



**DATE:** November 10, 2022

**TO:** Washington County Garbage and Recycling Advisory Committee

**FROM:** Kathy Folsom, Senior Policy Coordinator

**RE:** Transfer of Sanitary Service Certificate No. "10" from West Slope Garbage Service to Evergreen Disposal & Recycling, Inc.

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## **Background and summary**

Washington County has been notified by John P. Romero III, owner of West Slope Garbage Service (West Slope), of the pending sale of the business to Evergreen Disposal & Recycling, Inc. (Evergreen Disposal). The table below shows the number and breakdown of customers served within the certificate No. "10" service area currently held by West Slope.

<u>Residential</u>	<u>Multi-Family</u>	<u>Commercial</u>
300	9	15

Of the 300 residential customers, all are urban residential customers. Urban customers receive weekly garbage collection, every-other-week recycling collection and every-other-week yard debris collection. All 300 residential, 9 multi-family and 15 commercial customers subscribe to solid waste and recycling collection services at the Washington County Board-approved Solid Waste and Recycling established rates. The same level of collection service for residential and commercial customers will continue under Evergreen Disposal.

Currently, West Slope's solid waste & recycling collection operations are provided by Evergreen Disposal through a sub-contract, entered into on October 7, 2022 pursuant to Washington County Code (WCC) Chapter 8.04.270(A)(3). West Slope continues to provide customer billing and is responsible for meeting reporting requirements.

WCC Chapter 8.04.280 provides that a certificate holder may transfer the certificate or a portion of the service area after written notice and approval by the Board. The Board shall approve the transfer if it finds that the transferee meets all applicable requirements met by the original certificate holder. Further, the Board shall take action within sixty days after receipt of notice by the Board, unless the Board finds there is a substantial issue regarding the public's health and safety and requires more time for an investigation and decision.

## **Certificate Transfer Application Review**

Evergreen Disposal filed a completed application to assume ownership of certificate No. "10" from West Slope on September 23, 2022. This application provided the information necessary to determine if Evergreen Disposal meets the requirements of Washington County Code Chapter 8.04.280. In addition, Washington County staff used the applicable criteria for certificate application, established by Washington County Code Chapter 8.04.150 through 8.04.200, to evaluate Evergreen Disposal's Certificate Transfer Application.

**Criterion:** Washington County Code Chapter 8.04.150 Certificate – Application Form. Applications for certificates shall be on forms provided by the Health and Human Services Department.

**Finding:** Evergreen Disposal submitted completed application forms provided by the County on September 23, 2022.

**Criterion:** Washington County Code Chapter 8.04.160 Certificate – Information required. Applicants shall state all types of service to be provided within the service area and the rates charged.

**Finding:** Evergreen Disposal intends to provide the following types of service within the assigned service area.

Residential:

- Regular Solid Waste and Recycling collection
- Will-call Solid Waste and Recycling collection
- Recycling collection
- Container service
- Drop Box collection service – services provided by sub-contractor, Washington County Drop Box Service, Inc.

Commercial:

- Commercial Solid Waste collection
- Commercial Recycling collection
- Container service
- Drop Box collection service – services provided by sub-contractor, Washington County Drop Box Service, Inc.

**Criterion:** Washington County Code Chapter 8.04.170 Certificate – Requirements. Applicant must show that they have available and sufficient equipment, facilities, and personnel to meet the standards of service; must provide a statement of all businesses used for the disposal of solid waste and recyclables; and must submit a corporate surety bond.

**Finding:** The ownership of Evergreen Disposal & Recycling, Inc. is as follows: J. Jeff Walker, and John P. Romero III are equal owners. Further, those individuals are the current owners of Washington County Drop Box Service and J. Jeff Walker is one of the current owners of Walker Garbage Service, Inc.

The applicant lists the following facilities to be used for the disposal of solid waste and recyclables.

<u>Facility Name</u>	<u>Type of Material</u>
1. Forest Grove Transfer Station	Garbage – Res/Com/MF
2. Recology/Nature’s Needs	Yard Debris
4. Far West Recycling	Curbside Recycling/Glass
4. Metro Central (Back-up Site)	Garbage – Res/Com/MF

A copy of the corporate surety bond is on file with the County. The bond is in the amount of \$5,000.

Evergreen Disposal will charge the applicable Washington County Solid Waste & Recycling collection rates within the assigned service area.

Evergreen Disposal is purchasing the assets currently associated with the West Slope operation that are necessary to continue operations. As these assets have previously been proven adequate and sufficient to meet the required standard of service, it is expected that they will continue to do so. The personnel of West Slope will become employees of Evergreen Disposal.

The sanitary service certificate transfer is effective the first day of the month following Board approval and is subject to all existing conditions and renewals of the current certificate.

**Staff Recommendation**

Based on the findings that Evergreen Disposal & Recycling, Inc. meets all applicable requirements met by the original certificate holder as required by Washington County Code Chapter 8.04.280, staff recommends that Sanitary Service Certificate No. "10" currently held by West Slope Garbage Service be transferred to Evergreen Disposal & Recycling, Inc., subject to the following conditions:

1. West Slope Garbage Service will continue to be responsible for submittal of all relevant reports for the period starting January 1, 2022, through December 31, 2022. These include but are not limited to the following:
  - a. Detailed Cost Report for 2022
  - b. Quarterly Gross Receipts Reports and payments for the applicable quarters
  - c. Quarterly Recycling Reports for the applicable quarters

Once approved by the Board of Commissioners, the service area and Sanitary Service Certificate being transferred from West Slope Garbage Service to Evergreen Disposal & Recycling, Inc. shall also be referenced as "Certificate 2."