

## Overview of Proposed Revisions to Metro Code Chapter 5.10

November 2020

### Why are changes being made?

**It is out of date.** Metro Code Chapter 5.10 implements the requirements of the former Regional Solid Waste Management Plan, not the new Regional Waste Plan adopted in March 2019. In addition, the Oregon Department of Environmental Quality updated recycling statute and rules in 2018 and much of Chapter 5.10 contains state requirements that are no longer in place.

**It does not fit the new format for Code.** Current code is challenging to read and interpret, contains obsolete terms and does not reflect the wording in the new Regional Waste Plan. Obsolete references, lengthy sentences and legalese are removed. Some implementation detail is being moved to administrative rules to follow format changes being made to the Metro Code overall.

**It is not well organized.** Currently overall Regional Waste Plan requirements, those for local governments and service provision standards are scattered throughout Chapter 5.10. To better organize the chapter and provide more clarity, the existing Chapter 5.10 is being split into two chapters.

**It does not reflect the Regional Waste Plan.** Code and rule in place now was designed for the 2008 Plan. In addition, existing code and rule contains both regional plan requirements as well as state requirements, which is confusing. These revisions clarify that the code and rule implement the Regional Waste Plan, not state law.

### What are the specific changes being considered?

- Split the current Chapter 5.10 into two chapters. Chapter 5.10 will cover the overall Regional Waste Plan and a new Chapter 5.15 has been created to focus on requirements specific to local governments, including establishing new multifamily residential requirements.
- Reorganize confusing sections. Rather than have several separate code sections dealing with single-family and multifamily residential requirements, code sections have been grouped by sector:
  - Residential Service (includes all types of residential dwellings)
  - Business Service and Recycling Requirement
  - Business Food Waste Requirement
  - General Education
- Move and reword some detailed information to administrative rules so that all local government requirements are in a single location and are communicated more clearly. These include:

- Specific service standards for single-family, multifamily and business customers
- Education and outreach standards
- Materials required for collection
- Add residential food scraps collection as a named material to the service standards:
  - Residential food scraps collection is an optional service
  - Weekly or every-other-week collection frequency
- Add a general education section that applies to all customers:
  - Reflects the Regional Waste Plan rather than obsolete state requirements
  - Focuses on regional consistency as well as requiring that education provided by local governments and service providers be accurate, culturally-responsive and reflect local conditions
- Add new standards for multifamily services to implement new and high-priority Regional Waste Plan actions. These will be the most significant substantive changes to the code and include:
  - Per unit service volume minimums for garbage, mixed recycling and glass streams
  - Weekly minimum collection frequency for all streams
  - Collection container color standard for all material streams
  - Required use of regional signage on bins and in collection areas
- Combine all standards and requirements with regard to the business sector into one section for ease of reading and to increase understanding. No substantive changes have been made.
  - Obsolete or outdated standards have been eliminated including past implementation deadlines, and past funding requirements
  - Commercial food scraps requirement is unchanged
- Eliminate the Regional Service Standard Alternative Program. Elements of local government alternative programs showing the same outcome as the Regional Service Standard (weekly collection) have been incorporated into the new standard. Elements of local government programs that showed worse outcomes than the Regional Service Standard will be required to change.
  - Every-other-week mixed recycling collection has been incorporated into the proposed standard for every-other-week programs in place as of January 1, 2019
- Remove obsolete state requirements and update wording and terms to reflect those used in the new Regional Waste Plan and to remove legalese, outdated references, and lengthy sentences.

Current Code sections	New Code sections	Explanation of Changes
<p>5.10.010-080 Regional Solid waste Management Plan</p> <p>5.10.110-160 Compliance Procedures</p>	<p>5.10.010-060 Regional Waste Plan</p>	<p>Chapter 5.10 has been shortened to focus on the overall applicability of the Regional Waste Plan (RWP), Metro’s authority to implement it, and plan amendment procedures.</p> <p>The majority of the Compliance Procedures section (110-160) in the current code applies to local governments and has been moved to the new Chapter 5.15 which is specific to local government requirements under the RWP. Outdated references, language and long sentences have been removed.</p>
<p>5.10.210-240 Regional Service Standard</p>	<p>5.15.010-070 General Provisions</p> <p>5.15.110-130 Residential Service</p>	<p>As noted above, the majority of the Compliance Procedures from existing code have been moved to a new chapter 5.15 (<i>Local Government Requirements Under the Regional Waste Plan</i>). Sections 010-060 pertain to compliance, extensions, technical and financial assistance and local government conformity to the plan. The Exception from Compliance section has been removed, and the wording in the other sections has been amended to reflect current terminology and procedures and to improve readability.</p> <p>The Regional Service Standard has been reorganized by sector and renamed. Section 5.15.110-130 focuses solely on the residential (single family and multifamily) sector. Obsolete or outdated standards and references to state statute no longer in effect have been eliminated. Lengthy detail has been removed from Code, updated, and placed in new Administrative Rules for Chapter 5.15. The Alternative Program and Performance Standard has been eliminated--elements of local government alternative programs showing the same outcome as weekly collection have been incorporated into the new standard. Every-other-week recycling collection programs in place as of January 1, 2019 meet the residential standard.</p>
<p>5.10.310-350 Business Recycling Requirement</p>	<p>5.15.210-260 Business Service and Recycling Requirement</p>	<p>All standards and requirements with regard to the business sector have been combined into one section for ease of reading and to increase understanding. Obsolete or outdated standards have been eliminated and lengthy detail has been removed from Code, updated, and placed in revised Administrative Rules for Chapter 5.15. Aside from updates to language and improvements for readability, no substantive changes have been made to the Business Recycling Requirement in code or rule. Irrelevant implementation deadlines (dates are past and all jurisdictions are in compliance</p>

		with the requirement) and the funding requirements (additional funding was only applicable to the first four years of the program) were removed.
5.10.410-470 Business Food Waste Requirement	5.15.410-470	No substantive changes have been made. Implementation dates in administrative rule were postponed by one year due to COVID-19 under a separate process completed in September 2020.
5.10.230 (d) Education and outreach section of the Regional Service Standard Elements	5.15.310-330 General Education	The education and outreach requirements have been moved to a new section that now represents a General Education Standard applicable to all solid waste customers. References to requirements under obsolete state law have been eliminated and detailed information moved to Administrative Rule. Although this standard applies to all customers, there are additional notification, education and outreach requirements specific to the Business Recycling Requirement and the Business Food Waste Requirement. Those specific requirements remain with those performance standards.