

# **AD-HOC RECYCLE CENTER COMMITTEE**

## **Meeting Agenda**

**3:00-4:30pm – February 6, 2014**

**City Hall, Law Library**

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**1. Call to Order - Introductions**

**2. Packet Materials Review**

**3. Review/Approve Draft Committee Charge**

**4. Public Input/Data Needs**

**5. Development/Prioritization of Policy Issues**

**6. Next Steps/Assignments**

**7. Future Meeting Schedule**

## Ad Hoc Recycling and Waste Reduction Committee Scope of Work 12/3/13

The ad hoc Recycling and Waste Reduction Committee is charged with making recommendations to the City Council regarding the future of the recycling center; its effectiveness, what form it should take, how it should be funded and whether it should continue to operate at all. The Committee will also examine City-wide waste reduction and recycling efforts; examine best practices and how they might be applied in Ashland to improve waste diversion and recycling; and examine how the recycling center fits or should fit into those efforts.

The Committee shall, in the course of its work:

- Provide ample opportunity for public input;
- Consult with Recology and City staff to determine what impact, if any, its recommendations would have on garbage rates; and
- Present its recommendations in writing so they can be easily shared with the public.

# Memo

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DATE: February 6, 2014  
TO: Ad-Hoc Recycle Center Committee  
FROM: Adam Hanks, Management Analyst  
RE: Recycle Center Background, Operations Overview and Policy Issues

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The Recycle Center has operated as a community facility since its dedication in 1990 and has provided Ashland and Rogue Valley residents with a centralized location to recycle a variety of materials. The center is located on City owned land and is operated by Recology staff both for on-site attendant and materials hauling services.

Curbside comingled recycling collections began in 2007 providing additional recycling services and opportunities for Recology customers in Ashland. The continuation of both recycling resources was raised in the Bell Report as a potential redundancy in services that is being subsidized by the existing residential and commercial Recology customers.

To separate the recycle center redundancy/subsidized policy question from the updating of the franchise agreement and to allow for potential solutions outside of the confines of the franchise agreement, the working group suggested that the draft ordinance exclude the costs associated with operation of the recycle center as an allowed expenditure for the franchisee. This removes the costs from the rate calculations, which removes the rate payer subsidy issue, but also would require the creation of an alternate funding source for the center to remain open and operational.

## Operating Costs

The Recycle Center, as detailed in the Bell Report, has approximate annual costs of \$155,000, with roughly \$30,000 relating to on-site attendant labor, \$15,000 for program operating margin, \$10,000 for general administrative overhead and the remainder (\$100,000) reflecting material hauling costs. The Center does have an approximate revenue stream of \$20,000 which varies from year to year depending on the market rates for the various recycled materials.

The Bell Report details the comingle recycle collection percentage attributed to the Recycle Center versus the curbside comingle collection. The percentage attributed to the Recycle Center was 6%, although that figure was later corrected in a subsequent meeting to be 9%. What was not identified in the report was the percentage of overall collection of cardboard at the Recycle Center, which is source separated from the comingle recycle stream. If cardboard collections are included in the calculations, the Recycle Center percentage of collections compared to curbside comingle increases to 16%.



Recology operates several truck routes for commercial cardboard collection that does not currently have a fee, primarily because cardboard is one of the few recyclable materials that has consistently had some level of monetary value in the market place. Should the Recycle Center close, Recology anticipates additional costs associated with commercial cardboard collections that would need to be reflected in rates in some fashion.

### Policy Issues

The Bell Report raises several key policy issues for the Council to deliberate and resolve. One is the question of whether or not the Recycle Center is a redundant service to the curbside comingled collections service. While there are materials accepted at the Recycle Center that are not accepted at the curb, those materials represent a small percentage of the materials processed at the Recycle Center. Additionally, most of those materials are transported and processed by a third party and have no expense attributable to their acceptance at the Center.

Related to the issue of redundancy is the lack of data as to the actual user base of the Center. While it is reasonable to conclude that the Recycle Center services overlap and nearly duplicate the curbside comingle collection services available, the issue of redundancy changes when considering who the primary users of the facility are. A reasonable assumption could be made that because the majority of Ashland residents have garbage and recycling collection services thereby not needing regular access to the Recycle Center, a significant number of non-Recology customers in Ashland and beyond utilize the facility yet pay no fees to offset the associated costs.

### Possible Discussion Points

**1) Redundant Service** - How much of the operation of the Recycle Center collection is an actual redundant service to Recology subscription customers, i.e. what additional benefits to subscription customers are provided at the Recycle Center?

**2) Cost Equity of Recycle Center** – Are the users of the Center paying for the services or are the Recology monthly subscription customers disproportionately subsidizing the Recycle Center to the benefit of non Recology customers? (Ashland citizens or users from outside the City)

**3) Cost Allocation Model** – What are the potential models that could be used to improve (reduce) the level of subsidy currently borne by Recology subscription customers?

- Recycle Center costs allocated and charged monthly to all residential/commercial utility accounts (electric accounts equal all households/businesses (11,350), water accounts equal all properties (8,200))
- Charges at the Recycle Center per visit/use
- Hybrid system that only charges non residents for use of the Center

**4) Alternate Uses of Funds currently allocated to Recycle Center** – Are there better uses for funds currently paying for the operations of the Recycle Center (\$130,000) that would better serve the community in waste prevention and recycling efforts?

- Increased waste prevention education and on site audits



- Direct payments to businesses who provide recycling services (see distributed recycling under #5)
- Development and participation in a regional facility (South Valley) that could include rural Jackson County, City of Talent, etc

**5) Recycle Center Cost Reductions** – What options are available to maintain the current general level of services provided by the Recycle Center at a lower cost?

- Relocate Recycle Center to Valley View Transfer Station – reduces staffing overhead and hauling costs
- Reduce scope of Recycle Center to collect only materials not currently collected as part of the curbside collections service
- Distributed recycle materials collection partners (businesses that connect specific recycling services to their operational success/advantage such as Ashland Hardware and battery recycling, Goodwill as an E-waste recycling facility, etc)



**RESOLUTION NO. 2013-33**

**A RESOLUTION ADOPTING A SURCHARGE FEE FOR THE  
OPERATIONS OF THE ASHLAND RECYCLE CENTER**

**RECITALS:**

- A. The City of Ashland contracts with Recology Ashland Sanitary Service by means of a franchise agreement for solid waste and recycling collection services within the City.
- B. The City of Ashland is currently developing a new Solid Waste and Recycling Collections Franchise Ordinance to replace existing Solid Waste and Recycling Collections Franchise ordinances 2582 and 2829
- C. Recology Ashland Sanitary Service currently operates a Recycle Center on City owned land open and available to the general public free of charge.
- D. In accordance with, and referenced within the new draft franchise ordinance, expenses associated with the operations of the Recycle Center are no longer defined as allowable expenses and therefore are not part of Service Rate calculations
- E. To create a fee to fund the operations of the Recycle Center, both the existing and proposed Franchise Ordinance requires that rate adjustments be approved by Council resolution

**THE CITY OF ASHLAND RESOLVES AS FOLLOWS:**

**SECTION 1.** A Recycle Center surcharge not to exceed \$1.60 per month on all Recology subscription customers in addition to other rates and fees approved by separate resolution is approved and effective January 1, 2014

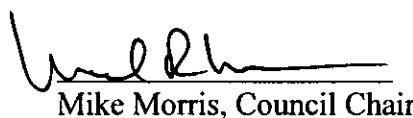
**SECTION 2.** To form a working group consisting of three councilors, two members of the Conservation Commission and two members of the public, in the next six months, work to provide a recommendation to the council on the future of the recycling center.

This resolution was duly PASSED and ADOPTED this 1 day of October, 2013, and takes effect upon signing by the Mayor.

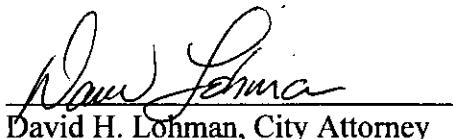


Barbara Christensen, City Recorder

SIGNED and APPROVED this 3 day of October, 2013.

  
Mike Morris, Council Chair

Reviewed as to form:

  
David H. Lohman, City Attorney

**ORDINANCE NO. 3090**

**AN ORDINANCE CREATING A FRANCHISE AGREEMENT FOR SOLID  
WASTE MANAGEMENT & COLLECTION WITHIN THE CITY OF  
ASHLAND AND REPEALING ORDINANCES 2829 and 2582 RELATING  
TO PREVIOUS SOLID WASTE FRANCHISE AGREEMENTS AND  
TERMS**

**WHEREAS**, Oregon Revised Statutes Chapter 459 grants the City the authority to regulate solid waste collection and mandates the development of a recycling program; and

**WHEREAS**, the City desires to insure efficient and comprehensive materials waste management and collection services are available to all residents, businesses and organizations in the City

**THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:**

**SECTION 1: Title.** This ordinance shall be titled and referred to as the “Solid Waste Management Franchise Ordinance”.

**SECTION 2: Purpose.** It is the policy and purpose of the City of Ashland to protect the health, safety and welfare of the citizens and physical environment of Ashland through the regulation of solid waste management. This regulation will:

- a) Insure safe, economical, efficient and comprehensive solid waste management services (SWMS) as further defined in this Ordinance;
- b) Assist the community in reaching and surpassing recycling and waste diversion rates of the Jackson County waste shed;
- c) Insure fair and equitable service rates and charges across all customer classes to achieve safe and efficient collection, transportation and recover of solid waste, recyclables and compostable materials;
- d) Meet or exceed all applicable Oregon Revised Statutes (ORS) 459 regulations relating to Solid Waste Management prescribed to local jurisdictions and their authorized franchisee; and
- e) Insure consistent and responsive service and communication with citizens regarding solid waste management operations, education and requirements including waste prevention, product life cycle impacts, waste diversion opportunities, recycling best practices and standards and general waste shed stewardship.

**SECTION 3: Scope.** Services defined, regulated and authorized in this ordinance are applicable only within the city limits of the City of Ashland and all future urban growth boundary annexations occurring during the term of this ordinance.

**SECTION 4: Definitions.** Except where the context clearly indicates a different meaning, or where a term is defined below, definitions contained within ORS 459.005 at the time of adoption or as further amended in the future, and regulations promulgated under state law are applicable to this ordinance.

### **Administrative Operations Standards and Rules**

All standards and rules approved by resolution of Council defining specific operating rules and procedures that support and insure compliance with this Ordinance.

### **Affiliated Company**

Any company which shares expenses and/or revenues with the Franchisee with respect to the services under this Franchise and is: 1) the parent company (corporation, partnership or limited liability company) of Franchisee; or, 2) any subsidiary of such parent company; or, 3) any company of which thirty percent (30%) or more of the common stock or control is owned or controlled by Franchisee; or Franchisee's share holders; Examples of such shared costs include, but are not limited to: labor, equipment, vehicles, insurance, or administrative costs.

### **Allowable Expenses**

Those expenses incurred by Franchisee in the performance of this Franchise that are allowed by the City as reimbursable by the ratepayer as enumerated below. Allowable Expenses are allowable only to the extent that such expenses are known and measurable, calculated according to Generally Accepted Accounting Principles (GAAP) on an accrual basis, and comply with the cost allocation methodology contained within this ordinance to the Franchisee's operations within the City, do not exceed the fair market value of comparable goods or services, and are commercially reasonable and prudently incurred by the Franchisee solely in the course of performing its obligations under the Franchise. Allowable expenses shall include but not be limited to the following:

- a. The costs of complying with all laws, regulations or orders applicable to the obligations Franchisees under federal, state or local law, including this ordinance, as well as costs for financial reporting, accounting and regulatory processes associated with or required by this franchise or under law; as now or hereafter amended;
- b. Disposal costs;
- c. Labor costs, including operational and supervisory labor, payroll taxes, workers' compensation, and benefits, as well as third party transportation costs;
- d. Vehicle and equipment expenses, including vehicle registration fees, motor fuel, oil, tires, rental charges and/or operating lease payments and repairs and maintenance;
- e. Expenses of maintaining other capital assets, including rental charges and/or operating lease payments and repair and maintenance, to include container maintenance and repair costs;
- f. Performance bonds and insurance in at least the amounts and coverage's required by the City;

- g. All administrative and management costs and expenses reasonably allocated for the services required under this Franchise, including, but not limited to compensation, management fees, and benefits for officers and employees, payroll taxes, data processing, billing, equipment or facility rental or lease costs, supplies, finance and accounting, administration, human resource and labor management, rate analysis, and regulatory compliance;
- h. Utilities;
- i. Training, worker safety and employee development expenses;
- j. Promotion and public education costs;
- k. Depreciation and amortization of capital assets, including any necessary stand-by or back-up equipment used on a regular and ongoing basis in the provision of services under this Franchise over standardized economic useful lives of the various assets;
- l. Outside professional fees and costs, limited to two percentage points of revenue, unless an extraordinary circumstance exists;
- m. Interest expense, other than interest paid with respect to route or Franchise acquisition, that is not in excess of market rates ordinarily charged for the various types of financing required for purchases or leases;
- n. All surcharges, taxes or fees, other than state or federal income taxes or franchise fees, which are imposed upon the Franchisee or levied by federal, state or local government in connection with Franchisee's provision of collection services under this Franchise;
- o. Direct write-off charges for bad debts; and
- p. Franchise fees assessed by the City.

Allowable expenses as defined above shall be reasonable if they are comparable with the expenses incurred by similarly situated solid waste and recycling collection companies on the West Coast of the United States.

#### **Automated Collection System**

A type of collection system that utilizes standardized roll carts and mechanically assisted collection equipment designed to minimize direct human handling of customer waste set out for collection.

#### **Bulky Wastes**

Large items of solid waste such as appliances, furniture large auto parts, trees, branches greater than four inches in diameter and 36 inches in length, stumps and other oversized wastes whose large size precludes or complicates their handling by normal collection, processing or disposal methods.

#### **City**

The existing city limits and future annexations of the City of Ashland, OR.

#### **City Council or Council**

The City Council of the City of Ashland.

**Commercial**

Stores; offices, including manufacturing and industrial offices; restaurants; warehouses; schools; colleges, universities; hospitals; and other non-manufacturing entities; manufacturing entities, but not including multifamily or residential condominium complexes.

**Container**

A receptacle used to store solid waste or recyclable materials that is designed for on-site unloading into a closed-bodied collection vehicle in which the contents of the receptacle are mixed with the contents of other similar receptacles.

**Construction and demolition debris**

Used or discarded construction materials removed from a premise during construction, demolition or renovation of a structure.

**Cost Allocation**

The following allocation methodology shall be used to determine expenses attributable to services rendered for City of Ashland solid waste management services franchise operations.

## 1) Residential and commercial labor hours

The Franchisee will perform two annual surveys to estimate the time spent in each jurisdiction by residential and commercial route. Total annual hours will be estimated by jurisdiction for residential and commercial routes based on the two annual surveys. The annual total hours will be used to allocate labor and benefits, fuel, oil, maintenance, vehicle and container leases, vehicle licenses, and route costs by jurisdiction for residential and commercial services.

## 2) Debris box labor hours

The Franchisee will estimate the average time spent per load by jurisdiction. This average will be applied to the actual annual load count by jurisdiction to calculate an annual total for each jurisdiction. The annual total hours will be used to allocate labor and benefits, fuel, oil, maintenance, vehicle and debris box leases, vehicle licenses, and route costs by jurisdiction for debris box.

## 3) Yardage

Yardage by jurisdiction will be estimated by subscribed volumes for residential and commercial services and by box size for debris box service. This yardage will be used to allocate disposal costs by jurisdiction.

## 4) Residential and commercial weekly lifts

The Franchisee will use two surveys to estimate the number of weekly services by jurisdiction. This measure will be used to allocate all other costs by jurisdiction.

## 5) Direct cost

Franchise fees and other costs directly related to a specific jurisdiction will be applied to the appropriate jurisdiction.

**Curbside/Roadside**

A location within three (3) feet of public right-of-way. This does not allow the garbage or recycling receptacle to be placed on the inside of a fence or enclosure even if the receptacle is within three (3) feet of said road or roads. For residences on "Flag Lots", private roads or driveways, "Curbside/Roadside" shall be the point where the private road or driveway intersects a City Road, Public Access Road, State Road or Federal Road.

**Customer**

Individuals, groups, businesses, corporations or other recognized entity receiving solid waste management services from the franchisee within the City of Ashland.

**Customer Classification**

List and definition of the different groupings utilized for rate making; i.e. residential, commercial, municipal, etc.

**Depot**

A facility for transferring containerized solid waste, recyclable materials or yard debris from one mode of transportation to another. The term also refers to a place for receiving source-separated recyclable materials.

**Disabled Customer**

A subscription customer in which all adult household members possess a DMV issued handicapped parking sticker/placard.

**Disposal Site**

Land and facilities used for the disposal, handling or transfer of, or resource recovery from solid wastes, including but not limited to dumps, landfills, sludge lagoons, sludge treatment facilities, disposal sites for septic tank pumping or cesspool cleaning service, transfer stations, resource recovery facilities, incinerators for solid waste delivered by the public or by a solid waste collection service, composting plants and land and facilities previously used for solid waste disposal at a land disposal site; Disposal site does not include the following: a facility authorized by a permit issued under ORS 466.005 to 466.385 to store, treat or dispose of both hazardous waste and solid waste; a facility subject to permit requirements of ORS 468B.050 or 468B.053; a landfill site which is used by the owner or person in control of the premises to dispose of soil, rock, concrete or other similar non decomposable material, unless the site is used by the public either directly or through a solid waste collection service; or a site operated by a wrecker issued a certificate under ORS 822.110.

**Drop Box**

A single receptacle used to store solid waste or recyclable materials that is designed to be removed from the generator's site on the back of a roll-off truck for unloading at a disposal site, material recovery facility, or other storage or processing facility. The contents of the receptacle are not mixed with the contents of other similar receptacles until delivery to a Disposal Site.

**Force majeure**

Acts of god, fire, landslides, lightening, storms, floods, freezing, earthquakes, epidemics, volcanic eruptions, public riots, civil disturbances, acts of the public enemy, wars, blockades, embargoes, or acts of civil or military authority, breakage, explosions or accident to machines or other materials, pipelines or materials, governmental restraint, unavailability of a disposal site and any other event which could not with reasonable diligence be controlled or prevented by the party affected by the event.

**Franchise**

A contract with the City allowing the use of public right-of-way to collect and transport solid waste.

**Franchisee**

A person, persons, business or corporation who has been granted a franchise to operate within the City of Ashland pursuant to this Ordinance.

**Generator**

A person, who by virtue of ownership, management or control, is responsible for causing or allowing to be caused the creation of Solid Waste or Recyclable Materials..

**Gross Revenue**

“Gross Revenue” for any period shall mean:

- 1) Gross accrual-based billings by the Franchisee to customers for services provided under this Franchise;
- 2) The allocated gain on the sale of fixed assets, the depreciation or amortization from which, was an Allowable Expense under the terms of this Ordinance, and refunds, sales proceeds or other reimbursements for any other expense that was an Allowable Expense under this Ordinance, and
- 3) The accrual-based proceeds from the sales of recycled material collected within the Franchise.

**Hazardous Waste**

Solid Waste or Waste that may, by itself or in combination with other waste, be explosive, poisonous, caustic or toxic, or otherwise dangerous or injurious to human, plant or animal life, as defined by ORS 466.005.

**Household Hazardous Waste**

Any discarded useless or unwanted chemical, material, substance, or product that is or may be hazardous or toxic to the public or the environment and is commonly used in or around households. Household hazardous waste includes, but is not limited to, some cleaners, solvents, pesticides, and automotive and paint products.

**Infectious Waste**

Infectious waste mean biological waste, cultures and stocks, pathological waste, and sharps, as defined in ORS 459.386

**Multifamily**

Any multi-dwelling building or group of buildings that (a) contain(s) five (5) or more dwelling units on a single lot, such as apartments, condominiums, and mobile home parks and (b) receives services on a per lot or per building basis, as opposed to a per unit basis. Multifamily complex also includes certified or licensed residential care housing, such as adult foster care homes, and group homes. Multifamily accounts are determined to be a residential waste stream.

**Material Recovery**

Any process of obtaining from solid waste, by pre-segregation or otherwise, materials that still have useful physical or chemical properties and can be reused or recycled for some purpose.

**Material Recovery Facility**

A solid waste management facility that separates or stores materials for the purposes of recycling from incoming, non-putrescible solid waste by using manual and/or mechanical methods. It also means a facility that primarily accepts previously separated recyclables.

**Operating Margin**

Gross revenues minus allowable expenses within a given period.

**Organic Waste**

Materials that can be biologically synthesized by plants or animals from simpler substances, are no longer suited for their intended purpose, and are readily broken down by biological processes into soil constituents. Examples include, but are not limited to, food waste, yard debris, contaminated paper, and putrescible materials that are generally a source of food for bacteria.

**Putrescible Waste**

Solid waste containing organic material that can be rapidly decomposed by microorganisms, and which may give rise to foul smelling, offensive products during such decomposition or which is capable of attracting or providing food for birds and potential disease vectors such as rodents and flies.

**Receptacle**

A can, cart, container, drop box, compactor or recycling bin or any other means of containment of Solid Waste or Waste or Recyclable Materials.

**Recyclable Material, Recyclable, Recyclables**

Material that has or retains useful physical, chemical, or biological properties after serving its original purpose(s) or function(s), and is separated from solid waste by the generator or at a material recovery facility.

**Recycling**

Any process by which waste materials are transformed into new products in such a manner that the original products may lose their identity.

**Residence, Residential**

Any dwelling unit where at least 50 percent of the use of the entire building is for home use.

**Self-Haul**

Collection and transportation of solid waste from a commercial, multifamily, or residential entity by the generator, owner or occupant of the property, rather than by a third party hired to perform this function.

**Senior Discount Rate**

A discounted collection rate provided to customers that meet the discounted utility rate provision of resolution 92-22 or future related amendments.

**Solid Waste or Waste**

The terms "solid waste" and "waste" are interchangeable. Solid waste shall include all putrescible and non-putrescible waste, including but not limited to, garbage; compost; organic waste; yard debris; brush and branches; land clearing debris; sewer sludge; residential, commercial and industrial building demolition or construction waste; discarded residential, commercial and industrial appliances, equipment and furniture; discarded, inoperable or abandoned vehicles or vehicle parts and vehicle tires; manure; feces; vegetable or animal solid and semi-solid waste and dead animals; and infectious waste. Waste shall mean useless, unwanted or discarded materials. The fact that materials, which would otherwise come within the definition of Solid Waste, may, from time to time, have value and thus be utilized shall not remove them from the definition. The terms Solid Waste or Waste do not include:

- 1) Recyclable materials or yard debris separated from solid waste and properly prepared for collection;
- 2) Hazardous wastes as defined in ORS 466.005;
- 3) Materials used for fertilizer or for other productive purposes on land in agricultural operations in the growing and harvesting of crops or the raising of fowl or animals;
- 4) Septic tank and cesspool pumping or chemical toilet waste;
- 5) Source separated, principal recyclable materials as defined in ORS 459A and the Rules promulgated there under and under this Ordinance, which have been purchased or exchanged for fair market value, unless the City declares a site of uncollected principal recyclable materials to be public nuisance;
- 6) Applications of industrial sludge or industrial waste by-products authorized through a Land Use Compatibility Statement or Management Plan approval and that have been applied to agricultural lands according to accepted agronomic practices or accepted method approved by the Land Use Compatibility Statement or Management Plan, but not to exceed 100 dry tons per acre annually; and
- 7) Stabilized municipal sewage sludge applied for accepted beneficial uses on land in agricultural, non-agricultural, or silvicultural operations. Sludge-derived products applied for beneficial uses on land in landscaping projects.

**Solid Waste Management and Collection Services**

Prevention, reduction, management of the storage, collection, transportation, treatment, utilization, processing and final disposal of solid waste; or recycling, reuse and material recovery from solid waste; and facilities necessary or convenient to such activities.

**Source Separated Materials**

Recyclable materials that have been separated by type of recyclable material and removed from the solid waste stream by the person who last used the recyclable materials.

**Transfer Station**

A fixed or mobile facility, other than a transportation vehicle, where solid waste is deposited temporarily after being removed from the site of generation but before being transported to a final disposal location.

**Unallowable Expenses**

Shall include the following:

- 1) All charitable and political contributions;
- 2) Fines and penalties, including without limitation judgments for violation of applicable laws, incurred by a licensee;
- 3) Payments for services provided by individuals related by blood or marriage or by affiliated companies to a licensee to the extent that such payments exceed the reasonable cost that would be charged by an independent third party to provide the substantially equivalent service;
- 4) Accruals for future unknown regulatory changes;
- 5) Costs associated with purchase of other companies including, but not limited to, employee stock ownership plan payments, goodwill, amortization of goodwill and premiums on key-person life insurance policies;
- 6) Principal or interest payments on the acquisition of solid waste, recyclable materials and yard debris collection routes; the purchase of equipment and/or facilities to the extent that the price includes goodwill or a premium in excess of fair market value at the time of acquisition; State and federal income taxes;
- 7) Fees paid to a Franchisee's Board of Directors;
- 8) Attorney's fees and related expenses resulting from:
  - a. Any judicial proceeding in which the city and a Franchisee are adverse parties, unless the Franchisee is the prevailing party;
  - b. Any judicial proceeding in which a Franchisee is ruled to be liable due to willful misconduct or gross negligence or in violation of law or regulation, excluding judicial proceedings involving traffic accidents;
- 9) Operation of community access recycling depot not physically located or operated in conjunction with the Franchisee's transfer station
- 10) Recycling operations expenses already calculated and incorporated into Franchisee's tipping fees
- 11) Any other expenses defined as "unallowable" and approved by mutual consent of the Franchisee and the council.

## **Utilization**

The terms utilize, utilization, or utilization of Solid Waste or Waste shall mean productive use through recycling, reuse, salvage, resource recovery, energy recovery, or land filling for reclamation, habitation, or rehabilitation of land.

## **Waste Evaluation**

An evaluation completed by the City or a Franchisee of a commercial entity's waste management practices, for the purpose of providing guidance to a multi-family or commercial customer on effective means to reduce waste, increase recycling, and purchase recycled products.

## **Yard Debris**

Grass clippings, leaves, tree and shrub pruning of no greater than four (4) inches in diameter or similar yard and garden vegetation. Yard debris does not include such items as: dirt, sod, stumps, logs, tree and shrub pruning greater than four (4) inches in diameter, rocks, plastic, animal waste or manure, cat litter, potting soil, prepared food wastes or nonputrescible material.

## **SECTION 5: Franchise Agreement.**

### **5.1 Franchise Award**

No person shall do business in the collection and transport of solid waste generated within the City without a current, valid City franchise. A Franchise to provide solid waste management and collection services, including recyclable materials and yard debris in the service area of the City shall be granted only after a determination of need for the service.

The determination of need is the responsibility of the City Council, which will seek the best balance of the following objectives:

- 1) To insure safe, efficient, economical, equitable and comprehensive solid waste service;
- 2) To avoid duplication of service that will cause inefficiency, excessive use of fuel, increased traffic, and greater wear on streets;
- 3) To provide service in areas of marginal return;
- 4) To promote and encourage recycling and resource recovery;
- 5) To improve the likelihood of the Franchise holder making a reasonable profit and thereby encourage investment in modern equipment;
- 6) To cooperate with other governmental bodies by recognizing their service arrangements; and
- 7) To otherwise provide for the service in a manner appropriate to the public interest.

### **5.2 Renewal of Franchises**

In granting a franchise renewal, the Council may, in addition to the above, consider the following:

- 1) Volumes of solid waste collection and disposal;

- 2) (2) Volumes of recyclable materials and rate of participation in recycling;
- 3) Customer satisfaction, including but not limited to customer complaints;
- 4) Analysis of solid waste collection and recycling programs in other cities as compared to those of the City, including but not limited to program costs, funding mechanisms and overall rates of participation in recycling;
- 5) Franchisee performance of its obligations under the franchise, including a Franchisee's technical and financial capabilities;
- 6) Franchisee ability to provide evidence of required insurance; and
- 7) Franchisee responsiveness to customer or City complaints.

Franchises granted by the City shall be non-exclusive, however it is understood that during the term of franchises granted under this Ordinance, the City shall not grant any other person a franchise for Solid Waste Management Services unless there is a showing by the applicant of the need for such additional service in the proposed service area. As to such application(s) the existing Franchisee shall have first right of refusal to provide such services.

In evaluating whether a need exists for additional service, the City Council may consider, among any other criteria deemed relevant by the City Council, the following items:

- 1) An increase in the population of the City;
- 2) An extension of the boundaries of the City;
- 3) Intensive residential, commercial or industrial development within the boundaries of the City;
- 4) Changes in solid waste technology and/or recycling collection technology that could substantially improve collection service or reduce collection costs to residents of the City;
- 5) The effect that an additional franchise would have on each existing Franchisee's ability to meet the City's service standards and maintain a fair return on its investment;
- 6) Changes in federal or state laws, rules or regulations that substantially affect solid waste or recycling collection requirements.
- 7) The Franchisee cannot or will not perform or subcontract the proposed service.

This ordinance does not prohibit any person from self-hauling solid waste and/or recyclables. A generator may self-haul his or her own material, and a generator's contractor may haul materials that are generated as a direct result of the service-provider's activity. For example, landscapers, roofers, and remodelers may self-haul materials, but may not contract with third parties other than Franchisees for collection and transport.

### **5.3 Franchise Terms**

A franchise to provide solid waste management and collection services shall be granted for a period of ten (10) years, beginning December 1, 2013 with subsequent seven year terms renewing annually, unless prior notice of request to terminate is submitted by either the City or the Franchisee a minimum of 90 days prior to the renewal date.

### **5.4 Franchise Fee**

- 1) Annual Fee. In consideration of the rights and benefits of the terms of this franchise, Franchisee shall pay to the City each year during the life of this franchise beginning February 1, 2014 an annual fee derived from revenue received by that franchisee from Solid Waste Management and Collection Service boundaries of the City. The franchise fee shall be five percent (5%) of gross revenues.
- 2) Quarterly Payments. The franchise fee required in 7(a) above shall be paid quarterly, and shall be due and payable within thirty (30) days of the end of the calendar quarter. Accompanying the payments described above, Franchisee shall file with the City Administrator or designee, a statement showing the amount of the gross revenues received by that company within the City for the calendar quarter immediately preceding the calendar quarter in which such statement is filed. There will be a reconciliation of final gross revenues on the quarterly report ending September 30<sup>th</sup> of each year for the prior fiscal period, which is October 1<sup>st</sup> through September 30<sup>th</sup>.
- 3) Review of Records; Annual Audit. Franchisee shall make available for inspection, copying and review by the City Administrator or designee at any time during normal work hours all records in the Franchisees' possession that the City Administrator or designee deems relevant to verifying the accuracy of fees paid to the City, to regulating rates or to carrying out any responsibility that the Franchisees or the City has under this Ordinance.

No more often than once during any twelve (12) month period, City may request an audit of the books, records and accounts of Franchisee by a certified public accountant or such other professional chosen by the City to verify accuracy of fees paid to the City, subject to the approval of the audited Franchisee; provided, however, that such approval shall not be unreasonably withheld. Franchisee agrees to have their books, records and accounts audited and further agree to pay for such auditing services. The report of the certified public accountant or other professional shall be conclusive and final. In the event such audit report discloses any difference of payment due either to the City or Franchisee through error or otherwise, such payment shall be due and payable within thirty (30) days of discovery or determination of the error. If payment is owed by the City to Franchisee, the City shall reimburse the Franchisee for payment for the portion of the services attributable to the audit of the Franchisee receiving such payment from the City.

If payment is owed by Franchisee to the City, and the difference of payment due is more than the greater of five hundred dollars (\$500) or two and one-half percent (2½ %) of the Franchisee franchise fee, or if the Franchisee is found to have violated any other term or condition of the franchise then, notwithstanding any other provision of this Section or the franchise, the City may request an additional audit during the next twelve (12) month period with all expenses of such additional audit paid by such Franchisee.

- 4) Late Payments; Interest. Should Franchisee fail or neglect, for thirty (30) days after any quarterly payment shall become due and payable, to make the quarterly payment, the City shall provide written notice of failure of payment to Franchisee. Upon notification of failure to pay, Franchisee will have thirty (30) days to remit payment to the City. If

Franchisee fails to pay within said thirty (30) day period, the City may charge interest retroactive to the due date, at a rate of nine percent (9%) per annum, and may at its option either continue the franchise in force and proceed by suit or action to collect the payment, or declare a forfeiture of the franchise because of the failure to make payment, but without waiving its right to collect earned franchise payments and interest.

### **5.5 Franchise Administrative Operations Standards and Rules**

The Solid waste management and collections franchisee will operate within operations standards set by resolution of Council. Standards and rules will be developed across all customer classifications including, but not limited to, the following:

#### **Service Rates and Fees**

- a. Rate and fee schedule for all collection services, programs by customer classification

#### **Collections**

- a. Regular, holiday and hazardous weather schedules
- b. Procedures for missed, bulky waste, vacation hold, etc collections
- c. Collection receptacle standards and requirements
- d. Receptacle location requirements for pick-up
- e. Private property access rights and limitations
- f. Responsibilities of the customer
- g. Vehicle minimum equipment, maintenance standards, identification/signage and standards

#### **Customer Service & Communications**

- a. Billing standards and frequency
- b. Billing/collection procedures for past due/non-pay accounts
- c. Descriptions, objectives and targets for all services provided across all customer classifications
- d. Solid waste related programs, education and event promotion
- e. Complaint/dispute resolution procedures
- f. Community Communications and outreach plan coordination with City outlining roles and responsibilities of City and Franchisee.

#### **Reporting (in addition to Ordinance required reporting)**

- a. Efficiency analysis reports for routes, billing/collections, etc
- b. Revenue and subscription volume reports by solid waste category (trash, recycle, yard waste) for various customer classifications (residential, and commercial). Debris box volumes will be measured by dump and return and/or pull activities.
- c. Customer counts and trends over time for residential and commercial customer classifications. Debris box load counts will be reported in lieu of debris box customer counts.

### **5.6 Subcontracting Services**

A Franchisee may contract with another person to provide specific components of solid waste management and collection services within the Franchisee's service area with the written

approval of the City Administrator or designee, provided that the subcontract does not amount to a transfer of the collection franchise and the subcontracting party agrees to:

- 1) Abide by the conditions of this ordinance and associated resolutions; and
- 2) In written application to the City, show how they will meet the criteria applying to the current franchise

### **5.7 Transfer of Franchise**

A proposed assignment or transfer of a Franchise must be requested by the Franchisee if the following occur, but shall not be limited to:

- 1) A sale, exchange or other transfer of 50% or more of Franchisee's assets dedicated to service in the City;
- 2) A sale, exchange, or other transfer of fifty percent (50%) or more of the outstanding common stock of a Franchisee;
- 3) Any reorganization, consolidation, merger, recapitalization, voting trust, pooling agreement, escrow arrangement, liquidation or other transaction to which Franchisee or any of its shareholders is a party which results in a change of ownership or control of fifty (50%) or more of the value or voting rights in the stock of the Franchisee; and
- 4) Any combination of the foregoing that has the effect of a transfer or change of ownership and control.

The Franchisee shall provide no less than 90 days' advance written notice to the City of any proposed transfer or assignment. Except as specifically authorized by the City, the Franchisee shall not assign any of its rights or delegate or otherwise transfer any of its obligations to any other person without the prior consent of the City Council. Any such assignment without the consent of City Council shall be void and any such attempted assignment shall constitute default and grounds for termination of the Franchise.

If a Franchisee requests the City's consent to transfer the Franchise, the City shall act on such request within sixty (60) days of the receipt of the Franchisee's written request together with all information, as set forth below, required for the City's action on the request. The City and Franchisee may consent in writing to additional time for the City to review and approve the consent to transfer the Franchise. The City shall not unreasonably refuse to consent to an assignment of the Franchise to a proposed assignee that has sufficient knowledge, experience, and financial resources so as to be able to meet, to the satisfaction of the City Council, in its sole discretion, all obligations of the Franchisee hereunder. An application to the City to consider a sale or other transfer of a Franchise shall include the following:

- 1) A nonrefundable application fee of two thousand dollars (\$2,000) payable at the time of application to the City in advance to defray the City's anticipated expenses and costs resulting from the Franchisee's request;
- 2) Financial statements audited or reviewed by a Certified Public Accountant of the Proposed Assignee's operations for the three immediately preceding operating years together with any additional evidence of financial ability to perform its Franchise obligations; and

- 3) A showing that the proposed Assignee meets all City criteria for the grant of a Franchise as enumerated in this Ordinance.

### **5.8 Establishment and Modification of Service Rates and Fees**

Except as set forth herein, the City Council may review and set rates on an annual basis by Council resolution that considers the following goals:

- 1) Rates shall be established to the greatest extent practicable on a cost of service basis based on the ordinance established cost allocation methodology.
- 2) Rates shall be adjusted annually by Council resolution equal to the percentage change in the January to January Consumer Price Index for All Urban Consumers (CPI-U) but not to exceed the twelve percent operating margin cap. The City Administrator or designee shall certify the CPI-U rate in writing to Franchisee by March 1 of each year to initiate the rate resolution.
- 3) Rates shall be adequate to provide an Operating Margin equal to ten percent (10%) of Franchise-wide Gross Revenues; however, the City shall not be required to change rates if the expected Operating Margin in the next future year falls between eight and twelve percent of Gross Revenues. The ten percent target return on Gross Revenues is considered sufficient to reflect the level of business risk assumed by the Franchisee, to allow investment in equipment, and to ensure quality collection service.

Accordingly, the City shall have the authority to commission audits, reviews, or analysis of Franchisee Annual Reports to validate submissions. The expected Operating Margin in a future year would incorporate expected inflation factors, and the effect of known or expected increases or decreases in expenses or revenues.

The rates charged by Franchisees shall conform to the most current Council resolution. Prior to implementation, the Council must approve any interim rate for services not included in the current resolution.

If the Franchisee notifies the City in writing that they believe a material change outside the Franchisees' control has occurred, and the change will have an adverse effect on operating margins, such that the next future year operating margins will be less than eight percent, a material change will be deemed to have occurred. At that time, the City may undertake any type of review it finds necessary to validate the existence of the material change and estimate its effect on the operating margin. If the results of the review are such that no rate adjustment is warranted, persons requesting the review shall reimburse the City for reasonable costs incurred during the investigation at the time the next payment of franchise fees is due.

If the City believes that a material change has occurred that will result in next future year operating margins falling under eight percent or over twelve percent, the City may undertake an abbreviated rate review at its own expense.

## **SECTION 6: Franchise Reporting Requirements.**

### **6.1 Informational Reports**

Each Franchisee shall provide the City Administrator or designee by the last day of each quarter for the previous quarter:

- 1) A quarterly report listing the quantities of solid waste, yard waste and recyclable materials by customer classification collected within the City during the previous calendar quarter, the locations to which these materials were delivered, the number of customer accounts, and other information requested by the City Administrator or designee and mutually agreed upon with Franchisee.
- 2) A quarterly report listing the names and addresses of multi-family and commercial customers that received waste evaluations during the reported quarter.
- 3) A summary of communication, marketing and educational outreach conducted by Franchisee during the reported quarter.

### **6.2 Quarterly Franchise Fee Reports**

Franchisee shall complete and remit to the City a Quarterly Franchise Fee report not later than the last day of the month immediately following the end of the quarter.

At the time of payment of the quarterly Franchise Fees, the Franchisee shall file with the City Administrator or designee, a verified statement of quarterly gross revenues for the period covered by the tendered fee. Such statements shall be public records. Franchisee shall maintain books and records disclosing the gross receipts derived from business conducted within the City, which shall be open at reasonable times for audit by the City Administrator or designee.

Misrepresentation of gross revenue shall be deemed material and a breach of the Franchise contract and shall be cause to initiate the process to terminate the franchise.

### **6.3 Annual Franchise Reports**

Franchisees shall report revenues and expenses (allowable and unallowable), in an income statement format, and provide a variety of information about customer counts, service levels, disposal volumes, and recycling activities for all customer classifications and for all programs identified in the Administrative Operations Standards and Rules resolution adopted by Council.

Franchisees shall report totals for all operations necessary to adequately verify compliance with the cost allocation methodology as defined in this for expenses that share significant operational, management, and administrative expenses with the City of Ashland Franchise. Resources allocated from regional or corporate offices or affiliates shall be distributed to appropriate expense line items, and shall also be disclosed in a schedule describing total allocations and their distribution to individual expense line items. All allocations from Affiliated Companies must be described and must be equal to or less than the fair market value of similar goods and services purchased from a non-affiliated company.

The report will also include a synopsis of the operating year, a description of the measures each franchisee has taken in the preceding year to make its operation more efficient, a listing of the efficiency measures which each Franchisee proposes to take in the next year, a composite table

showing the type and number of customer service complaints and a description of the measures that the Franchisee has taken or is planning to take to correct the cause of commonly reported complaints, and such other information as requested by the City Administrator or designee. The report shall also describe and quantify communication, outreach and educational activities as described in the Administrative Operations Standards and Rules resolution.

Franchisees may identify specific information submitted to the City in the Annual Report as confidential. The City shall treat any information marked "Confidential" as such, and shall not subject the confidential information to public disclosure except as required by law. If the City receives a request for disclosure of confidential information, the City Administrator or designee shall notify the Franchisee within a reasonable time after receiving the request so as to allow the Franchisee a reasonable opportunity to defend against the requested disclosure through appropriate legal process.

## **SECTION 7: Franchise Responsibilities and Requirements.**

### **7.1 Access for Inspections and Delivery of Notices**

Franchisees shall make all company premises, facilities and records related to their solid waste, recyclable materials and yard debris collection services (including, but not limited to: offices, storage areas, financial records, non-financial records, records pertaining to the origin of any solid waste collected by the Franchisee, receipts for sale or delivery of collected recyclable materials, customer lists, and all records related to vehicle maintenance and safety which are required under ODOT motor carrier requirements and regulations and ORS 767) available for inspection by the City Administrator or designee within 24 hours of notice by registered mail. Such inspections are only for purposes of enforcing this ordinance, and are restricted to normal business hours. During normal business hours, the Franchisee shall make all company premises and facility accessible to City employees for delivery of any written notices.

Collection vehicles must be accessible for inspection during the normal operating hours for collection, in addition to normal business hours. Where receptacles are stored in the public right-of-way or when the City is inspecting a situation where the Franchisee is allegedly commingling Recyclable Materials or Yard Debris with Solid Waste, the need for 24-hour notice does not apply to inspection of receptacles or vehicles.

### **7.2 Indemnification, Bond, and Insurance**

A Franchisee shall pay, save harmless and indemnify the City from any loss, damage, penalty or claim against the City on account of or in connection with any activity of the Franchisee in the operation of the Franchisee's solid waste collection business including activity by any approved subcontractor providing solid waste management collections and services. If such suit shall be filed against the City either independently or jointly with the Franchisee or its subcontractor to recover for any claim or damages, the Franchisee upon notice to it by the City shall defend the City against the action, and in the event of a final judgment being obtained against the City, either independently or jointly with the Franchisee or its subcontractor, the Franchisee will pay said judgment and all costs and hold the City harmless there from.

Franchisee shall furnish a performance bond, in a form approved by the City Attorney, by an acceptable surety company in the amount of twenty-five thousand dollars (\$25,000.00), but may,

in lieu of a bond, furnish an irrevocable letter of credit or assign a savings account or deposit in any federally insured financial institution in the amount of twenty-five thousand dollars (\$25,000.00) on a form approved by the City Attorney. The Security shall guarantee faithful performance of all the obligations contained herein with the premium for such bond or cost of such assignment to be paid by the Franchisee furnishing the bond, letter of credit or making the assignment.

A Franchisee shall maintain commercial general liability insurance on an occurrence basis in such forms and with such companies as shall be approved by the City Attorney, which will cover the Franchisee's business operation, including each vehicle operated by it. The insurance coverage shall include not less than \$1,000,000.00 for one person, nor less than \$5, 000,000.00 for bodily injury due to each occurrence, and not less than \$1,000,000.00 for damage to property due to each occurrence and coverage of at least \$5, 000,000 in the aggregate per occurrence. All such insurance coverage shall provide a 30-day notice to the City Administrator or designee in the event of material alteration or cancellation of any coverage afforded in the policies prior to the date the material alteration or cancellation shall become effective. Copies of all policies required hereunder shall be furnished to and filed with the City Administrator or designee prior to the commencement of operations or the expiration of prior policies, as the case may be. The Franchisee shall furnish proof annually to the City Administrator or designee that the insurance remains in effect.

The provisions of this section, any bonds accepted by the City pursuant thereto, and any damage recovered by the City hereunder shall not be construed to excuse unfaithful performance by the Franchisee or limit the liability of the Franchisee under this ordinance or the Franchisee for damages, either to the full amount of the bond, or otherwise.

## **SECTION 8: Enforcement, Suspension, or Termination of Franchise.**

### **8.1 Responsibility of City**

Franchisees are subject to the exercise of the police power of the City and to such regulations as the City may provide by resolution, ordinance, rule or regulation.

### **8.2 Enforcement of Standards**

The City Administrator or designee shall administer and enforce this ordinance and pursue remedies for non-compliance as laid out within this ordinance. The City Administrator or designee shall also administer and enforce Administrative Operations Standards and Rules as adopted by Council. These standards and rules shall be enforceable with penalties allowed in section 1.08 of the Ashland Municipal Code. Upon recommendation by the City Administrator or designee, the Council may declare a Franchisee who fails to abide by the rules to be in default.

### **8.3 Initiation of Enforcement Actions**

In addition to enforcement under State law, the City may prosecute any infraction as defined in this Ordinance or the Rules issued hereunder, based on any information coming to the City, in Ashland Municipal Court. The burden of proof is on the City to prove an infraction by a preponderance of the evidence.

### **8.4 Penalties for Infractions**

Each Franchise provision, including rules adopted hereunder, is subject to penalties as described in section 1.08 of the Ashland Municipal Code for each day from the initial citation of the offense that the offense continues to violate the terms of this ordinance or associated resolutions.

### **8.5 Termination of Franchise for Default**

In addition to default for accrued penalties, upon recommendation by the City Administrator or designee, the City Council may terminate a Franchise for the Franchise holder's default in performing any material term or condition of the Franchise. An event of default also shall include, but not be limited to entry of a judgment against the Franchise holder for material misrepresentation or deceit committed against the City or a customer or entry of a judgment of conviction (including conviction on a plea of no contest) against the Franchise holder or any principal of same for a crime involving dishonesty.

Notice to a Franchisee of default shall be delivered to the Franchisee by certified mail requiring the Franchisee to show cause in a public hearing before the City Council at a place and time to be stated in the notice, but no earlier than 14 days from the date the notice is mailed, why the Franchise should not be terminated.

At the hearing the Franchisee shall demonstrate the measures it has taken or commenced to cure the default.

### **8.6 Service Interruption**

Except for the right to refuse service for nonpayment or if Customer has attempted to improperly dispose of Hazardous Waste in violation of the City's Standards and Rules as set forth in this ordinance,, Franchisees shall not interrupt service unless:

- 1) Access, roads, streets and highways necessary for collection operations are unusable or unsafe and there are no alternative routes. Franchisees shall resume service within 24 hours after access is restored.
- 2) A Force Majeure event occurs.

Upon the occurrence of a Force Majeure event that prevents or impairs a Franchisee's ability to perform any of its Franchise obligations, the Franchisee shall:

- 1) Provide immediate notice, either verbal or written to the City Administrator or designee of the nature of the event and extent and anticipated duration of Franchisee's inability to perform any obligation under this Franchise. If verbal notice is given, then written notice must be delivered to the City within 24 hours of verbal notice;
- 2) Commence immediately to develop, in communication and cooperation with the City, an interim plan for the restoration of full performance; and
- 3) Take all such other reasonable actions requested by the City to assist the City in protecting the public health and safety and to restore service as soon as practicable.

Labor unrest, including, but not limited to, strike, work stoppage or slowdown, sick-out, picketing, or other concerted job action conducted by Franchisee employees or directed at the

Franchisee is not an event of Force Majeure, and the Franchisee shall be obligated to continue to provide service notwithstanding the occurrence of any or all of events.

### **8.7 City's Right to Perform Service**

Except as provided under Section 8.6, in the event that a Franchisee, for any reason whatsoever, fails, refuses or is unable to collect or transport any or all solid waste for a period of more than forty eight (48) hours, and if, as a result thereof, solid waste or recyclable materials should accumulate in the City to such an extent that the City finds that such accumulation endangers the public health, safety, or welfare, then the City shall have the right, but not the obligation, upon twenty-four (24) hour prior written notice to the Franchisee, to perform or cause to be performed collection services with its own or other personnel at the Franchisee's expense. This right shall be in addition to and not in lieu of any other remedy available to the City. If necessary, the City may take temporary possession of, and a Franchisee shall peacefully surrender, any or all the Franchisee's land, equipment, and other property used or useful in the collection of Solid Waste or Recyclable Materials until such time as the emergency is resolved. If such possession occurs, the City assumes all responsibility and liability for the equipment and land used to perform such temporary collection services.

### **8.8 Dispute Resolution with Customers**

Upon receipt of any notice of dispute from a customer about any bill, charge, or service, the Franchisee shall thoroughly investigate the matter and promptly report the results of its investigation to the customer. Except in the event a Customer has attempted to improperly dispose of Hazardous Waste in violation of the City's Standards and Rules, a Franchisee shall not refuse service to any customer during a time of dispute.

If the Franchisee is not able to resolve a dispute with the customer, the customer may contact the City Administrator or designee who will act as an informal arbitrator in an attempt to resolve the matter. Should the dispute remain unresolved, the Franchisee or customer may then pursue the matter in any Court with jurisdiction.

### **8.9 Dispute Resolution with City**

During all disputes arising under this Franchise, the City and Franchisee shall continue performance of their respective obligations under this Franchise unless and until the Franchisee is terminated for default, in which case the Franchisee's obligation to pay a franchise fee based on cash receipts generated from services provided under the Franchise during said dispute shall survive such termination.

In addition to and without waiving any rights and remedies under civil or common law, in the event of a dispute under this Franchise, the parties shall mutually agree to arbitration. Within fifteen (15) days after agreement to Arbitration has been reached, each party shall submit the name of its own arbitrator, selected from the American Arbitration Association, and the two arbitrators shall select a third arbitrator selected from such panel within 15 days, or in case of a disagreement concerning the appointment of the third arbitrator, the third arbitrator shall be appointed from such panel by the presiding judge for the Circuit Court of the State of Oregon for Jackson County. During such time that the arbitrators are being selected or appointed, the parties shall continue to negotiate in good faith to resolve their dispute in a cooperative manner.

The decision of the arbitrators in the matter shall be final and binding on the parties, and any judgment upon the award rendered pursuant to such arbitration may be entered in any court having jurisdiction thereof.

**SECTION 9. Severability.** The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

**SECTION 10. Repeal of Ordinances. Upon approval of this Ordinance, Ordinances 2582 and 2829 are hereby repealed in their entirety**

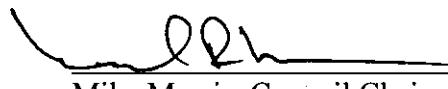
**SECTION 11. Codification.** Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Sections 1-3) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

The foregoing ordinance was first read by title only in accordance with Article X, Section 2(C) of the City Charter on the 17 day of September, 2013, and duly PASSED and ADOPTED this 1 day of October, 2013.

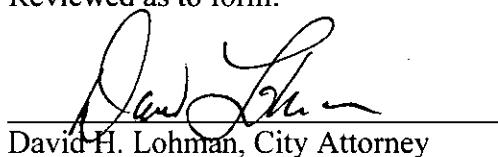


Barbara M. Christensen, City Recorder

SIGNED and APPROVED this 3 day of October, 2013.

  
Mike Morris, Council Chair

Reviewed as to form:

  
\_\_\_\_\_  
David H. Lohman, City Attorney

**RESOLUTION NO. 2013-32**

**A RESOLUTION ADOPTING ADMINISTRATIVE OPERATIONS AND RULES AND SERVICE RATES FOR SOLID WASTE AND RECYCLING COLLECTIONS FRANCHISE**

**RECITALS:**

- A. The City of Ashland contracts with Recology Ashland Sanitary Service by means of a franchise agreement for solid waste and recycling collection services within the City.
- B. The City of Ashland is currently developing a new Solid Waste and Recycling Collections Franchise Ordinance to replace existing Solid Waste and Recycling Collections Franchise ordinances 2582 and 2829
- C. In accordance with, and referenced within the new draft franchise ordinance, an Administrative Operations and Rules document has been developed to define, describe and regulate the business operations.
- D. As part of the Franchise ordinance development, Recology Ashland Sanitary has developed an updated Service Rate table to adequately address the terms, responsibilities and requirements set forth in the draft Franchise Ordinance and Administrative Operations and Rules.
- E. Both the existing and proposed Franchise Ordinance requires that rate adjustments be approved by Council resolution

**THE CITY OF ASHLAND RESOLVES AS FOLLOWS:**

**SECTION 1.** The Administrative Operations and Rules document identified as Attachment A are approved and effective upon the contract award date of the Solid Waste and Recycling Collections Franchise.

**SECTION 2.** The Service Rates and Fees proposed by Recology Ashland Sanitary identified as Attachment B are approved and effective January 1, 2014.

**SECTION 3.** Recology will return to the city by April 1, 2014, with suggestions for restructuring rates to provide a financial incentive for waste reduction and an increase in recycling, including but not limited to an option for service with a less-than-32 gallon container.

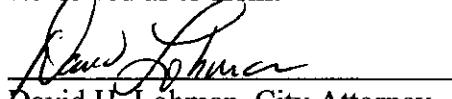
This resolution was duly PASSED and ADOPTED this 1 day of October, 2013, and takes effect upon signing by the Mayor.

  
Barbara Christensen, City Recorder

SIGNED and APPROVED this 3 day of October, 2013.

  
Mike Morris, Council Chair

Reviewed as to form:

  
David H. Lohman, City Attorney

## City of Ashland Solid Waste Franchise Administrative Operations Standards and Rules

### **A. ADOPTION AND REVISION OF STANDARDS AND RULES**

The following standards and rules are hereby established by resolution of the City Council to set and maintain service levels for the efficient operation of a solid waste management service and collection franchise within the City of Ashland. Revisions to these standards and rules shall be approved by resolution of the Council.

### **B. ENFORCEMENT OF STANDARDS AND RULES**

Upon discovery of violation or lack of adherence to these Standards and Rules, the City Administrator or designee shall inform Franchisee in writing of the nature of the violation and provide reasonable time for response from Franchisee. Should both parties fail to mutually resolve the matter, the City Administrator may pursue enforcement of identified violation as a general penalty of section 8.2 of Ordinance No 2013-3090

### **C. SERVICE RATES AND FEES**

1. Subject to the provisions of Section 5.10 of Ordinance No. 2013-3090 rates in place upon the effective date of Ordinance No. 20133090 as shown in exhibit A, shall remain in effect until April 1, 2014. On April 1, 2014, and on April 1 of each year thereafter, rates for all services shall increase by a percentage equal to the most recent Consumer Price Index – All Urban Consumers – All Items – Portland – Salem (CPI-U), January-to-January, as determined by the U.S. Bureau of Labor Statistics, except that in no case shall rates automatically increase by more than 5%. Should CPI-U increase by more than 5%, the Franchisee and City shall confer in good faith to determine whether the Franchisee is entitled to receive an increase larger than 5%. Should CPI-U be 0% or less than 0%, the Franchisee shall not be entitled to any rate increase. For purposes of calculating rate increases, CPI-U percentages shall be computed to the first decimal place.

2. Subject to the provisions of Section 5.10 of Ordinance No. 2013-3090, Franchisee may request an adjustment of rates in excess of CPI-U. Such request shall be delivered to the City Administrator no earlier than February 15 and no later than May 15 of any calendar year. In determining whether to grant such rate adjustment, the Council may consider, but is not limited to, the following factors:

- a. Rates charged for collection service in other cities in Oregon;
- b. The most recent January-to-January (CPI-U);

**CITY OF  
ASHLAND**

c. Costs and revenues associated with providing the opportunity to recycle and the ability of a rate structure to encourage recycling;  
d. A minimum rate sufficient to provide a reasonable rate of return, ;  
e. The anticipated change in the cost of providing the service;  
f. The need for equipment replacement and the need for additional equipment to meet service needs and to be in compliance with federal, state and local law;  
g. Increase in population or increase of intensive development within the service area.

3. Rates charged shall be those set as provided herein. Nonscheduled services may be provided at the reasonable cost of providing the service.

4. Franchisee shall bill and collect on a current billing basis. When Franchisee has experienced collection problems on a particular account, other billing methods may be required. Such billing procedures will be subject to approval by the City and will be reasonable business practice.

5. Franchisee may charge a starting charge to any customer who has been previously terminated for failure to pay for service.

6. Rates shall be uniform or uniform within zones or classes of service.

7. Nothing in the above section shall prohibit City from requiring qualified senior citizen discount rates.

8. Franchisee may require the owner of rental or leased premises to accept responsibility for the payment for service to such facilities as a condition for providing such service.

**D. MANDATORY SERVICES**

Franchisees shall offer the following solid waste management and collection services, subject to the limitation under "Refusal of Service." A Franchisee that does not comply has 10 days from a date of infraction to accommodate the customer request with an equivalent level of service at or below the published rates for the requested service.

**1. Residential Curbside Collection**

Solid Waste, monthly subscription  
Solid Waste, customer controlled pick-up  
Yard Debris  
Co-mingled Recycling  
Glass Recycling

**2. Commercial Collection**

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Solid Waste  
Co-mingled Recycling  
Pre-consumer compostable materials  
Yard Debris  
Medical Waste

**3. Solid Waste, Recycling and Yard Debris Drop-off Site**

**4. Debris Drop Box Service**

**5. Commercial Waste Evaluation/Education**

**E. OPTIONAL SERVICES**

Franchisee is permitted to offer other additional services to the public that promote and increase waste prevention, recycling and/or reduce operating expenses and contribute to the financial success of the franchise. The additional services and their associated rates and fees must be reviewed and approved by the City Council if the associated service expenses meet the definition of allowable expenses in Ordinance No 2013-\_\_\_\_\_

**F. GENERAL COLLECTION RESPONSIBILITIES**

**1. Solid Waste Subscription**

Franchisee shall offer a solid waste collection service for each customer class with a minimum frequency of one collection per week. Residential subscribers to curbside recycling and green debris services will be serviced a minimum of once every-other-week.

**2. Automated Collection System**

Franchisee is not mandated to implement an automated collection system for any collection service offered; however, should Franchisee determine that an automated system, either in specific areas or by customer classification, increase the efficiency and cost effectiveness of the collection services program, Franchisee may submit proposals to the City Administrator or designee for review and potential inclusion as an allowed expense.

**3. Collection Schedules**

**a. Collection Days**

Residential service shall occur Monday through Friday, except during holiday weeks, and times of hazardous weather conditions. All collection services shall be offered on the same day(s) of the week for a given customer. Franchisee shall not provide service in residential or multifamily areas prior to 7:00 am or after 6:00 pm.

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Except as otherwise limited by the terms of any City land use or development permit, there shall be no limit on the hours of collection activity for any solid waste, recycling and yard debris in predominately commercial and industrial areas. Franchisee may offer and furnish Saturday and/or Sunday collection service to commercial, multi-family and drop box customers. If weekend service is not made available, the Franchisee must provide sufficient receptacles to accommodate commercial customer needs throughout weekends.

**b. Change of Schedule for Solid Waste/Recycling/Yard Debris Day** Franchisee may periodically change a customer's designated collection day. No later than fourteen (14) days prior to the change, Franchisee shall give written notice to a customer indicating the intent to change the Customer's designated collection day and inform the customer of the new collection day. Notice must also be given to all service addresses if different than billing addresses. Each multifamily unit must be notified of the change in collection day, if each unit receives individualized can/cart service.

**c. Collection on Holidays**

No collection is required on July 4, Thanksgiving Day, December 25<sup>th</sup> or January 1<sup>st</sup> of each year. During weeks in which those dates fall on a Monday through Friday, pick-up shall occur on the established pick-up day, unless that day is July 4<sup>th</sup>, Thanksgiving Day, December 25<sup>th</sup> or January 1st, in which case pick-up will occur on the following day. Each regular pick-up day for the remainder of those weeks shall thereafter shift back one day with regular Friday service allowed to occur on Saturday.

**d. Hazardous Weather Conditions**

Collection Schedules may be adjusted due to hazardous weather conditions. Hazardous weather conditions generally exist on any day in which the Ashland School District cancels classes due to weather conditions, or on portions of routes that are located on steep hills where a driving hazard may exist even though local public schools are open. When weather conditions make driving or collection hazardous, Franchisee may postpone collection, as provided below.

The Franchisee shall notify the City Administrator or designee by phone or email no later than noon on the day hazardous weather conditions day exist, if collection schedules are expected to change.

This information supplied shall include geographic areas affected and the anticipated make-up day or schedule. If the affected geographic area(s) or make-up schedule changes, then the Franchisee shall update the information furnished to the City as well on their phone and website systems.

In the case of solid waste collection, the Franchisee shall make a reasonable effort to pick up prior to the next regular collection day. Yard debris and recyclable materials collection may be postponed until the next regular collection day. If collection is delayed more than two days, collection will be delayed to the next

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regular collection day, with an extra container being accepted by the Franchisee. At the discretion of the Franchisee, a go-back charge may be assessed per the approved rate schedule.

#### **4. Missed Collections**

##### **a. Missed Collection for Solid Waste Customers.**

The Franchisee shall respond promptly to reports of missed collections. Franchisees shall collect missed materials within 24 hours (excluding weekends, and approved holidays) of receipt of a complaint from the City or the customer. The 24-hour deadline does not apply where the missed collection occurred due to late or improper setout by the customer. Each improper setout by a customer must be documented by the Franchisee and communicated to the customer.

If a customer did not set out or improperly placed the container, the Franchisee shall offer the customer the following options:

- (1) Immediate collection of the materials for the City approved Go-back Rate.
- (2) Collection of the material at no extra charge the following week on the designated collection day.

##### **b. Hazardous Weather Missed Collections.**

Collections that are missed due to hazardous weather conditions, where postponements have been reported to the City as required in this ordinance, are not considered "missed collections."

#### **5. Point of Collection**

##### **a. Point of Collection: Single Family Dwelling**

For single-family dwellings, the Franchisee may require that the collection of solid waste, recyclables and yard debris be placed at the curb or roadside in such a fashion so as to enhance efficiency of the collection system and may assess an extra fee, as established in the approved rate structure, if a customer fails to present the roll cart at a location reasonably serviceable by the collection truck. Disabled customers shall not be charged an extra fee and the franchisee must arrange for a mutually convenient system for refuse, yard debris and recycling collection.

##### **b. Point of Collection: Disabled Customers**

Disabled customers will be provided non-Curbside collection of all materials. The customer and the Franchisee must mutually agree upon a setout location. In most cases, the preferred location will be visible from the street. If not, the customer must provide the Franchisee with a signal that is visible from the street that there are materials to be collected.

##### **c. Collection on a private street**

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For collection to be made at Curbside on a private street or flag drive serving multiple residences, the street must meet the following standards: access may not be limited by a gate; it must be named and posted with a street sign, it must be paved to a width of at least 12 feet, exclusive of any areas where parking is permitted, and if dead-end, the turnaround must have a 60 foot diameter or a "hammerhead" or other feature which provides adequate turnaround space for standard collection vehicles. There must be at least 14 feet of vertical clearance. On such private streets, customers entitled to Curbside service must have their address on the private street. Franchisee may require a damage waiver from customers being serviced on a private street, if in the opinion of the Franchisee there is a reasonable probability that property damage could occur through no fault of the Franchisee engaged in the normal course of providing service. If these criteria are not met, customers must bring their materials to the intersection of the private street and the closest public street. Containers must be marked with the appropriate customer address.

**d. Collection from Public Alleys**

Collection from public alleys is encouraged, but is at the discretion of the Franchisee.

**e. Collection from In-Ground Cans**

Collection from in-ground cans is prohibited.

**f. Location of Empty Cans/Carts/Containers/Bins**

The Franchisee shall return all cans, carts, and bins to the location where the customer places them without leaving collection remnants or disturbance to existing site conditions.

**6. Ownership of Collected Materials.**

All conforming materials properly placed or deposited in a receptacle provided by the Franchisee or left in place by the customer for collection by the Franchisee shall become the property of the Franchisee. It shall be unlawful for any person other than Franchisee to remove any material from such receptacles, though this prohibition does not apply to bona fide law enforcement activity. Any person removing such materials in violation of this section shall be subject to the penalties set out in AMC 1.08. Ownership shall not transfer to the Franchisee until the Franchisee takes physical possession of the collected materials.

**7. Improperly Placed, Improperly Prepared or Overweight Materials.**

The Franchisee is not required to collect materials that are non-conforming, not properly placed, prepared or are overweight, as defined in the Customer Responsibility Section. The Franchisee is required to provide written notice to the customer of the reason for non-collection. The date, service address and Franchisee contact information shall be provided on the notice. The Franchisee shall retain a copy of the notice and any needed support documentation. In the event Franchisee unknowingly collects non-conforming materials, ownership of



such materials including any mixture of such materials with non-conforming materials shall not transfer to Franchisee.

If a customer deposits non-conforming materials, fails to set out or improperly prepares or places the container, the Franchisee shall offer the following options:

- (1) Immediate collection of the conforming materials at a City-approved rate.
- (2) Collection of the conforming material as one free extra the following week on the designated collection day.

#### **8. Clean Up on Route**

The Franchisee shall make a reasonable effort to pick up all material blown or littered during the course of collection subsequent to being set out by the customer and prior to pickup, unless the problem is a recurring one. If material is blown or littered prior to pick-up at a particular customer's address on a recurring basis, the Franchisee may leave the blown or littered material at the Point of Collection with a notice describing the problem. The date, and address shall be specified on the notice. In the case of a commercial customer, the Franchisee may charge a clean-up or extra yardage charge, and collect the material if a notice had been given to that customer within the previous six months

### **G. RESIDENTIAL COLLECTION STANDARDS**

The following Residential Collection Standards are specific to residential collection, and are in addition to the general collection standards outlined in the previous section.

#### **1. Residential Containers**

Franchisee shall provide roll carts to all residential regular service customers. The carts should be designed for safe handling and shall be non-absorbent, watertight, vector-resistant, durable, easy to clean, and provided with lids or covers that can be readily removed or opened. Roll carts shall be clearly identified by displaying the Franchisee identification prominently and conspicuously on the container. Roll carts must be clean when delivered to the customer.

#### **2. Roll Cart Deposit**

Franchisee may not charge a deposit for roll carts for any level of service, except as provided in Special Billing for Credit Risks

#### **3. Replacement of Lost/Stolen Roll Cart**

Franchisees may charge customers for lost, stolen, or damaged carts at 100% of the bulk purchase price of a new roll cart most recently paid by the Franchisee. The Franchisee is responsible for replacement of carts damaged in the course of normal wear and tear.

#### **4. Damage to Customer Cans**

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Franchisees are not responsible for normal wear and tear on reusable cans and lids provided by customers. Damage caused by Franchisee negligence to cans and lids shall be reimbursed to the customer and a roll cart issued. The age and previous condition of the customer's equipment shall be considered. If a customer has already been provided a roll cart by the Franchisee, personal customer cans may only be used when a customer needs to set out materials as an "extra" service.

**5. Residential Recycling Collection Standards**

The following Residential Recycling Collection Standards are specific to residential collection, and are in addition to the general collection standards outlined in a previous section.

**a. Co-mingled Recycling Materials**

Franchisees shall provide year-round co-mingled recycling collection service. Service shall be provided on the same collection day as solid waste collection and yard debris collection, but may not have the same frequency as a customer's subscription to solid waste collection service.

**b. Source-Separated Materials**

The Franchisee shall also collect the following source separated recyclable materials set out for collection, so long as the materials are properly prepared, separated from solid waste, co-mingled recycling and yard debris, and placed at the appropriate point of collection:

- 1) Approved glass materials
- 2) Used motor oil (contained as approved by Franchisee)

**c. Opportunity to Recycle**

The Franchisee shall create and maintain a communications, education and outreach plan consistent with the Customer Services Standards section of this document ensuring public awareness of the opportunity to recycle including recycling information, clear instructions on preparation of recyclables for curbside collection, how the materials are being recycled and a telephone number/website for information regarding recycling collection service.

**d. Residential Recycling Containers**

The Franchisee shall provide a co-mingled roll cart and glass recycling bin to the customer within seven business days after a customer initiates service if not transferred between customers. Roll carts shall be labeled to identify approved recycling materials. The City Administrator or designee shall have the opportunity to review approve the type and style of all bins. Such approval shall not be unreasonably withheld if Franchisee- proposed roll cart is of a conventional design and manufacture currently in predominant use on the West Coast of the United States.

**e. Deposit for Bins/Lost or Stolen Bins**

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Franchisees may not charge a deposit for the recycling roll cart or bin, but may charge customers an approved replacement fee for lost or stolen bins.

## **6. Transportation and Marketing of Recyclable Materials**

The Franchisee is responsible for transporting and marketing source-separated materials for recycling by ensuring that all collected recyclables are delivered to a processor or broker of recyclable materials or to an end-use market.

The Franchisee shall be prohibited from delivering or causing to be delivered any collected recyclable material for disposal, except by prior approval of the City Administrator or designee. Franchisee's placement of properly prepared recyclables into any container currently being used to contain Solid Waste, including the compartment of a collection vehicle currently being used for solid waste, shall constitute a failure to comply with this standard.

## **7. Residential Yard Debris Collection Standards**

The following Residential Yard Debris Collection Standards are specific to residential collection, and are in addition to the general collection standards outlined in a previous section.

### **a. Yard Debris Collection Schedule**

Franchisees shall provide year-round yard debris collection service at the same frequency as a customer's subscription to co-mingled recycling collection service. Service shall be provided on the same collection day as recycling and solid waste collection.

### **b. Yard Debris Containers**

Franchisees shall collect all properly prepared yard debris in a Franchisee-provided roll cart. Yard debris must comply with the material and preparation standards outlined in the definition of Yard Debris.

- 1) All customers receiving weekly solid waste collection service shall receive a yard debris cart upon request. This yard debris cart will be provided by the Franchisee at no additional charge. Collection of yard debris will be subject to the charges shown on the current approved rate schedule.
- 2) Franchisees may not charge a deposit for roll carts for any level of service, except as provided in Special Billing for Credit Risks.
- 3) Franchisees may charge customers for lost, stolen, or damaged carts at 100% of the bulk purchase price of a new roll cart most recently paid by the Franchisee. The Franchisee is responsible for replacement of carts damaged in the course of normal wear and tear.

## **9. Transportation and Marketing of Yard Debris**

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The Franchisee shall transport and market source-separated yard debris for recycling by ensuring that all yard debris is delivered to a City-approved yard debris processor. The Franchisee shall not deliver or cause to be delivered any collected yard debris material for disposal, except by prior approval of the City Administrator or designee. A Franchisee's placement of source separated yard debris into any container currently being used to contain solid waste, including the compartment of a collection vehicle currently being used to contain solid waste, shall constitute a failure to comply with this standard.

**10. Improperly Prepared Solid Waste**

When the Franchisee encounters improperly prepared garbage, such as garbage which contains hazardous or otherwise unacceptable waste, material which is too tightly packed to fall from the cart, or unbagged animal waste or kitty litter, the Franchisee shall collect only properly prepared garbage, if feasible, and leave the improperly prepared material. The Franchisee is not required to segregate or sort out the materials and has the right to reject any material for collection if the material contains or is suspected of containing non-conforming material.

The Franchisee is required to provide written notice to the customer of the reason for non-collection. The date, service address and Franchisee contact information shall be provided on the notice. The Franchisee shall retain a copy of the notice and any needed support documentation.

**11. Improperly Prepared Recyclable Materials**

**a. Collect Only Properly Prepared Materials**

A Franchisee shall collect only properly prepared recyclable material placed at Curbside, and shall leave at curbside the improperly prepared material or materials.

**b. Customer Notification**

When a Franchisee encounters improperly prepared recyclable materials, Franchisee is required to provide written notice to the customer of the reason for non-collection. The date, service address and Franchisee contact information shall be provided on the notice. The Franchisee shall retain a copy of the notice and any needed support documentation.

**c. Disposal of Improperly Prepared Recyclable Materials at Customer Request**

Except at the request of the Customer, the Franchisee shall not mix with Solid Waste any materials placed out as recycling in or next to the recycling bin. If recyclable materials are mixed with solid waste at the customer's direction, then the material may be charged as extra solid waste.

**12. Improperly Prepared Yard Debris**

**a. Customer Notification**

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The Franchisee is required to provide written notice to the customer of the reason for non-collection. The date, service address and Franchisee contact information shall be provided on the notice. The Franchisee shall retain a copy of the notice and any needed support documentation.

## b. Disposal of Improperly Prepared Yard Debris at Customer Request

Except at the request of the Customer, the Franchisee shall not mix with Solid Waste any source-separated Yard Debris that was improperly prepared. If the Yard Debris is mixed with Solid Waste at the Customer's direction, then it may be charged as extra solid waste if the volume causes the Customer's next solid waste pick up to exceed the Customer's existing level of service.

## **H. OTHER RESIDENTIAL COLLECTION ACTIVITIES**

### **1. Bulky Wastes**

Franchisees shall provide for the collection of White Goods or Bulky Wastes within seven business days of a customer's request. Rates shall not exceed the maximum rates set by the Council.

### **2. Neighborhood Cleanups**

Upon request by the City Administrator or designee, Franchisee shall participate in official neighborhood/community cleanup events once per year. The City Administrator or designee, in consultation with the Franchisee, will specify materials required to be collected at such events. Collection method (e.g. drop box or door-to-door collection) will be mutually agreed upon between the City and the Franchisee. Expenses incurred in the course of conducting cleanup activities are allowable costs for rate review.

## **I. COMMERCIAL COLLECTION STANDARDS**

The following Commercial Collection Standards are specific to commercial collection, and are in addition to the general collection standards outlined in the previous section.

### **1. Waste Evaluation**

When a commercial or multi-family customer initiates service, the Franchisee shall offer to perform an assessment of the customer's needs to assist the customer in choosing an optimal combination of solid waste disposal and recycling programs. The assessment should involve questions about the business size, and specific queries to identify waste prevention and recycling opportunities. The results of the assessment should be reflected in the services selected.

Assessments shall be maintained at least three years, and updated at the request of the customer at least every three years. Franchisee shall offer solid waste needs

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assessments to all commercial customers via bill stuffers, advertisements, and Franchisee website a minimum of four (4) times per calendar year.

**2. Commercial Containers**

- a. The Franchisee is required to provide roll carts or containers to all commercial customers. When a customer initiates service, the Franchisee shall provide containers to a customer no later than five business days from the time of the customer request. Receptacles shall be designed for safe handling and shall be durable, easy to clean, and be provided with connected lids or covers that can be readily opened. Receptacles shall be clearly identified by displaying the Franchisee name, telephone number and logo prominently and conspicuously on the container. Any additional information, graphics or signage shall be reviewed and approved by the City Administrator or designee. Receptacles must be clean when delivered to the customer.
- b. Franchisees may not charge a deposit for carts and containers, except as provided in Special Billing for Credit Risks.
- c. Franchisees may charge customers for lost, stolen, or damaged receptacles at 100% of the bulk purchase price of a new receptacle most recently paid by the Franchisee. The Franchisee is responsible for replacement of receptacles damaged in the course of normal wear and tear.

**3. Scheduling**

The Franchisee and the customer should mutually agree on the collection day(s) and frequency of collection that meets the customer's needs and work into the Franchisee's established routing.

**4. Access**

Containers shall be placed in a readily accessible location on a hard, level surface extending to the street. An enclosure must be unlocked at the time of collection. The driver should not have to push containers more than 25 feet in order to attach them to the collection vehicle for dumping. The Franchisee may cumulatively add City-approved extra distance, gate, or access charges for difficult to reach receptacles.

**5. Commercial Recycling Collection Standards**

The following Commercial Recycling Collection Standards are specific to commercial collection, and are in addition to the general collection standards outlined in a previous section.

**a. Commercial Recycling Containers**

The Franchisee shall deliver appropriate recycling receptacles to the customer within five business days after a customer initiates service. The

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solid waste container rates include a recycling component, and recycling service is therefore provided to the customer at no additional charge.

**b. Commercial Waste Evaluation**

The waste evaluation may involve the provision of waste paper collection boxes/bins, roll carts, caged containers, or other standardized receptacles in order to optimize separation of materials for recycling. The Franchisee is required to provide adequate training to assist the customer in making best use of the recycling collection system. The evaluation may also include information regarding affiliates or sub-contractors that provide specific waste reduction or recycling services.

**6. Transportation and Marketing of Recyclable Materials**

The Franchisee shall transport and market source-separated materials for recycling by ensuring that all collected recyclables are delivered to a processor or broker of recyclable materials or to an end-use market. The Franchisee shall not deliver or cause to be delivered any collected source-separated recyclable material for disposal, except by prior approval of the City Administrator or designee. A Franchisee's placement of properly prepared recyclables into any container then containing Solid Waste, including the compartment of a collection vehicle currently being used to contain solid waste, shall be a failure to comply with this standard.

**J. MULTIFAMILY SOLID WASTE COLLECTION STANDARDS**

The following Multifamily Collection Standards are specific to multifamily collection, and are in addition to the general collection standards outlined in the previous section.

**1. Waste Evaluation**

When a customer initiates service, the Franchisee shall offer to perform an assessment of the customer's needs, and assist the customer in choosing an optimal combination of solid waste disposal and recycling programs. The assessment should involve questions about the size of the complex, and specific queries to identify the best location for recycling collection sites or depots. The results of the assessment should be reflected in the services selected.

Assessments shall be maintained at least three years, and updated at the request of the customer at least every three years. Franchisee shall offer solid waste needs assessments to all commercial customers via bill stuffers, advertisements, and Franchisee website a minimum of four (4) times per calendar year.

**2. Multifamily Solid Waste Containers**

a. The Franchisee is required to provide roll carts or containers to all multifamily customers. When a customer initiates service, the Franchisee

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shall provide containers to a customer no later than five business days from the time of the customer request. Receptacles should be designed for safe handling and shall be durable, easy to clean, and provided with connected lids or covers that can be readily opened. Receptacles shall be clearly identified by displaying the Franchisee name and telephone number prominently and conspicuously on the container. Receptacles must be clean when delivered to the customer.

- b. Franchisee may not charge a deposit for carts and containers, except as provided in Special Billing for Credit Risks.
- c. Franchisees may charge customers for lost, stolen, or damaged receptacles at 100% of the bulk purchase price of a new receptacle most recently paid by the Franchisee. The Franchisee is responsible for replacement of receptacles damaged in the course of normal wear and tear.

**3. Scheduling**

The Franchisee and the customer should mutually agree on the collection day(s) and frequency of collection that meet the customer's needs and work into the Franchisee's established routing.

**4. Access**

Container rates assume that containers are located in a readily accessible location or enclosure that is unlocked. The driver should not have to push containers more than 25 feet in order to attach them to the collection vehicle for dumping. The Franchisee may cumulatively add City-approved extra distance, gate, or access charges for difficult to reach receptacles.

**5. Multifamily Recycling Collection Standards**

The following Multifamily Recycling Collection Standards are specific to multifamily collection, and are in addition to the general collection standards outlined in a previous section.

**a. Multifamily Recycling Containers.**

The Franchisee shall deliver appropriate recycling receptacles to the customer within five business days after a customer initiates service. The solid waste container rates include a recycling component, and recycling service is therefore provided to the customer at no additional charge.

**b. Waste Evaluation.**

The Waste Evaluation may involve the provision of collection boxes/bins, co-mingled roll carts, caged containers, drop boxes, or other standardized receptacles in order to optimize separation of materials for recycling. The Franchisee is required to provide adequate training to assist the customer in making best use of the recycling collection system.

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**6. Transportation and Marketing of Recyclable Materials**

The Franchisee shall transport and market co-mingled and/or source-separated materials for recycling by ensuring that all collected recyclables are delivered to a processor or broker of recyclable materials or to an end-use market. The Franchisee shall not deliver or cause to be delivered any collected co-mingled or source-separated recyclable material for disposal, except by prior approval by the City Administrator or designee. A Franchisee's placement of properly prepared recyclables into any container other than containing Solid Waste, including the compartment of a collection vehicle currently being used to contain solid waste, shall be a failure to comply with this standard.

**7. Collection of Approved Source-Separated Recyclable Material**

The Franchisee shall collect the following materials set out for collection at multifamily complexes, so long as the materials are properly prepared, separated from solid waste and yard debris, and placed at the appropriate point of collection:

- 1) Approved glass recycling

**K. SYSTEM AND EQUIPMENT STANDARDS**

**1. Vehicle Condition and Maintenance**

All collection equipment must be maintained and operated in compliance with all local and state statutes, ordinances, and regulations including compliance with regulations related to the safety of the collection personnel and the public.

**2. Prevention of Leaking and Spilling Loads.**

All vehicles shall be constructed, loaded, operated and maintained in a manner to reduce, to the greatest extent practicable, the dropping of, leaking, blowing, sifting or escaping of Solid Wastes, Recyclable Materials, liquids, vehicle fluids, or lubricants from the vehicle, except the normal leakage of fluids typically associated with properly maintained vehicles. Leaks due to equipment failure shall be immediately contained and remedied as soon as practicable.

**3. Vehicle Inventory**

The Franchisee shall provide the City Administrator or designee with an inventory of vehicles used within the City. The list shall include vehicle ODOT and Oregon license plate numbers.

**4. Vehicle Covers**

All open-body collection vehicles shall have a cover, which may be either an integral part of the vehicle or a separate cover. These covers shall be used while in transit, except during the transportation of Bulky Wastes.

**5. Vehicle Identification**

All collection vehicles shall bear a unique identifying number, and shall clearly display company identification and contact information prominently and conspicuously on both sides of the vehicle. Any additional information, graphic or

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signage must be reviewed and approved by the City Administrator or designee prior to installation and use.

Before a new or used vehicle is put into service the vehicle must include all required identifications. All vehicles shall have current, valid registration with the State of Oregon and all drivers shall possess a current, valid commercial driver's license if required for the vehicle type.

**6. Compliance with Law**

The Franchisee shall comply with all applicable federal, state, and local laws and regulations relating to driving, transportation, and Solid Waste and Recyclable Material collection and disposal.

**7. Processing and Storage Yards**

Any processing and storage of collected materials shall be undertaken in a location suitable and adequate for such activity. Processing and storage facilities shall comply with all applicable zoning ordinances and any other applicable local and state statutes, ordinances and regulations.

**8. Facilities for Storage, Maintenance and Parking**

Facilities for storage, maintenance, and parking of any collection vehicles, receptacles, or other equipment shall comply with all applicable zoning ordinances and any other applicable local and state statutes, ordinances and regulations.

**9. Compactors**

Stationary compactors for handling Solid Waste shall comply with applicable federal, state and local safety regulations. No such compactor shall be loaded so as to exceed the safe loading design or operation limits of the collection vehicles used by the Franchisee. Compactors shall comply with all local, state and federal weight regulations or standards. A person who wishes services for a compactor should, prior to acquisition of such compactor, inquire of the Franchisee as to compatibility with the Franchisee's equipment or equipment that the Franchisee is willing to acquire. In the event a weight violation occurs, all costs associated with such violation shall be the individual responsibility of both the generator and the owner of the compactor. The generator shall be responsible for insuring compatibility with the Franchisee's equipment and all cost of retrofitting any collection equipment shall be the responsibility of the owner of the compactor.

**L. INFECTIOUS AND NON-CONFORMING WASTE**

1. The Franchisee shall provide for collection of medical and infectious waste either through its own forces or by subcontract with a qualified disposal firm for this service. In either case, the Franchisees and their subcontractors shall conform to all rules and laws including, but not limited to, those of the State of Oregon

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applying to the collection, transportation, storage, treatment, and disposal of medical and infectious wastes.

2. The Franchisee is not required to collect non-conforming wastes from customers. Non-conforming wastes includes regulated hazardous wastes and other hazardous substances that Franchisee is not authorized to accept for disposal or recycling. If a Franchisee identifies a non-conforming waste that the customer has placed for collection with solid waste, recyclable materials, or yard debris collection, the Franchisee shall leave the material along with a notice indicating the presence of the non-conforming material. The Franchisee shall retain a copy of the notice and appropriate supporting documentation.
3. When the Franchisee refuses to pickup due to the presence of a non-conforming waste, the Franchisee shall offer the following options once the non-conforming waste is removed completely from the Solid Waste, Recyclable Materials and/or Yard Debris:
  - 1) Immediate collection of the Solid Waste, Recyclable and/or Yard Debris for the City-approved Go-back Rate.
  - 2) Collection of the Solid Waste, Recyclable and/or Yard Debris at the discretion of the Franchisee, this collection shall be subject to an extra fee, per the then current approved rate schedule.

**M. CUSTOMER SERVICE STANDARDS**

**1. Office Requirements**

Franchisees shall have office staff or an answering machine or service available to accept Customer calls and complaints at all times. Phone lines must be dedicated customer service phone lines with the Franchisee's business name listed as a business in the telephone directory.

**2. Resolution of Customer Complaints and Inquiries**

**a. Response Time**

Franchisee shall respond to customer inquiries or complaints within 48 hours, not including weekends or holidays.

**b. Complaint Log**

Franchisee shall maintain a record of all complaints made to Franchisee regarding service. This record or complaint log shall include at a minimum the following information: the name, address, and phone number of the complainant, if known; the date of receipt of the complaint; the subject matter of the complaint, the disposition of the complaint; the date of disposition of the complaint, the date and method of notification to the complainant of the disposition. The records of complaints shall be available to the City Administrator or designee for inspection at any time during normal business hours. A copy of the complaint log for the calendar quarter shall be submitted to the City with the franchise payment

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for that calendar quarter. Complaint records shall be maintained on the Franchisee's premises for two years.

**3. Franchisee Demeanor**

The Franchisee and its employees shall always be courteous in its interactions with customers, and shall not use foul or abusive language. In evaluating complaints regarding discourteous behavior, the City Administrator or designee shall base his or her decision on whether or not a reasonable person would find the actions or response of the Franchisee to violate community standards for courtesy.

**4. Billing Standards**

**a. Billing Period**

Except in cases of customers that qualify as credit risks, Franchisees shall bill customers not more than ninety (90) days in advance of the end of the service period or sixty days in arrears of the beginning of the service period. Payments shall not be due more than 31 days before the end of the service period being billed, nor less than fourteen days after the date of the postmark of the billing.

**b. Billing Contents**

Billings shall contain the following minimum elements: service address, coverage of dates being billed, and the billing rate for each of the customer's services and level of service. The bill will also contain an aggregated total of all additional charges during a period.

**c. New Customers or Customers to Whom Service Has Been Suspended**

New customers that do not meet the credit guidelines submitted by the Franchisee and approved by the City, and customers who require suspension of service for non-payment of account three or more times within a calendar year may be considered credit risks. The Franchisee is responsible to select a credit policy that complies with all laws, and to apply the policy uniformly throughout its customer base.

**d. Credit Risk Customers**

Franchisees may handle credit risk customers in one of two ways:

Advance Billing: Franchisees may require credit risks to pre-pay up to three months in advance of service, and continue to perform service for prepaid service up to one year. After one year of prompt payment, the customer must be reclassified to regular status.

Deposit: A Franchisee may charge a deposit of three month's revenue. The deposit must be returned to the customer after twelve months of consistent prompt payment.

**e. Late Fees/Service Charges**

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Franchisees may assess late fees and service charges, including interest and other charges related to the cost of collecting overdue payments on accounts not paid by their due dates. Such charges shall be reasonable and approved by the City Administrator or designee in advance. Charges may not be imposed earlier than ten days before the end of the service period being billed, or ten days after the due date, whichever is later.

## **5. Refusal of Service**

Franchisees may refuse collection service to any customer if the customer has not paid a bill unless the customer has initiated a formal dispute within thirty (30) days of the billing due date. Franchisee may also refuse collection service to any customer if the customer has repeatedly attempted to dispose of non-conforming wastes. In no event, however, shall a Franchisee suspend service without first notifying the customer in writing not less than seven business days prior to the date of intended suspension of service. The Franchisee may assess and receive City-approved re-start and collection fees from the customer prior to resuming service.

## **6. Responsibilities for Customer Education/Promotion**

The Franchisee shall assist in the development and participate in promotion and education efforts as outlined below.

## **7. New Customer Information**

Franchisees shall provide each new customer with information that is reasonable to permit the customer to make a reasoned choice of service. Franchisees shall actively assist the customer in making the final selection. Within seven business days of a customer's initial call, a Franchisee shall offer the customer printed material describing the levels of service and rates and/or refer the customer to the Franchisee website for complete service information.

## **8. Distribution of City-provided Informational/Educational Materials**

Franchisees shall coordinate with the City Administrator or designee for the distribution of City-provided information and education notices to all customers including customers whose service is provided monthly, on-call and to residents of rental property.

## **9. Notice of Change in Schedule**

Franchisee shall provide notice of changes in regular collection schedules or any other pertinent information with a minimum notice of fourteen (14) business days. Notice shall be in the form of written material sent via regular first class postal service or via email notification if applicable.

## **10. Coordination with City**

Franchisee shall notify the City when considering Franchise-wide promotional or educational activities, and provide the City Administrator or designee with

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advance copies of materials for review and approval prior to distribution to customers.

**N. CUSTOMER RESPONSIBILITIES**

**1. General Customer Requirements**

- a. All residential, multi-family and commercial properties in the city shall provide for collection of solid waste, recyclable materials and yard debris in accordance with Ordinance No 2013-\_\_\_\_\_.
- b. Except as otherwise provided by a written agreement between the landlord and tenant, the owner of any residential or multi-family dwelling complex who resides, rents, leases or lets dwelling units for human habitation shall:
  - (1) Subscribe to and pay for collection service with the Franchisee on behalf of his/her tenants or, if the dwelling complex contains four or fewer units, self-haul solid waste to an approved disposal facility;
  - (2) Provide a sufficient number of receptacles of adequate size to prevent the overflow of solid waste, recyclable materials and yard debris from occurring. Receptacles shall be placed in a location accessible to all dwelling units;
  - (3) Provide for sufficiently frequent, but at least weekly, collection of solid waste and recyclable materials, except for compactors, which shall be collected at least every fourteen (14) days; and
  - (4) If the dwelling complex has four or fewer units and the owner is self-hauling solid waste, provide for the same level and frequency of collection of recyclable materials and yard debris as are required of Franchisee serving residential customers

**2. Residential Placement of Receptacles and Materials**

Residential customers are required to place materials for collection at the appropriate point of collection as described in the Residential Collection Standards section. Customers should place receptacles so that they do not block sidewalks, driveways, public streets, or other rights of way. Residential receptacles must be placed prior to 7:00 am on their collection days.

Customers in areas where Franchisee have automated collection shall be expected to make reasonable accommodations to place carts and park cars so as to reduce interference with automated collection equipment. It is the Franchisee's responsibility to educate customers about the necessary accommodations. Receptacles must be removed from the curb and into the customer's yard area within 24 hours from the time of collection.

**3. Commercial Set Out Location**

Commercial and multifamily customers shall set solid waste, recyclable materials, and yard debris receptacles at a location that is readily accessible and safe to

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empty or load, that does not require a Franchisee to go up and down stairs, and that is agreed upon by the Franchisee and the customer.

**4. Recycling to Set Out in Recycling Bins**

Recyclable materials shall be placed in co-mingle roll carts or recycle bins/containers that clearly segregate them from Solid Waste or other materials the customer does not want to discard.

**5. Secure Lightweight Materials**

Lightweight materials such as ashes, Styrofoam “peanuts”, kitty litter, and sawdust shall be placed in a tied or sealed bag or box and placed securely within a closed container to minimize dispersion prior to and during placement into the collection vehicle or container. Failure to comply is a violation of Ashland Municipal Code 9.08 and subject to penalties described therein.

**6. Contents of Carts/Containers Must Fall Freely**

Contents of Solid Waste or Yard Debris carts/containers must fall freely. The Franchisee shall not be responsible for digging the contents out of a cart or container.

**7. Weight Limits**

Contents of receptacles must fall freely. Franchisees are not responsible for digging the contents out of receptacles. The following table describes approved weight limits:

Size/Type	Maximum Weight (Including Container)
Up to and including 32 gallon carts	65lbs.
Franchisee-provided carts over 32, up to and Including 64 gallons	100lbs.
Franchisee-provided carts over 64, up to and including 96 gallons	145 lbs.
Containers equal to or greater than 1 cubic yard and less than 10 cubic yards	250 lbs. Per cubic yard
Containers greater than 10 cubic yards	Weights subject to Franchisee Truck Capacity
Compacted Containers	500 lbs. Per cubic yard

**8. Responsibility to Separate Overweight or Overfilled Contents**

When containers are overweight or overfilled, it is the customer's responsibility to separate wastes into additional receptacles or bags so that weight limits are observed and container is not overfilled. The additional receptacles or bags are subject to extra charges as applicable.

**9. Preparation of Recyclable Materials**

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Customers shall prepare recyclables in accordance with City-approved instructions provided and published by the Franchisee.

**10. Preparation of Yard Debris**

The customer shall place yard debris in provided roll carts.

**11. Infectious Waste Setout**

Infectious wastes, including hypodermic needles, must be placed in appropriately marked containers. Customers shall not place these items into roll carts or containers for collection of Solid Waste, Recyclables or Yard Debris. Customers must contact the Franchisee to determine proper disposal options.

**12. Non-Conforming Waste**

Customers shall take appropriate actions to ensure that non-conforming waste including hazardous wastes, chemicals, paints, corrosive materials and hot ashes are not put into a receptacle for solid waste collection.

**13. Unacceptable Waste**

The customer shall not place unacceptable materials in solid waste receptacles. Unacceptable materials include: oils, fats, and other liquids generated by commercial entities, semi-solid wastes, hazardous wastes, and flammable materials. The customer should contact their Franchisee for information on proper disposal.

**14. Payment Responsibility**

Customers must pay their invoices within the due dates specified by the Franchisee, as long as the Franchisee has submitted a collection plan with the City and has received the City's approval of the plan. Customers who do not pay the amount due within terms are subject to stopped service and collection actions.

**15. Notification of Missed Collection or Billing Errors**

Customers are responsible for prompt notification of the Franchisee when problems arise such as apparent missed collections or billing errors. Customers must notify the Franchisee regarding obvious billing errors, such as improperly charged extras, within 60 days of receipt of an original invoice in order to receive credit. Customers may not deduct from payment for past missed pickups.

**16. Vacation Credit**

The customer is responsible for requesting a vacation credit from the Franchisee. Vacation credits are available only for periods of at least two weeks, and must be requested at least 48 hours in advance of the first pickup that is scheduled during the vacation period.

**O. REPORTING TO THE CITY**

**1. Equipment and Depreciation**

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Franchisee shall describe the methodology use to set the standard economic lives of equipment based upon industry input and prevailing practices and provide such reporting to the City Administrator or designee for review and approval with methodology.

**2. Annual Reports**

The Annual Report will ask Franchisees to detail Revenues and Expenses (allowable and unallowable), in an income statement format, and provide a variety of information about customer counts, cost allocation, customer classifications, service levels, disposal volumes, and recycling activities. The majority of expenses incurred by a collection company can be associated with one of the following key allocation bases:

- a. Truck Hours—The number of hours that collection vehicles are operated within an area throughout the year.
- b. Labor Hours—The number of paid hours for collection personnel.
- c. Customer Count—The number of customers within each customer classification at each Service level.
- d. Disposal Volume—The number of yards or tons collected within an area or by customer classification
- e. Revenue—The amount of revenues generated within an area, service, program or customer classification.

**3. Quarterly Studies**

Franchisees may be required to conduct semi-annual studies of each route for two weeks to determine relative truck, labor, and disposal amounts or ratios to be used in allocating expenses to the Franchisees' various operating areas. Franchisee must make these studies or ongoing allocation programs available for inspection by the City per the Access For Inspection provision of this ordinance. Franchisees will use the key allocation information to allocate shared allowable expenses. The City will determine the revenue and expense detail items and the associated allocation bases to be used for allocation of each item.

**4. Cost Allocation of Operations**

In addition to the results of operations within the City of Ashland, Franchisee shall report totals for all operations that share significant operational, management, and administrative expenses with the Ashland Franchise. Resources allocated from regional or corporate offices or affiliates shall be distributed to appropriate expense line items, and shall also be disclosed in a schedule describing total allocations and their distribution to individual expense line items. All allocations from Affiliated Companies must be described and must be equal to or less than the fair market value of similar goods and services purchased from a third party.

**5. Program Meetings**

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As scheduled by the City Administrator, Franchisee shall attend program status meetings. The City will provide reasonable advance notice of required meetings by facsimile, email, or mailed notices.

**Attachment B**Recology Ashland Sanitary Service  
City of Ashland  
Proposed Increase October 1, 2013**Residential**

Current Service				Proposed Service							
Solid Waste	Green	Recycle	Number of Customers	Current Rates	Solid Waste	Green	Recycle	Number of Customers	Rates w/ Depot	Recycling Depot	Rates w/o Depot
32 Gallon		32, 64, 96 Gallon	5,544	\$19.29	32 Gallon	64 Gallon	32 Gallon	5,544	\$19.85	(\$1.59)	\$18.26
64 Gallon		32, 64, 96 Gallon	20	\$38.57	64 Gallon	64 Gallon	64 Gallon	20	\$39.70	(\$1.59)	\$38.11
96 Gallon		32, 64, 96 Gallon	2	\$57.86	96 Gallon	64 Gallon	96 Gallon	2	\$59.55	(\$1.59)	\$57.96
Stickers		32, 64, 96 Gallon	600	\$40.71	Stickers			806	\$42.00		\$42.00
Yellow Bags		32, 64, 96 Gallon	206	\$27.02							
	96 Gallon	32, 64, 96 Gallon	2,146	\$6.56	96 Gallon			2,146	\$7.00		\$7.00
		32 Gallon	16	\$0.00			32 Gallon	7	\$5.00		\$5.00
		64 Gallon	5747	\$0.00			64 Gallon	901	\$5.00		\$5.00
		96 Gallon	15	\$0.00			96 Gallon	12	\$6.00		\$6.00

**Proposed service:**

- 1 Solid waste service will include one 64 gallon recycling cart. Green waste would remain a subscription service. Additional recycling and green carts will be available for \$2/month.
- 2 Sticker and yellow bag customers currently receive recycling service for free. Recycling will no longer be included. The rate for recycling service will be \$5/month for a 64 gallon cart. Extra green waste or recycling carts will be available for \$2/month. Yellow bags will be eliminated. Stickers will continue in a 32 gallon cart provided by Recology.
- 3 Green waste customers currently receive recycling service for free. Recycling service will no longer be included. The rate for recycling service will be \$5/month for a 64 gallon cart. Extra green waste or recycling carts will be available for \$2/month.
- 4 Recycle only customers will no longer receive service for free. The rate for recycling service will be \$5/month for a 64 gallon cart. Extra recycling carts will be available for \$2/month.

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**Commercial Can Service**

Current Service				Proposed Service							
Service Description			Number of Customers	Current Rates	Service Description			Number of Customers	Rates w/ Depot	Recycling Depot	Rates w/o Depot
Solid Waste	Green	Recycle			Solid Waste	Green	Recycle				
32 Gallon 1 x Week	32, 64, 96 Gallon		339	\$19.29	32 Gallon 1 x Week	64 Gallon		339	\$19.85	(1.59)	18.26
32 Gallon 2 x Week	32, 64, 96 Gallon		1	\$38.57	32 Gallon 2 x Week	64 Gallon		1	\$39.70	(1.59)	38.11
32 Gallon 3 x Week	32, 64, 96 Gallon		-	\$57.86	32 Gallon 3 x Week	64 Gallon		-	\$59.55	(1.59)	57.96
32 Gallon 4 x Week	32, 64, 96 Gallon		-	\$77.13	32 Gallon 4 x Week	64 Gallon		-	\$79.40	(1.59)	77.81
32 Gallon 5 x Week	32, 64, 96 Gallon		1	\$96.42	32 Gallon 5 x Week	64 Gallon		1	\$99.25	(1.59)	97.66
32 Gallon 6 x Week	32, 64, 96 Gallon		-	\$115.70	32 Gallon 6 x Week	64 Gallon		-	\$119.10	(1.59)	117.51
64 Gallon 1 x Week	32, 64, 96 Gallon		127	\$38.57	64 Gallon 1 x Week	64 Gallon		127	\$39.70	(1.59)	38.11
64 Gallon 2 x Week	32, 64, 96 Gallon		-	\$77.13	64 Gallon 2 x Week	64 Gallon		-	\$79.40	(1.59)	77.81
64 Gallon 3 x Week	32, 64, 96 Gallon		-	\$115.70	64 Gallon 3 x Week	64 Gallon		-	\$119.10	(1.59)	117.51
64 Gallon 4 x Week	32, 64, 96 Gallon		1	\$154.26	64 Gallon 4 x Week	64 Gallon		1	\$158.80	(1.59)	157.21
64 Gallon 5 x Week	32, 64, 96 Gallon		-	\$192.84	64 Gallon 5 x Week	64 Gallon		-	\$198.50	(1.59)	196.91
64 Gallon 6 x Week	32, 64, 96 Gallon		1	\$231.41	64 Gallon 6 x Week	64 Gallon		1	\$238.20	(1.59)	236.61
96 Gallon 1 x Week	32, 64, 96 Gallon		62	\$57.86	96 Gallon 1 x Week	64 Gallon		62	\$59.55	(1.59)	57.96
96 Gallon 2 x Week	32, 64, 96 Gallon		2	\$115.70	96 Gallon 2 x Week	64 Gallon		2	\$119.10	(1.59)	117.51
96 Gallon 3 x Week	32, 64, 96 Gallon		5	\$173.56	96 Gallon 3 x Week	64 Gallon		5	\$178.65	(1.59)	177.06
96 Gallon 4 x Week	32, 64, 96 Gallon		1	\$231.41	96 Gallon 4 x Week	64 Gallon		1	\$238.20	(1.59)	236.61
96 Gallon 5 x Week	32, 64, 96 Gallon		-	\$289.27	96 Gallon 5 x Week	64 Gallon		-	\$297.75	(1.59)	296.16
96 Gallon 6 x Week	32, 64, 96 Gallon		-	\$347.11	96 Gallon 6 x Week	64 Gallon		-	\$357.30	(1.59)	355.71
96 Gallon	32, 64, 96 Gallon		111	\$6.56	96 Gallon			111	\$7.00		7.00
	32 Gallon 1 x Week		-	\$0.00				-	\$5.00		5.00
	32 Gallon 2 x Week		-	\$0.00				-	\$10.00		10.00
	32 Gallon 3 x Week		-	\$0.00				-	\$15.00		15.00
	64 Gallon 1 x Week		-	\$0.00				-	\$5.00		5.00
	64 Gallon 2 x Week		-	\$0.00				-	\$10.00		10.00
	64 Gallon 3 x Week		-	\$0.00				-	\$15.00		15.00
96 Gallon 1 x Week			-	\$0.00				96 Gallon 1 x Week		-	\$6.00
96 Gallon 2 x Week			-	\$0.00				96 Gallon 2 x Week		-	\$12.00
96 Gallon 3 x Week			-	\$0.00				96 Gallon 3 x Week		-	\$18.00

**Proposed service:**

- 1 Solid waste service will include one 64 gallon recycling cart. Additional recycling carts will be available for \$2/month/service.
- 2 Sticker and yellow bag customers currently receive recycling service for free. Recycling will no longer be included. The rate for recycling service will be \$5/month for a 64 gallon cart. Extra green waste or recycling carts will be available for \$2/month for one time per week service. Yellow bags will be eliminated. Stickers will continue in a 32 gallon cart provided by Recology.
- 3 Green waste customers currently receive recycling service for free. Recycling service will no longer be included. The rate for recycling service will be \$5/month for a 64 gallon cart. Extra green waste or recycling carts will be available for \$2/month for one time per week service.
- 4 Recycle only customers will no longer receive service for free. The rate for recycling service will be \$5/month for a 64 gallon cart. Extra recycling carts will be available for \$2/month. 2 yard cardboard bins will be available for \$25 for one time per week service.

Recology Ashland Sanitary Service  
City of Ashland  
Proposed Increase October 1, 2013

**Commercial Bin Service**

Current Service				Proposed						
Solid Waste	Service Description		Number of Customers	Current Rates	Service Description		Number of Customers	Rates w/ Depot	Recycling Depot	Rates w/o Depot
	Green	Recycle			Green	Recycle				
1 Yard 1 x Week			105	\$98.03	1 Yard 1 x Week		105	\$101.46	(1.59)	\$99.87
1 Yard 2 x Week			15	\$170.59	1 Yard 2 x Week		15	\$176.56	(1.59)	\$174.97
1 Yard 3 x Week			7	\$247.05	1 Yard 3 x Week		7	\$255.70	(1.59)	\$254.11
1 Yard 4 x Week			-	\$317.63	1 Yard 4 x Week		-	\$328.75	(1.59)	\$327.16
1 Yard 5 x Week			1	\$387.23	1 Yard 5 x Week		1	\$400.78	(1.59)	\$399.19
1 Yard 6 x Week			-	\$452.92	1 Yard 6 x Week		-	\$468.77	(1.59)	\$467.18
1.5 Yard 1 x Week			25	\$122.05	1.5 Yard 1 x Week		25	\$126.32	(1.59)	\$124.73
1.5 Yard 2 x Week			82	\$212.37	1.5 Yard 2 x Week		82	\$219.80	(1.59)	\$218.21
1.5 Yard 3 x Week			7	\$307.57	1.5 Yard 3 x Week		7	\$318.33	(1.59)	\$316.74
1.5 Yard 4 x Week			2	\$395.45	1.5 Yard 4 x Week		2	\$409.29	(1.59)	\$407.70
1.5 Yard 5 x Week			1	\$482.11	1.5 Yard 5 x Week		1	\$498.98	(1.59)	\$497.39
1.5 Yard 6 x Week			1	\$563.89	1.5 Yard 6 x Week		1	\$583.63	(1.59)	\$582.04
1.5 Yard 7 x Week			1	\$692.04	1.5 Yard 7 x Week		1	\$716.26	(1.59)	\$714.67
2 Yard 1 x Week			71	\$158.81	2 Yard 1 x Week		71	\$164.37	(1.59)	\$162.78
2 Yard 2 x Week			57	\$276.34	2 Yard 2 x Week		57	\$286.01	(1.59)	\$284.42
2 Yard 3 x Week			37	\$400.22	2 Yard 3 x Week		37	\$424.23	(1.59)	\$412.64
2 Yard 4 x Week			8	\$514.57	2 Yard 4 x Week		8	\$532.58	(1.59)	\$530.99
2 Yard 5 x Week			2	\$627.33	2 Yard 5 x Week		2	\$649.29	(1.59)	\$647.70
2 Yard 6 x Week			5	\$733.73	2 Yard 6 x Week		5	\$759.41	(1.59)	\$757.82
2 Yard 7 x Week			2	\$900.49	2 Yard 7 x Week		2	\$932.01	(1.59)	\$930.42
	2 Yard Cardboard 1 x Wk		36		2 Yard Cardboard 1 x Wk		36	\$0.00		\$0.00
	2 Yard Cardboard 2 x Wk		4		2 Yard Cardboard 2 x Wk		4	\$0.00		\$0.00
	2 Yard Cardboard 3 x Wk		5		2 Yard Cardboard 3 x Wk		5	\$0.00		\$0.00

Recology Ashland Sanitary Service  
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Debris Box

Service Description	Current Service				Proposed Service			
	Number of Customers	Number of Loads	Current Rates	Service Description	Number of Customers	Number of Loads	Proposed Rates	
7 Yard per Load	1	52	\$158.73	7 Yard per Load	1	52	\$164.29	
10 Yard per Load	100	1,063	\$197.24	10 Yard per Load	100	1,063	\$204.14	
20 Yard per Load	-	-	N/A	20 Yard per Load	-	-	N/A	
25 Yard per Load	65	248	\$330.57	25 Yard per Load	65	248	\$342.14	
30 Yard per Load	-	-	N/A	30 Yard per Load	-	-	N/A	
40 Yard per Load	2	12	\$528.81	40 Yard per Load	2	12	\$547.32	
25 Yard Recycle	14	243	\$0.00	25 Yard Recycle	14	243	\$0.00	

Compactor

Service Description	Current Service				Proposed Service			
	Number of Customers	Number of Loads	Current Rates	Service Description	Number of Customers	Number of Loads	Proposed Rates	
1 Yard per Load	-	-	\$31.27	1 Yard per Load	-	-	\$32.36	
2 Yard per Load	-	-	\$62.53	2 Yard per Load	-	-	\$64.72	
3 Yard per Load	-	-	\$93.80	3 Yard per Load	-	-	\$97.08	
4 Yard per Load	3	83	\$125.06	4 Yard per Load	3	83	\$129.44	
8 Yard per Load	-	-	\$464.50	8 Yard per Load	-	-	\$480.76	
15 Yard per Load	2	45	\$374.77	15 Yard per Load	2	45	\$387.89	
20 Yard per Load	10	94	\$463.15	20 Yard per Load	10	94	\$479.36	
25 Yard per Load	1	23	\$551.55	25 Yard per Load	1	23	\$570.85	
30 Yard per Load	-	-	\$639.95	30 Yard per Load	-	-	\$662.35	

Recology Ashland Sanitary Service  
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Medical

Service Description	Current Service			Proposed Service			
	Number of Customers	Number of Boxes	Current Rates	Service Description	Number of Customers	Number of Boxes	Proposed Rates
1 Gallon Medical Waste	32	74	\$17.53	1 Gallon Medical Waste	32	74	\$23.00
2 Gallon Medical Waste	22	40	\$26.31	2 Gallon Medical Waste	22	40	\$28.00
6 Gallon Medical Waste			\$61.42	15 Gallon Medical Waste	30	204	\$30.00
15 Gallon Medical Waste	30	204	\$24.83	34 Gallon Medical Waste	20	996	\$55.00
34 Gallon Medical Waste	20	996	\$49.68				

**Recology Ashland Sanitary Service**  
**City of Ashland Rates (including Recycling Depot)**  
**Effective October 1, 2013**

Residential Rates		
	Current	Proposed
32 Gallon	\$19.29	\$19.85
64 Gallon	\$38.57	\$39.70
96 Gallon	\$57.86	\$59.55
Stickers	\$40.71	\$42.00
Yellow Bags	\$27.02	N/A
96 Gallon Green Waste Cart	\$6.56	\$7.00
Additional Green Waste Cart	N/A	\$2.00
32 Gallon Recycle Only Cart	N/A	\$5.00
96 Gallon Recycle Only Cart	N/A	\$5.00
64 Gallon Recycle Only Cart	N/A	\$6.00
Additional Recycling Cart	N/A	\$2.00

Medical Waste Rates		
	Current	Proposed
1 Gallon Medical Waste	\$17.53	\$23.00
2 Gallon Medical Waste	\$26.31	\$28.00
6 Gallon Medical Waste	\$61.42	N/A
15 Gallon Medical Waste	\$24.83	\$30.00
34 Gallon Medical Waste	\$49.68	\$55.00

Go-in Rates		
	Current	Proposed
Off curb up to 40 Yards	N/A	\$6.00
40 yards to 1/2 mile	N/A	\$16.10
1/2 Mile to 1 Mile	N/A	\$32.20
Beyond 1 Mile	N/A	\$53.60

Compactor per Pickup Rates		
	Current	Proposed
1 Yard per Load	\$31.27	\$32.36
2 Yard per Load	\$62.53	\$64.72
3 Yard per Load	\$93.80	\$97.08
4 Yard per Load	\$125.06	\$129.44
8 Yard per Load	\$464.50	\$480.76
15 Yard per Load	\$374.77	\$387.89
20 Yard per Load	\$463.15	\$479.36
25 Yard per Load	\$551.55	\$570.85
30 Yard per Load	\$639.95	\$662.35

Commercial Cart Rates		
	Current	Proposed
32 Gallon 1 x Week	\$19.29	\$19.85
32 Gallon 2 x Week	\$38.57	\$39.70
32 Gallon 3 x Week	\$57.86	\$59.55
32 Gallon 4 x Week	\$77.13	\$79.40
32 Gallon 5 x Week	\$96.42	\$99.25
32 Gallon 6 x Week	\$115.70	\$119.10
64 Gallon 1 x Week	\$38.57	\$39.70
64 Gallon 2 x Week	\$77.13	\$79.40
64 Gallon 3 x Week	\$115.70	\$119.10
64 Gallon 4 x Week	\$154.28	\$158.80
64 Gallon 5 x Week	\$192.84	\$198.50
64 Gallon 6 x Week	\$231.41	\$238.20
96 Gallon 1 x Week	\$57.86	\$59.55
96 Gallon 2 x Week	\$115.70	\$119.10
96 Gallon 3 x Week	\$173.56	\$178.65
96 Gallon 4 x Week	\$231.41	\$238.20
96 Gallon 5 x Week	\$289.27	\$297.75
96 Gallon 6 x Week	\$347.11	\$357.30
96 Gallon Green Waste Cart	\$6.56	\$7.00
32 Gallon Recycle Only Cart 1 x Week	N/A	\$5.00
32 Gallon Recycle Only Cart 2 x Week	N/A	\$10.00
32 Gallon Recycle Only Cart 3 x Week	N/A	\$15.00
64 Gallon Recycle Only Cart 1 x Week	N/A	\$5.00
64 Gallon Recycle Only Cart 2 x Week	N/A	\$10.00
64 Gallon Recycle Only Cart 3 x Week	N/A	\$15.00
96 Gallon Recycle Only Cart 1 x Week	N/A	\$5.00
96 Gallon Recycle Only Cart 2 x Week	N/A	\$12.00
96 Gallon Recycle Only Cart 3 x Week	N/A	\$18.00

Commercial Bin Rates		
	Current	Proposed
1 Yard 1 x Week	\$98.03	\$101.45
1 Yard 2 x Week	\$170.59	\$176.56
1 Yard 3 x Week	\$247.05	\$255.70
1 Yard 4 x Week	\$317.63	\$328.75
1 Yard 5 x Week	\$387.23	\$400.78
1 Yard 6 x Week	\$452.92	\$468.77
1.5 Yard 1 x Week	\$122.05	\$126.32
1.5 Yard 2 x Week	\$212.37	\$219.80
1.5 Yard 3 x Week	\$307.57	\$318.33
1.5 Yard 4 x Week	\$395.45	\$409.29
1.5 Yard 5 x Week	\$482.11	\$498.98
1.5 Yard 6 x Week	\$563.89	\$583.63
1.5 Yard 7 x Week	\$692.04	\$716.26
2 Yard 1 x Week	\$158.81	\$164.37
2 Yard 2 x Week	\$276.34	\$286.01
2 Yard 3 x Week	\$400.22	\$414.23
2 Yard 4 x Week	\$514.57	\$532.58
2 Yard 5 x Week	\$627.33	\$649.29
2 Yard 6 x Week	\$733.73	\$759.41
2 Yard 7 x Week	\$900.49	\$932.01
2 Yard Cardboard 1 x Wk	\$0.00	\$0.00
2 Yard Cardboard 2 x Wk	\$0.00	\$0.00
2 Yard Cardboard 3 x Wk	\$0.00	\$0.00

Debris Box per Pickup Rates		
	Current	Proposed
7 Yard per Load	\$158.73	\$164.29
10 Yard per Load	\$197.24	\$204.14
25 Yard per Load	\$330.57	\$342.14
40 Yard per Load	\$528.81	\$547.32
25 Yard Recycle	\$0.00	\$0.00

- 1 Solid waste service will include one 64 gallon recycling cart. Green waste would remain a subscription service. Additional recycling and green carts will be available for an additional charge.
- 2 Sticker and yellow bag customers currently receive recycling service for free. Recycling will no longer be included. Recycling and green waste service will be a separate subscription service for these customers. Yellow bag program will be eliminated and stickers will continue.
- 3 Green waste customers currently receive recycling service for free. Recycling service will no longer be included. Recycling will be available as a separate subscription service.
- 4 Recycle only customers will no longer receive service for free but will be available for a charge.

**Recology Ashland Sanitary Service**  
**City of Ashland Rates (Excluding Recycling Depot)**  
**Effective October 1, 2013**

Residential Rates			Current	Proposed
32 Gallon	\$19.29	\$18.26		
64 Gallon	\$38.57	\$38.11		
96 Gallon	\$57.86	\$57.96		
Stickers	\$40.71	\$42.00		
Yellow Bags	\$27.02	N/A		
96 Gallon Green Waste Cart	\$6.56	\$7.00		
Additional Green Waste Cart	N/A	\$2.00		
32 Gallon Recycle Only Cart	N/A	\$5.00		
96 Gallon Recycle Only Cart	N/A	\$5.00		
64 Gallon Recycle Only Cart	N/A	\$6.00		
Additional Recycling Cart	N/A	\$2.00		
Medical Waste Rates			Current	Proposed
1 Gallon Medical Waste	\$17.53	\$23.00		
2 Gallon Medical Waste	\$26.31	\$28.00		
5 Gallon Medical Waste	\$61.42	N/A		
15 Gallon Medical Waste	\$24.83	\$30.00		
34 Gallon Medical Waste	\$49.68	\$55.00		
Go-in Rates			Current	Proposed
Off curb up to 40 Yards	N/A	\$6.00		
40 yards to 1/2 mile	N/A	\$16.10		
1/2 Mile to 1 Mile	N/A	\$32.20		
Beyond 1 Mile	N/A	\$53.60		
Compactor per Pickup Rates			Current	Proposed
1 Yard per Load	\$31.27	\$32.36		
2 Yard per Load	\$62.53	\$64.72		
3 Yard per Load	\$93.80	\$97.08		
4 Yard per Load	\$125.06	\$129.44		
8 Yard per Load	\$464.50	\$480.76		
15 Yard per Load	\$374.77	\$387.89		
20 Yard per Load	\$463.15	\$479.36		
25 Yard per Load	\$551.55	\$570.85		
30 Yard per Load	\$639.95	\$662.35		
Debris Box per Pickup Rates			Current	Proposed
7 Yard per Load	\$158.73	\$164.29		
10 Yard per Load	\$197.24	\$204.14		
25 Yard per Load	\$330.57	\$342.14		
40 Yard per Load	\$528.81	\$547.32		
25 Yard Recycle	\$0.00	\$0.00		

- 1 Solid waste service will include one 64 gallon recycling cart. Green waste would remain a subscription service. Additional recycling and green carts will be available for an additional charge.
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- 4 Recycle only customers will no longer receive service for free but will be available for a charge.



# Oregon

John A. Kitzhaber, MD, Governor

## Department of Environmental Quality

Western Region Eugene Office

165 East 7th Avenue, Suite 100

Eugene, OR 97401

(541) 686-7838

FAX (541) 686-7551

TTY 711

November 26, 2013

Ms. Contracia Adams  
Jackson County  
10 South Oakdale Ave., Room 214  
Medford, OR 97501-2902

Dear Traci:

On the back of this letter is the 2012 Material Recovery Report for your wasteshed. This report is derived from the 2012 Material Recovery Survey, which is required under ORS 459A.010. This statute also incorporates your wasteshed's recovery rate goals set for 2009. Your county should be proud of the efforts your recovery rate represents.

The Material Recovery Report includes your wasteshed's 2012 recovery rate, the amounts of materials disposed and recovered, per capita disposal, recovery and generation rates, amount of two percent credits your wasteshed has earned, and a chart comparing this year's results with previous survey years. The full 2012 Oregon Material Recovery and Waste Generation Rates Report will be available on the Internet at [www.deq.state.or.us/lq/sw/recovery/materialrecovery.htm](http://www.deq.state.or.us/lq/sw/recovery/materialrecovery.htm) by November 25, 2013.

DEQ Solid Waste staff will be happy to work with your wasteshed to assist in improving data collection and waste reduction efforts. For assistance with your waste recovery and prevention efforts, please call Craig Filip at 541-686-7868. If you would like more information about data collection or the recovery survey, please call Michelle Shepperd at 503-229-6724, or toll free in Oregon at 1-800-452-4011 x6724.

Sincerely,

Brian Fuller, Manager  
Solid & Hazardous Waste Program  
Western Region

Attachment: 2012 Recycling Collector Data Summary – Jackson

ec: City Managers of Ashland, Central Point, Eagle Point, Medford, Phoenix, Talent  
Garbage Collection Companies, Jackson



## 2012 DEQ MATERIAL RECOVERY REPORT JACKSON COUNTY

**CALCULATED RECOVERY RATE:** 43.3%

**TWO PERCENT CREDITS:** 6.0%

**TOTAL RECOVERY RATE:** 49.3%

**GOAL (2009):** 40%

In 2012, JACKSON COUNTY disposed of 142,338 tons of waste and recovered 108,563 tons of waste.

Year	1996	2002	2007	2008	2009	2010	2011	2012
Calculated	34.4%	32.0%	33.7%	32.3%	35.6%	42.0%	41.6%	<b>43.3%</b>
Credits*	-	8.3%	6.0%	6.0%	6.0%	6.0%	6.0%	<b>6.0%</b>
Total	34.4%	40.3%	39.7%	38.3%	41.6%	48.0%	47.6%	<b>49.3%</b>

\* Credits were not available prior to 1997

### PER CAPITA WASTE DISPOSAL FOR WASTESHED (Pounds per Person):

The average per capita waste *disposed* in Oregon during 2012 was 1,248 pounds. JACKSON COUNTY's per capita waste disposal was 1,391 pounds. As shown in the following table, per-capita waste disposal in JACKSON COUNTY has decreased 24% since 2007 (five year change) and decreased 16% since 2002 (ten year change).

### PER CAPITA WASTE RECOVERY FOR WASTESHED (Pounds per Person):

The average per capita waste *recovered* in Oregon during 2012 was 1,235 pounds. JACKSON COUNTY's per capita waste recovery was 1,061 pounds. As shown in the following table, per-capita waste recovery in JACKSON COUNTY has increased 33% since 2007 (five year change) and increased 12% since 2002 (ten year change).

### PER CAPITA WASTE GENERATION FOR WASTESHED (Pounds per Person):

Waste generation is the sum of disposal and recovery. It is a rough measure of the total discards in a wasteshed. In 2001, the Oregon Legislature established waste generation goals for the State. These goals are: a) no increase in per capita waste generation in 2005 and all subsequent years; and b) no increase in total waste generation in 2009 and subsequent years.

The average per capita waste *generation* in Oregon during 2012 was 2,483 pounds. JACKSON COUNTY's per capita waste generation was 2,452 pounds. As shown in the following table, per-capita waste generation in JACKSON COUNTY has decreased 6% since 2007 (five year change) and decreased 6% since 2002 (ten year change).

	1996	2002	2007	2008	2009	2010	2011	2012
PER-CAPITA DISPOSED*	1,348	1,652	1,837	1,555	1,386	1,394	1,373	<b>1,391</b>
PER-CAPITA RECOVERED*	707	776	935	744	766	1,009	978	<b>1,061</b>
PER-CAPITA GENERATED*	2,054	2,428	2,771	2,299	2,152	2,403	2,350	<b>2,452</b>

\*Pounds per person per year.

### REGIONAL TECHNICAL ASSISTANCE CONTACT:

Contact Craig Filip at 541-686-7868 for assistance in identifying ways to help reduce waste generation and disposal through waste prevention, reuse, recycling, and composting.

### SURVEY COORDINATOR:

Contact Michelle Shepperd in Portland at 503-229-6724, or toll free in Oregon at 1-800-452-4011 x6724, for more information on the survey.

NOTE: DEQ routinely updates recovery rates for prior years as we receive new information. These are the current corrected figures for all years

## **2012 RECYCLING COLLECTOR SURVEY**

**January 1 to December 31, 2012  
Jackson Wasteshed**

Please mark any corrections on this page, fill out the attached survey, and return both to your wasteshed representative by **January 31, 2013**.

The Jackson wasteshed representative is:

Jackson County  
10 South Oakdale Ave., Room 214  
Medford, OR 97501-2902  
541-774-6007  
Contracia Adams  
[adamscd@jacksoncounty.org](mailto:adamscd@jacksoncounty.org)

Organization:	<b>RECOLOGY ASHLAND SANITARY SERVICE</b>	CID# 202
Address:	<b>170 Oak St</b>	
	<b>Ashland, OR 97520-1804</b>	
Phone:	<b>541-482-1471</b>	
Contact person:	<b>Steve DiFabion</b>	
Contact person's email:	<b><a href="mailto:sdifabion@recology.com">sdifabion@recology.com</a></b>	

***NOTE: Please make any changes in your name or mailing information above, and include the e-mail address of the contact person.***

**Please return this page with the Recycling Collector Survey,  
so that DEQ staff can update your records.**

**Thank you.**

# 2012 RECYCLING COLLECTOR SURVEY

Company/Collector Name Recology Ashland Sanitary Service

Wasteshed \_\_\_\_\_

Jackson County \_\_\_\_\_



## A. POST-CONSUMER MATERIALS HANDLED IN 2012 (Single Wasteshed)

Use a separate page 1 for each wasteshed.

**INSTRUCTIONS:** For each post-consumer material handled in 2012, record the amount obtained by each of the following collection methods. In columns (A)-(F) record the amount collected by your company. In column (G), record the amount received from other companies; list each company from which you received material. If material is received from multiple wastesheds, the totals reported (column H1) for each wasteshed should, when added together, equal the total reported in column (H2) on page 2. If material is collected in only one wasteshed, (H1) will = (H2).

		Amount Collected: Only by Your Company					(G) **REQUIRED**	(H1) Total Amount Collected & Handled in This Wasteshed (A) thru (G)	
		(A) On-Route On-Route (Curbside Only)	(B) On-Route Commercial	(C) Multi-Family	(D) Disposal Sites & Transfer Stations	(E) Other Depots & Other Residential	(F) Construction & Demolition	Amount Received From Other Companies	Company Name(s)
COMMINGLED	All Commingled Materials	Tons	1889.28		141.27	118.39	211.91		2360.85
PAPER FIBERS	Newspaper / Mags. (FIB NP)	Tons					51.09		51.09
	Mixed Papers Only (FIB MM)	Tons							0.00
NON-FIBER	Office Pack, HI Grade (FIB HI)	Tons			731.39	115.16	56.05	225.15	31.45
	Cardboard / Kraft (OCC)	Tons							0.00
	Film Plastics (PF)	Tons							1127.75
	Plastic Bottles & Containers (RPC)	Tons							20.96
	Other Plastics (PO) [kind mixed/field]	Tons							0.00
	Container Glass (GL)	Tons	372.09	22.88	71.53	102.47	221.86		790.93
	Aluminum (AL)	Tons							0.00
	"Tinney" Steel Cans (TC)	Tons							0.00
	Scrap Metal (SCM)	Tons			132.65				132.65
	Lead Acid Batteries (LAB)	Units / Tons			1.21				1.21
	Tires (TR)	Units / Tons			12.24				12.24
	Used Motor Oil (OL)	Gallons / Tons	4.92	0.43	11.03				16.38
	Electronics (EL)	Tons			97.02				97.02
	Asphalt Roofing (RF)	Tons							0.00
ORGANICS	Food Waste (FW)	Tons							0.00
	Wood / Lumber (WW)	Tons / CuYrd			344.23	235.49			579.72
	Compacted Yard Debris (YD)	Tons / CuYrd	479.83						479.83
	Uncompacted Yard Debris (YD)	Tons / CuYrd			1539.26	203.47			1742.73
OTHER	Other Textiles	Tons			6.19				6.19
	Other Fluorescents/GFL's	Tons			1.16				1.16
	Other Appliances	Tons			58.07				58.07
	Other Tire Rims	Tons			4.33				4.33
	Other Printer Cartridges, Cell Phones	Tons			0.61				0.61
	Other Antifreeze	Tons			0.91				0.91

## 2012 RECYCLING COLLECTOR SURVEY

### **B. TOTAL POST-CONSUMER MATERIALS SOLD, DELIVERED AND/OR USED IN 2012 (All wastesheds)**

**INSTRUCTIONS:** This table is used to determine the total amount of each post-consumer material you sold, delivered and/or used on-site in 2012 by adjusting column (H2), "Total Amount Collected/Handled" in all wastesheds for changes in inventory (ending inventory minus beginning inventory). This table covers all wastesheds from which material is collected or obtained. In column (H2) below, if material is collected in multiple wastesheds, add together each wasteshed's column (H1) on page 1. If material is collected in only one wasteshed, (H1) will = (H2). For columns (I) & (J), if no inventory, enter zero. For column (I), "Beginning Inventory January 1, 2012," use the "Ending Inventory December 31, 2011" (from last year's form). In column (K) for each material, add (H2) to (I) and subtract (J). Note: Do not record inventory for yard debris or wood waste; the amount collected will be counted as recovered without regard to inventory.

<b>MATERIAL</b>	<b>Unit of Measure (Circle One)</b>	<b>Total Amount Collected/Handled in All Wastesheds 2012</b>	<b>(I)</b>	<b>(J)</b>	<b>(K)</b>
			<b>Beginning Inventory Jan. 1, 2012</b>	<b>Ending Inventory Dec. 31, 2012</b>	<b>Total Sold, Delivered and/or Used on Site 2012</b>
All Commingled Materials (XXX)	Tons	2360.85	+	( )	(H2 + I) - J = 2360.85
Newspaper / Magz. (FIB/NP)	Tons	51.09	+	( )	51.09
Mixed Papers Only (FIB/MM)	Tons	1127.75	+	( )	1127.75
Office Pack / HI Grade (FIB/HI)	Tons	0.00	+	( )	0.00
Cardboard / Kraft (OCC)	Tons	1127.75	+	( )	1127.75
Film Plastics (PF)	Tons	31.45	+	( )	31.45
Plastic Bottles & Containers (RPC)	Tons	0.00	+	( )	0.00
Other Plastics (PO) [kind]	Tons	20.96	+	( )	20.96
Container Glass (GL)	Tons	790.93	+	( )	790.93
Aluminum (AL)	Tons	0.00	+	( )	0.00
"Tinmed" Steel Cans (TC)	Tons	0.00	+	( )	0.00
Scrap Metal (SCM)	Tons	132.65	-	( )	132.65
Lead Acid Batteries (LAB)	Units / Tons	1.21	-	( )	1.21
Tires (TR)	Units / Tons	12.24	-	( )	12.24
Used Motor Oil (OIL)	Gallons / Tons	16.38	-	( )	16.38
Electronics (EL)	Tons	97.02	-	( )	97.02
Asphalt Roofing (RF)	Tons	0.00	-	( )	0.00
Food Waste (FW)	Tons	0.00	-	( )	0.00
Wood / Lumber (WW)	Tons / CuYd	579.72	-	( )	579.72
Compacted Yard Debris (YD)	Tons / CuYd	479.83	-	( )	479.83
Uncompacted Yard Debris (YD)	Tons / CuYd	1742.73	-	( )	1742.73
Other Textiles	Tons	6.19	-	( )	6.19
Other Fluorescents/CFL's	Tons	1.16	-	( )	1.16
Other Appliances	Tons	58.07	-	( )	58.07
Other Tire Rims	Tons	4.33	-	( )	4.33
Other Printer Cartridges, Cell Phones	Tons	0.61	-	( )	0.61
Other Antifreeze	Tons	0.91	-	( )	0.91

## 2012 RECYCLING COLLECTOR SURVEY

**Company:**  
**C. TOTAL POST-CONSUMER MARKETING INFORMATION 2012 (All Wastesheds)**

Recology Ashland Sanitary Service

**INSTRUCTIONS:** This table is used to track the statewide movement of material to end use markets. This information is necessary to help DEQ avoid double-counting or under-counting materials. This table covers all wastesheds from which material is collected or obtained. Total up all material sold, delivered, or used by your company and record in "Amount Sold, Delivered or Used" column. Please be consistent when reporting units of measure. In the last two columns list the name and city of each company to which material is sold or delivered or used in 2012. Note: 1) For each material, use a separate line for each recycler to whom material was sold, delivered or used by in 2012. The total of these entries should equal the amount recorded on page 2, column (K). 2) Use the rows marked "other" on page 5 if you need more lines or if you handled materials not listed on this survey. 3) If your company used a recovered material (example - used oil) was burned in your shop heater), list your company as the company to which material was sold, delivered or used. 4) If requested, your response to this portion of the survey will be held as confidential business information. See the bottom of page 5 for further detail.

MATERIAL	Amount Sold, Delivered or Used (Total Amt. Should = Column (K), page 2)	Unit of Measure	Company Name Material Sold, Delivered or Used	Company Location City, State
All Commingled Materials (XXX)	a. 1489.47 b. 871.38	Tons	SP Recycling Aspire	Clackamas, OR Grants Pass, OR
Total Amt. = a+b	2360.85			
Newspaper & Magazines (FIB NP)	a. 51.09 b.	Tons	Rogue Disposal & Recycling	Central Point, OR
Total Amt. = a+b	51.09			
Mixed Papers Only (FIB MW)	a. b. 0.00	Tons		
Office Paper/HI(Grade (FIB HI))	a. b.	Tons		
Total Amt. = a+b	0.00			
Cardboard/Kraft (OCC)	a. 703.54 b. 424.21	Tons	Rogue Disposal & Recycling Aspire	Central Point, OR Grants Pass, OR
Total Amt. = a+b	1127.75			
Film Plastics (PF)	a. 31.45 b.	Tons	Allied Environmental Services	Medford, OR
Total Amt. = a+b	31.45			
Plastic Bottles & Containers (RPC)	a. b.	Tons		
Total Amt. = a+b	0.00			
Other Plastics (PO)	a. b.	Tons	Agri-Plas	Brooks, OR
Total Amt. = a+b	20.96			

## 2012 RECYCLING COLLECTOR SURVEY

### C. cont'd: POST-CONSUMER MARKETING INFORMATION 2012 (All Wastes/heds)

<b>MATERIAL</b>	Amount Sold, Delivered or Used (Total Amt. Should = Column (K), Page 2)	<b>Unit of Measure</b> (Circle One)	<b>Company Name Material Sold, Delivered or Used</b>	<b>Company Location City, State</b>	Circle "R" if Recycled, or "E" if Burned for Energy Recovery
Container Glass (GL)	a. 790.93  b.	Tons  Tons	Ecology Valley View Transfer Station	Ashland, OR	
Total Amt. = a+b					
Aluminum (AL)	a.  b.	Tons  Tons			
Total Amt. = a+b	0.00				
"Tinmed" Steel Cans (TC)	a.  b.	Tons  Tons			
Total Amt. = a+b	0.00				
Scrap Metal (SCM)	a. 132.65  b.	Tons  Tons	Schnitzer Steel	White City, OR	
Total Amt. = a+b	132.65				
Lead Acid Batteries (LAB)	a.  b.	Units / Tons  Units / Tons	Allied Environmental Services	Medford, OR	
Total Amt. = a+b	1.21				
Tires (TIR)	a. 12.24  b.	Units / Tons  Units / Tons	Waste Recovery West, Inc.	Livermore, CA	R
Total Amt. = a+b	12.24				
Used Motor Oil (OML)	a. 16.38  b.	Gallons / Tons  Gallons / Tons	ORRCO	Medford, OR	R
Total Amt. = a+b	16.38				
Electronics (EL)	a. 97.02  b.	Tons  Tons	ECS-Regenesys	Medford, OR	
Total Amt. = a+b	97.02				
Asphalt Roofing (RF)	a.  b.	Tons  Tons			
Total Amt. = a+b	0.00				

## 2012 RECYCLING COLLECTOR SURVEY

### C. cont'd: POST-CONSUMER MARKETING INFORMATION 2012 (All Wastesheds)

<b>MATERIAL</b>	Amount Sold, (Total Amt. Should = Column (K), Page 2)	<b>Unit of Measure</b> (Circle One)	<b>Company Name</b> <b>Material Sold, Delivered or Used</b>	<b>Company Location</b> <b>City, State</b>	Circle "C" if Composted, or "E" if Burned for Energy Recovery
					C E
Food Waste (FW)		Tons			C C
a.		Tons			
b.					
Total Amt. = a+b	0.00				
Wood / Lumber (WW)					E
a.	344.23	Tons / CuYd	Biomass-One	White City, OR	
b.	235.485	Tons / CuYd	Ground Control	Central Point, OR	
Total Amt. = a+b	579.72				
Compacted					
a.	479.83	Tons / CuYd	Rogue Disposal & Recycling	Central Point, OR	C
b.		Tons / CuYd			
Total Amt. = a+b	479.83				
Uncompacted					
a.	1539.26	Tons / CuYd	Rogue Disposal & Recycling	Central Point, OR	
b.	203.47	Tons / CuYd	Ground Control	Central Point, OR	
Total Amt. = a+b	1742.73				
Yard Debris (YD)					
a.	1539.26	Tons / CuYd	Rogue Disposal & Recycling	Central Point, OR	
b.	203.47	Tons / CuYd	Ground Control	Central Point, OR	
Total Amt. = a+b	1742.73				
Other Textiles					
a.	6.19	Tons	Allied Environmental Services	Medford, OR	
b.		Tons			
Total Amt. = a+b	6.19				
Other Fluorescents(CFL's)					
a.	1.16	Tons	Allied Environmental Services	Medford, OR	
b.		Tons			
Total Amt. = a+b	1.16				
Other Appliances					
a.	58.07	Tons	Allied Environmental Services	Medford, OR	
b.		Tons			
Total Amt. = a+b	58.07				
Other Tire Rims					
a.	4.33	Tons	Waste Recovery West, Inc.	Livermore, CA	
b.		Tons			
Total Amt. = a+b	4.33				
Other Antifreeze					
a.	0.91	Tons	Allied Environmental Services	Medford, OR	
b.		Tons			
Total Amt. = a+b	0.91				

### D. OUT-OF-STATE SOLID WASTE DISPOSAL

If you disposed of solid waste (residential, commercial, construction or demolition) out-of-state that was collected in the wasteshed, please indicate the total amount, type disposed during calendar year 2012, and where you shipped it.

Confidentiality: You may return Part C (pages 3-5, "Total Post-Consumer Marketing Information") of this survey directly to DEQ rather than to the wasteshed representative if you prefer to limit access to this information. To limit access to only DEQ staff, write on these pages "confidential business information" and return by February 28, 2013 to Michelle Shepperd, DEQ, 811 SW 5th Avenue, Portland, OR 97204. Parts A & B & D of this survey must be returned directly to your wasteshed (county) representative for inclusion in the annual Opportunity to Recycle report. Please notify your wasteshed representative if you return this form directly to DEQ.

Type of Waste (be specific; i.e. tires)	Tons	Shipped To
Ink Cartridges, Toner Cartridges, Cell Phones	0.61	Environmental Office Solutions, 2301 E. Del Amo Blvd., Compton, CA 90220

# Ashland Recycling Center

## Free Recycling Services

- Composting classes
- Compost demonstration area



- “FreeBox” clothing and shoe exchange



- Commingled recycling
- Glass containers
- Bottles and cans
- Cardboard
- Crosscut “confetti” paper \*
- Styrofoam “peanut” exchange \*
- CFL’s, Fluorescent Tubes \*
- Inkjet cartridges, toner, cell phones
- Shrink wrap, plastic bags
- Tours (by appointment only)
- Food bank collection
- Free fall leaf drop off days

\* See attendant for assistance



**Recology**

Ashland Sanitary Service

WASTE ZERO

- Pet adoption  
Over 200 dogs adopted!





## Congratulations Talent & Ashland !!

### LOOK WHAT WE DID IN 2013

The Ashland and Talent communities kept these materials out of the landfill by responsibly recycling these items.

**It takes 2,000 pounds to equal 1 ton of material**

**Here are some of our waste diversion successes in 2013**

*Electronics 89.49 tons	* Compact Fluorescent bulbs & tubes 1.16 tons	
*Ink jet, toners, cell phones .72 ton	* Plastic Round-up 22.46 tons *	
*Commingle Recycling 2,361 tons	* Glass 791 tons	* Cardboard 1,145 tons
* Shrink Wrap & Plastic Bags 37 tons	*Scrap Metal 133 tons *	
*Lead Acid Batteries 2 tons	* Used Motor Oil 16 tons	* Tires 16.15 tons
*Biomass 789.28 tons *		
*Green Debris, leaves & Commercial Compost 2,426.55 tons *		

\*Prescription Drugs collected in Ashland & Talent 1,000 pounds \*

\*Textiles 6.66 Tons recycled. This does not include Freebox exchange items\*

Jackson County succeeded in diverting nearly 49.3 % of recyclables

from the landfill in 2013

Denotes items mostly diverted @ recycle center on Water Street.  
Key = less, more or the same from previous year

1. Do you live inside or outside of Ashland?

<b>INSIDE</b>	<b>OUTSIDE</b>

2. How often do you use the Recycling Center and what do you recycle here?

<b>At least weekly</b>	<b>2-3 times a month</b>	<b>Monthly</b>	<b>2-6 times a year</b>	<b>Once or twice/ year</b>	<b>Rarely</b>

<b>Paper</b>	<b>Cardboard</b>	<b>Glass</b>	<b>Cans</b>	<b>Shredded paper</b>

<b>Styrofoam peanut exchange</b>	<b>CFLs, fluorescent tube</b>	<b>Ink cartridge, toner, cell phone</b>	<b>Shrink wrap, plastic</b>	<b>Clothing exchange</b>

3. (For those who live in Ashland) Do you use the curbside recycling program and if not why not?

<b>Use curbside recycling service but use the center for large items</b>	
<b>Not a subscriber to Recology garbage service</b>	
<b>Prefer to self-haul recyclables</b>	
<b>Use the Center only or primarily for items not taken at the curb</b>	
<b>Didn't know these items could be recycled curbside</b>	
<b>Enjoy coming here/like the social aspect of the Recycling Center</b>	
<b>Other</b>	

## **Adam Hanks**

---

**From:** John Stadelman [jstad@opendoor.com]  
**Sent:** Wednesday, February 05, 2014 3:35 PM  
**To:** adam@ashland.or.us  
**Subject:** The Recycling Center

Hi -- Just got back from my usual once-a-month trip to the Recycling Center, and started chatting with Tim Church about the Center's future. He said you were the guy to e-mail if you wanted to put in a vote of support and confidence for the Center.

I've been using it regularly since it first opened. With a small house and garden, and not much recycling generated on a weekly basis, the once-a-week pick up has never made much sense for me. Once a month, I kind of enjoy taking my recycling over there and joining in the bustle, seeing old friends, and recycling things that you can't recycle through the weekly pick-up-- like clothing to the free box, plastic bags, peanuts, and lightbulbs. And I love seeing the Animal Shelter dogs they sometimes have there, and have sent more than one person over to have a look at the composting display. Whenever I go, the Ashland Recycling Center always seems to be busy --and serving the community!

Anyway, I just wanted to let you know how grateful I am for the facility, and that the small surcharge added to my regular garbage bill is, in my opinion -- well worth the value received, and the jobs it supports. I strongly urge you to keep the place going!

Thanks for your attention --

John Stadelman  
1253 Quincy St.  
Ashland, OR. 97520  
541-482-3596

## **Adam Hanks**

---

**From:** sisterword@jeffnet.org  
**Sent:** Monday, February 03, 2014 1:49 PM  
**To:** adam@ashland.or.us  
**Subject:** Ashland Recycling Center

Hello Adam - I am a residential customer in Ashland who has curbside recycling services at my home. I also run a small business (sole proprietor) at a rented office space.

My business does not generate enough recycling to merit a curbside service account, yet it does produce a substantial amount of paper/mixed recycling, which I drop off at the recycling center every other week. (The quantity is too much to add to my home recycling).

In addition, my business uses a laser printer, and it is extremely helpful to be able to recycle my toner cartridges at the recycling center - not sure what I would do with them otherwise.

Finally, we moved house across Ashland two years ago, and I can't imagine what we would have done without the recycling center, as we had lots of cardboard to recycle, much of it too big for curbside receptacle.

In closing, I don't know what options are being considered for the recycling center, but I hope you're not thinking of closing it - that would be a great loss. It is certainly worth \$1.60 a month to me for it to be there when I need it. My hometown of Berkeley (another recycling leader) still has their recycling center - I think for a town of our size it is a no-brainer to keep it.

Thank you-

-Margaret Spani  
459 Morton Street

## **Adam Hanks**

---

**From:** Ann Seltzer [seltzera@ashland.or.us]  
**Sent:** Tuesday, January 14, 2014 12:38 PM  
**To:** 'Adam Hanks'; dave.kanner@ashland.or.us  
**Subject:** FW: City of Ashland, Oregon Mobile Feedback

FYI

-----Original Message-----

From: [kwagner68@gmail.com](mailto:kwagner68@gmail.com) [mailto:[kwagner68@gmail.com](mailto:kwagner68@gmail.com)]  
Sent: Tuesday, January 14, 2014 11:34 AM  
To: [myashland@projecta.com](mailto:myashland@projecta.com)  
Subject: City of Ashland, Oregon Mobile Feedback

The following Feedback was submitted for the City of Ashland, Oregon Mobile site:

Feedback Date: 1/14/2014 11:33:32 AM

Email: [kwagner68@gmail.com](mailto:kwagner68@gmail.com)

Feedback:

Writing to express our dismay with the new trash receptacles, which are smaller than the standard one we were using and too small to accomodate our weekly trash. This is a major quandry as to the city's approval of the use of these cans which will require residents who fill their cans to pay for an additional can. Completely nonsensical - we hope that a change will be implemented so Ashland residents don't incur one more cost to live here! If it takes making the recycling center a pay per load center and getting that off our bill, since most of its customers are from out of town, it would make sense.

Thank you for your time.

## **Adam Hanks**

---

**From:** Rooklyn [rooklynd@bisip.net]  
**Sent:** Thursday, January 09, 2014 9:41 AM  
**To:** adam@ashland.or.us  
**Subject:** Recycle Center

Hi Adam,

We are supporters of the Ashland Recycle Center and hope that our city will keep it and, eventually, expand its services (i.e., take electronics, take plastics not part of co-mingle, etc.). I'm also willing to pay a surcharge each month to help with its operational costs. Thanks much, Dale and Kim Rooklyn

## **Adam Hanks**

---

**From:** Rikki Pritzlaff [rikkipritzlaff@gmail.com]  
**Sent:** Wednesday, January 08, 2014 1:27 PM  
**To:** adam@ashland.or.us  
**Subject:** City of Ashland Recycle Center

Dear Adam,

The recycling center is a valuable resource for Ashlanders. Although I have regular trash, recycling and green debris pick-up at my residence, I use the recycling center for plastic bags, cardboard, and compact fluorescent lights. I would not mind paying some additional fee to do this, however I also believe it is important to keep the free box free and available to all who wish to use it.

Lastly, and most important, is honoring the legacy Ken Hagen has left Ashland. I was not lucky enough to live here while he was alive, however I am lucky to benefit from what he has left behind and it would be tragic to let his efforts go to waste.

Thank you,

Rikki Pritzlaff

## **Adam Hanks**

---

**From:** Adam Hanks [hanksa@ashland.or.us]  
**Sent:** Wednesday, January 08, 2014 12:49 PM  
**To:** Adam Hanks  
**Subject:** Recycle Center

Voice mail Cynthia Rose 1/8/14 – No recycle center, does use doesn't want to pay for it.

Phone conversation – Cindy (different person) – close the recycle center or make everyone who uses it pay for it

Voice mail – Al Wilson, City should have allowed other providers like Rogue Disposal to bid for the franchise, doesn't like Recology

Adam Hanks, Management Analyst  
City of Ashland | Administration  
20 East Main St, Ashland, OR 97520  
541-552-2046 | [www.ashland.or.us](http://www.ashland.or.us)

## **Adam Hanks**

---

**From:** Mary Kwart [mkwart@gci.net]  
**Sent:** Wednesday, January 01, 2014 3:27 PM  
**To:** adam@ashland.or.us  
**Subject:** Feedback on new trash regulations

Hi:

After receiving the note from the city on the changes in trash fees I have a few comments, particularly after I called the city and got more info.

I feel that the new fees for recycling will unfairly subsidize people who produce a lot of trash as opposed to those of us who only put trash out once every 6 weeks and recycling every 2-3 months. I use stickers and was informed by the person I talked to on the phone about this that I have been "subsidized" by other users because the cost of recycling was not included in my sticker price. This is the fault of the city, not me. I am more than willing to pay extra for the stickers to account for recycling. The trouble is, with the new \$5 flat rate fee for recycling I will be paying as much as someone who puts out their recycling and trash every time a pickup occurs. Where is the incentive to use less and produce less garbage?

I say, raise the sticker price to account for putting out recycling and only allow recycling for those using stickers on the same day they put out their trash. The sticker is going on the garbage anyway--so, no sticker on the garbage can, no recycling. And if the person only has recycling--they can use a garbage sticker for that.

I realize that \$5 a month is not a lot, but we are getting nickel and dimed for every single service--from garbage to computer to phone to TV to medical care. It all adds up, especially if you live, as I do, on a fixed income.

Sincerely,

Mary Kwart  
275 E. Hersey St.  
Ashland

**Adam Hanks**

---

**From:** Barbara Ross [bross.link2013@yahoo.com]  
**Sent:** Tuesday, December 31, 2013 3:31 PM  
**To:** adam@ashland.or.us  
**Subject:** Comments

I am 86 yr old senior living alone on \$580.00 per month Social Security. I have been buying the yellow bags (usually 10 a yr for about \$1.00 for ten) I take all recyclables to the Recycle center myself. I don't know how I am going to afford your new program. My increase will not be about 3% as stated but more like 143%. The City of Ashland makes allowances for low income seniors by giving us nice discounts on utilities and during heating season even larger discounts because I heat with electricity. Have you ever thought about this group of people? I have attended many City Council meetings regarding many issues but never felt any empathy toward low income seniors problems from this group who are all people with good incomes. It will really be a problem for me and would like your comments. Also, there is no mention of recycling glass. Thank you, Barbara Ross  
[bross.link2013@yahoo.com](mailto:bross.link2013@yahoo.com)

## **Adam Hanks**

---

**From:** Priscilla Arnold [prisarnold@gmail.com]  
**Sent:** Tuesday, December 24, 2013 10:05 AM  
**To:** adam@ashland.or.us  
**Subject:** Ashland Recycling Center

Hello, Adam

I would like to give feedback concerning the Recycling Center. My husband & I just moved to Ashland. Of course, this move resulted in an enormous amount of packing material left from the move. I have made a number of trips to take boxes, paper, etc to the Recycling Center, and am so glad to have that facility. I would strongly suggest its continuation as a real service of importance to the community. I was happy that on 2 occasions, someone was at the center looking for packing boxes, and took them directly from me -- that's the best recycling!

thank you

Priscilla Arnold  
481 Ashland Loop Rd

## **Adam Hanks**

---

**From:** John Kloetzel [kloetzel@opendoor.com]  
**Sent:** Sunday, December 22, 2013 8:37 AM  
**To:** adam@ashland.or.us  
**Subject:** Recycling center

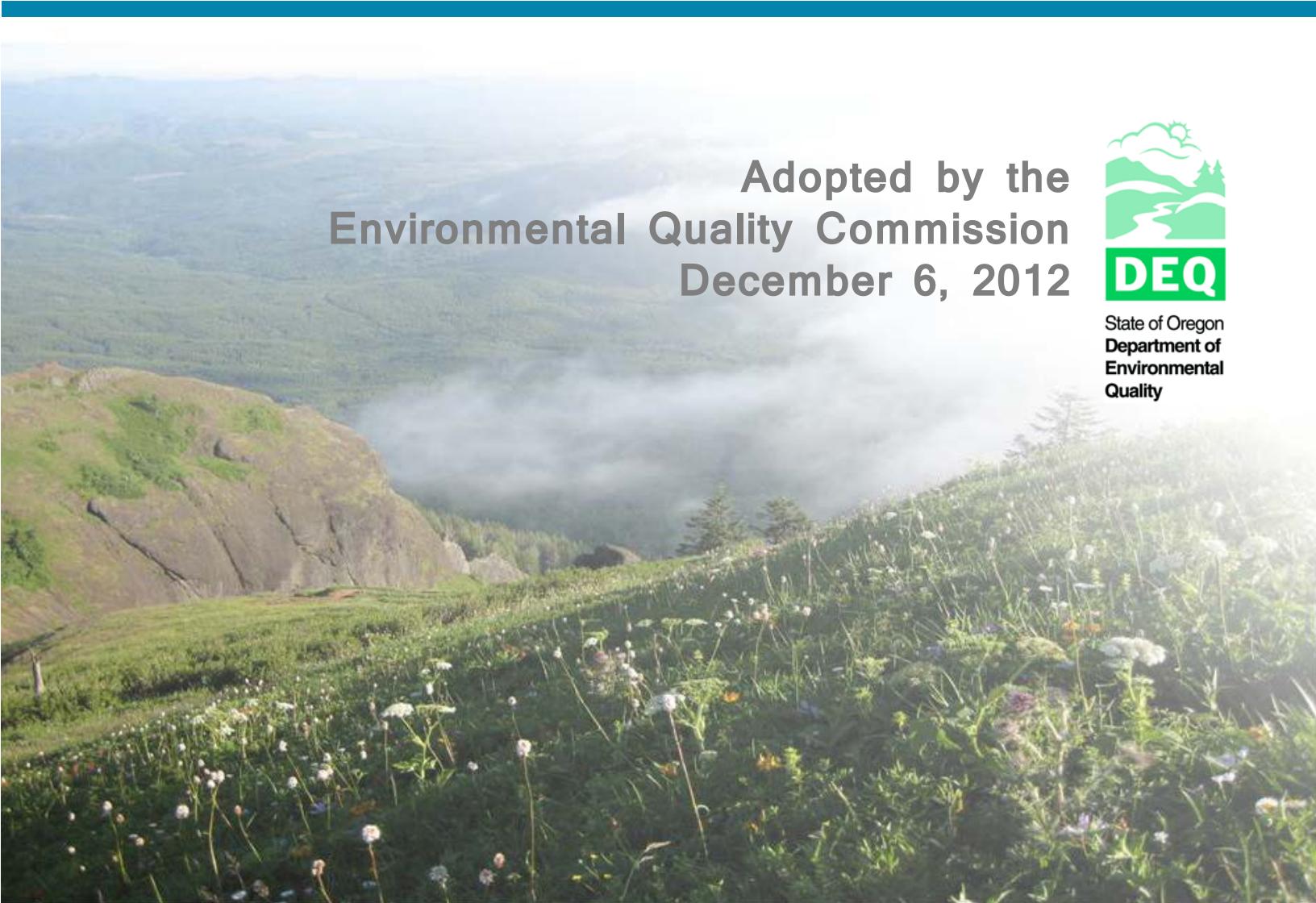
Folks, this is just a plea from an average Ashlander in support of maintaining our town's recycling center on Water St. The center has social benefits far beyond its economic importance, and discussions as to its future need to recognize that fact. For families with children, there is a great advantage in teaching the next generation to necessity to recycle and reuse in a very visible way. I have found the ability to pick up good quality cartons for packing, moving or storing things to be of help, as well as a source of plastic buckets when needed. Keeping as many things out of landfills as possible has, again, a benefit way beyond a simple line on an economic balance sheet.

So, before any decision is made to close the recycling center on a strictly business basis, I am confident that a full public discussion will reveal that the citizens of Ashland put a surprising degree of value on our Water Street recycling facility.

Thanks for your consideration -- JOHN KLOETZEL, Ashland

# Materials Management in Oregon

2050 Vision and Framework for Action



Adopted by the  
Environmental Quality Commission  
December 6, 2012



State of Oregon  
Department of  
Environmental  
Quality

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## Acknowledgments

DEQ gratefully acknowledges the valuable contributions and insights of the Materials Management Workgroup. Members are listed in [Appendix D](#).

Many individuals within DEQ contributed to the development of this project, including major efforts from Abby Boudouris (project manager), David Allaway, Bob Barrows, Cheryl Grabham, Loretta Pickerell and Peter Spendelow. Leslie Kochan, Bruce Lumpert, and the Solid Waste Program Management Team also contributed.

**Cascadia Consulting Group** (Jessica Branon-Zwick, Marc Daudon, and Christy Shelton) and **Sustainability Partners** (Drs. Brian and Mary Nattrass) facilitated meetings of the Materials Management Workgroup and contributed to the development of this *Vision and Framework for Action*.

More information on the *2050 Vision and Framework for Action* appears on the project website: [www.deq.state.or.us/lq/sw/materialsmgmtplan.htm](http://www.deq.state.or.us/lq/sw/materialsmgmtplan.htm)





State of Oregon  
Department of  
Environmental  
Quality

# 2050 Vision

## for Materials Management in Oregon

*Oregonians in 2050 produce and use materials responsibly  
conserving resources • protecting the environment • living well*

**Recognizing that Earth's resources are finite, Oregonians live within the limits of our sustainable share of the world's natural resources.** We make and use materials and products in a manner that maintains and restores a healthy environment and fertile soils. Materials and products minimize the use and release of toxins, the release of greenhouse gases and pollutants, the use of energy and water, and the extraction of nonrenewable materials.

**We take into account the full impacts of materials throughout their life cycle.** We minimize harmful disturbance of land and natural ecosystems, using resources in a responsible way only as necessary to meet human needs and maintain healthy, vibrant and prosperous communities. When materials and products are no longer useable or wanted, they are recovered for their next highest and best use.

**We use renewable resources at levels that can be sustained in perpetuity while maintaining the resiliency of natural systems.**

Wherever they are made, the materials and products we purchase in Oregon similarly are made in a manner that supports human health, well-being and healthy, resilient environments and communities.

**All Oregonians have access to the knowledge, capabilities, resources and services required to use materials responsibly.** This Vision provides for a prosperous and clean economy that allows all people to live fulfilling lives, now and in the future.

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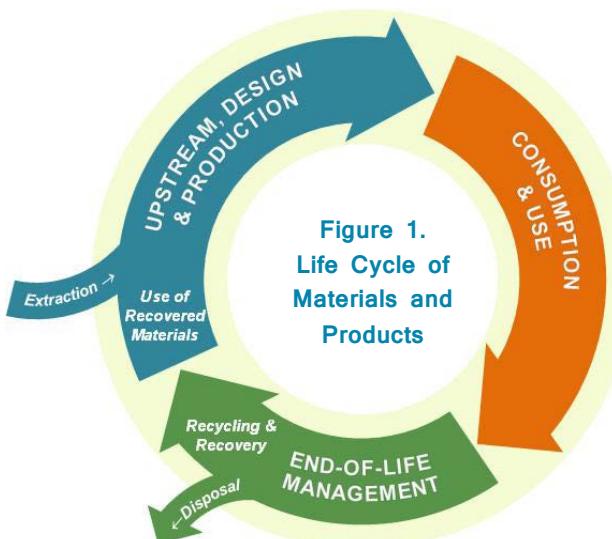
# Executive Summary

Global demand for materials and products is increasing rapidly, bringing significant impacts to Oregon residents, businesses, communities and the environment. Oregon law cites the need to conserve resources and energy and acknowledges limits in the environment's ability to absorb the impacts of increasing consumption. Oregon is recognized as a leader in conserving resources through recycling and proper management of wastes. Yet this focus on managing discards has limited potential to address the full impacts of materials and the challenges they present for Oregonians and the environment. To guide state policy and programs and to achieve the best environmental results at the lowest cost to society, DEQ convened a workgroup to help develop this *2050 Vision and Framework for Action*.

## What is Materials Management?

The **materials management** approach includes waste prevention and discard management, while seeking to reduce environmental impacts by managing materials through all stages of their life. It identifies impacts and actions to address those impacts across the full cycle of materials and products as they move through the economy—from raw

material extraction to product design and manufacture, transport, consumption, use, reuse, recycling and disposal.



A more holistic materials management approach will help DEQ shape state policies in a changing world with new jobs, new opportunities and new challenges.

*Oregonians in 2050 produce and use materials responsibly  
conserving resources • protecting the environment • living well*

## Creating a Vision for Materials Management

In 2011, DEQ convened a **workgroup** to help develop this long-term *Vision and Framework for Action*. DEQ applied the process of “backcasting”—starting with a future vision and then looking back to identify steps needed to achieve it. The resulting *2050 Vision and Framework for Action* also serves as an update to Oregon’s *State Integrated Resource and Solid Waste Management Plan (1995-2005)*, which guides statewide policy.

The *2050 Vision* describes a desired future where Oregonians live within the limits of their sustainable share of the world’s natural resources:

*Oregonians in 2050 produce and use materials responsibly  
conserving resources • protecting the environment • living well*

Materials and products—both made in Oregon and used in Oregon—support human health, well-being and healthy, resilient environments and communities. Sustainable use of materials allows all people to enjoy a prosperous, clean economy and fulfilling lives, now and in the future.

This document envisions an Oregon in 2050 where:

- Producers make products sustainably. Every option is a sustainable option.
- People live well and consume sustainably.
- Materials have the most useful life possible before and after discard.

2050 VISION

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**Oregonians in 2050 will produce and consume much differently than today. We will produce less waste and recover more materials in a smarter way.**

Together, we will manage materials wisely, while strengthening economies at the local, regional, national and global levels.

## Framework for Action

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Taking action early in the life cycle—in design and production—offers the best opportunities to realize the *2050 Vision*. While producers shift to more sustainable actions, consumers also have important roles to play in the types of products they demand and how they use them. Effective management of materials at the end of their lives redirects resources back into productive use.

To help achieve the *2050 Vision* in Oregon, DEQ must take several different types of actions. The *Framework for Action* includes pathways to lead Oregon to desired outcomes, including the following:

- **Foundations.** This work will create the solid foundation necessary to achieve the *2050 Vision*. Foundational work includes setting goals and measuring outcomes, supporting and performing research, and securing stable funding.
- **Policies and regulations.** DEQ will evaluate and develop policies and regulations that put Oregon on the path toward achieving the *2050 Vision*.
- **Collaboration and partnerships.** Coordination throughout the life cycle of materials and products will support innovative solutions. DEQ will collaborate with other state agencies, businesses, local governments and nongovernmental organizations.
- **Education and information.** DEQ will share information it develops with partners for distribution to appropriate audiences.

This *2050 Vision and Framework for Action* document is available online at [www.deq.state.or.us/lq/sw/materialsmgmtplan.htm](http://www.deq.state.or.us/lq/sw/materialsmgmtplan.htm).

# Creating a Materials Management Vision

## What is Materials Management?

The **materials management** approach seeks to reduce environmental impacts by managing materials throughout all stages of their life cycle. Materials management includes **waste prevention** and **discard management**. More broadly, it identifies impacts and actions to address those impacts across the full life cycle of materials and products as they move through the economy—starting with design and continuing through raw material extraction, manufacture, transport, consumption, use, reuse, recycling and disposal.



Figure 2. Life Cycle of Materials and Products

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## Why use a Materials Management approach?

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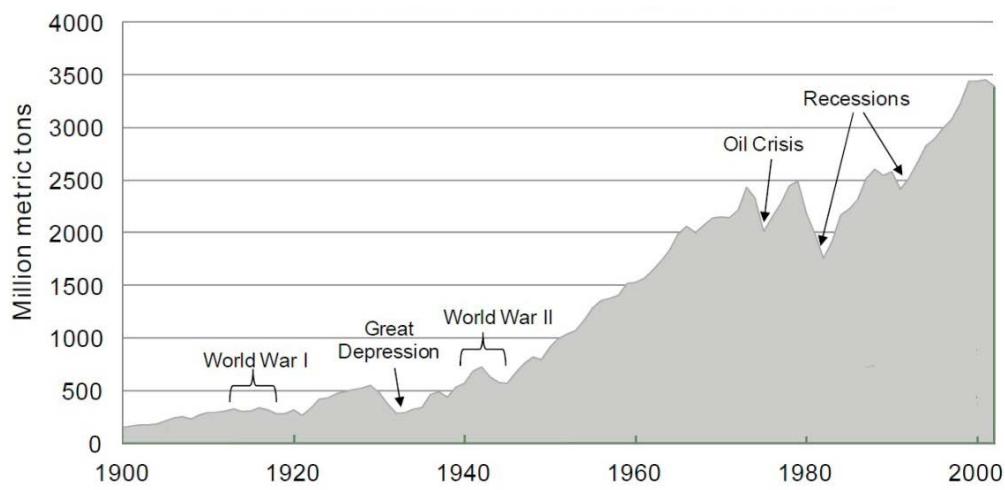
*"It is becoming increasingly clear that how we use materials is a large factor in energy use, climate change, and the economy, and an important issue in its own right."*

U.S. Environmental Protection Agency,  
*Sustainable Materials Management: The Road Ahead* (2009)

Managing materials holistically is important because life-supporting resources are declining globally, while consumption of these resources is increasing.

**Materials matter.** Global demand for materials—from rare earth metals to agricultural products—is increasing rapidly, with significant economic impacts to Oregon businesses and households.<sup>1</sup> At the same time, the types of materials are also changing, with most materials coming from nonrenewable—and ultimately, unsustainable—sources.<sup>2</sup>

Demand for these materials has led to significant environmental impacts, including toxic chemicals in the air and water; damage to ecosystems; unsustainable use of energy, water and other natural resources; and global warming. Making, transporting, selling and disposing of the materials consumed in Oregon contributes between 35 and 48 percent of Oregon's **consumption-related greenhouse gas emissions**—on par with the state's emissions from the direct consumption of electricity and fuels combined.<sup>3</sup> For an excellent overview of the growth in materials use—and associated impacts—see the U.S. Environmental Protection Agency's 2009 report, *Sustainable Materials Management: The Road Ahead*.



**Figure 3. Use of Materials in the United States, 1900-2002.**  
Modified from Center for Sustainable Systems, University of Michigan (2011),  
based on Matos and Wagner, 1998, and Wagner, 2002.<sup>4</sup>

Great progress has been made in discard management in the past 20 years, yet Oregon can do even better.<sup>5</sup> It is now clear that the vast majority of environmental impacts result from decisions made in design, production and consumption—not **end-of-life management**.<sup>6</sup> Accordingly, producers and consumers have important roles to play.

## From Managing Discards to Managing Materials

DEQ's historic focus on materials management at end-of-life is largely a consequence of problems identified—and legislation passed—20 to 30 years ago. At that time, many landfills were poorly located, operated and regulated, and new federal standards made the closure of many landfills imminent. These factors added to a perception of a “garbage crisis”—that we were running out of places to dispose of our waste. The 1970s energy crisis and growing environmental concerns also led to public support for resource conservation through recycling.

Oregon today looks much different in some ways. We now have an abundance of disposal capacity, in landfills that are better operated and less polluting than their predecessors. Recycling programs are firmly established, conserving resources, reducing pollution and providing green jobs.<sup>7</sup> Some producers are sharing responsibility for managing their products at end-of-life and for reducing the presence of toxic chemicals in products that enter consumers' homes and eventually become solid waste. Recycling is now second nature for many Oregonians, and interest in “reduce” and “reuse” is growing.

The limits of this solid waste management framework are becoming more apparent, even as our overall consumption of resources continues to grow and our **environmental “footprint”** becomes more globally dispersed.<sup>8</sup> We have learned much in the past 25 years. We now understand that smart decisions—ones that are good for the environment, economy and society—require thinking about impacts across the full life cycle of materials. Focusing on only management of discards limits options to protect the environment and can lead to decisions that are penny-wise but pound-foolish.<sup>9,10</sup> In contrast, materials management offers a framework to address the integrated nature of materials, guide state policy and programs, and achieve the best results at the lowest cost to society.

Existing policy also points in the direction of materials management. *Oregon Revised Statute 459* calls out the need to conserve resources

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**Materials management:**

**Identifies impacts throughout the life cycle**

**Focuses on high-impact actions across the life cycle**

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and energy, and also acknowledges limits in the environment's ability to absorb the impacts of increasing consumption.<sup>11</sup> These issues transcend the narrow framework of solid waste management. Even the so-called "**waste management hierarchy**" emphasizes practices that have little to do with the management of discards. "Reduce" and "reuse" primarily involve the consumption and use of materials, not the management of wastes. And while recycling is commonly thought of as a method for managing discards, the economic and environmental value of recycling lies primarily in the provision of lower-cost feedstocks that industry can use to make new products and the reduced need for extracting and processing virgin materials.<sup>12</sup>

Although progress has been made, all stages of the life cycle of materials are currently unsustainable. While improvements are needed in end-of-life management, starting as far **upstream** as possible—in resource extraction, design and production—offers the best opportunities to realize the vision of a sustainable society, economy and environment. As producers shift to more sustainable actions, consumers also have important roles to play—in the types of products they demand, how they use them, and how items are managed once they are discarded. Effective management at product end-of-life redirects resources back into productive use while helping to reduce the negative impacts of disposal.

The world is changing, and Oregon will be different in 2050. Materials management offers a holistic approach that will help DEQ shape state policies—and help Oregon thrive—in a world with new jobs, new opportunities and new challenges for government, businesses and the public.

## **The Business Case for Materials Management**

Rising commodity prices, increasing global population, pollution and the depletion of natural resources all pose significant threats to businesses and the historic model of economic growth. But with these challenges come new opportunities.

For example, representatives of adidas, Coca-Cola, General Motors, Nokia, Philips, Procter & Gamble, Sony, Weyerhaeuser and other businesses—working through the World Business Council for Sustainable Development—recently concluded that “current global consumption patterns are unsustainable.” These businesses recognize the importance of industry being more efficient and less polluting, and

they go further, noting that “efficiency gains and technological advances alone will not be sufficient to bring global consumption to a sustainable level.” They observe that “changes will also be required to consumer lifestyles, including the ways in which consumers choose and use products and services.” They call for businesses to play a leadership role in fostering more sustainable levels of consumption, through practices such as innovation, communications, and working in partnerships with consumers, governments and stakeholders. These businesses call for governments to provide the right policies and regulations, fiscal structures and incentives, infrastructure and services, guidance for businesses and consumers, monitoring and enforcement.<sup>13</sup>

DEQ’s *2050 Vision* calls for the responsible production and use of materials. In a world bumping up against limited resources and other constraints on growth, businesses that produce responsibly—and help consumers live responsibly—will enjoy the greatest viability and reap the highest rewards. The path forward is not fully mapped, but the *2050 Vision* is clear. DEQ is committed to working with businesses—both producing in Oregon and selling into Oregon—to achieve a prosperous and clean economy that allows all people to live fulfilling lives, now and in the future.

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## The Vision Process

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To address the changing world of materials management, DEQ convened the 2050 Vision for Materials Management Workgroup in 2011. The broader approach focusing on the full life cycle of materials requires a breadth of knowledge and a variety of experience, skills and perspectives. DEQ invited a diverse group of stakeholders representing businesses, nongovernmental organizations, local governments, state agencies and individuals to participate in the visioning process. Workgroup members met for five facilitated day-long workshops between fall 2011 and spring 2012 to identify ways to make our design, production, use and management of products and materials more sustainable. Workgroup members were engaged and provided input on draft documents throughout the process. **Appendix D** lists workgroup members.

With the workgroup's input, DEQ developed this long-term vision for sustainable materials management in Oregon. This *2050 Vision* and *Framework for Action* - together with biennial reports to the Oregon Legislature - also serves as an update to Oregon's *State Integrated Resource and Solid Waste Management Plan (1995-2005)*, which guides statewide policy.

### Developing a Vision

To develop the *2050 Vision*, DEQ applied The Natural Step approach, which involves a science-based definition of sustainability and a strategic planning framework to help make choices that advance sustainability. A key element of the Natural Step framework involves “**backcasting**”—starting with a future vision and then looking back to identify the steps needed to achieve it. This framework provides the tools to look at the big picture, understand the rules of the game, define success, and move toward it together.

The scientifically rigorous Natural Step framework is prominent in strategic decision-making by organizations such as the U.S. Army, Nike, H.J. Heinz Company and Amazon.com. DEQ adopted the Natural Step approach in 2008 and identified it as a robust process for developing the *2050 Vision* for materials management in Oregon. DEQ worked with Cascadia Consulting Group and Sustainability Partners to facilitate workshops and integrate the Natural Step framework into this visioning and action-planning process.

## Considering Sustainability Principles

DEQ's *2050 Vision and Framework for Action* provides a platform to bring materials management in Oregon into closer alignment with **sustainability** principles. The *2050 Vision* sits within the larger context of future economic, social and environmental systems. These three systems affect DEQ's work, and DEQ's policies and programs also influence these systems to some degree. During the workgroup process, DEQ identified **systems and capabilities** broadly needed to achieve the *2050 Vision*. **Appendix C** summarizes that work.

In 2001, the Oregon Legislature adopted the Oregon Sustainability Act (**ORS 184.423**), which established the state's overall sustainability policy. Among other efforts, the legislation created the Oregon Sustainability Board and set legislative goals for sustainability.

DEQ has an agency-wide sustainability vision: **We live in a way that balances our actions with nature's ability to maintain a healthy environment.** The materials management *2050 Vision* supports DEQ's agency vision, through a specific focus on materials.





*Oregonians in 2050 produce and use materials responsibly  
conserving resources • protecting the environment • living well*

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# Welcome to 2050

In the *2050 Vision*, Oregonians live within the limits of their sustainable share of the world's natural resources. Materials and products support human health, well-being and healthy, resilient environments and communities—whether those goods are made in Oregon, used in Oregon, or both. Sustainable use of resources allows all people to enjoy a prosperous, clean economy and fulfilling lives, now and in the future.

## Desired Outcomes for 2050

- Producers make products sustainably. Every option is a sustainable option.
- People live well and consume sustainably.
- Materials have the most useful life possible before and after discard.

The materials life cycle begins early in the process before the consumer (**Upstream, Design and Production**), with designers and manufacturers making products and using materials in a sustainable way. In 2050, every product is made to be a sustainable option.

Materials are fully sustainable, because people use them in a sustainable manner and sustainable consumption is easy. The **Consumption and Use** element addresses decisions related to the materials and products people acquire, how they obtain them, and how they use them.

Both producers and consumers continue to discard unwanted materials, so the **End-of-Life Management** element aims to direct these materials to their next highest and best use.



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**conserving resources • protecting the environment • living well**

This process is iterative throughout the life cycle of materials—from upstream, through use, through recovery and end-of-life management, and back into production. Each element builds on success in the previous elements.

### Oregon in 2050

- We are wiser. Knowledge and innovation brought us here.
- We are connected. Coordination and communication make the system work.
- We invest resources wisely.
- We share responsibility. Everyone has a part.
- We are accountable. We set goals, measure success and learn from experience.

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Achieving this vision means that Oregonians in 2050 will produce and consume much differently than today, and we will recover more materials in a smarter way. Together, we will manage materials wisely, while strengthening economies at the local, regional, national and global levels. We will have tackled our materials challenge together, and everyone will be part of the solution.

The next sections of this chapter provide more information on desired outcomes for materials management and where we are today. The following chapter, *Framework for Action*, outlines pathways forward from our current reality to the desired outcomes for 2050.

## Upstream, Design and Production in 2050

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**Producers make  
products  
sustainably.**

**Every option is a  
sustainable  
option.**

**Producers make products sustainably**—from design and production through packaging, intended use and end-of-use management. Design minimizes environmental impacts across the product's life cycle and materials are selected based on their highest and best use. Cradle-to-cradle or closed-loop design, which addresses full life cycle impacts, is common practice. Products are designed to be durable, repairable, disassembled, or recycled, and single-use products are obsolete or used only as absolutely necessary. In 2050, green building is the norm.

**Materials are not used at a rate faster than can be renewed or recovered**, and dematerialization has reduced the impacts of products and services. Risks of chemicals are fully assessed before they are used. Products and production do not use toxic chemicals or, when necessary, toxics are minimized and then recaptured for their highest and best use. Packaging is limited to what is necessary, and environmental impacts of packaging are minimized. During use and after discard, materials leach little or no toxins and emit few greenhouse gases.

**Research and innovation fuel unprecedented technological advances and economic vitality in Oregon.** Our state is a leader and a national center for green businesses and jobs. Oregon makes and exports sustainable products, goods and services—creating sustainable jobs here at home. Businesses use unwanted materials from other businesses as inputs for new products. Our educational system supports and drives this success: Oregon universities are vital in supporting the green economy through pioneering research and technology transfer. Our universities are recognized leaders in green chemistry and technology, and the private sector values the critical role of research institutions in supporting innovation.

**Coordination throughout the life cycle of products leads to innovative solutions.** Producers, retailers and government work together to support sustainable product choices. Innovation exchange and cross-sector cooperation between producers and suppliers expand opportunities for sharing resources and ideas.

**Complete and transparent information on product contents and life cycle impacts is readily available.** Producers know the impacts of their products and processes both upstream and downstream in the supply chain. Information on impacts of products and processes is accurate, transparent, and readily shared throughout the supply chain. Information disclosure and accounting standards make it easy to compare impacts across products.

**Responsibility is shared for full life cycle impacts.** Those involved with a product across its life cycle share responsibility for all impacts. Prices reflect environmental and social costs, and incentives and regulations support sustainable producers and products. Oregon businesses and our global competitors share a level playing field.

## Upstream, Design and Production Today

About 40 percent of domestic greenhouse gas emissions result from producing and transporting materials and products.

**Reuse and repair of products is often difficult and discouraged.** Planned obsolescence is part of the design for some products. Lack of infrastructure or financial incentives for repairing and recycling products discourages design for repair and recycling. Toxics and mixed materials in products and packaging can impede recycling and harm public health.

**Products sold in Oregon are produced globally.** Production standards, regulations and environmental impacts vary nationally and globally. Supply chains are complex and may cross numerous borders.

**Prices do not reflect all environmental impacts, and full information is not available on environmental impacts.** Extraction of raw materials is often subsidized, and the public bears the “external” costs of environmental impacts.

**Sustainability is not clearly understood or uniformly defined.** Environmental impacts are not commonly understood, especially by small and medium-sized businesses. Many “green” claims involve some form of “greenwashing.”<sup>14</sup>

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**“Backcasting” starts with a future vision and looks back to the present to identify steps to achieve the vision.**

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**Complete information is not available on environmental impacts.** Producers are not required to investigate and disclose impact data—such as toxic chemical use—to government, the supply chain or the public. While data are available for permitted and reported emissions, information on impacts of product use is lacking. Relevant knowledge resides in the private sector, academia and in Europe.

**Government lacks some tools to identify, prioritize and take action to reduce the health and environmental effects of toxic chemicals,** and product stewardship is limited. Many environmental policies were written 20 to 30 years ago. Regulations mainly address production processes rather than products. Investment in green chemistry research, development and education is limited.

**Some market leaders are innovating to reduce impacts during production.** Design and innovation tools are becoming more common. Product design involves tradeoffs in life cycle impacts such as toxicity, greenhouse gas emissions and water use. Green building has growing support in the commercial and public sectors.

## Consumption and Use in 2050

**All Oregonians live well in communities where materials are used sustainably.** Oregonians of all backgrounds and experiences enjoy high-quality lives, including rich social and community relations, without requiring high levels of acquisition of material goods. Oregonians see themselves first as community members, rather than mainly as consumers. Social norms, infrastructure and communities—neighborhoods, regions, families, friends and social groups—make low-impact consumption easy and rewarding. Collaboration, sharing, repair and reuse are all normal, and sustainable consumption is a social norm that is easy to live by.

**Oregonians actively seek to live “within the limits of our sustainable share of the world’s natural resources”** and engage other community members, including producers, to do the same. Oregonians are meeting their needs, and quality of life is high, with a minimal environmental footprint. All choices are good choices; highly unsustainable products are no longer sold. Public agencies lead by example and build capacity through model practices for sustainable procurement and use of materials.

**Sustainable product and material choices are desired and readily available.** Sustainable products, materials and services—including renting, sharing, collaboration, reuse and repair—are easily accessible and affordable. Products sold in Oregon are sustainable choices, regardless of where they are made. Environmentally superior products perform as well as or better than their higher-impact alternatives. Public, private and nongovernmental systems support access to sustainable choices. Full life cycle costs are internalized into prices, so lower cost is yet another benefit of greener products.

**Complete product and environmental information is accurate and readily available.** Accurate information on the environmental impacts of products is available to consumers in a meaningful way. Oregonians share a common understanding of sustainable consumption, including the “limits of our sustainable share of the world’s natural resources” and whether we are living within them—both individually and collectively.

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**People live well and consume sustainably.**

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## Consumption and Use Today

**Many factors influence consumption today.** People make consumption choices to fill physical, emotional and recreational needs and to signal their social status. Reduced durability, reduced product quality and planned obsolescence drive increases in consumption. Cultural norms involving reuse, repurposing, repair, renting, sharing and buying are also influential. Subsidies encourage some consumption, and product prices do not reflect their full costs, including environmental impacts.

Increases in work hours tend to result in increased consumption, while work decreases lead to lower consumption. The United States has a long-term trend of increasing house sizes with fewer people per home. Regulation of advertising, including marketing to children, is limited.

Research suggests that Oregon's population in general may be less materialistic and more egalitarian than the United States as a whole.

**A sustainable level of consumption and how to achieve it are typically not well-understood** by policymakers, business leaders or the general public. Demand for sustainable product choices is moderate, but options are not always equitably available or affordable. Above a threshold, more consumption (of "wants") does not lead to commensurate increases in well-being for households with higher incomes, on average.

**Information on environmental impacts is rarely accessible, easy-to-use or trusted.** Consumers are confused about product impacts, and greenwashing - misleading claims about a product's environmental benefits -- makes it more difficult to discern accurate product information.

**Some impacts of consumption, such as greenhouse gas emissions, are fairly well-understood, while others are not.** Oregonians' consumption-related greenhouse gas emissions in 2005 were three times larger (21.5 metric tons of carbon dioxide equivalent, CO<sub>2</sub>e, per person) than the unsustainable global average of 7.1 metric tons of CO<sub>2</sub>e per person. Other environmental impacts of Oregon's consumption, such as toxics, are not well-quantified.

**Many Oregonians believe that overconsumption undermines the well-being of families and children, and threatens the environment and both personal and national financial security.** A majority of Oregonians (72 to 82 percent) agree that “our country would be better off if we all consumed less.” More than 60 percent of Oregonians agree that “consuming less” would make people more self-reliant, provide more time to spend with family and friends, be better for the environment, and be “painful in the short term but better for us long term.”<sup>15</sup> Some consumers, particularly households with lower incomes and education, indicate that they want information on how to consume more sustainably but lack access to such information. In the private sector, larger businesses are increasingly discussing “sustainable consumption.”

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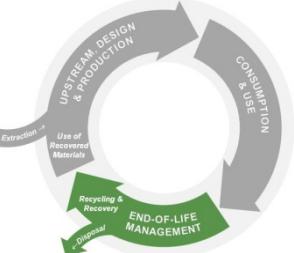
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 <p>The diagram illustrates the material cycle as a continuous loop. It starts with 'Extraction' at the top left, leading to 'Use of Recovered Materials' at the bottom left. This leads to 'Upstream Design &amp; Production' at the top center, which then leads to 'Consumption &amp; Use' at the bottom right. From 'Consumption &amp; Use', the cycle continues clockwise through 'Recycling &amp; Recovery' at the bottom left, 'Disposal' at the bottom center, and finally 'END-OF-LIFE MANAGEMENT' at the bottom right, which then loops back to 'Extraction'.</p>
<b>Materials have the most useful life possible after discard.</b>

## End-of-Life Management in 2050

**Materials have a useful life after discard.** The large majority of products, materials, food scraps and yard trimmings are captured for reuse, recycling or reprocessing. High-quality recovered materials are available to be made into useful products. Few materials are disposed of in landfills or incinerated.

**Stable infrastructure and markets support highest and best use of discarded materials.** Well-developed markets for recovered materials contribute to Oregon's economic success. Systems for recovering materials and managing discards, including for the few toxic products remaining in commerce, are available and cost-effective. These systems are convenient for consumers and businesses throughout the state. Effective sorting systems add value to recovered materials, and new technologies use materials and energy that had previously been discarded. High-quality feedstocks help keep regional mills viable and competitive. A strong, networked industry for reuse and repair exists. Many reuse, repurpose and recovery jobs add to a prosperous economy, and these businesses are stable.

**Oregonians are engaged in making better materials choices for end-of-life management of materials.** Residents understand that materials have value after discard. Oregon's social norm is to conserve, reuse, repair and recover.

**Health and environmental risks from disposed wastes are minimized.** Legacy waste and landfills, including stockpiled wastes, are managed safely.

**Public policies support sustainable materials management at product end-of-life.** All prices including recovery and disposal reflect full costs and support directing recovered material to its highest and best use. Producers share responsibility with governments and the public for managing materials after discard. Government sets and enforces standards and evaluates results of key recovery and discard management programs. Local governments have a role in designing programs to best serve their populations.

## End-of-Life Management Today

**The economic recession beginning in 2008 resulted in decreased waste, recycling and consumption.** The mixture of discarded content is changing over time, such as recent drops in newsprint and magazines.

**Of discarded materials, 48 percent are recovered for other uses.** Recovery rates vary broadly across materials. Paper, metal and glass all have recycling rates above 65 percent. About 15 percent of plastics are recycled, and food, carpet and textiles have recovery rates below 10 percent.

**Infrastructure and markets for discard management and recovery of materials vary by material and location.** Local governments have established infrastructure to collect discards and recyclables. Recycling is often available at home but not readily available outside the home. Curbside recycling is mainly available in urban areas and cities with more than 4,000 residents. Multifamily and commercial recycling collection is optional in certain cities. Options are limited for food scraps collection, composting and distribution of leftover edible food. Long-term landfill capacity is ample statewide.

**Export markets play a significant role, particularly for plastics, metals and mixed paper.** Paper has strong but threatened local markets. Metals, glass and compost have moderate local markets, while plastics and carpet have limited local markets. Recycling services in urban areas have better access to markets than rural areas. Concerns about contamination of recyclables and finished compost are growing.

**Disposal and recovery prices do not reflect indirect and opportunity costs.** Funding for DEQ and some local government programs comes from disposal fees, which change with quantities disposed.

**Discard management systems continue to develop.** Solid waste collection operates under an established franchise system in most of the state. Some reuse businesses and nonprofit organizations exist.

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**Oregonians have a strong recycling ethic, but confusion exists** over waste prevention, recycling, biodegradability and composting. State and local governments and collectors help inform and engage residents. Oregonians have growing interests in energy recovery technology.

**Existing policies and regulations set priorities**, provide residents with recycling opportunities, and set a precedent for product stewardship of difficult-to-manage or harmful materials. A statutory solid waste hierarchy sets clear priorities. Local governments are required to provide residents the opportunity to recycle. Landfill bans are in place for selected materials. Oregon's bottle bill, electronics, and paint laws set a precedent for product stewardship. Mandatory business recycling in the Portland metro area is required but poorly enforced. Recycling is not mandatory outside the metro area, except that certain materials are banned from landfills. Generally, the regulatory structure is focused on managing wastes at end-of-life. DEQ measures tons recovered and disposed, and state waste generation and recovery goals are based on waste tonnages. State law sets recovery percentage goals that wastesheds (counties) were required to meet as of 2009 and also set a statewide recovery goal for 2009. State law also sets a statewide goal that the annual tons of solid waste generated in Oregon shall not increase beginning in 2009.

# Framework for Action

Taking action upstream—in design and production—offers the best opportunities to realize the *2050 Vision*. While producers shift to more sustainable actions, consumers also have important roles to play in the types of products they demand, how they use them, and how items are managed once they are no longer wanted. Effective management at end-of-life then redirects resources back into productive use, while helping to reduce the negative impacts of disposal.

To help achieve the *2050 Vision* in Oregon, DEQ must take several different types of actions. The *Framework for Action* includes pathways to lead Oregon to the desired outcomes for 2050. These pathways include:



Within the pathways, this document lists potential actions for DEQ and others to pursue and leaves room to develop new actions over time. The framework is intended to serve as a flexible platform for action to guide progress toward the *2050 Vision*; it is not designed as an implementation plan for specific actions. The framework is structured to allow adaptability in implementation and detailed action planning as it steers overall efforts in the direction of the vision and desired outcomes for 2050.

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**Materials management:**

Identifies impacts throughout the life cycle

Focuses on high-impact actions across the life



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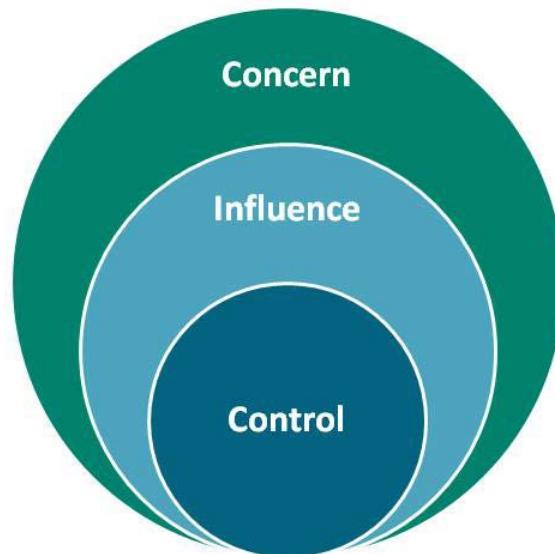
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## Implementing the Framework for Action

The *Framework for Action* lists about 50 actions without prioritization. DEQ will begin prioritizing actions by the end of 2012. It will consider factors such as the staging and relative timing of actions that build sequentially on each other, internal resource availability, opportunities to partner with other organizations and efforts, and other factors such as initiatives by key stakeholders that might facilitate certain actions.

DEQ will begin work on the highest priorities within the next five years as resources allow. Implementation of other actions will follow. The framework includes both foundational work needed to achieve the *2050 Vision* as well as work specific to different stages of material life cycle.

The framework will serve as a flexible platform to guide progress toward the *2050 Vision*; it is not designed as an implementation plan. For specific items in the framework, DEQ will scope projects, work with stakeholders as appropriate, and develop project plans. The actions are focused on areas of DEQ's potential influence and control. Implementation will include continuing opportunities for stakeholder involvement, and actions may be conducted by both DEQ and others.



**Figure 4. Spheres of Control, Influence and Concern**

DEQ will reevaluate the entire *Framework for Action* every six years to foster continuous improvement and adaptive management, to ensure it effectively guides actions found in the *2050 Vision*. DEQ will update

actions and may identify new actions over time, following the guiding principles listed below.

## DEQ's Guiding Principles for Materials Management

When prioritizing, planning and implementing actions, DEQ will consider the following guiding principles:

- Develop and implement policies and programs based on robust research.
- Lead when appropriate.
- Coordinate and collaborate with partners.
- Ensure that actions complement one another.
- Build on what's already working, such as using existing infrastructure when possible.
- Focus on high-impact materials and processes.
- Be flexible and adaptable.
- Continuously use the *Framework for Action* and update as necessary.
- Consider environmental and other impacts of policy options, including:
  - Social equity
  - Quality of life
  - Economic viability
  - Potential unintended consequences

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Icons indicate which life cycle stage action addresses.
 Full life cycle
 Upstream, Design & Production
 Consumption and Use
 End-of-Life Management

## Foundations (F)

This pathway builds the solid foundation necessary to achieve the *2050 Vision*. Foundational work includes setting goals and measuring outcomes for the broader effort as well as specific projects, supporting and performing research to inform work in all four pathways, building the work into DEQ operations, and securing stable funding. Foundational work, especially research, can act as a catalyst for new processes and initiatives, and supports the shift from managing discards to managing materials. As with other pathways, DEQ will perform much of this work in concert with its partners.

### F1. Establish goals and measure outcomes

-  a. Establish new goals for sustainable materials management and update existing goals.
-  b. Establish and track appropriate sustainability measures in coordination with the Oregon Sustainability Board and other relevant entities.

### F2. Identify and secure sustainable funding for materials management programs

-  a. Identify and evaluate potential funding models and convene stakeholders to collaborate and develop funding strategy.
-  b. Secure funding for DEQ and other programs, such as state entities charged with fulfilling the materials-related sustainability goals under the Oregon Sustainability Act.

### F3. Support and perform foundational research

-  a. Identify high-impact materials and processes, and disseminate information on easy-to-use life cycle metrics for high-impact product categories as well as lower-impact alternatives.
-  b. Perform research to identify highest and best use at end-of-life for discards with high environmental impacts (e.g., food, metals, paper, plastics, carpet and wood), and conduct analysis to determine barriers, program and policy options, and steps needed to increase and improve recovery. Research collection methods and better ways to separate and preserve the value of collected material.
-  c. Conduct a study of regional standards and opportunities for carbon and environmental footprinting.
-  d. Research and evaluate definitions and criteria for addressing sustainable consumption for Oregon.
-  e. Study relationships between materials management and social value of reuse, borrowing and renting; employment and community impacts of materials management; and understanding the values, preferences and motivations that support and promote community-scale sustainable consumption.
-  f. Research material subsidies to identify opportunities to reduce environmental impacts.
-  g. Identify and evaluate barriers to designing infrastructure and products for repair, reuse and lifespan extension in Oregon. Identify and evaluate options to determine when product reuse is appropriate based on environmental impacts.
-  h. Perform research on product and disposal prices to determine environmental and other potential costs not reflected in prices; develop tools, methods and standards for determining full costs; study feasibility of incorporating environmental costs into prices (e.g., carbon tax) as a tool to encourage product design changes or discourage products with higher impacts.
-  i. Conduct periodic updates to consumption-based greenhouse gas emissions inventory and evaluate inclusion of additional (non-climate) environmental impacts.

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Icons indicate which life cycle stage action addresses.

 Full life cycle

 Upstream, Design & Production

 Consumption and Use

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<b>Icons indicate which life cycle stage action addresses.</b>	
 Full life cycle	
 Upstream, Design & Production	
 Consumption and Use	
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-  j. Evaluate value of local production, and identify products for which local production benefits the environment.

#### **F4. Build 2050 Vision and Framework for Action into DEQ's operations**

-  a. Organize DEQ's programs to effectively implement this *Framework for Action*. Evaluate current solid waste program work, including permitting, and realign staff priorities to be consistent with the *2050 Vision*. Align resources with risks for permitting, inspections and oversight.
-  b. Review and update *2050 Vision and Framework for Action* every 6 years.
-  c. Adopt a DEQ policy to include environmental costs in internal department decisions.
-  d. Support implementation of DEQ's *Toxics Reduction Strategy*, which includes a list of priority toxic chemicals and actions to reduce and assess toxics in Oregon.

## Policies and Regulations (P)

DEQ will develop, evaluate, implement and measure effectiveness of policies and regulations that move Oregon on the path toward achieving the *2050 Vision*.

### P1. Evaluate and adopt incentives to help Oregonians produce and consume more sustainably

- a. Support policies that offer incentives for developing sustainable manufacturing techniques and goods, including **green chemistry**, in Oregon.
- b. Evaluate potential changes to tax policy to shift consumption and support natural capital.

### P2. Reduce life cycle impacts through product stewardship

- a. Identify opportunities and establish programs for producers and retailers to support sustainable production and minimize life cycle impacts of products, such as greenhouse gas reductions and phase-out of persistent, bioaccumulative toxics.
- b. Improve information dissemination across the life cycle of products such as credible eco-labels to foster reduction of environmental impacts of products; standardized environmental footprint information for products; comprehensive hazard information for chemicals; and end-of-life instructions for certain categories of products.
- c. Evaluate and select products for suitable environmental standards ("choice editing") and implement product standards for high-impact products including phase-outs or bans.
- d. Prioritize products and materials for product stewardship programs based on DEQ's product stewardship principles and support legislation consistent with these principles.
- e. Develop and enforce management standards for extended producer responsibility (take-back) programs.
- f. Coordinate with other states and provinces to harmonize product stewardship efforts.

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**Product stewardship** refers to a broad umbrella of actions to minimize harmful impacts across the entire life of their product.

**Extended producer responsibility (EPR)** is a specific application of product stewardship that shifts responsibility for end-of-life management of products and materials to the producer.

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Icons indicate which life cycle stage action addresses.

 Full life cycle

 Upstream, Design & Production

 Consumption and Use

 End-of-Life Management

### P3. Achieve the highest and best use at product end-of-life

- a. Develop a strategy to increase recovery of food, yard waste and metals and to limit them from entering the disposal stream of wastes destined for landfill or incineration, where appropriate. Consider the use of incentives to increase recovery. Consider mandates for food scrap collection in areas with composting or anaerobic digester capacity at a reasonable price. In consultation with local governments and other partners, ban food scraps and metals from entering the disposal stream (destined for landfill or incineration) by 2025, with exceptions as appropriate.
- b. In consultation with partners, evaluate potential bans at a state and local level to prevent other recoverable materials from entering the disposal stream destined for landfill or incineration.
- c. Evaluate legislation, other authority, or other program approaches to direct materials to their highest and best use (e.g. limit feedstock sent to energy recovery and conversion technology facilities to non-recyclable material, as appropriate; send used petroleum products to their highest and best use; improve collection and processing to maintain the high value of the material collected).
- d. Increase recycling collection opportunities in Oregon through review and update of the Opportunity to Recycle Act including considering additional incentives or mandates for increased multi-family and commercial recycling service as well as expanded education and promotion programs; reviewing the definition of “recyclable material” to consider other costs not reflected in recycling and disposal prices; and updating recyclable materials lists through rule adoption. When adding programs and/or recyclable materials, consider availability and distance to markets as well as size and location of communities.
- e. Set ambitious yet achievable recovery goals for specific materials and products, such as rigid plastic containers.
- f. In consultation with local governments and other partners, provide incentives for or mandate post-collection sorting for dry waste loads in large-volume markets.

- g. Support efforts to set revised **ASTM** standards for product compostability and to clarify product labeling for compostability and biodegradability.

**P4. Safely manage materials that have been, and will be, disposed.**

- a. Establish and maintain appropriate performance standards, permitting and other requirements for environmentally protective management of wastes at disposal facilities.
- b. Ensure compliance with requirements for environmentally protective management of materials through permitting and other oversight.

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## Collaboration and Partnerships (C)

Achieving the 2050 vision will require collaboration - both with DEQ's traditional partners as well as new partners who are essential to effectively managing the impacts of materials across the full life cycle. DEQ will collaborate with other state agencies, the Oregon Sustainability Board, businesses, nongovernmental organizations, local governments, individuals, the research community, federal agencies and other states to foster innovative solutions. DEQ will identify, convene and participate in cooperative partnerships; share information among partners; seek opportunities for collaboration on research; and play a leadership role and endorse other efforts, where appropriate.

### The Value of Collaboration and Partnerships – A Recent Example

DEQ's recently-started residential green building initiative offers one example of the value and importance of collaboration and partnerships. DEQ got involved in green building at a time when the field was already busy and heavily populated. But DEQ filled a significant gap: researching and communicating information about the environmental impacts of materials and various methods of reducing environmental impacts through changes in material selection and use.

Working with partners as diverse as the Oregon Home Builders Association, numerous private builders, Energy Trust of Oregon, Earth Advantage, City of Portland, Cascadia Green Building Council and AARP, DEQ has rapidly leveraged its own limited resources to re-prioritize broader green building efforts and achieve greater environmental benefits, leading to changes in building codes, green building rating systems, and local incentive structures. New partnerships and collaboration have been critical elements of achieving these changes.

## C1. Foster business and industry collaboration and innovation



- a. Evaluate needs and opportunities for **business-to-business** processes. Support improvements in supply-chain reporting and information management including development of standardized methodologies for data collection and evaluation of product impacts, life cycle assessment standards, product category rules, and rating systems for manufacturing.
  
- b. Support **Oregon Green Chemistry Innovation Initiative** to build awareness in the business community about the economic, environmental, and public health benefits of green chemistry.
  
- c. Engage with research organizations such as the Oregon Nanomaterials and Microtechnologies Institute to **ensure that nanomaterials pose minimal harm to human health and the environment.**
  
- d. Evaluate and engage in potential partnerships with industry to adopt incentives, grants, tax changes and other state and local policy alternatives to **support repair and reuse**, including product repair and building material reuse.
  
- e. Evaluate and engage in potential partnerships with industry to adopt incentives, grants, tax changes and other state and local policy alternatives to **support collaborative and sustainable consumption.**
  
- f. Investigate methods and technologies to better **sort and preserve value of recovered materials.**
  
- g. Support efforts to set **standards for finished compost quality.**
  
- h. Support efforts to **encourage the use of products made from recovered materials**, such as the use of food waste compost by agricultural producers.
  
- i. Support **voluntary business accounting efforts** to monetize environmental impacts.
  
- j. Support higher standards for new buildings (e.g., “net zero” plus offset of materials) and improvements to materials-related elements of **green building certification systems.**

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## C2. Work with government agencies to advance sustainable materials management

-  a. Work with Oregon's Department of Administrative Services, the Oregon Sustainability Board and others to assess and build upon existing **sustainable procurement policies and materials management programs**, including indicators and reporting, for state and local government and institutional purchasers.
-  b. Coordinate with Business Oregon, the Oregon Business Development Department, to identify and support innovation in manufacturing.
-  c. Support improvements to Oregon Reach Code and baseline building codes, such as material selection, preferences, restrictions, incentives for space-efficient homes, and removal of barriers to adopt lower-impact practices.
-  d. Support expanding the State Energy Efficient Design requirements for construction and renovation of state buildings to include energy impacts of materials.
-  e. Coordinate work with other states and local governments, economic development agencies and universities on research of mutual interest.
-  f. Support policies of other state and local agencies that align with the *2050 Vision*.

## C3. Support sustainable consumption “early adopters”

-  a. Evaluate and pursue opportunities to support space-efficient housing.
-  b. Engage with other partners to research feasibility and efficacy of reducing consumption by facilitating voluntary adoption of shorter work weeks.
-  c. Evaluate existing food waste prevention programs (such as “**Love Food Hate Waste**” and others) for application in Oregon. Partner with others to implement efforts in Oregon including efficient food redistribution systems.
-  d. Support opportunities for consumers to effectively opt out of receiving unwanted mail, if desired.

## Education and Information (E)

Much of DEQ's work related to education and information will involve others. For example, DEQ will share information it develops with partners for distribution to appropriate audiences.

### E1. Engage communities in sustainable materials management

-  a. Develop information that can be used to help consumers understand relative impacts of actions and choices, and partner with others to disseminate the information.
-  b. Embed sustainable consumption concepts into existing public education programs such as outreach under the Opportunity to Recycle Act. Revise "Rethinking Recycling" curriculum and supporting materials; expand the curriculum to include grades 6 to 12 and a broader materials management perspective.
-  c. Encourage and facilitate public and private demonstrations of successful material management practices and strategies.

### E2. Develop a communication plan focused on sustainable end-of-life management

-  a. Develop consistent statewide messaging on the benefits of reuse, repair, composting, recycling and disposal, taking into account differences in programs throughout the state.
-  b. Work with partners such as grocery and retail stores and libraries to deliver messages related to sustainable end-of-life materials management.

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## Endnotes

<sup>1</sup> For example, the International Monetary Fund reports that global commodity prices for primary metals (an index of copper, aluminum, iron ore, tin, nickel, zinc, lead, and uranium) rose 47% between 2006 and 2011. Prices for food and beverage commodities rose 64%; agricultural raw materials (an index of timber, cotton, wool, rubber, and hides) rose 41%; and energy rose 62% during the same time period.

<sup>2</sup> In 1900, 41% of the materials used in the U.S. were renewable (agricultural, fishery, and forestry products); by 1995, only 6% of materials used were from renewable sources. The majority of materials consumed in the U.S. now are nonrenewable, including metals, minerals, and fossil-fuel derived products. Lorie A. Wagner, "Materials in the Economy—Material Flows, Scarcity, and the Environment," *U.S. Geological Survey Circular 1221* (February 2002), <http://pubs.usgs.gov/circ/2002/c1221/c1221-508.pdf>.

<sup>3</sup> Oregon Department of Environmental Quality, *Supplemental Technical Report: Greenhouse Gas Emissions and Emissions Intensities for Consumption of Materials, Services, Fuels and Electricity* (2011), <http://www.deq.state.or.us/lq/consumptionbasedghg.htm>.

<sup>4</sup> Figure 2 was modified from Center for Sustainable Systems, University of Michigan, "U.S. Material Use Factsheet," Publication Number CSS05-18 (2011), [http://css.snre.umich.edu/css\\_doc/CSS05-18.pdf](http://css.snre.umich.edu/css_doc/CSS05-18.pdf). The University of Michigan graphic was based on a figure from G.R. Matos and L.A. Wagner, "Consumption of Materials in the United States 1900-1995," *Annual Review of Energy and the Environment* (1998), version 23, pages 107-122. Also based on Lorie A. Wagner, "Materials in the Economy—Material Flows, Scarcity, and the Environment," *U.S. Geological Survey Circular 1221* (February 2002).

<sup>5</sup> Oregon's calculated recovery rate for solid waste (excluding statutory "2 percent credits") has grown from 27% in 1992 to 48% in 2011. At the same time, solid waste landfills and incinerators have implemented more rigorous pollution controls.

<sup>6</sup> For example, among domestic sources of greenhouse gas emissions in 2006, roughly 2.2% of emissions came from landfills and wastewater treatment, while "upstream" sources were roughly 20 times higher: 32.2% of domestic emissions are associated with resource extraction and production processes, and 7.1% are associated with the movement of freight. These figures do not account for the transnational emissions associated with foreign supply chains satisfying domestic consumption; doing so would further increase the "upstream" emissions (relative to disposal-related emissions). Similarly, a rough analysis of sources of air toxics in the Portland Air Toxics Inventory found that the vast majority of sources of air toxics are associated with production or consumption activities, rather than management of wastes at end-of-life.

<sup>7</sup> Waste recovery activities in Oregon in 2011 saved approximately 31 trillion British thermal units (Btus) of energy—the equivalent of 253 million gallons of gasoline, or 3.2% of total energy used by all sectors of the economy in Oregon. Similarly, waste recovery activities reduced greenhouse gas emissions by approximately 2.8 million metric tons of carbon dioxide equivalent, roughly the same as tailpipe emissions from 580,000 "average" passenger cars over a year. Oregon Department of Environmental

# Oregonians in 2050 produce and use materials responsibly

## conserving resources • protecting the environment • living well

Quality, 2011 Oregon Material Recovery and Waste Generation Rates Report (2012). While DEQ has not quantified other environmental benefits, a meta-analysis of life cycle analyses conducted in the United Kingdom concluded that recycling activities typically also reduce a variety of other pollutants, such as those contributing to toxicity, acidification, and smog formation, relative to landfilling or incineration. WRAP, *Environmental Benefits of Recycling—2010 Update* (2010). Specific to jobs, a recent study found that landfilling supports roughly 1 job per 10,000 tons of waste landfilled annually, while composting and recycling support, on average, 5 and 20 jobs per 10,000 tons, respectively, with as many as 100 jobs per 10,000 tons of plastics recycled, and even higher job potential for reuse and remanufacturing. Tellus Institute and Sound Resource Management, *More Jobs, Less Pollution: Growing the Recycling Economy in the U.S.* (2011).

<sup>8</sup> For an example of the increasingly global nature of our environmental footprint, one recent study showed that reductions in territorial greenhouse gas emissions in developed countries between 1990 and 2008 were more than offset by an increase in emissions in other countries associated with producing goods for consumption in the developed countries. Peters *et al.*, "Growth in Emission Transfers via International Trade from 1990 to 2008," *Proceedings of the National Academy of Sciences of the United States of America* (May 24, 2011).

<sup>9</sup> Nationally, achieving nearly 95% recovery (recycling and composting) of municipal solid waste and 70% recovery of construction and demolition materials would reduce the greenhouse gas emissions associated with the life cycle of materials (excluding use of energy-using products) by roughly one-seventh—a significant accomplishment, but still leaving most of the emissions associated with materials untouched. U.S. Environmental Protection Agency, *Opportunities to Reduce Greenhouse Gas Emissions through Materials and Land Management Practices* (2009). Similarly, estimations of the reduction in greenhouse gas emissions associated with different program and policy alternatives conducted by DEQ for the Oregon Global Warming Commission found that the potential reductions associated with "upstream" actions were many times larger than the reduction potential from actions addressing management of wastes. Oregon Global Warming Commission, *Interim Roadmap to 2020* (October 2010).

Looking just at one product category, DEQ's life cycle analysis of drinking water delivery systems compares the benefits of increasing recycling of single-use bottles with other actions that producers and consumers might engage in. For example, increasing the recovery rate for conventional PET water bottles from 37% to 62% recovery (roughly equivalent to the change in recovery rate when water bottles were added to Oregon's bottle bill) decreases life cycle impacts of these bottles by 5% for global warming potential, 7% for energy use, 5% for respiratory effects potential, and 1% for ecotoxicity potential. (This is based on an allocation method that assigns only half of the benefits of recycling to the generator of recycled waste and the other half to the user of recycled material; an alternative approach that allocates all of the benefits to the waste generator would produce benefits roughly twice those listed above.) In contrast, increasing the recycling rate to 62% while simultaneously lightweighting the plastic bottle (an "upstream" or producer-related action not directly related to end-of-life management) leads to much larger reductions: 21% for global warming potential, 23% for energy use, 22% for respiratory effects potential, and 20% for ecotoxicity potential. Going further, decisions by the consumer to eschew bottled water and drink water from the tap instead could reduce these impacts by 26% to 99%. Franklin Associates, prepared for Oregon Department of Environmental Quality, *Life Cycle Assessment of Drinking Water Delivery Systems: Bottle Water, Tap Water, and Home/Office Delivery Water* (2009).

<sup>10</sup> Several of the best examples of suboptimal decisions resulting from focusing on end-of-life considerations rather than the full life cycle involve the very common practice of using end-of-life objectives (e.g., recycling, composting) to inform purchasing decisions (e.g., recyclable, compostable). As recycling and composting are generally viewed as good for the environment, a natural inclination is for people to assume that recyclable and compostable products must similarly be good for the environment. Two examples

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from projects in Oregon illustrate the hazards of this approach. First, a life cycle analysis of green building practices shows that, when choosing among competing wall framing practices, design for “waste prevention” and design for “recycling” can both lead to suboptimal outcomes. Over the life cycle of the home, several wall designs with lower overall environmental impacts tend to use more material (and thus generate more solid waste) and more types of materials that are currently difficult to recover. Quantis, Earth Advantage Institute, and Oregon Home Builders Association, prepared for Oregon Department of Environmental Quality, *A Life Cycle Approach to Prioritizing Methods of Preventing Waste from the Residential Construction Sector in the State of Oregon—Phase 2 Report* (2010).

Similarly, when considering options for shipping non-breakable goods in a catalog or electronic commerce order fulfillment environment, DEQ’s e-commerce packaging life cycle analysis clearly shows that criteria such as “recyclable” and “recycled content” do not consistently correlate well with reductions in environmental impacts. In contrast, several packaging options that are both difficult to recycle and contain limited recycled content (such as plastic shipping bags) have environmental burdens that are considerably lower than options that are easy to recycle and contain higher levels of recycled content (such as corrugated boxes with paper void fills). Franklin Associates, prepared for Oregon Department of Environmental Quality and U.S. Environmental Protection Agency, *Life Cycle Inventory of Packaging Options for Shipment of Mail-Order Goods* (2004).

<sup>11</sup> Specifically, in *Oregon Revised Statutes 459.015(1)*, the Legislative Assembly makes several findings and declarations, including that “(e) There are limits to Oregon’s natural resources and the capacity of the state’s environment to absorb the impacts of increasing consumption of resources...” and “(f) It is in the best interest of the people of Oregon to conserve resources and energy by developing an economy that encourages waste prevention and recycling.”

<sup>12</sup> While recycling bridges the worlds of materials production and end-of-life management, the production element has been historically underemphasized. Further, some of the current challenges involving recycling (such as contamination of recyclables and loss of end-markets) may in part be a consequence of managing recycling as a solid waste activity as opposed to a materials management activity. Thus, the shift from solid waste management to materials management provides opportunities to improve outcomes from discard management programs, while also providing more effective opportunities to realize the broader policy objectives of conserving resources and reducing pollution.

<sup>13</sup> World Business Council for Sustainable Development, *Sustainable Consumption Facts and Trends from a Business Perspective* (2008).

<sup>14</sup> TerraChoice, a subsidiary of Underwriters Laboratories, has published a series of reports on “greenwashing.” Its most recent involved a review of 5,296 consumer products sold in the U.S. and Canada. These products made more than 12,600 “green” claims. Only 4.4% of products making green claims avoided all of TerraChoice’s “seven sins of greenwashing.” Put differently, the vast majority of products making environmental claims are engaging in some form of greenwashing, as defined by TerraChoice. The most common “sins” include the “sin of no proof” (making claims that are not substantiated), vague claims, hidden trade-offs (implying greenness by calling out environmental attributes that may be positive but largely irrelevant, while not mentioning other negative environmental impacts), and the use of false or bogus certifications. TerraChoice, *The Sins of Greenwashing* (2010).

<sup>15</sup> Opinion data drawn from several 400+ participant random digit dial public opinion surveys conducted in 2008 and 2009 by PolicyInteractive.

## Appendix A

# Glossary

**Backcasting:** A technique used in The Natural Step and elsewhere that starts from an envisioned future outcome and works backwards to determine steps that can lead from current conditions to that future outcome.

**Choice editing:** Instances where less sustainable products or services are removed and replaced with more sustainable items. Governments may introduce outright bans or introduce timelines for the elimination of a product or service. Businesses may phase out production of less sustainable items or remove items from sale, whether voluntarily or in response to government initiatives.

**Consumption:** The using of a resource, product, or material. In the *2050 Vision*, “consumption” typically refers to the stage in the life cycle of a product where it is acquired and used, following production but prior to end-of-life management. However, “consumption” in the context of the **consumption-based greenhouse gas emissions inventory** has a slightly different meaning, referring to the purchase of goods and services by households and governments, as well as business purchases that are classified as capital or inventory formation (economic final demand).

**Consumption-based greenhouse gas emissions inventory:** An estimation of the quantity of gases contributing to climate change that are associated with consumption (economic final demand). A consumption-based inventory is sometimes contrasted with a territorial inventory. A territorial inventory estimates the emissions that physically originate within a community (e.g., Oregon). In contrast, many of Oregon’s consumption-based emissions occur in other states and countries, in the course of producing goods and services for consumption in Oregon.

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**Conversion technology:** The use of primarily chemical or thermal processes to convert solid waste to fuels or other useful products. Examples include pyrolysis, gasification, transesterification (biodiesel production), hydrolysis, and distillation. Anaerobic digestion and fermentation (for ethanol production), which are both biological processes, are often considered to be forms of conversion technology.

**Cost:** Everything given up to acquire or provide a material or service, or achieve a goal. Cost can include direct transfers of money (as reflected in market prices of acquiring or providing a material or service) as well as other components not typically reflected in the market price, such as time, opportunity, health, and environmental quality.

**Discard management:** The collection, transport, processing or disposal, managing, and monitoring of waste materials at end-of-life.

**Downstream:** Those actions and impacts that occur after that point in the life cycle, at any point on a product's life cycle. For example, as viewed by a consumer, downstream actions are those associated with disposal or recycling of the product.

**Eco-label:** A symbol or other label information that reports one or more environmental impacts or attributes of the labeled product. Eco-labels are often used to communicate or imply that the labeled product has lower environmental impacts than previous versions/models and/or competing products.

**End-of-life:** The point at which a product or material is no longer useful to the person possessing it and is either discarded or abandoned.

**Energy recovery:** The use of solid waste to produce a fuel, or the direct combustion of solid waste as a fuel for heat recovery or to produce electricity.

**Environmental footprint:** A measure of the environmental impacts associated with the life cycle of a good or service, including resource extraction, production, transport, sale, use, and end-of-life management. For example, the “Ecological Footprint” is one specific methodology of evaluating environmental impacts in terms of the amount of land required to produce goods and services that an individual or organization consumes. The methodology was originally developed by Mathis Wackernagel and William Rees.

**Extended producer responsibility (EPR):** A mandatory type of product stewardship that includes, at a minimum, the requirement that the producer's responsibility for its product extends to post-consumer management of that product and its packaging.

**Green building:** Constructing and maintaining structures in a way that optimizes resource use and minimizes environmental and human health impacts throughout the life cycle, through design, material selection, operation, and adaptable reuse or deconstruction considerations.

**Green chemistry:** The invention, design, and application of chemical products and processes to reduce or to eliminate the use and generation of hazardous substances.

**Greenwashing:** The practice of making an unsubstantiated or misleading claim about the environmental benefits of a product, service or technology

**Large volume market:** A geographic area with sufficient population or commercial or other activity to allow the viable establishment of a collection program or processing activity.

**Life cycle assessment (or analysis), LCA:** A standardized process used to estimate the impact that a product or process has over the whole of its lifespan, including extraction of raw materials, production, transport, use, and disposal.

**Materials management:** An approach to reduce environmental impacts by managing materials through all stages of their life. Materials management identifies impacts and actions across the full cycle of materials and products as they move through the economy—from raw material extraction to product design and manufacture, transport, consumption, use, reuse, recycling, and disposal.

**Natural capital:** The stock of natural ecosystems that yields a flow of valuable goods or services into the future. It is an extension of the economic definition of capital, which traditionally refers to only the stock of human-made goods and machinery.

**The Natural Step:** A process derived from the work of Dr. Karl-Henrik Robèrt that businesses and organizations use to advance sustainability goals based on four “system conditions.” The four conditions are that the natural environment is *not* subject to

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systematically increasing concentrations of substances extracted from the earth's crust, concentrations of substances produced by society, or degradation by physical means; and people are not subject to conditions that systematically undermine their capacity to meet their needs.

**Product stewardship:** The act of minimizing health, safety, environmental, and social impacts and maximizing economic benefits of a product and its packaging throughout all life cycle stages. The producer has the greatest ability to minimize adverse impacts, but other stakeholders, such as suppliers, retailers, and consumers, also play a role. Stewardship can be either voluntary or required by law.

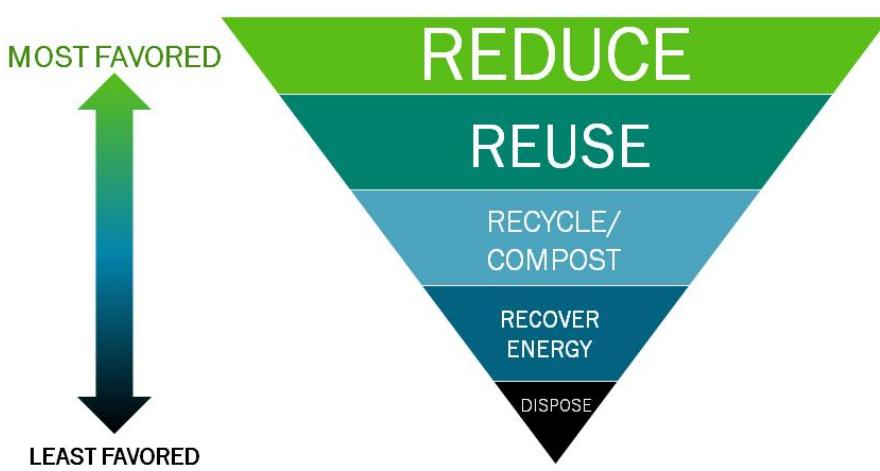
**Social equity:** The just, fair and equitable distribution of resources across populations.

**Sustainability:** Using, developing, and protecting resources in a manner that enables people to meet current needs and provides that future generations can also meet future needs, from the joint perspective of environmental, economic, and community objectives.

**Upstream:** Those actions and impacts that occur before that point in the life cycle, at any point on a product's life cycle. For example, as viewed by a consumer, upstream impacts are those associated with extraction of raw materials, production, distribution, and sale of the product.

**Waste management:** A subset of materials management specifically addressing the management of discards; often used to include, recycling, material recovery, composting, energy recovery, and landfilling.

**Waste management hierarchy:** Priority in methods of managing solid waste, established by Oregon law as follows: reduce the amount of solid waste generated; reuse material for the purpose for which it was originally intended; recycle material that cannot be reused; compost material that cannot be reused or recycled; recover energy from solid waste that cannot be reused, recycled, or composted, so long as the energy recovery facility preserves the quality of air, water, and land resources; and dispose of solid waste that cannot be reused, recycled, composted, or from which energy cannot be recovered by landfilling or other method approved by the Department of Environmental Quality.



**Waste prevention:** To reduce the amount of solid waste generated or resources used, without increasing toxicity, in the design, manufacture, purchase, or use of products or packaging. “Pure” waste prevention does not include recycling or composting.

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## Appendix B

# Background Documents

DEQ collected and developed background documents for this project to inform Workgroup members, capture institutional knowledge, and explore relevant topics more deeply. Background documents are available at [www.deq.state.or.us/lq/sw/materialsmgmtplanbkgrddocs.htm](http://www.deq.state.or.us/lq/sw/materialsmgmtplanbkgrddocs.htm)

### Upstream, Production, and Consumption

#### Waste Prevention

This paper examines the topic of **waste prevention**, the “reduce, reuse” part of the solid waste management hierarchy. It provides a summary of research findings on prevention, an overview of DEQ’s *Waste Prevention Strategy*, and a short discussion of key challenges moving forward.

#### Residential Green Building

Residential green building is one element of DEQ’s work in waste prevention. This report summarizes the results of DEQ’s life cycle assessment of residential waste prevention building practices, outcomes of that research, next steps for DEQ, and emerging issues.

#### Sustainable Consumption and Waste Prevention

This paper provides background on sustainable consumption and explores its relationship with waste prevention. It concludes that DEQ’s traditional waste prevention work may be more effective if reframed clearly in the context of sustainable consumption.

#### Literature Review: Key Challenges in Sustainable Consumption

This paper summarizes a literature review addressing the challenges specific to sustainable consumption.



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## Literature Review: Alternatives for Advancing Sustainable Production and Consumption through Government Programs and Policies

This document summarizes the results of a broad but limited literature review specific to program and policy alternatives that support sustainable production and consumption.

## Recommendations for Product Stewardship in Oregon

This report recommends that Oregon pursue product stewardship as one strategy to reduce the environmental and public health impacts of products. It also recommends eight key elements for product stewardship programs and policy in Oregon.

## End-of-Life Management and Recovery

### Oregon's Solid Waste Hierarchy—Intent and Uses

This document describes the policy intent behind Oregon's solid waste hierarchy (reduce, reuse, recycle, compost, energy recovery, and disposal) and DEQ's application of the guidance.

### Trends in Oregon Waste Generation, 1993-2010

This document describes wastes tracked by DEQ, overall disposal and recovery trends for Oregon, and trends in generation, disposal, and recovery for individual material groups.

### Best Management Practices for Discarded Food Scraps

This paper describes a food waste hierarchy that identifies activities and practices intended to minimize the amount of food waste generated and beneficially use food discards.

### What are “Conversion Technologies”?

This paper describes processes and technologies used to convert the energy stored in carbon-containing organic wastes to chemicals and products which can be used to create energy or make new products. The paper also briefly identifies potential benefits and concerns relevant to conversion technologies.

### Potential for Additional Material Recovery

This paper examines current recovery rates for materials in Oregon and evaluates several potential environmental impacts if recovery could be increased.

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## General

### What Are “Sustainable Materials” and “Sustainable Materials Management”?

This paper briefly introduces six different responses to these questions and summarizes some of the advantages and limitations of each approach.

### DEQ Report to the Legislature: Solid Waste Management Program Information Update for 2009-2010

Biennial report regarding implementation of Oregon’s Integrated Resource and Solid Waste Management Plan.

### Materials Management and Greenhouse Gases

A summary of how materials contribute to greenhouse gas emissions and opportunities to reduce emissions through materials management.

### Alternative Criteria for Measuring Environmental Impacts of Materials Management

An examination of some of the more important criteria and how changes in materials management might affect those criteria.

### DEQ Toxics Reduction Strategy

DEQ’s draft *Toxics Reduction Strategy* includes a Focus List of priority toxic chemicals and 25 actions to reduce and assess toxics in Oregon.

### Rare Earth Elements

Rare earth elements - used for manufacture of wind turbines and electric vehicle technologies, among other products - will continue to be of considerable interest for the foreseeable future.

## Background Documents from Outside DEQ

### Sustainable Materials Management: The Road Ahead

U.S. Environmental Protection Agency, 2009.

### The Natural Step Story: Seeding a Quiet Revolution

Karl-Henrik Robèrt, 2008.

### More Jobs, Less Pollution: Growing the Recycling Economy in the U.S.

Tellus Institute and Sound Resource Management, 2011.

## Appendix C

# Systems and Capabilities

This appendix describes systems and capabilities broadly needed to achieve the *2050 Vision*. To attain the future described in this *2050 Vision*, DEQ and others will need various systems and capabilities in place. Some of these capacities already exist, while others are not yet developed. DEQ and others will build the following systems and capabilities to support the *2050 Vision*.

### Information

- Ability to distill and credibly use information about environmental, societal and economic impacts.
- Knowledge and disclosure of environmental impacts for the full product life cycle.
- Ability to determine highest and best use of materials.
- Robust research and innovation initiatives toward sustainable materials management.
- Systems for sharing information and knowledge.
- Ongoing stakeholder involvement.

### Economic Systems

- Sustainable funding.
- A level playing field between Oregon businesses and global competitors.
- Financial signals that point consumers and manufacturers in the right direction.
- Full-cost accounting and cost internalization.

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## Social Systems

- Effective communication among government, producers, designers, distributors, retailers, consumers, recovery and discard management providers.
- Political and public support for achieving the *2050 Vision*.
- Social norms around sustainable production, consumption, and end-of-life management and recovery.
- Infrastructure for reuse, repair and sharing.
- Equitable access to sustainable choices.

## Leadership in Government

- Outcome-based management.
- Organizational structure and sufficient resources dedicated to materials management.

*Oregonians in 2050 produce and use materials responsibly  
conserving resources • protecting the environment • living well*

## Appendix D

# Workgroup Members



### 2050 Vision for Materials Management Workgroup Members

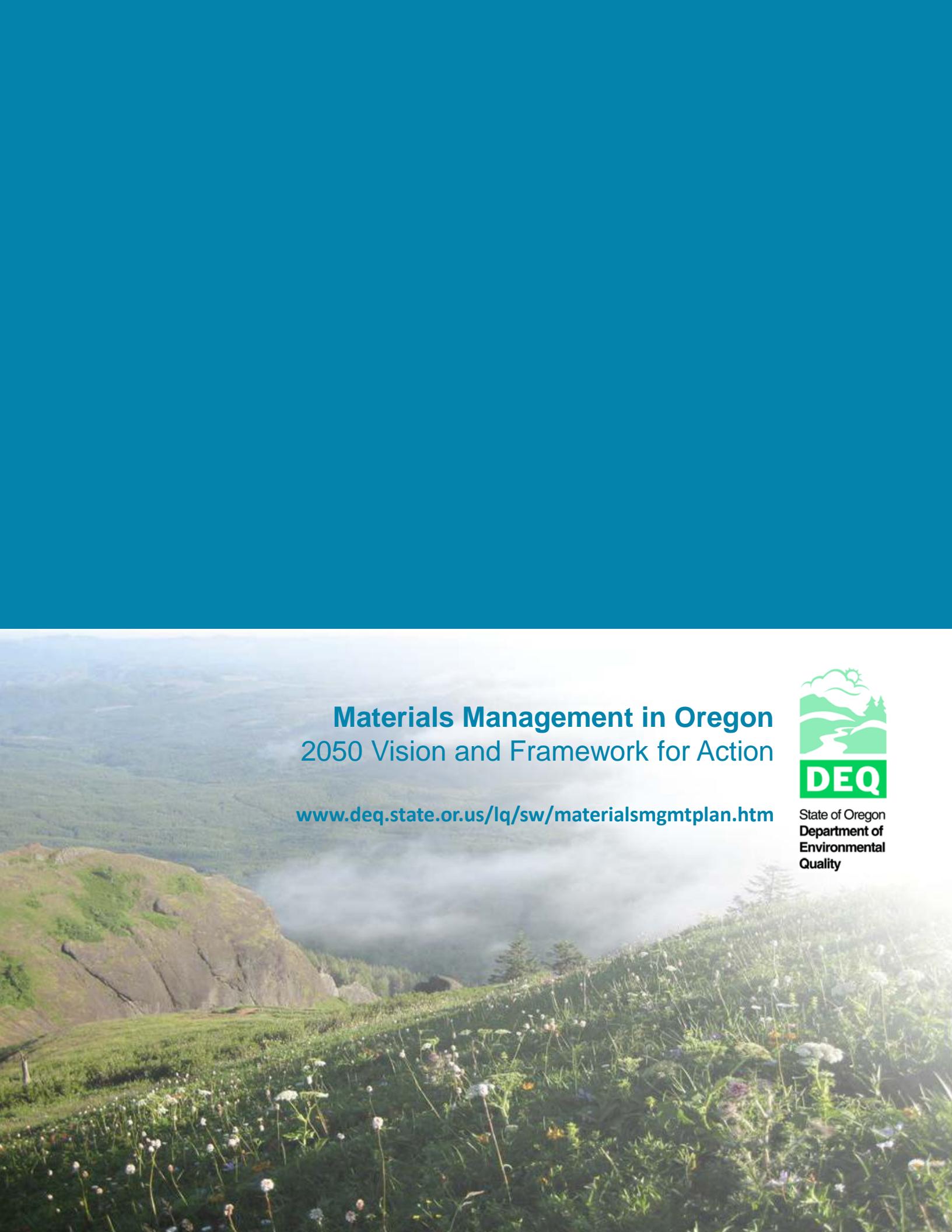
<b>Mark Brady*</b>	Business Oregon
<b>Eden Brukman</b>	International Living Future Institute
<b>Meghan Butler</b>	Recology
<b>Chris Chapman</b>	Washington State Department of Ecology
<b>Steve Clem*</b>	Skanska USA Building
<b>Julie Daniel</b>	BRING Recycling
<b>Shannon Davis</b>	U.S. Environmental Protection Agency
<b>Mike Dewey</b>	Legislative Advocates
<b>Anisha Ladha*</b>	Intel Corporation
<b>Kristan Mitchell</b>	Oregon Refuse and Recycling Association
<b>Jeff Murray*</b>	Recycling professional
<b>Babe O'Sullivan</b>	City of Eugene
<b>Garry Penning*</b>	Rogue Disposal and Recycling
<b>Megan Ponder*</b>	City of Portland
<b>Colin Price</b>	Oregon Environmental Council
<b>Jennifer Purcell</b>	Tillamook County
<b>Wayne Rifer*</b>	Green Electronics Council
<b>Meg Rowe</b>	Oregon Sustainability Board
<b>Jeanne Roy</b>	Center for Earth Leadership
<b>Heather Schmidt</b>	New Seasons Market
<b>Andy Sloop</b>	Metro
<b>Chris Thomas</b>	Association of Oregon Recyclers (Waste Connections)
<b>Wendy Wiles</b>	Oregon Department of Environmental Quality
<b>Adam Winston*</b>	Waste Management

*\*Not pictured*

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# **Materials Management in Oregon**

## 2050 Vision and Framework for Action

[www.deq.state.or.us/lq/sw/materialsmgmtplan.htm](http://www.deq.state.or.us/lq/sw/materialsmgmtplan.htm)



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