



DATE: May 9, 2019

TO: Washington County Solid Waste Advisory Committee

FROM: Theresa Koppang
Solid Waste and Recycling Supervisor

RE: Transfer of Sanitary Service Certificate No. "2" from Cornelius Disposal Service, Inc. to Evergreen Disposal & Recycling, Inc.

Background and Summary

Washington County has been notified by Dawn Lucinio, general manager of Cornelius Disposal Service, Inc. (Cornelius Disposal), 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. "2" service area currently held by Cornelius Disposal.

<u>Residential</u>	<u>Multi-Family</u>	<u>Commercial</u>
211	0	20

Of the 211 residential customers, all are rural residential customers. Rural customers currently receive weekly garbage collection and every-other-week recycling collection; rural customers do not receive yard debris collection. All 211 residential and 20 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.

Washington County Code Chapter 8.04.280 provides that a certificate holder may transfer the certificate or a portion of the service area to other certificate holders 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 in regard to the public's health and safety and requires more time for an investigation and decision.

It is expected that Evergreen Disposal will begin serving the customers noted above on or around July 1, 2019.

Certificate Transfer Application Review

Evergreen Disposal filed a completed application to assume ownership of certificate No. "2" from Cornelius Disposal on April 10, 2019. This application provided the information necessary to determine if Evergreen Disposal meets the requirements of Washington County Code Chapter 8.04.280. In addition to this section, Washington County staff used the applicable criteria for certificate application, established by Washington County Code Chapter 8.04.150(A)(2), B(1)(2) 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 April 10, 2019.

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: The applicant 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 (receptacles that are either front or rear loaded)
- Drop Box service (receptacles that are either roll-off or compactor)
- Medical Waste Collection

Commercial:

- Commercial Solid Waste collection
- Commercial Recycling collection
- Container service (receptacles that are either front or rear loaded)
- Drop Box service (receptacles that are either roll-off or compactor)
- Medical Waste collection

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: Evergreen Disposal & Recycling, Inc. is purchasing the inventory of equipment and assets currently associated with the Cornelius Disposal 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 operations personnel of Cornelius Disposal will become employees of Evergreen Disposal & Recycling, Inc.

The ownership of Evergreen Disposal & Recycling, Inc. is as follows:

John Walker, Jeff Walker, Gary Douglas and John P. Romero are equal owners.

These four individuals are also current owners of Washington County Drop Box. Gary Douglas is the current owner of Cornelius Disposal. John Walker and Jeff Walker are current owners of Walker Garbage. John P. Romero is the current owner of West Slope Garbage.

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	Putrescible Garbage
2. Best Buy in Town	Yard Debris
3. Tualatin Valley Waste Recovery	Yard Debris
4. Far West Recycling Recycling	Curbside & Commingled

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

Rates

The applicant (Evergreen Disposal) will charge the following rates within the assigned service area:

Applicable Washington County Rates (see Attachment A).

Based on the findings stated above, staff finds that Evergreen Disposal meets all applicable requirements met by the original certificate holder as required by Washington County Code Chapter 8.04.280.

Staff Recommendation

Based on the finding 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. "2" currently held by Cornelius Disposal Service, Inc. be transferred to Evergreen Disposal & Recycling, Inc., subject to the following conditions:

1. Cornelius Disposal Service, Inc. will continue to be responsible for submittal of all relevant reports for the time period starting January 1, 2019, through July 1, 2019, or the date of the completed board-approved transfer. These include but are not limited to the following:
 - a. Annual Report for 2019 for the applicable months
 - 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 Certificate being transferred from Cornelius Disposal Service, Inc. to Evergreen Disposal & Recycling, Inc. shall also be referenced as "Certificate 2."

Attachments