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DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

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September 28, 2022

Solid Waste Commissioners
Clackamas County

Members of the Commission:

EXECUTIVE SUMMARY:

In Oregon, local governments' authority to regulate solid waste collection is a well-established right in state law and in court. This staff report summarizes a new optional program for regularly occurring residential curbside collection of certain solid waste materials. Recycle+ is the name used to identify the program.

At your May 5th, 2021 meeting there was a discussion of three non-franchised companies offering solid waste collection for a fee, of materials intended for recycling. After learning, that solid waste collection for a fee is limited to franchised collectors or their subcontractors these companies chose not to pursue their collection activities in the County.

[At your March 10, 2022](#) meeting, the Commission recommended to the Board that additional recycling services be offered through the County's solid waste collection system. The Board, at their August 3, 2022 Policy Session, supported your recommendation. The Board directed staff to develop administrative rule amendments directing franchised collectors to offer optional additional recycling collection services to customers, for an additional fee, subject to fee and regulatory rules in code and administrative rule.

The Reasons for Creating an Additional Recycling Collection Service

Clackamas County has supported recycling in our code and programs for decades. Historically, recycling opportunities have been provided through a combination of regular 'curbside' collection of glass, metal, paper and certain plastic containers, complemented by free drop-off recycling locations for the types of materials other companies have offered to collect for a fee. Providing the opportunity for all citizens to have sustainable, affordable and environmentally responsible recycling services is core to our mission.

The rationale for offering additional and optional residential recycling collection includes the following points:

- There are some materials not accepted in regular residential and business recycling that have an environmental benefit if they can be recycled or reused. These are not accepted in residential recycling today because of the cost to recycle, the inconsistency in availability of markets, and they are difficult to manage at the MRF.
- The inconvenience of recycling drop-off opportunities means that many community members place items otherwise recycled via drop-off, into the garbage at home.
- There are community members willing to pay for the convenience of collection at home. They will perceive a benefit from such a service.
- An optional subscription service can create additional opportunity while avoiding significant impacts to the cost of regular residential recycling.
- Optional services could help create the conditions for certain materials to eventually transition into regular recycling collection in a more affordable way.

Key Factors Considered in the Development of Recycle+.

The common use of franchises to oversee and provide garbage and recycling collection in Oregon, including in Clackamas County, allows us to support a system that creates public value across a variety of areas:

- Garbage, recycling, yard waste, or compost goes to approved facilities with their own environmental reporting requirements, ensuring safe management of the materials.
- Stewardship of the material collected:
 - What is collected for recovery is based largely on the existence and support of stable recycling markets. Markets for accepted items are less likely to fluctuate wildly, or to leave our collection and sorting systems with material that is no longer desirable.
 - Items collected are environmentally worth their recovery when viewed with a life-cycle lens.
- We can standardize and ensure accessibility of services equitably across the County.
- The County can review costs and set fees through a structured and fair process.
- Minimize inefficient traffic and impacts to roads caused by multiple collection services.
- Garbage and recycling collectors can provide living wages and benefits across a variety of job types.
- Participants in the system report to local and state governments and pay into the collection system, which helps improve the collection system for all.

Overview: Additional Recycling Collection Service-Recycle+

The collection company Waste Connections, started a similar program in Clark County Washington in 2021. This program began operating in Washington County on July 1st of this year. Staff is proposing, and the franchisees are prepared, to begin offering this program in unincorporated Clackamas County, January 1, 2023.

Recycle+ is an optional program available to residential customers living in the urban fee zone. Staff and the franchisees will work throughout the coming year to develop this program for multifamily households within the urban fee zone. To date all the demand for this program has originated in the urban area of the County. Staff and franchisees will monitor the demand for these services in our rural fee zones and develop a program for serving these areas of the County.

Customers will call or go on the website of their regular garbage/recycling service provider to set up service. The franchisees will advise the customer of their opportunity for collection schedule and arrange to deliver the bin and bags.

Customers will have the opportunity to set out their Recycle+ bin every other week. The collection day for Recycle+ may not be the same as for garbage, recycling and yard debris. Customers will be required to request collection at least two business days before their scheduled day. This will allow franchisees to provide the most efficient collection route..

The materials selected for collection are:

- Plastic Film and Bags
 - Franchisees will provide a 5-gallon plastic bag that seals, for customers to put their film and bags.
 - The material is shipped to a company that uses the materials to manufacture outdoor products such as composite decking, playground equipment and benches. Currently, the primary company receiving Recycle+ plastic film is TREX.*
- #1 PET/PETE Clamshells
 - Franchisees will provide a 5-gallon, or larger, plastic bag that seals, for customers to put their clamshells
 - The material will be delivered to a recycling processing facility and, in coordination with D6inc, a partner of Green Impact Plastics, the PET thermoform, clamshell containers are recycled into new PET plastic packaging.*
- Compact Fluorescent Light Bulbs
 - The customer will provide 1-gallon clear bags that seal, to prevent mercury spills, for their bulbs.

- These are sent to processors who are vetted and have received 3rd party certification such as through R2, RIOS and/or e-stewards.
- Textiles
 - Franchisees will provide a plastic bag for textiles.
 - These will be sent to Pioneer Wiping Cloth, a local company that recycles/downcycles textiles into wiping cloths and rags.

*Local private facilities, working with a variety of end markets can accept Recycle+ materials. These markets, like most markets for recyclable scrap commodities, are variable and may change over time.

Customers place the bags of materials in a franchisee-provided lidded bin and place it at the curb for collection. The bin has a 20-gallon capacity with the lid on. All the material should be in the bin with the lid secured. Service at the house is available for an additional fee.

Proposed Fee

There is an additional fee for this service. The proposed fee structure includes a monthly fee and a collection charge. The base monthly fee covers the ongoing time and cost associated with the program regardless of pickups. The separate collection charge covers costs associated with collecting the materials each time: the labor, fuel, processing fees, etc. The customer's monthly bill will include the itemized base fee. The collection charge will only appear when there is a collection in any given month. See the table below for the proposed fees.

Additional Recycling Collection Service Effective January 1, 2022 <i>Available to residential customers in urban* unincorporated Clackamas County</i>	
Service	Fee
Base charge (billed monthly)	\$2.50
Curbside** Collection (each)	\$9.25
Non-curbside*** Collection 5-150 feet (each)	\$11.70
Non-curbside*** Collection over 150 feet (each)	\$13.00

* *Urban* customers are located within the Metropolitan Service District Boundary

** *Curbside* receptacle is placed within 3 feet of a County Road, Public Access Road, State Road or Federal Road.

*** *Non-curbside* receptacle is placed in a mutually agreed upon location; such as at the door step or next to the garage

Adding Household Batteries to Weekly Recycling Collection

In the earlier presentations of the Additional Recycling Collection Service, the proposal included the collection of household batteries. While conducting the research on recyclability of household batteries, several conditions warranted proposing this material for weekly collection.

1. Household batteries include alkaline (A, C, D), 6 and 9 volt, rechargeable alkaline, NiCad, lithium, silver oxide and button cell. Household batteries do not include lead acid batteries.
2. There is a growing concern of fires caused by rechargeable batteries throughout the solid waste industry. Batteries cause 1-2 fires a week at Metro's transfer station. Route trucks in the region have had battery caused fires.
3. Manufacturers want to recover the material in rechargeable batteries. There is a robust system of [recycling](#) for these batteries throughout the region, state and country.
4. Marion County, Washington County and the City of Gresham have added batteries to their weekly curbside program.
5. The weekly collection of properly prepared batteries will not require an increase in the monthly fee at this time.

Administrative Rule Amendments

Your Commission at its March 10, 2022 meeting recommended the Board direct staff to develop rules for the type of collection service described above. The Board at their August 3, 2022 meeting carried out that recommendation.

The draft amendments to the rules supporting the additional recycling collection service and including household batteries in the list of items collected weekly are included in Attachment 1 for review.

FINANCIAL IMPLICATIONS:

Fees paid to the County for system oversight and administration could increase very slightly under the Additional Recycling Collection Service.

LEGAL/POLICY REQUIREMENTS:

ORS 459 and 459A authorize the County to regulate solid waste collection services, which we do under the auspices of County Code Chapters 10.03 and 10.04.

County Code 10.03.130: Upon recommendations of the Commission or Board, the Director may promulgate regulations pertaining to administration of this chapter.

STAFF / PUBLIC / GOVERNMENTAL PARTICIPATION:

This meeting and the prior Solid Waste Commission meetings constitute an opportunity for public participation. Staff, have met with the franchisees and has had limited interaction with the public

RECOMMENDATION:

1. Recommend to the Board of Commissioners approval of the proposed Additional Recycling Collection Service and adopt the proposed fees with an effective date of January 1, 2023.
2. Recommend to the Board of Commissioners the addition of Household Batteries, for recycling, to the weekly solid waste collection service.
3. Recommend to the Director, approval of the proposed Administrative Rule amendments.

Sincerely,

Rick Winterhalter
Sustainability Analyst, Sr.

Attachment 1 – Administrative Rules