



OREGON REFUSE & RECYCLING ASSOCIATION

March 23, 2020

Via email delivery

Oregon Legislative Joint Special Committee on Coronavirus Response
The Honorable Arnie Roblan, Co-Chair
The Honorable Paul Holvey, Co-Chair
Members of the Committee

Dear Co-Chairs Roblan and Holvey and Members of the Committee:

Thank you for your tremendous leadership in responding to the COVID-19 health emergency and the related massive disruptions affecting every sector of the state of Oregon.

Solid waste management, including garbage, composting, and recycling services, are services essential to the protection of the health, safety and welfare of the community. The Association of Oregon Counties (AOC), the League of Oregon Cities (LOC) and Oregon Refuse and Recycling Association (ORRA) delivered a letter to Governor Kate Brown's office on March 22, 2020, addressing a plan for continued operation of these essential services (also submitted to the committee).

ORRA members, working with their city and county partners, 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. Like many businesses across Oregon, as a result of COVID-19, solid waste and recycling businesses are facing financial and regulatory challenges.

There could be significant disruptions in service due to factors such as employee availability, uneven demand, finance and cash flow challenges as well as difficulty marketing recyclable materials because of limited exporting capacity and additional constraints at facilities. To ensure the health and safety of Oregonians and workers who provide these services for the duration of the COVID-19 emergency, we respectfully request the following regulatory relief and continued flexibility should unanticipated issues arise during the crisis:

- Include solid waste management services in any statewide declarations of emergency.
- Exempt solid waste management services from Executive Order 20-12 or similar restrictions, including transportation during curfews and hours of operation, etc.
- Continue exemptions relating to trucking and transportation, including Hours of Service, driver qualifications (including regularly scheduled drug and alcohol testing and driver medical card renewals, which could subject drivers to infection risks and burden health care providers), and ensure related facilities for repair, maintenance and fueling remain open.
- Increase solid waste tonnage limits to accommodate greater quantities of materials as needed.
- Prepare for flexibility in staging operations and locations as needed (recent flooding response in Umatilla County is a good example).

- Allow additional time to store materials.
- Allow for temporary disposal of recyclables or composting in the event the disruption forces prioritizing of service delivery.
- Suspend compliance timelines and increase permit flexibility related to the provision of solid waste and recycling services (including solid waste, water quality, and air permits).

In addition to regulatory relief, solid waste management companies may find themselves in need of financial assistance. As providers of essential services, it is expected that residential customers will need increased flexibility in paying bills, including and up to the suspension of service cut offs for inability to pay. It is also likely that some garbage and recycling companies will not be able to “carry” those struggling customers in the long term without some financial relief. This potential need could vary from company to company and there are likely regional differences as well.

ORRA and its members are exploring all avenues of potential cash flow relief available, including federal programs as well as local options. It is too early in the disruption to give quantifiable estimates of the relief that may become necessary, so at this point, ORRA and its members respectfully request that you consider the possibility that solid waste management companies may also need some financial assistance in order to provide essential services. This aligns with considerations your committee has set forth in its document, “Co-Chairs Roblan and Holvey (Policy Document Prioritization).”

At this moment, it seems likely that solid waste and recycling companies may fit into items #5 (Utilities), #19 (Business Oregon Relief Funding), and #44 (Financial Relief on Industry Sectors), among others. There are other policies your committee is considering for short-term employer support, and ORRA is supportive of those efforts as well and working with other association partners in those areas.

This is a crisis and ORRA members understand their responsibility, both as businesses and as good citizens, to step up with their government partners to do the work that must be done in order to protect the health and public safety of all Oregonians. I believe ORRA members will make every effort to be self-sustaining if at all possible, so the assistance goes to those who need it most. We do appreciate your consideration of our concerns today in the important work you are undertaking for the future of all Oregonians.

Sincerely,



Kristan S. Mitchell
Executive Director

cc: Gina Nikkel, Executive Director, Association of Oregon Counties
Mike Cully, Executive Director, League of Oregon Cities
Nik Blosser, Chief of Staff, Governor Kate Brown
Andrew Phelps, Director, Office of Emergency Management