

BEFORE THE METRO COUNCIL

|                                     |   |                                       |
|-------------------------------------|---|---------------------------------------|
| FOR THE PURPOSE OF AUTHORIZING THE  | ) | RESOLUTION NO. 21-5223                |
| CHIEF OPERATING OFFICER TO ISSUE A  | ) |                                       |
| RENEWED NON-SYSTEM LICENSE JOINTLY  | ) | Introduced by Chief Operating Officer |
| TO WILLAMETTE RESOURCES, INC. AND   | ) | Marissa Madrigal in concurrence with  |
| REPUBLIC SERVICES OF CLACKAMAS AND  | ) | Council President Lynn Peterson       |
| WASHINGTON COUNTIES FOR TRANSPORT   | ) |                                       |
| OF COMMERCIAL FOOD WASTE AND YARD   | ) |                                       |
| DEBRIS MIXED WITH RESIDENTIAL FOOD  | ) |                                       |
| WASTE TO THE PACIFIC REGION COMPOST | ) |                                       |
| FACILITY LOCATED IN BENTON COUNTY,  | ) |                                       |
| OREGON                              | ) |                                       |

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 disposal facility; and

WHEREAS, Willamette Resources, Inc. and Republic Services of Clackamas and Washington Counties (collectively “Republic”) jointly hold Metro NSL No. N-005-17(4)B that expires on December 31, 2021, and 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, the NSL issued to Republic was originally scheduled to expire on December 31, 2019, but the Chief Operating Officer extended the term for an additional six months to expire June 30, 2020 as authorized by Metro Code Chapter 5.05; and

WHEREAS, on March 24, 2020, Governor Brown issued Executive Order 20-12 (“Stay Home, Save Lives”) in response to the COVID-19 global pandemic; and

WHEREAS, in response to the disruption caused by the COVID-19 pandemic, the Metro Council passed Resolution No. 20-5104 in May 2020 authorizing the COO to extend the term of this NSL for an additional 18 months to expire on December 31, 2021; and

WHEREAS, Willamette Resources, Inc. and Republic Services of Clackamas and Washington Counties filed a complete application in August 2021 seeking a renewed non-system license to deliver 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 applications for non-system licenses for putrescible waste and that the Metro Council will approve or deny them; and

WHEREAS, the Chief Operating Officer has analyzed the application and considered the relevant factors under Metro Code Section 5.05.140; and

WHEREAS, the Chief Operating Officer recommends that Metro issue a renewed non-system license jointly to Willamette Resources, Inc. and Republic Services of Clackamas and Washington Counties 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 Willamette Resources, Inc. and Republic Services of Clackamas and Washington Counties subject to the terms, conditions, and limitations contained in Exhibit A to this Resolution.
2. Authorizes the Chief Operating Officer to issue to Willamette Resources, Inc. and Republic Services of Clackamas and Washington Counties a renewed non-system license substantially similar to the one attached as Exhibit A with a term of two years.

ADOPTED by the Metro Council this 9th day of December 2021.

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Lynn Peterson, Council President

Approved as to Form:

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Carrie MacLaren, Metro Attorney