



WASHINGTON COUNTY OREGON

DATE: December 8, 2022
TO: Washington County Garbage and Recycling Advisory Committee
FROM: Kathy Folsom, Senior Policy Coordinator
RE: Republic Services, Inc. dba Rossman Sanitary Services, Inc. and United Disposal Services, Inc. Periodic Certificate Review

Background

Company: Republic Services, Inc.
Location: 10295 SW Ridder Rd
Wilsonville, OR 97070
Contact: KJ Lewis, Municipal Relationship Manager
Certificate Number: 6
Review period: January 1, 2020 through December 1, 2022

Washington County Code 8.04.214 requires a review of all Sanitary Service Certificates and certificate holders every four years. The Periodic Certificate Review is conducted for the purpose of determining whether the certificates and the holders of such certificates are in compliance with the provisions of Chapter 8.04 and all applicable rules, regulations and laws. Each certificate holder is required to demonstrate compliance with all such requirements through a review of a comprehensive questionnaire and other records. This year, Republic Services, Inc. (Republic Services) has been designated to receive a periodic review.

Certificate Periodic Review Questionnaire

The certificate review questionnaire is designed as a tool to assess compliance with Washington County Code Chapter 8.04 and with the Solid Waste & Recycling Administrative Rules (Administrative Rules). Further, the certificate holder's responses to the questionnaire will help to identify those areas of County and state mandated programs, such as business food scraps collection, so that the Solid Waste and Recycling education and outreach team can work with certificate holders to meet minimum program requirements if needed.

Republic Services provides collection service in unincorporated Washington County through two subsidiary companies – Rossman Sanitary Services and United Disposal Service. There are 397 residential accounts and 111 commercial accounts receiving an urban level of collection service. Residential and commercial garbage and recycling collection and yard debris collection is provided by fully automated trucks.

Information was requested regarding compliance with certain service standards contained in the Administrative Rules.

Section 14 Service Standards

1. Section F.a. Customer Service, New Accounts- Personally Identifiable Information Collected

a. The hauler, when establishing or changing collection service, may only request the following personally identifiable information from customers:

1. Name (first and last)
2. Service address
3. Billing address (if different than the service address)
4. Service address rented or owned
5. Landlord name and phone number (if rented)
6. Phone number
7. Mobile phone number
8. Email address
9. Financial information needed to establish online billing or payment

Certificate Holder provided the form used for new service sign-ups.

Certificate Holder is in compliance.

2. Section F.f. Customer Service, New Accounts-New Customer Information Packet

f. The hauler shall provide each new customer with information that includes a description of services and rates, recycling guidelines and resources, recycling options, and hauler contact information, including but not limited to business address, telephone number, fax number, business hours, and e-mail address.

Certificate Holder submitted copies of the information provided to new customer accounts – including website information, bill inserts, and other forms of notice provided to new customers.

Certificate Holder is in compliance.

3. Section G.f. Customer Service, Office Procedures – Training on Implicit Bias

f. The hauler shall, at least annually, provide its employees with training on implicit bias. Trainings shall include the promotion of bias-reducing strategies to address how unintended biases regarding race, ethnicity, gender identity, sexual orientation, socioeconomic status, or other characteristics may impact how services are provided.

Certificate Holder stated that “we do this training at new hire orientation and is instructor-led by our HR team. We also do annual training, sometimes through Workday and sometimes through group meetings.”

Action: Complete an employee training on implicit bias either in-person or online. Require that those local employees that interact with unincorporated Washington County customers receive the training. After the training has been completed, Certificate Holder will submit the name of the trainer, number of attendees, titles of attendees, copies of handouts or other information provided.

Certificate Holder will be in compliance if training is completed by April 26, 2023 and requested information has been submitted.

4. Section G.k. Customer Service – Office Procedures (complaints).

- k. The hauler shall maintain a system to receive, compile, and respond to service complaints including, but not limited to, missed collection, billing disputes, or service discontinuation. All service complaint calls must be recorded noting date, address, a summary of the complaint, and a description of the method of resolution.

Certificate Holder provided a copy of its complaint log for the past 24 months. All complaints received by their office are logged. The SWR division received one complaint from 1/1/2020 to the present. All complaints have been resolved in a timely fashion.

Certificate Holder is in compliance.

5. Section H.d. Customer Service – Billing – (billing statement)

- d. The billing statement shall contain the following:

1. Account information including the service address, the billing period, and the customer's level of service and billing rate using terms consistent with the Board-approved rate sheets.
2. An itemization of any additional charges or credits incurred during the billing period including, but not limited to, prorated charges, extras, distance charges, overcapacity charges, call-back fees, non-sufficient check charges, or vacation credits. Additional charges or credits shall be stated on the billing statement consistent with the Board-approved rate sheets.
3. The total amount due, the date payment is due, and any amount brought forward.
4. The hauler name, address, email address, website information, and phone number.

Certificate Holder provided copies of randomly selected customer bills for each of the following collection service types: residential regular collection service and commercial container collection service.

Certificate Holder is in compliance.

6. Section O.(c,e-i). Multi-Family Dwelling Service Standards, Specific – General Service Standards

- c. The hauler shall provide the following minimum collection service volumes.
- e. Multi-family dwelling mixed recycling service must be made available by the hauler. If ORS 90.318 (Criteria for landlord provision of certain recycling services) applies to an owner of a multi-family dwelling, the owner shall provide to all tenants:
- f. The hauler shall provide mixed recycling receptacles to all multi-family dwelling accounts as part of regular solid waste collection service. Yard debris collection shall be considered

additional service and charged a Board-approved collection service rate. The requirements of this section do not apply when service is provided by drop box or compactor.

- g. All receptacles ordered after July 1, 2022, must comply with the following color standards, and be approved by the County. However, the requirements of this section do not apply when service is provided by drop box or compactor:
- h. The hauler shall provide appropriately colored receptacles by no later than July 1, 2028.
- i. The hauler shall ensure that all receptacles are labeled with County-approved decals for acceptable recyclable materials, glass, compostable materials, and garbage by no later than December 31, 2023. Existing decals or stickers must be removed and replaced with the appropriate decal.

Certificate Holder provided service standard information related to multi-family accounts, minimum collection service volumes, and receptacle color coding. Per the Certificate Holder provided information, all multi-family properties are located within city limits and not within the certificate issued by Washington County.

7. Section O.I. Multi-Family Dwelling Service Standards, Specific – Notice to Property Manager

- I. On an annual basis the hauler shall provide to a property manager information regarding the County’s multi-family assistance program and a description of services and rates, recycling guidelines, resources and options, and hauler contact information that for each hauler listed shall include the business address, telephone number, and e-mail address. The hauler must provide the County with verification annually that the required information has been provided to property managers.

Certificate Holder reported that it does not provide collection service to multi-family properties in unincorporated Washington County.

8. Section S.e. Drop Box/Compactor Service Standards – Billing

- 3. The invoice or billing statement shall contain the following:
 - (a) Account information including the service address and the customer’s level of service and billing rate.
 - (b) An itemization of charges or credits incurred including, but not limited to, receptacle size, haul fee, delivery fee, disposal fee, profit margin on disposal, government fees, and mileage charges. Billed amounts or credits shall be stated on the billing statement using terms consistent with the Board-approved rate sheets.

Certificate Holder provided copies of randomly selected customer bills for drop box/compactor collection from 2020 to 2022.

Action: Work with SWR staff to align billing statements and rates more closely with the Board-approved rate sheets and Solid Waste & Recycling Administrative Rules – to be completed no later than August 1, 2023.

Certificate Holder will be in compliance provided “Action” item has been completed.

Section 18 Business Requirements – Recycling

Certificate holder responded that “we provide the branded information provided and designed by the County (e.g. stickers, mailers, etc.) whenever asked.”

Certificate Holder is generally in compliance.

Additional Information Reviewed

Republic Services, Inc. is generally current with its required reporting with one exception.

12. Reporting, General

D. Other Reports

The County may require the hauler to file periodic or special reports, or request other information, at its discretion.

The County requires that the Certificate Holder report quarterly commercial “new starts” information. To date, commercial “new starts” have not been reported.

Action: The Certificate Holder will bring its commercial “new starts” reporting up to date no later than January 31, 2023.

Certificate Holder will be in compliance provided “Action” item has been completed.

Additional Reporting Information Reviewed

Republic Services is generally current with its required reporting. A surety bond is on file. Additionally, Republic Services has submitted current insurance information.

Republic Services has entered a subcontract with Stericycle, Inc. for medical waste collection services – that contract is on file with the Solid Waste & Recycling Division. However, the subcontract is incomplete.

Action: Update the medical waste collection subcontract to reference unincorporated Washington County in Exhibit A – Franchise Territory or submit a copy of a new medical waste collection subcontract. To be provided no later than June 30, 2023.

Meeting with Republic Services

Staff met with Republic Services on November 29, 2022, to discuss the findings of the certificate review. It was intended that the Certificate Review process be collaborative, and that staff and the Certificate Holder would work together to identify reasonable plans for ensuring compliance with the County’s rules and regulations. Republic Services agreed to work with staff to complete all “Action” items by the dates specified.

Summary

Washington County retains regulatory authority of solid waste and recycling collection by granting Sanitary Service Certificate No. “6” to Republic Services, Inc. Based upon the information submitted

by Republic Services, it appears that the company is generally in compliance with the requirements of Washington County Codes for solid waste collection, transportation, storage, and disposal provided the “Action” items are completed.

Staff Recommendation

Staff recommends that the Washington County Garbage and Recycling Advisory Committee accepts the staff review and findings that Republic Services, Inc. has demonstrated that the certificate holder of Sanitary Service Certificate No. “6” generally meets the requirements of Washington County Code 8.04.214 Certificate - Periodic Review, provided that the “Action” items are completed.

Authority

The Periodic Review is being conducted under the authority of Washington County Code 8.04.214, Certificate - Periodic Review. Specific provisions are as follows:

8.04.214(A)(2) Periodic Review Schedule. The periodic reviews shall be completed not later than December 31, of the year in which the review is commenced.

8.04.214(B) Purpose of Periodic Review. Periodic review shall be conducted for the purpose of determining whether the certificates and holders of such certificates are in compliance with the provisions of this chapter and all applicable rules, regulations, and laws. Each certificate holder shall demonstrate compliance with all such requirements.

8.04.214(C) Information Submittal. The health department shall prepare a summary of information required to be submitted by each certificate holder and may specify the forms for such submittal to assure that information necessary to determine compliance is available to the health department and advisory committee.

8.04.214(D) Periodic Review Process. Each periodic review shall be placed on the agenda for a regular advisory committee meeting. The committee may review information submittals, take public testimony and take other action as appropriate to determine whether the certificates and holder of such certificates are in compliance.

8.04.214(E) Effect of Noncompliance. If in the course of its review of certificates, the health department and the advisory committee determine that the certificate or certificate holder being reviewed is not in compliance with the provisions of this chapter or applicable rules, regulations and laws then the health department shall advise the certificate holder in writing of such violation in the manner set forth in Section 8.04.290 and direct that the compliance be achieved within a date certain determined by the advisory committee. If the certificate holder fails to achieve compliance within the date specified the health department and advisory committee shall report to the board with the recommendation on whether the certificate should be suspended, modified, or revoked.

8.04.214(F) Suspension, Modification and Revocation. The health department, advisory committee and board may initiate proceedings for suspension, modification or revocation under sections 8.04.290 through 8.04.310, inclusive, at any time, whether or not a periodic review is being conducted.