

Public comment report

Attachment 2 to Staff Report for Resolution No. 19-5024



October 17, 2019

Prepared by: Joanna Dyer
503-813-7550

Background

Adoption of Resolution No. 19-5024 will authorize the Chief Operating Officer to issue a renewed solid waste facility franchise to Waste Management of Oregon Inc. to operate Forest Grove Transfer Station for a term of five years.

On July 22, 2019, the applicant submitted to Metro a complete solid waste facility franchise application accompanied by payment of the appropriate application fee of \$500. The applicant has not requested any new authorizations, tonnage increases or changes to its current franchise provisions.

Public Notice and Opportunity to Comment

Metro posted notice and provided an opportunity for the public to review and submit comments on the renewal application. The public notice was posted on Metro's website, mailed to 268 property owners and residents within one-quarter mile of the facility and emailed to local community groups, neighborhood associations and various other parties that are generally interested in solid waste issues. The 30-day public comment period began on August 1, 2019, and closed on August 30, 2019.

Summary of written public comments on application

Metro received two comments during the public comment period, which can be found in full below. One comment is in support of the facility and one comment expressed concerns in three areas:

1. History of the site – The commenter noted that the facility was originally sited as a storage facility for trucks associated with hauling operations prior to the facility becoming a transfer station. Even though the facility is in a General Industrial zone and is permitted, the commenter believes the facility would likely not be allowed if it were trying to site in that location today.
2. Noise – The commenter believes the facility makes efforts to be a friendly neighbor, but noises from the operation make it difficult for the commenter to enjoy their home.
3. Facility location and proximity to sources of waste – The commenter states the facility is handling waste from areas outside of Forest Grove which is at the western boundary of the Metro region. The commenter believes the facility should be issued a one year extension and relocated to a more central, industrial location, to better serve the region.

Metro response to comments:

Metro acknowledges the comment in support of renewing this franchise.

Metro is tasked with planning, management and oversight of the region's solid waste system. It has an obligation to the public to ensure that the waste intended for reuse, recycling and other purposes is handled properly and sent to appropriate markets, and that all other waste is safely managed and disposed. In carrying out its oversight responsibilities, Metro balances the need to preserve solid waste transfer capacity in the region with the needs of the local communities that live and work near these facilities. Metro primarily relies on local governments, such as the city of Forest Grove, for land use determinations and the Department of Environmental Quality (DEQ) for environmental oversight. The facility is also permitted by DEQ.

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The facility commenced operation and obtained its first Metro franchise in 1985. According to the city of Forest Grove, the Forest Grove Transfer Station is located in a “General Industrial” zone and holds the necessary land use approval for transfer station operations.

Forest Grove Transfer Station plays a very important role in the region’s solid waste transfer system, especially on the west side of the region, providing 16 percent of the region’s putrescible waste transfer capacity in 2018. The solid waste system in the Metro region is made up of facilities that are owned and operated by public agencies, like Metro Central and Metro South Transfer Stations, and others that are privately owned and operated, like Forest Grove Transfer Station.

Metro staff is not aware of excessive complaints or impacts on the surrounding neighborhood during the term of the current franchise aside from this comment received during the public comment period. The operator’s experience and track record leads staff to conclude that it is unlikely that Forest Grove Transfer Station would adversely impact the surrounding neighborhood.

Metro has conducted 46 site inspections at Forest Grove Transfer Station from January 1, 2009 to date. Staff has found the facility to be a well-run operation with no observable reason to suspect impending problems or issues. Forest Grove Transfer Station is currently in compliance with its Metro issued franchise (F-004-08F) and non-system license (N-010-16C). Metro issued one notice of violation during the franchise term (NOV-401-17). The facility delivered 11 loads (297.03 tons) of putrescible waste generated within the Metro region to Riverbend Landfill on April 3 and 4, 2017, violating a condition of the non-system license which prohibited transfer of waste to Riverbend Landfill after April 1, 2017. Metro issued a \$5,739 civil penalty that was paid in full.

DEQ and the city of Forest Grove have reported that there are no current enforcement or compliance issues associated with this site.

The following comments were received as part of the public comment period. Comments are listed in the order they were received:

From: Annalisa Ames
To: [SWICC](#)
Subject: Renewal support
Date: Monday, August 5, 2019 11:07:31 AM

To whom it may concern,

We support the renewal of WM’s Forest Grove transit center.

Our son loves driving by and seeing all the trucks. It is also very convenient to drop off extra recycling, such as cardboard as needed.

Regards,
Annalisa & Gene Ames

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From: James Vance
To: [SWICC](#)
Cc: [REDACTED]
Subject: Forest Grove transfer station renewal application
Date: Wednesday, August 28, 2019 7:39:00 PM

Joanna Dyer

I would like to submit comments pertaining to the renewal of the franchise for the Forest Grove waste transfer facility.

I am a resident of Forest Grove and reside in the old town section of city which is adjacent to the waste transfer facility. Prior to the commencement of the current facility the site was used and occupied by the company that provided waste collection services for the Forest Grove area. The location was essentially used as a parking facility for a handful of trucks and equipment used to provide service in this area. I'm sure that when the current waste transfer operation was commenced, no one, especially the adjacent residential citizens had any idea that the operation would evolve from a local waste collection service into a regional hub. While the property is zoned General Industrial and the operation of a transfer station is permitted, I don't think that this type of facility would be allowed to be located adjacent to a residential area today. Perhaps someone from metro should visit the site and evaluate the proximity to the residences which were here long before the transfer facility began operation.

The facility, while making an attempt to be a friendly neighbor, is quite disruptive to the adjacent residents. There are frequent noises originating from the facility from early morning into the evening that makes the peaceful enjoyment of my home difficult. I've been awakened as early as 4:00 am to the sound of air ratchets making repairs or changing tires, and the sound of backup alarms and the sounds of dumping operations continue throughout the day. The location of this facility within view of my home has certainly negatively affected the value of my property.

This facility appears to be handling waste collection and transfer operations from areas well outside of the local area. Forest Grove is at the far west boundary of the metro footprint, which requires waste to be hauled from as far away as the Beaverton area to Forest Grove and then transferred to its ultimate disposal site. The transfer station should be located midway between the Beaverton area and Forest Grove. I seriously doubt that a facility like this would ever be permitted to operate this close to residences. The other two waste transfer facilities that I am aware of in northwest Portland and Oregon City are in actual industrial areas, not adjacent to residential property.

I recommend that serious consideration be given to the relocation of this facility to the _ industrial area in Forest Grove south of hwy 47, or more ideally to a location closer to the center point of its service area. Metro should issue a one year extension to operate at its current location, with the stipulation that the transfer facility be relocated.

Please advise me of the date and time that the Metro Council will be meeting to consider renewing this franchise.

Respectfully submitted

James Vance
[REDACTED] 16th Ave
Forest Grove, OR. 97116
503-[REDACTED]
[REDACTED]