



OREGON REFUSE & RECYCLING ASSOCIATION

Date: May 13, 2025

Chair Lively, Vice Chair Gamba, Vice Chair Levy, Members of the House Committee on Climate, Energy and the Environment:

Re: Opposition to SB 1067

Oregon Refuse and Recycling Association (ORRA) is opposed to SB 1067 because:

- it does not remove flow control cleanly, and
- it doesn't provide time for those who have operated under flow control for 40 years, to prepare and adjust to waste management without flow control.

Re:Source, located in Brooks, is the recycling facility originally constructed in 2001. The facility was significantly expanded and modernized in 2021 through the investment of \$25 million by the seven waste hauling companies that serve Marion County customers' recycling needs. Marion County's waste flow control authority requires municipal solid waste generated in the county to be delivered to Re:Source, where recoverable resources are sorted out of the waste stream before the remaining waste is delivered to landfills for disposal.

Passing SB 1067 would remove Marion County's authority to direct municipal solid waste to be delivered to Re:Source. That flow of materials is necessary to keep the materials recovery facility viable. Should flow control be removed, it will take time for Re:Source to establish the contracts with the cities of Marion County necessary to replicate the current municipal solid waste flow.

The Legislature has granted flow control authority exactly twice:

- once to the metropolitan service district, to direct its region's solid waste to a landfill that was built for that purpose, and
- once to Marion County, when the county was preparing to manage its solid waste disposal through the waste to energy facility in Brooks (now known as Reworld, and no longer in operation).

In both cases, flow control was needed to guarantee there would be sufficient waste to pay for the financial investments necessary to build the facilities needed by the local governments.

If such authority is no longer needed, ORRA does not support the approach set forth in SB 1067. There are less onerous solutions to solve the problem that SB 1067 seeks to accomplish. This

could be accomplished by repealing ORS 459.125 and ORS 459.145, the two statutory provisions that grant flow control to Marion County, rather than creating new provisions that create confusion about a city's authority to direct the disposal of municipal solid waste. In the absence of a statutory grant of waste flow control, cities that regulate their solid waste services via franchise already have the tools needed to direct how municipal solid waste is addressed, if they so choose. And they can do so by working with their franchised collectors to update the franchise to do so, at any time, if they agree to the terms.

If Marion County's flow control authority were to be repealed, Re:Source needs time to negotiate agreements with the cities it serves in Marion County to ensure the continued delivery of material at a level necessary to sustain its financial viability. Therefore, if the Legislature were to decide to repeal the authority, ORRA requests that the repeal not become effective until January 1, 2030.

It is also possible that some of the cities within Marion County are not ready or interested in taking on direct disposal authority over the solid waste generated by their community. The solution to this is to provide adequate time for a transition from the current flow control model that Marion County has operated under, to a new model where those cities could enter into inter-governmental agreements with Marion County for the county to continue this responsibility, via agreement rather than through statutorily-granted authority.

SB 1067 neither removes flow control cleanly from statute, nor does it provide adequate time for those who have operated under flow control for 40 years, to prepare and adjust to waste management without flow control. For these reasons, ORRA urges your opposition to SB 1067 as written.

Sincerely,

A handwritten signature in black ink, appearing to read "Craig Campbell". The signature is fluid and cursive, with the first name "Craig" and last name "Campbell" clearly distinguishable.

Craig Campbell
Governmental Affairs Director

ORRA is the statewide trade association representing solid waste management companies in Oregon. ORRA members collect and process most of Oregon's residential and commercial refuse and recyclables, as well as operate material recovery facilities, compost facilities, and many of Oregon's municipal solid waste transfer stations and landfills in almost every community in our state.

