

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Policy Session Worksheet

Presentation Date: 8/3/22 **Approx. Start Time:** 10:30 **Approx. Length:** 30 minutes

Presentation Title: Expanded Recycling Services

Department: DTD-Sustainability & Solid Waste (S&SW)

Presenters: Eben Polk, S&SW Manager, Cheryl Bell, DTD-Assistant Director

Other Invitees: Dan Johnson, DTD-Director, Rick Winterhalter, Sustainability Analyst, Sr.

WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?

Staff is seeking direction from the Board regarding whether to allow subscription based collection of certain recyclable solid waste materials for a fee.

EXECUTIVE SUMMARY:

This staff report provides background and summarizes policy options for regularly-occurring residential collection of **expanded recycling**. *Expanded recycling is the collection, for a fee, of certain recyclable solid waste materials that are not currently collected curbside.* At the present time these materials are mostly recycled through drop-off locations, with their collection inconsistent and based upon available markets to process the materials. The County has received two proposal for enhanced recycling programs, one from the private company Ridwell and one from the current franchise collectors.

Should Expanded Recycling Collection Be Offered Within Clackamas County?

Clackamas County has supported recycling in our code and programs for decades. Providing the opportunity for all residents to have sustainable, affordable and environmentally responsible recycling services is core to our mission, and is enshrined in state law. Historically, recycling is provided through county and city regulated 'curbside' collection of glass, metal, paper and certain plastic containers, complemented by free drop-off recycling locations for other materials that, for multiple reasons, cannot be accepted curbside.

A rationale to offer optional residential expanded recycling collection includes the following:

- Some materials not accepted in regular residential and business recycling have an environmental benefit if they can be recycled or reused in other ways. The County currently promotes the collection of these items through free drop off.
- Some community members are willing to pay more for the convenience of expanded curbside recycling.
- Providing optional subscription services provides more recycling opportunity in our community 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.

- Making services optional allows customers to subscribe only if the service fits their needs and budget.
- The materials considered for proposed enhanced recycling services represent less than 2% of the waste stream. In staff's judgment, removing some of this volume of materials from franchised collection would not undermine the existing system, as long as county code sets clear and strong limits on materials and maintains the County's authority to oversee any new services.

What are the Purpose and Values of our System?

The common use of franchises to oversee and provide solid waste (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. It is important to recognize, protect and maintain these values in any consideration of policies to promote enhanced recycling options. State law and county code underpin these values.

- Garbage and recycling is not only an environmental service, it is also a public health service to affordably remove putrescible waste instead of uncontrolled burning, illegal dumping, or garbage building up on properties. The success of local government oversight of, or provision of, such service over the last several decades has reduced disease vectors, pollution, and other challenges associated with inconsistent handling of garbage.
- Garbage, recycling, yard waste, or compost goes to approved facilities with their own environmental reporting requirements, ensuring safe management of the materials.
- 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 beneficial to recover.
- We can standardize and ensure accessibility of services as needed across unincorporated areas of the County.
- The County can review costs and set fees through a structured and fair process that ensures service is affordable and everyone pays a fair fee.
- Franchises avoid the additional traffic and impacts to roads caused by multiple collection services.
- Garbage and recycling collectors provide living wages and benefits across a variety of job types including for drivers.
- Participants in the system report to local and state governments and pay into the collection system, which helps improve the collection system for all.

Proposals and Options for Expanded Recycling Services

Currently the Solid Waste Commission has received two proposal for enhanced recycling programs, one from the private company Ridwell and one from the current franchise collectors. Attachment 1 provides an overview of these proposals.

In response to these proposals, staff identified two basic policy options for consideration by the Solid Waste Commission for providing expanded recycling services in Clackamas County.

In considering these options it's important to note that in Oregon, local governments' authority to regulate solid waste collection is a well-established right in state law and in court. The public benefit of regulation of garbage and recycling services allowed outside the franchise system is also identified in the Regional Waste Plan. A primary objective is that any process we pursue affirms the County's authority to regulate the collection of solid waste (garbage and recycling) materials for public benefit.

- **License Option - Code amendment to license or permit expanded recycling.** The County could amend its code to create a pathway to allow both franchised and non-franchised businesses to offer limited solid waste collection services for the purpose of recycling, for compensation, with appropriate fees and conditions. Such a change would allow multiple participants to do business in this way including Ridwell, other private companies, and the existing franchised collectors. The amendment could take the form of a license or permit granted by the county under code and administrative rule.

In this scenario staff would recommend a number of design principles to ensure any new code language allows the County to maintain the value of our system, for example by determining the specific materials that may be collected. In this option, the franchisees may choose to offer expanded recycling services under a license.

- **Franchise Option - Administrative rule amendment incorporating expanded recycling on the part of franchised collectors.** This option makes changes to rules to create a program in which franchised collectors accept additional source-separated solid waste materials for collection and recycling, for an additional fee, on a subscription or on-call basis. This policy option would likely entail clarifying amendments to the County code.

If chosen, this option would be a recommendation that the County limit the ability to offer additional recycling services exclusively to franchisees or their subcontractors, in which case other companies would be unable to collect such material for a fee without violating County code.

For both options, staff would develop a program with guidelines related to services and fees. *Attachment 2-Design Principles for Expanded Recycling Services* provides an overview of the draft guidelines and requirements for these programs.

Solid Waste Commission Recommendation

The Solid Waste Commission met on two occasions to discuss this subject. At the February 16th meeting the private company Ridwell representative gave a presentation and answered the Commission's questions about the company and their services. On March 10th the Commission met to hear a presentation on the franchisees' proposal to provide expanded recycling services. At this meeting staff provided additional analysis of the policy options.

The Solid Waste Commission voted 4-2-1(abstain) to recommend Option 2 as presented below, which upholds the existing code, allowing only the county's garbage and recycling franchisees to provide expanded recycling services.

Solid Waste Commission meeting agendas and minutes are provided as Attachments 3 and 4.

FINANCIAL IMPLICATIONS (current year and ongoing):

Is this item in your current budget? N/A YES NO

What is the cost? N/A What is the funding source? N/A

In creating a new program, either by license or expansion of the existing franchise system, there would be an initial cost of staff time to develop the program and associated code and/or administrative rule, which would be accomplished within the current budget.

If a new program is established there could be ongoing costs to oversee and administer additional recycling services, depending on program design. If warranted, the fees paid to the County for system oversight and administration by franchises and/or companies holding expanded recycling licenses could increase slightly to help offset any increased cost and complexity of managing the system.

STRATEGIC PLAN ALIGNMENT:

- **How does this item align with your Department's Strategic Business Plan goals?**
Our Departmental and program mission includes providing franchise oversight of the solid waste system to ensure franchisees have the ability to provide, and customers continue to receive, safe, efficient and timely garbage and recycling services.
- **How does this item align with the County's Performance Clackamas goals?**
Every county resident and business has access to safe, convenient garbage and recycling services to *ensure a safe and healthy community*.

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.

PUBLIC/GOVERNMENTAL PARTICIPATION:

The Solid Waste Commission, the County's advisory body for public participation in managing the solid waste system, convened to discuss this issue and make recommendations to the Board. In these meetings the Solid Waste Commission also heard public testimony in favor of allowing the private company Ridwell to operate. Just over 250 community members have written to advocate for private services (or in some cases, their equivalent). Staff has also engaged the public by responding to e-mails, and met with the franchisees. Staff has issued violation notices to Ridwell, Inc. and met with them on multiple occasions.

OPTIONS:

1. Direct staff to develop code amendments allowing a business to receive a license or permit to provide limited expanded recycling services, for compensation, in unincorporated Clackamas County.
2. Direct staff to develop administrative rule amendments directing franchised collectors to offer subscription-based expanded recycling to customers, for an additional fee, subject to fee and regulatory rules in code and administrative rule.
3. Maintain our current code and not authorize the additional optional curbside expanded recycling collection of any materials for compensation in unincorporated Clackamas County.

SOLID WASTE COMMISSION RECOMMENDATION:

Option 2: Direct staff to develop administrative rule amendments directing franchised collectors to offer subscription-based expanded recycling to customers, for an additional fee, subject to fee and regulatory rules in code and administrative rule.

ATTACHMENTS:

1. Overview of Currently Proposed Expanded Recycling Services
2. Design Principles for Expanded Recycling Services
3. Solid Waste Commission 2/16/22 Meeting & Minutes: Include time stamp for presentation;
4. Solid Waste Commission 3/10/22 Meeting & Minutes: Include time stamp for presentation;

SUBMITTED BY:

Division Director/Head Approval _____

Department Director/Head Approval *Dan Johnson*

County Administrator Approval _____

For information on this issue or copies of attachments, please contact Rick Winterhalter @ 503-742-4466

Attachment 1 – Overview of Currently Proposed Expanded Recycling Services

Currently one private company and the County’s collection franchisees have proposed expanded recycling programs. The table below summarized these proposals and some considerations when reviewing these options.

	Private Company	County Franchisees
Materials to be collected by subscription	Plastic film, light bulbs, textiles, and plastic ‘clamshell’ style takeout containers	Plastic film, light bulbs, textiles, batteries, and plastic ‘clamshell’ style takeout containers
Does the service provide periodic collection of donatable materials	Yes, the current proposal offers collection of items for donation to local organizations and non-profits	Yes, the franchisees propose to offer collection of items for donation to local organizations and non-profits
Can the list of collected items be adjusted or is it static?	Both programs allow materials to be added or removed from subscription services as determined by the feasibility of processing materials and environmental benefits. Both propose adding additional items for occasional collection.	
What action is needed by the County to allow this service?	Allowing non-franchised, licensed based collection services to operate within the County will require a code amendment and new administrative rules.	For the franchisees to provide this service it would require adding clarifying amendments to the County code, and new administrative rules.
Where would the service apply?	Either option would apply only in unincorporated areas, Happy Valley, and Barlow	
Who could subscribe to the service?	The company offers a private subscription service. Availability of service is based upon the number of subscribers in a geographic area, with provision of services determined by the company.	If expanded recycling is provided via the franchise system, after a rollout period, service would be available to all areas served by franchise collection.

Design Principles for Expanded Recycling via Permit

If the Board of Commissioners chooses to establish a pathway for non-franchised companies to operate in unincorporated Clackamas County via license or permit to collect additional recyclables through subscription collection at home, staff will recommend consideration of the following design principles. And, the Solid Waste Commission may provide comment or input on these conditions in this meeting, and would also have further opportunities to review these conditions:

- Clearly define the purpose of amendments to code and administrative rule;
- Establish a vetting and approval process for the County to follow to identify materials that may be collected for additional recycling through an expanded program;
- Materials that may be accepted through subscription-based expanded recycling could be limited in some ways, such as:
 - To exclude materials accepted in the County's recycling service available to all customers
 - To exclude items that may be recycled for which the available recycling approach does not create environmental benefit on a life-cycle basis
- Identify appropriate Reporting and Disclosure requirements such as:
 - Monthly reports on material recovery (similar to recycling reports from franchised collectors), in order to be able to track contributions of additional recycling to community recovery and waste reduction goals.
 - Quarterly reports on customers, gross revenue to assess relevant fees and understand the usage of service
- Messaging consistency with state and local waste reduction and recycling guidance
- Fee options to consider for services taking into account customer base or parity with franchise system
- Clear conditions for maintenance of a license or permit including accountability for failure to meet conditions

Design Principles for Expanded Recycling by Franchisees or their Subcontractors

If the Board of Commissioners chooses to direct our franchised collectors or their subcontractors to provide additional subscription-based recycling services under the franchise, this would entail the design principles identified above, plus:

- Regulated, transparent fees subject to cost-reporting, review and setting by the Board
- Established zones where service is available, which could include the entirety of unincorporated Clackamas County

Equity and Accessibility in Service

An important value in shaping future garbage and recycling service is the desire to serve residents of multifamily communities (e.g. with 5 or more units) with services that are as accessible and useful as possible. Historically, in many cases the recycling services available to residents of multifamily communities have not been as accessible or convenient when compared with single-family homes. Subscription-based expanded recycling for multifamily residents could potentially be made available through either the franchise system or through licensed or permitted providers, in situations where requirements for safety can be met. (For example some walkways at apartment complexes cannot safely accommodate a recycling box left in place because it could obstruct access or emergency egress for some residents).

Another approach to ensuring accessibility and equity in service would be to work with licensed, permitted or franchised providers of additional recycling service, for collection events or distributed containers at sites, for greater inclusion and access.

MINUTES

SOLID WASTE COMMISSION MEETING

Wednesday, February 16, 2022

3:00 pm

Zoom Meeting

The meeting is recorded and can be found here

<https://www.clackamas.us/recycling/solid-waste-commission>

Numbers in parenthesis, e.g. (3:06), are recording time stamps

Members Present-Quorum Established

Carrie Kraten (Chair), Allan Bushey, Chad Oyler, William Potter, Julie Hamilton, Cheryl Bell

Absent- One collection service franchise position vacant

Guests

Caleb Weaver – Public Affairs Manager, Ridwell Inc.,

Advisor for Franchised Collectors

Beth Vargas Duncan (Oregon Refuse & Recycling Association / Clackamas County Refuse & Recycling Association)

Public in Attendance- 18

Staff (DTD Sustainability & Solid Waste)

Rick Winterhalter, Shamyia Becerra, Eben Polk

(3:06) **INTRODUCTIONS-** Commissioners, Staff, introduced themselves.

(6:54) **Minutes** – August 18, 2021 reviewed and approved.

Motion to recommend approval of minutes (6:54) by Bill Potter

Motion seconded by: Chad Oyler

Vote: 6-0

Motion: Passed

Agenda Item Changed- Election of Chair and Vice Chair as well as policy updates will occur in next Solid Waste Commission meeting 2/24/2022.

Expanded Recycling Services-

(9:59) Presentation from Caleb Weaver, Public Affairs Manager, Ridwell Inc. Mr. Weaver provided a brief overview of Ridwell Inc., and why they are looking for an opportunity to serve the residents of unincorporated Clackamas County.

(27:28) Questions from Staff and Commissioners regarding operations, service areas, cost, non-profit/profit status.

(44:52) Public testimonials from Cory Connors, Elise Felton and Sharron Huffman

(55:42) **ADJOURNMENT**

Motion to adjourn by: Cheryl Bell

Motion seconded by: Bill Potter

Vote: 6-0

Meeting adjourned at 3:53pm.



DAN JOHNSON
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD OREGON CITY, OR 97045

February 16, 2021

Solid Waste Commissioners Clackamas County

Members of the Commission:

EXECUTIVE SUMMARY:

At the May 5th, 2021 meeting the Solid Waste Commission discussed a company known as Ridwell Inc. It was noted they had begun offering service in the Portland metro area including urban Clackamas County. Ridwell, launched initially in the Seattle area, is a venture capital start-up that offers subscription-based collection of recoverable materials such as plastic film, block foam, batteries, electronic waste, and textiles for approximately \$12-16 per month. The materials collected by Ridwell are defined in state law (ORS 459.005 24) and County Code (10.03.030 59) as solid waste. Currently our code requires that the collection of solid waste for a fee occur only by franchised haulers or their subcontractors (County Code, Section 10.03.140), and does not actually contemplate a service such as the one Ridwell provides. As a result, Ridwell's business model is arguably not allowed by our current Code.

Earlier this year, Ridwell was sent a cease and desist letter outlining an alleged Code violation, expectations under County code, and inviting the company to dialogue. Ridwell responded that they disagreed with our interpretation of County and State Codes that regulate services like theirs. After it was confirmed Ridwell was continuing to provide services, the County sent a second cease and desist letter in November. Ridwell responded to the violation letter; informing the County that they temporarily suspended their services in unincorporated County. (Attachment 1)

On the same day the company initiated an e-mail "postcard" campaign urging their supporters to ask County commissioners to allow Ridwell, Inc. to operate, which would require a change in code. To date the Board has received just over 200 e-mails. While less than one percent (0.8%) of the 24,000 customers in the County's Urban fee zone; it illustrates a willingness among some customers to pay a premium for the convenience of having these recoverable materials collected from their home.

Ridwell, Inc. will provide a presentation to the Commission at this meeting. There will be an opportunity for the Commission to ask questions of the company representative.

Additionally, there will be time allotted for public comments. The postcard and a sampling of additional comments submitted by the public can be reviewed on Attachment 2.

At a future meeting, staff will facilitate a discussion by the Solid Waste Commission to explore the question of whether expanded recycling services should be available and policy options for doing so, for the Commission's consideration and potential recommendation to the Board of Commissioners.

In Oregon, local governments' right to regulate solid waste collection is a well-established right in state law and in court. An underlying, primary objective is that any process we pursue affirms the County's authority to regulate the collection of garbage and recycling materials for public benefit.

Sincerely,

A rectangular box containing a handwritten signature in black ink. The signature is cursive and appears to read "Rick Winterhalter".

Rick Winterhalter
Sustainability Analyst, Sr.

Attachment 1-Ridwell Letter
Attachment 2-Public Comment

Attachment A. Additional Background and History Ridwell

Clackamas County, through its code, programs and participation in state and regional efforts, supports recycling for its environmental and economic benefits. From time to time, opportunities arise to assess recycling options available. Over time our community has seen a gradual increase in recycling opportunities. As a public agency with an environmental and customer service mission, we balance objectives that include public health, convenience, affordability, stability, and environmental value. For this reason curbside collection focuses on materials with a stable economic value and markets. Materials that we do not collect through regular curbside service are typically not collected for one or more reasons including: safety risks, sorting capabilities, cost, lack of marketable or environmental value. Some such materials still have environmental or market value if properly sorted, such as electronics and plastic film, and can be recycled through a free drop-off at various sites.

What is Ridwell, Inc.

- Ridwell, is a venture capital-backed startup, that began offering a subscription service, in the region, to collect materials, for recovery, at subscribers' homes:
 - The materials the company collects are those the County (and many other regional cities and counties) have historically promoted as drop-off items, encouraging consumers to take items to select locations as they conduct other household business;
 - Core items offered to subscribers for collection: plastic film, clothing, fabric, shoes, household batteries, light bulbs, clear plastic take-out clamshells
 - Featured items (availability varies in time): Ridwell offers to pick up additional waste items periodically such as: corks, towels & linens (reuse options), electronics, seasonal specials (string lights, winter coats, back-to-school gear, Halloween candy)
 - Add-on categories: expanded polystyrene (\$9 per trash bag); items that don't fit in bag, i.e. fluorescent light tubes
- How collection works:
 - The customer is provided with a metal box approximately 12 gallons in size to place on their porch, walkway, or curb;
 - Customer places their core materials in a box for biweekly collection;
 - The company employs and contracts drivers to perform the collection services;
 - The drivers use a mix of company owned trucks and their own vehicles;
- Fees:
 - Core items \$12-\$16 month, every 2 week collection (34% the cost of Urban weekly collection of garbage, recyclables, and yard debris), clamshells an additional \$1 per bag when present;
 - Featured Categories: some may have additional cost, above the monthly subscription, based on the type and quantity of material collected; some are donated for reuse i.e. eye glasses for the Lions;
- Ridwell material processing:
 - Ridwell uses a warehouse facility in NE Portland to sort and bale or otherwise prepare the material to meet the specifications of the intended end markets

Regional and State Permitting

- The company is required to obtain a solid waste facility permit from the DEQ and a solid waste facility license from Metro for this facility;
 - The company has submitted an application for a license to Metro and has been allowed to operate their recycling processing while the license is pending.
 - A key requirement of the Metro license process is the company must have received or co-applied for a solid waste permit from the DEQ, this has not yet occurred but appears to be happening soon.
 - The DEQ and Metro inspectors have visited the site and the materials collected are being sent to appropriate end markets.
- State law defines the material Ridwell is collecting as solid waste, which is mirrored by County code.
- State statute provides Counties the authority to regulate collection and hauling of solid waste, and thus the County has authority to regulate Ridwell and other similar business models.

What the code says about this type of service.

- The purpose and policy of the County Code 10.03 Solid Waste and Wastes Management is to regulate solid waste and waste recycling, resource recovery, reuse and utilization for public benefit.
- The code promotes affordable and accessible service for all, and the efficient use of highways and roads in connection with the collection of solid wastes and wastes, including recyclables through franchises and licenses.
- Historically and at present, County code accomplishes these purposes by authorizing and regulating specific service providers, and prohibiting the collecting solid waste for compensation otherwise:
 - 10.03.140 A.: it is "...unlawful for any person to store, collect, transport, or dispose of any solid waste or wastes for compensation unless such person is franchised...or a subcontractor of a Collection Service Franchise holder..."
- The materials Ridwell offers to collect are solid wastes under State and County's definitions. (ORS 459.005 24; County Code 10.03.030 59.)

What other jurisdictions are doing in response.

- State of Washington has interpreted their laws to allow Ridwell to operate.
- City of Lake Oswego has sent a cease and desist violation notice to Ridwell. The City noted Ridwell had an opportunity to seek a subcontract from the City's franchised collector. The negotiations were not successful.
- Washington County
 - Washington County's code has a provision to allow exemptions to their requirement that only certificate holders collect solid waste for compensation.
 - Ridwell requested consideration for this exemption process. Washington County staff presented the case for an exemption to the Garbage and Recycling Advisory Committee (GRAC serves the same functions as our

Solid Waste Commission). The GRAC voted not to allow the exemption for these services—a binding decision

- Staff has sent a cease and desist letter to Ridwell. The company initiated an e-mail campaign there as well. The Board has received over 1,500 e-mails.
- Ridwell, Inc. has filed suit against Washington County in Federal District Court seeking
- Washington County staff is working with their certificated collectors to present a program offering similar services through the garbage and recycling collectors, to their Garbage & Recycling Advisory Committee, and Board. Other code change options will be presented as well.
- City of Gresham
 - The City of Gresham has sent a violation letter to Ridwell.
 - They have facilitated meetings with their franchisees and Ridwell in an effort to allow Ridwell to operate under their Code. These talks have ceased.
- City of Beaverton
 - City staff presented the Ridwell case to their Council. Council expressed interest in upholding the code, not allowing Ridwell to operate in the City. Council directed staff to develop a similar program, to be provided to all the citizens, through the existing solid waste collection franchisees. The program is to be presented to the council at a future date.
- City of Portland
 - Created additional exceptions to the residential franchise to allow services like Ridwell and to recognize other aspects of the waste system;
 - The code amendment allows for small businesses to compete for and provide junk removal services and special items collection, including collection service for reusable products and recycling options not provided in the blue carts.
- City of Hillsboro, City of Beaverton and Washington County are considering allowing their solid waste collection franchisees/certificate holders to provide a collection service similar to Ridwell's.

Summary of Policy Options

Regardless of the option chosen staff believes it is important to uphold and clarify the authority of the County to regulate solid waste collection.

- New service through collectors—Direct existing regulated garbage and recycling collectors to offer additional subscription-based recycling services to all customers directly (franchised collectors have submitted a draft concept for such a service.) In this scenario the service would be available to all interested customers and fees would be determined by the County.
- New service through other regulated providers—Authorize collection services such as Ridwell or James' Recycling through code amendment. In this scenario multiple businesses could offer service including potentially existing collectors. This option would be compatible with the Regional Waste Plan.

Attachment 1

- Amend the code to allow licensing/permitting and operations with certain requirements in place to help ensure public benefit and environmental and social value.
- Other options such as releasing an RFP for a franchise to offer this service, or directing existing collectors to subcontract for the service, are believed to have a much lower feasibility.

Ridwell, Inc. e-mail postcard:

My name is _____. I am a resident of Clackamas County, and I'm writing because we need Ridwell here in our community! Ridwell is providing an important waste reduction service to thousands of households around the Portland area, and it should be available to help Clackamas County residents put less into the landfill and do our part to save the planet. I am asking you to quickly take action to ensure that all residents of Clackamas County are able to access this service now and in the future. Thank you.

Additional Comments:

If Clackamas County can't/won't expand their recycling services then please allow Ridwell to do so.

This is an innovative important service They pick up items that would end up in my trash otherwise and find new uses for used clothes and other items This is in the best interest of the community. I am counting on you to take action!

Blocking a useful service like this is not a business friendly idea...

Disappointed in Clackamas county and that this is even an issue. As a tax payer and voter, I am asking you to quickly take action to ensure that all residents of Clackamas County are able to access this service now and in the future.

...figure out a way to require [my garbage company] to recycle them, or to allow Ridwell to continue the service...

I am asking you to quickly take action to ensure that all residents of Clackamas County are able to access this service now and in the future.

MINUTES

SOLID WASTE COMMISSION MEETING

Thursday, March 10, 2022

3:00 pm

Zoom Meeting

The meeting is recorded and can be found here

<https://www.clackamas.us/recycling/solid-waste-commission>

Numbers in parenthesis, e.g. (3:06), are recording timestamps

Members Present-Quorum Established:

Carrie Kraten (Chair), Allan Bushey, Carlton Paulmier, Chad Oyler, William Potter, Julie Hamilton, Cheryl Bell

Absent: None

Guests: Pam Bloom, Carla Scheafer, Josh Brown

Advisor for Franchised Collectors

Beth Vargas Duncan (Oregon Refuse & Recycling Association / Clackamas County Refuse & Recycling Association)

Staff (DTD Sustainability & Solid Waste)

Rick Winterhalter, Shamyia Becerra, Eben Polk

(0:00) **INTRODUCTIONS-** Commissioners, Staff, introduced themselves.

(2:04) **Minutes** – August 18, 2021 reviewed and approved.

Motion to recommend approval of minutes by Chad Oyler

Motion seconded by: Cheryl Bell

Vote: 6-0

Motion: Passed

Expanded Recycling Services-

(5:33) Presentation from Clackamas County Refuse & Recycling Association (CCRRA) on providing Expanded Recycling Services as an additional service as the County's franchised solid waste collection companies. Introduction: Beth Vargas-Duncan, Regional Director of Oregon Refuse & Recycling Association, CCRRA staff

Presenter Introductions: Pam Bloom, President & Owner of B&B Leasing Co. (Oregon City Garbage, Molalla Sanitary and Gladstone Disposal);
Carla Scheafer, Co-Owner of Sunset Garbage;
Josh Brown, District Manager Arrow Sanitary Service

(7:43) Slide Presentation

(29:31) Questions from Staff and Commissioners regarding operations, service areas, cost, license, timeline for starting program, education. (50:00)

(52:30) Public testimonials from Caleb Weaver (Ridwell, Inc.), Adam Winston (Waste Management), Patrice Ekstrom, Jeff Petty, Heather Ray, Katy Spray, Kitty Diggins, Mary Angerman, Will Mathias (Republic Services)

(1:17:00) Staff Presentation

(1:29:00) Commissioner Deliberation

(1:38:00) Beginning to consider Options:

1. Recommend to the Board of Commissioners that the County develop code amendments allowing a business to be licensed or permitted to provide limited solid waste collection services of materials for recycling, for compensation in unincorporated Clackamas County, with appropriate fees, rules and regulations.
2. Recommend to the Board of Commissioners that the County develop administrative rule amendments requiring franchised collectors to offer subscription-based expanded recycling to customers for additional source-separated solid waste materials, for an additional fee, subject to fee and regulatory rules in code and administrative rule.

Motion to recommend Option 2- Bill Potter

Motion seconded by: Carrie Kraten

Vote: 4-2

Motion: Passed

Ayes: Potter, Paulmier, Bushey, Kraten

Nays: Hamilton, Oyler

Abstention: Bell

(1:45:00) **Election of Officers**

Motion to nominate Chad Oyler, Commission Chair, by: Bill Potter

Motion seconded by: Allan Bushey

Vote: 6-0

Motion to nominate, Bill Potter Commission Vice Chair, by: Carrie Kraten

Motion seconded by: Chad Oyler

Vote: 6-0.

(1:50:00) **ADJOURNMENT**

Motion to adjourn by: Bill Potter

Motion seconded by: Chad Oyler

Vote: 6-0

Meeting adjourned at 4:50 pm.



DAN JOHNSON
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
DEVELOPMENT SERVICES BUILDING
150 BEAVERCREEK ROAD OREGON CITY, OR 97045

March 10, 2022

Solid Waste Commissioners
Clackamas County

Members of the Commission:

EXECUTIVE SUMMARY:

This staff report summarizes policy options for expanded regularly-occurring residential collection of certain solid waste materials that may typically be recycled through drop-off locations.

At its May 5th, 2021 meeting the Solid Waste Commission discussed three non-franchised companies offering solid waste collection for a fee, of materials intended for recycling. The items these companies collect are promoted within our community as recoverable through a variety of drop-off locations. After learning that solid waste collection for a fee is limited to franchised collectors or their subcontractors, two of these companies chose not to pursue their collection activities in the County.

One company, Ridwell, Inc., continued soliciting for customers after receiving similar information. The County sent a letter on March 18, 2021 requesting that the company "...cease accepting sign ups of interest and to "...refrain from processes that would place Ridwell in actual violation..." The letter supported exploration of "...pathways for a constructive approach that supports innovative collection while meeting the public values inherent in our garbage and recycling collection system." Finally, the letter stated the County would engage in "...good faith conversations with Ridwell, Inc. as long as the company is not collecting material for compensation from any customer in Clackamas County." The company continued soliciting customers and began operating in unincorporated Clackamas County. The company recently suspended service after receiving a second violation notice. More information is included in the staff report to the Solid Waste Commission for the February 16th, 2022 meeting.

After the second notice, Ridwell initiated a pre-written e-mail campaign (Attachment 1) urging their supporters to ask County commissioners to allow Ridwell, Inc. to operate. To date the Board has received just over 200 e-mails. In January, Ridwell informed the County through a submitted recycling license application that they had more than 440 prospective customers. Though a small percentage of the 24,000 customers in the County's Urban fee zone, this clearly illustrates a willingness, on the part of some customers, to pay a premium for the convenience of having these recoverable materials collected from their home.

At the February 16, 2022 meeting of the Solid Waste Commission, a Ridwell representative was invited to present information and answer questions. (<https://www.clackamas.us/recycling/solid-waste-commission>) Ridwell, launched initially in the Seattle area, is a venture capital start-up that offers subscription-based collection of recoverable materials such as plastic film, block foam, batteries, electronic waste, and textiles for approximately \$12-16 per month. The materials are housed and segregated within a warehouse in Portland and routed to recycling or reuse destinations in the domestic US.

Treatment under County Code and State Law

The materials collected by Ridwell are defined in state law (ORS 459.005 24) and County Code (10.03.030 59) as solid waste. This definition includes materials that may be recycled. Currently our code requires that the collection of solid waste for a fee occur only by franchised haulers or their subcontractors (County Code, Section 10.03.140), and does not contemplate a service such as the one Ridwell provides. As a result, Ridwell's business model is arguably not allowed by Clackamas County Code.

The other avenue for collection of discarded, but recyclable, solid waste material is through a recycling license. Chapter 10.04 of the County Code allows the County to issue recycling licenses to businesses or non-profits that collect 'recyclable materials' (as defined in ORS 459.005 20. and County Code 10.03.030 52.) In keeping with the limits of Chapter 10.03—only franchisees and their subcontractors can collect solid waste for compensation—and long-standing interpretation of the Code, these licenses are only available to companies collecting material at no cost to the customer or in exchange for the value of the material above and beyond the cost of collection (i.e. a fair market exchange payment to the customer for the material). In the 1970s and 1980s, as franchise systems developed to support transparent, efficient garbage collection as well as to promote consistent recycling, the state and local governments crafted law and code in ways that were intended to continue to allow operation of pre-existing commercial recyclers with a long history of collecting and paying for the commodities collected such as metal or paper. During times of low market prices, the businesses would provide the collection service in exchange for receiving the material.

The County's recycling license is intended to monitor the level of this recycling activity and to ensure the County met their state mandated reporting requirements. These businesses continued to operate, outside the franchise system as intended by the Opportunity to Recycle Act, while ensuring that new collection of solid waste materials

for a fee, whether for recycling or disposal, is limited to franchised companies or their subcontractors.

Should Expanded Recycling Collection Be Offered Within Clackamas County?

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.

A rationale to offer expanded 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, because they are difficult to sort at the MRF, or because they create challenges 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 subscription services could help create the conditions for certain materials to eventually transition into regular recycling collection in a more affordable way.

What are the Policy Values in our System?

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:

- At its core, garbage and recycling is not just an environmental service, it is also a public health service to affordably remove putrescible waste instead of uncontrolled burning, illegal dumping, or garbage building up on properties. The success of local government oversight of, or provision of, such service over the last several decades has reduced disease vectors and other challenges associated with inconsistent handling of garbage.

- Garbage, recycling, yard waste, or compost goes to approved facilities with their own environmental reporting requirements, ensuring safe management of the materials.
- 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 that ensures service is affordable and everyone pays a fair fee.
- 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.

Any consideration of expanded recycling services should keep these values in mind.

Two Basic Options for Expanded Recycling Services

Staff believes there are two basic policy options for providing expanded recycling services in Clackamas County:

- **Code amendment to license or permit expanded recycling.** Change the code to allow non-franchised businesses to offer limited solid waste collection services for the purpose of recycling, for compensation, with appropriate fees and conditions. Such a change would allow multiple participants to do business in this way, including existing franchised collectors. The amendment could take the form of a license or permit.
- **Administrative Rule amendment incorporating expanded recycling on the part of franchised collectors.** Make changes to rules that would create a program in which franchised collectors accept additional source-separated solid waste materials for collection and recycling, for an additional fee, on a subscription or on-call basis. This policy option would likely entail clarifying amendments to the County code.

In each case, the Administrative Rules will also require amending to reflect the conditions placed on the provider of expanded recycling services.

Design Principles for Expanded Recycling via License or Permit

If the Board of Commissioners chooses to establish a pathway for companies such as Ridwell to operate in unincorporated Clackamas County via license or permit to collect additional recyclables through subscription collection at home, staff will recommend consideration of the following design principles. And, the Solid Waste Commission may provide comment or input on these conditions in this meeting, and would also have further opportunities to review these conditions:

- Clearly define the purpose of amendments to code and administrative rule;
- Establish a vetting and approval process for the County to follow to identify materials that may be collected for additional recycling through an expanded program;
- Materials that may be accepted through subscription-based expanded recycling could be limited in some ways, such as:
 - To exclude materials accepted in the County's recycling service available to all customers
 - To exclude items that may be recycled for which the available recycling approach does not create environmental benefit on a life-cycle basis
- Identify appropriate Reporting and Disclosure requirements such as:
 - Monthly reports on material recovery (similar to recycling reports from franchised collectors), in order to be able to track contributions of additional recycling to community recovery and waste reduction goals.
 - Quarterly reports on customers, gross revenue to assess relevant fees and understand the usage of service
- Messaging consistency with state and local waste reduction and recycling guidance
- Fee options to consider for services taking into account customer base or parity with franchise system
- Clear conditions for maintenance of a license or permit including accountability for failure to meet conditions

Design Principles for Expanded Recycling by Franchisees or their Subcontractors

If the Board of Commissioners chooses to direct our franchised collectors or their subcontractors to provide additional subscription-based recycling services under the franchise, this would entail:

- The design principles identified above, plus:
- Regulated, transparent fees subject to cost-reporting, review and setting by the Board
- Established zones where service is available, which could include the entirety of unincorporated Clackamas County

Equity and Accessibility in Service

An important value in shaping future garbage and recycling service is the desire to serve residents of multifamily communities (e.g. with 5 or more units) with services that are as accessible and useful as possible. Historically, in many cases the recycling services available to residents of multifamily communities have not been as accessible or convenient when compared with single-family homes. Subscription-based expanded recycling for multifamily residents could potentially be made available through either the franchise system or through licensed or permitted providers, in situations where requirements for safety can be met. (For example some walkways at apartment complexes cannot safely accommodate a recycling box left in place because it could obstruct access or emergency egress for some residents).

Another approach to ensuring accessibility and equity in service would be to work with licensed, permitted or franchised providers of additional recycling service, for collection events or distributed containers at sites, for greater inclusion and access.

Further Analysis of Options

In Oregon, local governments' authority to regulate solid waste collection is a well-established right in state law and in court. The public benefit of regulation of garbage and recycling services beyond the franchise system is also identified in the Regional Waste Plan. An underlying, primary objective is that any process we pursue affirms the County's authority to regulate the collection of garbage and recycling materials for public benefit.

Staff believes that the existing value within our collection system can continue to be achieved under either option, provided appropriate regulations and rules are placed on a licensee or permittee. Allowing non-franchised collection services to operate within the County will require a code amendment. New administrative rules will need to be written in either option.

The materials considered in the proposed expanded recycling services represent a very small amount of the waste stream. The program to provide these collection services will only serve a small, select subset of the existing garbage customers throughout the County. The County's collection system is predicated on providing the greatest amount of service to the largest group of citizens.

In addition to a driving theme of equity, the Regional Waste Plan includes some other themes and goals that may be relevant. The Plan calls for our region to broaden participation by more companies in the solid waste system, in ways that allow for new entrants, greater diversity and local ownership (Goal 2). The Regional Waste Plan also calls for local governments to regulate collection of solid waste by collectors who are currently not regulated (12.5).

The option to license or permit would allow franchisees to offer additional recycling

services under a license or permit, too.

The option to require franchised collectors to offer subscription-based expanded recycling under the franchise, would effectively be a recommendation that the County continue limiting the ability to offer additional recycling services exclusively to franchisees or their subcontractors, in which case another company would be unable to collect such material for a fee without violating County code. Under this option, County staff would likely still recommend clarifying amendments to County code and administrative rule.

FINANCIAL IMPLICATIONS:

Fees paid to the County for system oversight and administration could increase very slightly under any scenario to offer additional recycling services.

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.

STAFF / PUBLIC / GOVERNMENTAL PARTICIPATION:

This meeting and the prior Solid Waste Commission meeting constitute an opportunity for public participation. Staff, have met with companies offering expanded recycling services, the franchisees and has had some interaction with the public

OPTIONS:

1. Recommend to the Board of Commissioners that the County develop code amendments allowing a business to be licensed or permitted to provide limited solid waste collection services of materials for recycling, for compensation in unincorporated Clackamas County, with appropriate fees, rules and regulations.
2. Recommend to the Board of Commissioners that the County develop administrative rule amendments requiring franchised collectors to offer subscription-based expanded recycling to customers for additional source-separated solid waste materials, for an additional fee, subject to fee and regulatory rules in code and administrative rule.

RECOMMENDATION:

Staff respectfully recommends Option 1.

Sincerely,

Rick Winterhalter
Sustainability Analyst, Sr.

Attachment 1 - Ridwell Campaign Email
Attachment 2 - Letter: Clackamas County Refuse & Recycling Association
Attachment 3 - Other jurisdictions' updates
Attachment 4 – Campaign Emails received/Letter to BCC

Attachment 1

Ridwell, Inc. e-mail postcard:

My name is _____. I am a resident of Clackamas County, and I'm writing because we need Ridwell here in our community! Ridwell is providing an important waste reduction service to thousands of households around the Portland area, and it should be available to help Clackamas County residents put less into the landfill and do our part to save the planet. I am asking you to quickly take action to ensure that all residents of Clackamas County are able to access this service now and in the future. Thank you.

Clackamas County Refuse & Recycling Association

February 17, 2022

VIA EMAIL ONLY

Rick Winterhalter, Senior Sustainability Analyst and Solid Waste Commission Liaison
Clackamas County Sustainability and Solid Waste Program and
Clackamas County Solid Waste Commission
150 Beavercreek Road
Oregon City, OR 97045

Dear Mr. Winterhalter and Members of the Solid Waste Commission,

The Clackamas County Refuse and Recycling Association is writing to provide a perspective on the growing interest in expanded curbside recycling service in the county from the franchised and regulated haulers that have served the people of Clackamas County for several decades. We are disappointed to sense a false public narrative suggesting our companies will not meet the recycling needs of our customers. This narrative highlights that we need to do more education about the role of the franchise system in building the robust residential recycling programs Oregonians have known for decades, and how the existing regulations protect public health and assure residential customers pay a fair rate as set by governments through a public process, not by our companies.

We hope the information below can both advance a conversation about how to expand recycling curbside for all residential customers and provide clarity about curbside recycling, how we are regulated and how our companies operate.

To be clear we support the goal of expanding opportunities for residents in our service areas to include more items in their curbside recycling bins. History shows we have been strong partners to maximize recycling and material recovery rates as part of our commitment to responsive and responsible waste management. As markets have developed or changed to allow for additions to programs or changes in collection technology, we have partnered with our county regulators to maximize service and value to customers. The current system works and we believe in a system where all solid waste collectors comply with the same regulations set under the franchise. The value is that all customers have the same service at a publicly set rate with annual rate reviews, detailed reporting on hundreds of data points, and service standards for access and equity to all customers.

There is a reason waste management is regulated. It is to protect the health and safety of all Oregonians. Oregon's garbage and recycling collection systems were franchised to establish consistent standards for customers as well as accountability and transparency with publicly set rates, waste recovery, and proper disposal of waste. One of the most significant advantages is that it provides for an efficient collection system that limits the number of collection trucks driving through our neighborhoods.

The bottom line is that there is a reason for the franchise system and there is no reason to eliminate regulations that require publicly set rates, annual detailed cost reports, and payment of franchise fees that support the community in Clackamas County. The system in place works in the best interest of Clackamas County residents and supports the goals of Metro's 2030 Regional Waste Plan.

- There is accountability for the workforce and living wage jobs with benefits that we provide. We must have all rates reviewed and approved by county regulators.
- We report on all material collected. We track and report what we pick up, where it is disposed, and processed for recycling.
- We pay franchise fees to Clackamas County that help pay for the use of county roads and support the greater community within the county.
- We are strong community partners, contributing to local organizations and charities and most of our members are small, Oregon-owned and operated companies with roots in the community that follow the rules and have always been adaptable to meet the needs of our customers, who are also our neighbors and friends.
- And our proposal for expanded recycling service would be available to everyone in Clackamas County as needed with publicly set rates, not a year-long locked-in subscription requiring individual customers to pay whether or not they use the service.

Recycling and improving our environment is a foundation of Oregon's values, but so is equity for all persons. Eliminating regulations to allow even one company to operate outside the franchise system does not advance our values, but undermines them. We hope that the Solid Waste Commission will put adequate study and time into considering whether to change Clackamas County code at the request of one company who wants to set their own pricing, avoid cost reporting, and pay zero or limited fees to the community. We ask you to really examine if it is necessary, or if there is a more accountable and equitable way to meet our recycling and environmental goals under the system we have today that meets the needs of all, not just some.

We are a group of haulers who live and work here and care deeply about the communities as steward of both public health and the environment. We are a diverse group including small family-owned businesses several of which have woman owners – and a few national companies. We can and are offering to provide expanded recycling service curbside to all of our customers, initially those in the urban and then rural zones as we perfect the system. We already presented a proposal to Clackamas County staff and are ready to finalize details that meet particular community needs in Clackamas County. We would be happy to present our plan to you as a commission.

Thank you for your time.

Carla Scheafer,
President, Clackamas County Refuse and Recycling Association

C: Arrow Sanitary Service, WC
B&B Leasing
Bliss Sanitary
Clackamas Garbage Company
Dan Walker Disposal
Hoodview Disposal and Recycling, WC
Republic Services
Sunset Garbage Collection
Waste Management of Oregon

What other jurisdictions are doing in response to Ridwell's collection activity.

- State of Washington has interpreted their laws to allow Ridwell to operate.
- City of Lake Oswego has sent a cease and desist violation notice to Ridwell. The City noted Ridwell had an opportunity to seek a subcontract from the City's franchised collector. The negotiations were not successful.
- Washington County
 - Washington County's code has a provision to allow exemptions to their requirement that only certificate holders collect solid waste for compensation.
 - Ridwell requested consideration for this exemption process. Washington County staff presented the case for an exemption to the Garbage and Recycling Advisory Committee (GRAC serves the same functions as our Solid Waste Commission). The GRAC voted not to allow the exemption for these services—a binding decision
 - Staff has sent a cease and desist letter to Ridwell. The company initiated an e-mail campaign there as well. The Board has received over 1,500 e-mails.
 - Ridwell, Inc. has filed suit against Washington County in Federal District Court
 - Washington County staff is working with their certificated collectors to present a program offering similar services through the garbage and recycling collectors, to their Garbage & Recycling Advisory Committee, and Board. Other code change options will be presented as well.
- City of Gresham
 - The City of Gresham has sent a violation letter to Ridwell.
 - They have facilitated meetings with their franchisees and Ridwell in an effort to allow Ridwell to operate under their Code via a subcontract—an agreement could not be reached.
- City of Beaverton
 - City staff presented the Ridwell case to their Council. Council expressed interest in upholding the code, not allowing Ridwell to operate in the City. Council directed staff to develop a similar program, to be provided to all the citizens, through the existing solid waste collection franchisees. The program is to be presented to the council at a future date.
- City of Portland
 - Created additional exceptions to the residential franchise to allow services such as Ridwell's to operate without a franchise and to recognize other aspects of the waste system;
 - The code amendment allows for small businesses to compete for and provide junk removal services and special items collection, including collection service for reusable products and recycling options not provided in the blue carts.
- City of Hillsboro, City of Beaverton and Washington County are considering allowing their solid waste collection franchisees/certificate holders to provide a collection service similar to Ridwell's.

Dear County Commissioners and Clackamas County Solid Waste Committee

We find ourselves in a new environment and new world that we as humans have known is coming for decades. I am over 50 and I remember in school watching videos telling us that we needed to make changes now because we were making the earth sick. It talked about all the trash that was filling our landfills and what wouldn't fit into the landfills was being taken out to sea and dumped. How all of this trash was making our water systems unusable and the pollution would not only make the earth sick, but the birds, animals and us humans ill. I still remember the images of the barges of trash and the equipment pushing trash into the landfill and then covering all that trash with dirt. Out of sight out of mind. We no longer have trash in its place we now have a new mountain of trash covered in dirt and an ocean with an enormous island of floating plastic. These videos were shown to us every year. Then finally when I was in middle school or high school I went home and debated with my father about the importance of our family doing our part to recycle what we could for my future and the future of his grandchildren. This was about the time that recycling programs were coming out. He didn't want to do it. He felt that it was an inconvenience, etc., but I finally convinced him of how important it was so he went out and bought sorters for us to put our recycling into. Since that day I have been an avid recycler.

I was so excited when recycling became a curbside service. It didn't matter to me that we had to sort our recyclables into separate bins to take to the curb, because I had already been doing that. Then the program changed so that we could just put all of our recyclables into one bin. This made it even easier for my, my family and neighbors to recycle and it was another step forward making it easier for everyone to do our part to protect this beautiful planet we call home. People are spending billions of dollars trying to find a way for us to inhabit another planet. Is it to expand humanity into the galaxy or is it to run away for the problem that we have created here on earth. I believe it is both, but wouldn't it be better to have two healthy planets to live on rather than a sick dying one and a new one that we will slowly kill also because we didn't learn how to take care of our first home. I think it would be far better for us to solve the problems down here first so that if and when we are able to inhabit another planet we don't take these destructive ways with us.

As I said I have been recycling for many years. I have also slowly been doing other things to reduce my impact on the air that we all breath and the life sustaining water that we all depend on. I have replaced household products with products that can be used over and over again or are natural and not filled with chemicals. It is however very difficult to reduce certain things that come into our home because of the manufacturers and producers desire to wrap and package everything in packaging that is non-recyclable or single use. The problem of what to do with the packaging after the product has been purchased should be the responsibility of the manufacturer. They should be required to have an end game in mind. They should be required to have a circular system in place for that type of packaging before it is ever allowed to leave their facility, but until that happens we the consumers, community members, politicians, commissioners, city leaders have to find ways to keep these from getting out in to the streets, rivers, oceans, etc. Again this is difficult because there are forces in our society that are pushing back against this because of logistics, income, business models, or there aren't viable solutions to recycle certain things yet, etc. Whatever the reason is we need to work as a team and a community to make recycling easier for everyone. I have been a subscriber to Ridwell for almost a year, but then my county decided that Ridwell could no longer serve me and my neighbors because we live in unincorporated Clackamas County. This makes no sense to me. My friends and neighbors that live in the incorporated areas of the county are able to continue their service with Ridwell. Are not the incorporated and the unincorporated part of the same county? They both reside in Clackamas County. What those in incorporated Clackamas County do affects me in unincorporated Clackamas County and vice versa. Not all of those who live in unincorporated Clackamas County reside in the rural parts of the county some of us are very

much connected to the urban area of the metro area and what we do with our recyclable items has a far greater impact than those in the rural areas. Don't get me wrong what they recycle or don't recycle affects all of us. I am just trying to say that those of us that live in the urban metro area of the county are more densely populated resulting in more trash and waste that can be turned into circular systems that Ridwell is offering through their partnerships. It would be lovely someday when these circular systems are everywhere and available to everyone so that we can reuse our resources rather than ravage the earth for more and more. We, however, have to start somewhere and we need to start now and not someday. So why not start now with Ridwell who has started the ball rolling and has found partners that are creating circular systems to take some of these previously un-recycleable items out of the waste system and putting them back into the production system.

All of us just want to do our part to help make earth a healthy place for all of us living now and in the future. It seems ridiculous that those that want to make adjust the way this have been done so that we can create a healthy environment for all to live in have to fight so hard to allow small businesses, with the same goal in mind, to come into our county to help us succeed. This should be something that everyone wants to get onboard with because it affects each of us. These small changes/steps develop a healthy future for everyone. It shouldn't be so difficult to make the decision to clean up our act and environment. Mother Earth is showing us each year the impact it is having on her health and how that is affecting us. We don't have to think too far into the past to see this. Just think about the drought and fire seasons that we have seen in the past 2-3 year and the ice storm we had a year ago that impacted many of your constituents in Clackamas County. Change isn't made with huge leaps and bounds rather it is made through baby steps. Right now you have the opportunity to make one of these life altering baby steps. Ridwell is wanting to work with you, and us, to help make changes that will help us and the environment in the long run. Perhaps they made some missteps when they came into our county, but you shouldn't punish them instead show them the way and work with them to open a pathway that leads to cooperation and partnership they aren't here to step on toes. They are here to help us all reach our goal of a cleaner home. All of us taking small steps and working together will make a big shift in our county. I am asking that your committee will make the small step, in the larger picture, to change the county code for small businesses such as Ridwell to come into our county and help our county show other counties and states how working together as a community can impact and help everyone. Let's make our county a leader. Our county is a very large county that encompasses so many beautiful places with lakes, rivers, streams and gorgeous mountains that we want to remain pristine and beautiful and healthy for generations to come. We have done many wonderful things so far to improve our human impact on these areas but let us continue this progress by taking new steps. Perhaps these new steps are a little uncomfortable because they are outside of how we have been doing things, but so were the steps that were taken in the past that have improved the health of our beautiful county. We each have to do our part to make our county clean, bright and beautiful so that we can shine for the rest of the state as an example of how we can make small changes such as changing county code to allow different perspectives and ways of doing things so we can all work together to improve our human life here on earth.

Now is the time to take one giant step forward in our efforts to improve the environment that we all depend on for life. Now is the time to stop looking at how we have been disposing of our solid waste and start doing new things such as Ridwell is trying to do. They aren't here to take over the solid waste industry. They are here to help us improve our solid waste disposal. They are here to show us the way to new innovations in the world of recycling. They are helping us to find partners around the country who are taking what was once trash and turning it into a circular system so that the materials and resources can be used again rather than pulling more natural resources out of our earth. They want to be a partner. They want to help your constituents be the best stewards of the land that they can be. They want to take those items that our solid waste disposal companies are unable to take curbside, due to various reasons

and resources, and get them to companies that can recycle them into materials that can be used again. I am aware that these items they take are recyclable in various recycling locations around the county, but we all live very busy lives and we don't have the time or desire to take time out of our precious leisure time to drive from one location to the next or to sit in long lines to recycle. You and all of your constituents are human and we all honor and respect our free time and we put things off because they interfere or interrupt those precious moments in our lives. I can tell you as one of the members of your community, who is very concerned about the environment and the world that I am leaving to my future family, that my heart breaks every time I have to put something in the trash bin that I know Ridwell could take and make useful again. I am angry that my county commissioners are not listening to their constituents in this matter. I am disappointed that the people that we have put into their seats aren't concerned enough about the future health of their county to change the code so that the current solid waste companies can work side by side with Ridwell. Our commissioners must change the code so that our solid waste management can grow and change and flourish into an amazing system becomes circular -reduces, reuses and produces a healthy world for all. Ridwell isn't a competitor or an enemy they are just a beacon showing us all a new way of doing things so that we can grow, change and improve our management. They are showing us that if we work together as a team and are transparent about how they are doing it we can learn from them and others like them and glean from the partnerships that they have made allowing us to someday not need Ridwell because our own solid waste management has caught up to them and perhaps even surpassed them and are now sharing their knowledge and partners with the rest of the metro area, state, country, or maybe even the world.

Transparency about where my waste goes is very important to me. Until Ridwell I had very little idea about where my recycling efforts went once they left my home. I know that at one time they were shipped to China and other countries around the world to be taken care of, this didn't work out so well for any of us. The only thing it did was transfer the problem from one location to another location. It also increased our carbon footprint since we were taking stuff that already created a carbon footprint and shipping it to the other side of the world. Humans need to stop moving the problem from place to place because the problem exist everywhere. We need to develop solutions for where we are that might be working in our neighborhoods, our cities, our counties our state. We can't solve the problems of the world but we can impact them by what we do here and now with our solid waste. We can have a ripple effect that leads to a transformation of how human society looks and deals with the waste that we produce. Through Ridwell's transparency I now know what happens to the waste that they pick up, well that is until you made them cease, from our home every other week.

- Clamshells - I know that the plastic clamshells that I collect and put into my bin they turn around and send it to Green Impact, a company that specializes in PET recycling. These clamshells are turned into reusable raw materials that are then used to make new clamshells. This completes a recycling circle.
 - If it wasn't for Ridwell and Green Impact these clamshells would go into my trash bin, because either there is no place to recycle them or it would be too inconvenient to take it to the local recycling site. To make it convenient to make a trip to the recycling center I would have to clutter my home and garage for months with these clamshells because a small amount of them at a time isn't work the time, gas and effort to take it to the recycling center every other week. Ridwell makes it easy and convenient for my to put whatever amount of clamshells I have collected over a two period out for them to pickup and takeaway. The extra \$1 to do that is worth it.
- Styrofoam - I know that I despise styrofoam. I know that is useful, but it has a huge impact on the environment when it is no longer useful. I find myself very angry when I open a package and find styrofoam. I am angry because I know that it had one purpose

only in this package and there is no way for me to reuse it. My only option without Ridwell is to throw it into the trash/landfill. I know with Ridwell that they work with Agilyx. Agilyx is a company that is able to use a recycling process that turns they styrofoam into reformable styrofoam materials that can then be used in manufacturing new styrofoam. I learned Agile has been able to demonstrate the previously un-recyclable materials such as styrofoam or other plastics are actually valuable and are circular. Their pyrolysis-based renewable technology is able to convert those complex plastics into a new virgin equivalent plastic. This is one that I have to pay an extra \$9, for a filled lawn size garbage bag, for to have Ridwell pick up, but it is so worth it to me because I know it will not be going into the landfill where it will never break down or when it does it will end up in the stomachs of animals and birds like much of the micro plastics do then we lose these beautiful creatures forever simply because our negligence. We can each do our small part to help stop the killing of these creatures that we are stewards of.

- Light Bulbs and Batteries - I know that the light bulbs and batteries that I put into my Ridwell bags are going to Ecolights where they are recover material from them that can then be made into new batteries. If I throw these into the landfill/trash bin they going in the mountain of trash and then leach into the ground water contaminating the life force for all creatures and humans.
- Plastic Film - I know that all of the plastic film that we collect, which is a lot because everything we buy is in a plastic film package of some sort, is taken by Ridwell and shipped to Trex to make decking material. This takes floating trash out of our water and wind and off our streets and out of our trees and turns it into a new product that can be used and enjoyed for many years.
- Other Items - I know that they partner with local organizations to help the organization find items that they are in need of that Ridwell subscribers are in need of getting rid of. This is a win win for everyone.
- I know that I am happy to continue to pay my waste management company to pick up our trash and recycling since there is still a lot of stuff that can't go into the curbside recycling or into the Ridwell bags. We have a long way to go, but working together we can get there. Working together we can create a new and improved waste management system that is circular and no longer needs small businesses like Ridwell, but until that day we need Ridwell and others to help get there.
- I know that I am happy to also pay Ridwell to pick up those items that my waste management company is unable to pick up curbside. I fully understand why they are unable to pick up these products.
- I know that when I started my Ridwell service I did not make any changes to my trash pickup subscription/service. It has remained the same

In conclusion our Solid Waste problem is like that pile of stuff sitting on you kitchen table that you have intentions of going through and putting its contents in their respective places. Then you get busy and the pile is in the way so you move it from the kitchen table to the kitchen bar, but then you have to move it again because that is where your kids eat their breakfast so you put it on the dining room table where it is forgotten about until you decide to invite family and friends over for dinner. You think I should take care of this pile right now because I just keep moving it around, but I just don't have time since I have guests coming over for dinner. You decide to move that pile to your office chair. Then finally when you go into your home office to

get some work done you see the pile once again and decide to take a few minutes to go through it rather than moving it to your desk. So you go through it. You file the important stuff, recycle or throw away the items that are no longer important. This is what we have been doing with our waste disposal for over 50 years and now we are down to we have to come up with ways to break those heaps of waste into manageable piles that can be recycled, reduced in production/use and then we get down to the stuff that we just can't do anything else with it at this time besides throw it into the landfill. Our goal as a human society should be that by the time we put something into the landfill we have filtered everything out that can be reduced, reused and put through a circular system so that our landfills are no longer mountains they are tiny hills. Of course this model will change our status quo and doing that is scary because it is a threat to our way of doing things and the way that we provide for our families and run our businesses. Yes to all of that but it will also create new jobs, new businesses, new ways of doing things, this is how humans have grown and developed through the centuries. Humans didn't stop exploring, researching, doing new things when we hit the Industrial Revolution or any other milestone in our human history. I am just asking the committee to open your minds, eyes and ears to this new frontier of changing the way we have been doing things and allowing other ideas and perspectives in to help see a new path forward.

I want to thank you for your time and consideration.

Sincerely,

Roberta Buchanan
Milwaukie, Oregon (unincorporated)