

IN CONSIDERATION OF RESOLUTION NO. 25-5526 FOR THE PURPOSE OF RENEWING
WASTE MANAGEMENT OF OREGON, INC.'S SOLID WASTE FACILITY FRANCHISE TO
OPERATE FOREST GROVE TRANSFER STATION

Date: November 17, 2025
Department: Waste Prevention and
Environmental Services
Meeting Date: December 4, 2025

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Presenter if requested: Hila Ritter
Length: Consent agenda

ISSUE STATEMENT

Waste Management of Oregon Inc. (WM) seeks to renew its Metro solid waste facility franchise for Forest Grove Transfer Station (FGTS), a Metro-authorized transfer station located at 1525 B Street in Forest Grove. Metro Code Section 5.01.210 states that Metro Council will approve or deny a solid waste facility franchise renewal.

ACTION REQUESTED

Approve Resolution No. 25-5526 which will authorize the Chief Operating Officer to issue a renewed solid waste facility franchise to WM to operate FGTS for a term of five years.

IDENTIFIED POLICY OUTCOMES

Approval of this resolution will support the goals of the Regional Waste Plan and Regional System Facilities Plan. This staff report further describes this expected policy outcome.

POLICY QUESTION(S)

Should Metro Council approve the applicant's franchise application and authorize the Chief Operating Officer to renew the solid waste facility franchise for WM to operate FGTS in accordance with Metro Code Section 5.01.210 and as described in this resolution?

POLICY OPTIONS FOR COUNCIL TO CONSIDER

1. Adopt Resolution No. 25-5526 to renew the solid waste facility franchise for WM to operate FGTS.
2. Amend Resolution No. 25-5526 to issue a renewed franchise to WM to operate FGTS with different conditions other than those recommended by staff.
3. Do not approve Resolution No. 25-5526. If Council does not adopt this resolution, FGTS will not be authorized to accept, process, or transfer solid waste.

STAFF RECOMMENDATIONS

Staff recommends that Council adopt Resolution No. 25-5526 to approve the renewal of the solid waste facility franchise for WM to operate FGTS. If Council approves this resolution, the renewed franchise (F-004-26) will go into effect on January 1, 2026.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

The current franchise for WM to operate FGTS became effective on January 1, 2020, and expires on December 31, 2025. WM applied to renew its franchise without any changes to its current authorization.

The proposed franchise includes several housekeeping changes and minor updates to clarify regulatory requirements and standardize terminology with other authorizations for increased consistency. The proposed housekeeping updates are listed below and will be included as standard regulatory provisions in all authorizations for similarly situated facilities going forward.

- Section 3.14 - Facility capacity; adds the requirement from Administrative Rule No. 5.01-3120.8 that the franchisee must not exceed the designed operational capacity of the transfer station. This is a standard requirement applicable to all Metro-authorized transfer stations.
- Section 4.1 - Tonnage allocation; this section will be updated with the calendar year 2026 allocation before the renewed franchise is issued.
- Sections 6.3 - Fire prevention, 6.6.3 - Storage and exterior stockpiles, and 7.6 – Procedures for processing and storage of loads; these sections were updated to clarify that the franchisee must manage materials stockpiles in accordance with Oregon Fire Code requirements and as described in the facility site plan and operating plan.
- Section 6.16 - Employment standard; this section was updated to clarify that the facility must comply with Oregon's "ban the box" law (ORS 659A.360).

Legal Antecedents

Pursuant to Metro Code 5.01.210(b), the Council must approve renewal of a solid waste facility franchise unless the Council determines that the proposed renewal is not in the public interest or does not meet the criteria outlined in Metro Code 5.01.180. The staff analysis considering the factors described in Metro Code Section 5.01.180(f) when determining whether to issue a franchise are included as Exhibit B to Resolution No. 25-5526.

Financial Implications

The proposed franchise renewal is not expected to have any financial implications for Metro at this time. This is an existing transfer station that is part of the region's solid waste system. Metro currently allocates up to 60 percent of the region's putrescible waste to private transfer stations using a tonnage allocation methodology.

The current tonnage allocation program has been in place since January 1, 2020, and Metro is planning to evaluate the program to assess potential future changes. To allow time for the evaluation, there will be no changes to the tonnage allocation process for 2026. The proposed franchise renewal is expected to have minimal impact on Metro's Solid Waste Fund operating costs and revenues under the current allocation methodology.

Known Opposition

Metro posted a public notice and invited public review and comment on the franchise application. The notice was posted to Metro's website and postcards were mailed to approximately 132 property owners and residents within one-quarter mile of the facility. Metro also emailed the notice to 253 community-based organizations, neighborhood associations, local governments, solid waste industry members, and other interested parties.

The 30-day public comment period began on August 15, 2025, and closed on September 15, 2025. Metro received five comments about the proposed franchise renewal.

Metro shared comments with regulatory agencies and the facility operator and provided an opportunity to respond. Full comments and responses from Metro and findings from regulatory agencies are included in this staff report as Attachment 1: Public comment report.

BACKGROUND

The applicant, WM, is the owner and operator of FGTS, an existing solid waste facility located at 1525 B Street in Forest Grove (Metro Council District 4). The facility began operating as a transfer station and obtained its first Metro franchise in 1985. On December 31, 1997, Metro issued a Solid Waste Facility Franchise (No. FR-004) to USA Waste of Oregon, Inc. (USA Waste), dba Metropolitan Disposal and Recycling Corporation. In July 1998, USA Waste merged with WM, which has been the owner and operator of the facility since that time.

The facility currently holds a Metro-issued franchise (F-004-20H) to operate a transfer station authorized to receive solid waste. FGTS is the only privately owned transfer station open to the public for self-haul customers. Under the terms of the existing franchise, FGTS is authorized to accept up to 73,558 tons of solid waste generated from within the Metro region in calendar year 2025. FGTS also holds a solid waste disposal site permit for a transfer station issued by the Oregon Department of Environmental Quality (DEQ) (Permit No. 368) and a nondomestic waste discharge permit issued by CleanWater Services District (Permit No. 13570).

During the current franchise term (January 1, 2020 to December 31, 2025), Metro staff conducted nine site inspections at FGTS as of the date of this report. In July 2022, Metro received one noise complaint from a local resident related to a natural gas compressor onsite. Details related to this complaint are included in Exhibit B. No other complaints have been received to date and staff find the facility to be a generally well-run operation with a good compliance record.

DEQ and city of Forest Grove reported there are no current enforcement or compliance issues associated with this site. The applicant is well known to Metro and has extensive experience as a participant in Metro's solid waste system. Staff finds that the applicant is qualified to operate a transfer station and is likely to comply with regulations and standards if the franchise is renewed.

On August 8, 2025, the applicant submitted a complete solid waste facility franchise application accompanied by payment of the requisite application fee of \$500. The applicant has not requested any changes to its current authorization.

ATTACHMENTS

- Attachment 1 to Resolution No. 25-5526 Public Comment Report