules regardless of whether this license specifically mentions or cites those provisions. All conditions imposed on the collection and hauling of the licensee’s solid waste by federal, state, regional or local governments or agencies having jurisdiction over solid waste generated by the licensee shall be deemed part of this license as if specifically set forth.

12	INDEMNIFICATION
	The licensee must defend, indemnify and hold harmless Metro, its elected officials, officers, employees, agents and representatives from any and all claims, demands, damages, causes of action, or losses and expenses arising out of or related in any way to the issuance or administration of this non-system license. Expenses include, but are not limited to, all attorneys’ fees, whether incurred before litigation is commenced, during litigation or on appeal.

Legal Antecedents

Pursuant to Metro Code 5.05.140, the Metro Council must consider the following factors when determining to issue a non-system license:

- (1) *The degree to which prior users of the non-system facility and waste types accepted at the non-system facility are known and the degree to which those wastes pose a future risk of environmental contamination;*

The proposed non-system license authorizes the transport of source-separated commercial food waste and yard debris mixed with residential food waste to Pacific Region Compost, a yard debris and food waste composting facility that is well known to Metro staff. The facility accepts composting feedstock that consists primarily of source-separated food waste, yard debris and wood waste.

The environmental risk from the use of this facility is presumed to be minimal because it is fully regulated and monitored by the appropriate local and state authorities. Metro relies on the local land use authority and the state environmental agency to monitor the site and staff is not aware of any environmental or human health risks posed at the facility.

- (2) *The non-system facility owner's and operator's regulatory compliance record with federal, state and local requirements including but not limited to public health, safety and environmental regulations;*

Metro staff's investigation of the destination facility revealed a good record of compliance with local and state agencies responsible for health, safety and environmental regulations during the term of the current non-system license. Pacific Region Compost is permitted by the Department of Environmental Quality (DEQ permit No. 1418). DEQ staff have informed Metro staff that the facility is in compliance with its permit requirements. Additionally, Pacific Region Compost operates under a franchise agreement with Benton County. Benton County staff have informed Metro staff that the facility is in compliance with the terms of its franchise agreement and no enforcement actions were issued between January 2024 and August 2025.

- (3) *The adequacy of the non-system facility's operational practices and management controls;*

Pacific Region Compost operates under the authority of a solid waste disposal site permit for a composting facility issued by DEQ and a franchise agreement with Benton County. The facility manages all of the waste it receives, including commercial food waste, in accordance with the requirements of its DEQ permit and County franchise agreement.

- (4) *The expected impact on the region's recycling and waste reduction efforts;*

The waste subject to the proposed NSL will be delivered to Pacific Region Compost for the purpose of composting rather than disposal. Based on the waste management hierarchy, composting is considered a higher and better management option than disposal. The approval of the proposed non-system license will allow food waste to be composted which contributes to the region's recycling and waste reduction efforts.

- (5) *The proposed non-system license's effect with Metro's existing contractual arrangements;*

This proposed license will not affect Metro's existing contractual agreements.

- (6) *The applicant's record regarding compliance with Metro ordinances and agreements or assistance to Metro in Metro ordinance enforcement and with federal, state and local requirements including but not limited to public health, safety and environmental regulations;*

Metro staff's investigation of the applicant and inspections of Pacific Region Compost revealed a good record of compliance with local and state agencies responsible for health, safety and environmental regulations.

(7) Any other factor the Chief Operating officer considers appropriate.

The proposed NSL will renew the applicant's current authorization. Pacific Region Compost provides important processing and composting capacity for the region that supports Metro's goal of diverting organics away from disposal and into recovery outlets.

LC

IN CONSIDERATION OF RESOLUTION NO. 25-5531 FOR THE PURPOSE OF RENEWING WILLAMETTE RESOURCES, INC. & REPUBLIC SERVICES OF CLACKAMAS AND WASHINGTON COUNTIES JOINT NON-SYSTEM LICENSE TO TRANSPORT COMMERCIAL FOOD WASTE AND YARD DEBRIS MIXED WITH RESIDENTIAL FOOD WASTE TO THE PACIFIC REGION COMPOST FACILITY LOCATED IN BENTON COUNTY, OR

Date: October 13, 2025
Department: Waste Prevention and
Environmental Services
Meeting Date: October 30, 2025

Prepared by: Lisa Clark, 971-806-7459,
lisa.clark@oregonmetro.gov
Presenter if requested: Hila Ritter
Length: Consent agenda

ISSUE STATEMENT

Willamette Resources, Inc. (WRI) and Republic Services of Clackamas and Washington Counties (Republic) seek to renew the joint non-system license to transport source-separated commercial food waste and yard debris mixed with residential food waste generated in the Metro region to the Pacific Region Compost Facility located in Benton County, Oregon for composting. Metro Code Section 5.05.160 states that Metro Council will determine whether to approve or deny a non-system license application for putrescible waste.

ACTION REQUESTED

Approve Resolution No. 25-5531 to authorize the Chief Operating Officer to issue a renewed non-system license jointly to Willamette Resources Inc. and Republic for the maximum term of two years.

IDENTIFIED POLICY OUTCOMES

Approval of this resolution will authorize WRI and Republic to continue to transport source-separated commercial food waste and yard debris mixed with residential food waste to Pacific Region Compost for composting and for Metro to continue to track the amount and types of waste being transported out of the Metro region.

POLICY QUESTION

Should the Metro Council approve WRI's and Republic's joint non-system license application authorizing a renewed non-system license to WRI and Republic to transport source-separated commercial food waste and yard debris mixed with residential food waste to Pacific Region Compost in Benton County for composting, according to the provisions of Metro Code 5.05.160 and as described in Resolution No. 25-5531?

POLICY OPTIONS FOR COUNCIL TO CONSIDER

1. Adopt Resolution No. 25-5531 as proposed to authorize the Chief Operating Officer to issue a renewed non-system license jointly to WRI and Republic to transport source-separated commercial food waste and yard debris mixed with residential food waste to Pacific Region Compost in Benton County for composting.

Adoption of this resolution will authorize the Chief Operating Officer to renew the non-system license to WRI and Republic to transport up to 25,000 tons per calendar year of commercial food waste and yard debris mixed with residential food waste to Pacific Region Compost for composting. The proposed non-system license will take effect on January 1, 2026, and expire on

December 31, 2027.

2. Amend the resolution to issue the renewed non-system license with different conditions other than those recommended by staff.
3. Do not approve Resolution No. 25-5531. If this resolution is not approved, WRI and Republic will not be authorized to transport commercial food waste and yard debris mixed with residential food waste to Pacific Region Compost for composting.

STAFF RECOMMENDATIONS

Staff recommends that Metro Council adopt Resolution No. 25-5531 to renew a non-system license for Willamette Resources, Inc. and Republic Services of Clackamas and Washington Counties to transport source-separated commercial food waste and yard debris mixed with residential food waste to Pacific Region Compost in Benton County for composting.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

A non-system license is required for any person to transport, or cause to be transported, any solid waste generated within the Metro jurisdictional boundary to any non-system facility for processing or disposal. A non-system license allows Metro to closely monitor the region's solid waste to ensure it is transported to authorized facilities and properly managed.

Republic Services Inc., a waste management company headquartered in Phoenix, Arizona is the parent company of WRI, Republic and Pacific Region Compost. WRI and Republic have transported waste to Pacific Region Compost under Metro authorization since 2009. The term of the current non-system license commenced on January 1, 2024, and it expires on December 31, 2025.

On August 11, 2025, WRI and Republic submitted an application requesting renewal of the joint non-system license along with the \$50 application fee. The application was deemed complete on September 4, 2025. The current non-system license authorizes WRI and Republic to transport up to 25,000 tons per calendar year of commercial food waste and yard debris mixed with residential food waste to Pacific Region Compost. The licensee transported 17,766 tons of waste to Pacific Region Compost in 2024 and 9,318 tons from January through July 2025. In its renewal application, the licensee requested the same annual maximum of 25,000 tons.

Legal Antecedents

Metro Code Section 5.05.040 prohibits any person from transporting solid waste generated within the Metro region to a non-system facility without a valid, Metro-issued non-system license. Metro Council must consider factors described in Section 5.05.140 when determining whether to approve a non-system license application as set forth in the staff analysis and information included as Exhibit B to Resolution No. 25-5531.

Known Opposition

There is no known opposition to the proposed renewal of this non-system license.

Financial Implications

The renewal of this non-system license will not impact Metro's budget. The proposed non-system license covers source-separated commercial food waste and yard debris mixed with residential food waste that will be transported to Pacific Region Compost for composting and is exempt from regional system fee and excise tax.