

5/10/11

Hi Aeron,

In light of recent changes to the Residential Reach Code (acceptance of Proposal 26), we would like to revise our residential construction waste recycling proposal to reflect the new code base, which relies less on an overall point-based approach. Attached is the revised residential code language which uses previously proposed/accepted language from the Commercial Reach Code. This revised proposal simplifies the requirements (as compared to our initial residential proposal), does not rely on points, and would obviously be consistent with the commercial requirements. Diversion rates would remain the same as commercial (min 50% or higher if jurisdiction chooses) and would cover construction, land clearing, and demolition activities. Additionally, the proposal would remain an appendix for optional local adoption.

Basically our revised proposal for residential is the same as our accepted proposal for commercial. Only difference is a list of defined words to add to the definitions section of the residential code. These words were found in the IgCC definitions section and were used in our commercial proposal as well as this one.

Please let me know if I should bring hard copies for distribution at tomorrow's meeting. Also, please let me know if you have any questions. See you tomorrow at 1:00. Thank you!

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Proposed Amendment to Oregon Reach Code (REVISED) – Material Resource Conservation and Efficiency

Submitted by Shawn Wood, City of Portland, Bureau of Planning and Sustainability

Proposed Code Language

The following code language has been revised and replaces previous proposed code language submitted on February 16, 2011. With the acceptance of amendment proposal RC11res-26 by the Reach Code Committee, the previously submitted language becomes less relevant given the diminished reliance on points. However, the concept of diverting construction, land clearing and demolition debris from landfills is still very relevant in terms of energy efficiency. As such we have revised our language to reflect a non-point-based approach.

The revised proposal is consistent with language proposed and accepted previously by the Committee for the Commercial Reach Code. As accepted before, the diversion rates would be set at a minimum of 50 percent with the option to adopt higher rates if local recycling infrastructure is supportive. The diversion requirements would still be located within an appendix for optional local adoption.

Definitions for specific words have been added that were originally located in the IgCC and used in the commercial proposal and this residential proposal.

APPENDIX C

MATERIAL RESOURCE CONSERVATION AND EFFICIENCY

The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.

SECTION C101 GENERAL

C101.1 Scope. The provisions of this chapter shall govern matters related to *building* and *building site* material conservation and resource efficiency.

C101.2 Intent. The intent of this chapter is to limit landfill disposal of waste and debris generated by construction, land clearing, and demolition activities. This chapter shall regulate the minimum diversion rates and Construction and Waste Management Plan requirements. For the purposes of this chapter, it is intended that diversion will follow the waste management hierarchy established in ORS 459.015(2) as follows:

1. First, to reduce the amount of solid waste generated;
2. Second, to reuse material for the purpose for which it was originally intended;
3. Third, to recycle material that cannot be reused;
4. Fourth, to compost material that cannot be reused or recycled; and
5. Fifth, to recover energy from solid waste that cannot be reused, recycled or composted.

SECTION C102 MATERIAL AND WASTE MANAGEMENT

C102.1 Construction material and waste management plan. Not less than 50 percent, or more as determined by the jurisdiction, of non-hazardous construction waste shall be diverted from landfills. A Construction Material and Waste Management Plan shall be developed and implemented to recycle or salvage construction materials and waste. The Construction Material and Waste Management Plan shall comply with all of the following:

1. The location where the collection, separation and storage of recyclable construction waste materials such as wood, paper, plastic, aluminum, steel, iron, gypsum board, glass and concrete, shall be indicated.
2. Total waste materials and materials to be diverted from disposal by efficient usage, recycling, reuse on the project, or salvage for future use or sale shall be specified.
3. The amount of total materials and materials to be diverted shall be specified and shall be calculated by weight or volume, but not both.
4. Receipts or other documentation related to diversion shall be maintained through the course of construction. Evidence of diversion, may be requested by the *code official*.

For the purpose of this section, construction and waste materials shall not include land clearing debris, excavated soils and fill and base materials such as, but not limited to, *topsoil*, sand and gravel. Land-clearing debris shall include trees, stumps, rocks, and vegetation. Excavated soil, fill material and land-clearing debris shall be managed in accordance with Section C102.2.

C102.2 Building site waste management plan. A building site waste management plan shall be developed and implemented to recycle or salvage not less than 50 percent, or more as determined by the jurisdiction, of the land-clearing debris and excavated soils. Land-clearing debris includes rock, trees, stumps and associated vegetation. The plan shall include provisions that address all of the following:

1. Total waste materials and materials to be diverted from disposal by efficient usage, recycling or reuse on the *building site* shall be specified.
2. Where contaminated soils are removed, the methods of removal and location where the soils are to be treated and disposed.
3. The amount of total materials and materials to be diverted shall be specified and shall be calculated by weight or volume, but not both.
4. Receipts or other documentation related to diversion shall be maintained through the course of construction. Evidence of diversion, may be requested by the *code official*.

Construction materials and waste and *hardscape* materials removed during site preparation shall be managed in accordance with Section C102.1.

C102.3 Demolition or *deconstruction*. Where buildings, structures or portions thereof are deconstructed or demolished, not less than 50 percent, or more as determined by the jurisdiction, of non-hazardous materials shall be diverted from landfills and incineration. A demolition or *deconstruction* waste management plan shall be developed and shall include provisions that address all of the following:

1. Documentation of the total materials in buildings, structures and portions thereof to be deconstructed or demolished and materials to be diverted shall be required.
2. The amount of total materials and materials to be diverted shall be specified and shall be calculated by weight or volume, but not both.
3. Receipts or other documentation related to diversion shall be maintained through the course of construction. Evidence of diversion, may be requested by the *code official*.

Definitions:

BUILDING. Any *structure* used or intended for supporting or sheltering any use or occupancy, including the energy using systems and site sub-systems powered through the building's electrical service.

BUILDING SITE. A *lot*, or a combination of adjoining *lots*, that are being developed and maintained subject to the provisions of this code. A *building* site shall be permitted to include public ways, private roadways, bikeways and pedestrian ways that are developed as an element of the total development.

BUILDING OFFICIAL. The officer or other designated authority charged with the administration and enforcement of this code, or a duly authorized representative.

CODE OFFICIAL. See Building Official.

DECONSTRUCTION. The process of taking a *building* or *structure* apart, piece-by-piece, with the intent of recycling or salvaging as many of the materials and components as possible.

HARDSCAPE. Areas of a *building* site covered by manmade materials.

LOT. A portion or parcel of land considered as a unit.

ORGANIC MATTER. Carbon-containing material composed of both living organisms and formerly living, decomposing plant and animal matter. Soil organic matter content is either naturally occurring or is a result of supplementation with compost or other partially decomposed plant and animal material.

STRUCTURE. That which is built or constructed.

TOPSOIL. The upper, outmost layer of soil having the highest concentration of *organic matter* and microorganisms and where the majority of biological soil activity occurs.