



600 NE Grand Ave.  
Portland, OR 97232-2736  
oregonmetro.gov

**METRO SOLID WASTE FACILITY  
LICENSE**

No. L-043-24

<b>LICENSEE:</b> Grimm's Fuel Company, Inc. 18850 SW Cipole Road Tualatin, OR 97062 Phone: 503-636-3623	<b>FACILITY NAME AND LOCATION:</b> Grimm's Fuel Company, Inc. 18850 SW Cipole Road Tualatin, OR 97062 Phone: 503-636-3623
<b>OPERATOR:</b> Grimm's Fuel Company, Inc. 18850 SW Cipole Road Tualatin, OR 97062 Phone: 503-636-3623	<b>PROPERTY OWNER:</b> Grimm's Brothers, LLC 18850 SW Cipole Road Tualatin, OR 97062 Phone: 503-636-3623

ISSUED BY METRO:

Warren Johnson, Policy and Compliance Program Director

\_\_\_\_\_  
Date



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1.0		ISSUANCE
1.1	Contact	Jeff Grimm, General Manager Phone: 503-636-3623 Email: jefgfc@teleport.com
1.2	Term	<del>January-July 1, 2024 to December 31, 2028</del> <a href="#">June 30, 2029</a> , unless amended, suspended, revoked or terminated as provided in this license.
1.3	Renewal	The licensee may apply for a license renewal as provided in Metro Code Chapter 5.01.
1.4	Facility name and mailing address	Grimm's Fuel Company, Inc. 18850 SW Cipole Road Tualatin, OR 97062
1.5	Facility premises description	Tax Lot Identification No. 2S121A001800, 2S121A001900, 2S121A002100, 2S121A002190 and 2S121A002202, City of Tualatin, Washington County, State of Oregon.
1.6	Permission to operate	The licensee has obtained the property owner's consent to operate the facility as specified in this license.

2.0		CONDITIONS AND DISCLAIMERS
2.1	Guarantees	This license does not vest any right or privilege in the licensee to receive specific quantities of solid waste at the direction of Metro during the term of the license.
2.2	Non-exclusive license	This license does not limit Metro from granting other solid waste licenses within Metro's jurisdictional boundary.
2.3	Property rights	This license does not convey any property rights in either real or personal property.
2.4	No recourse	The licensee will have no recourse against Metro or its officials, agents or employees for any loss, costs, expense or damage arising out of any provision or requirement of this license or because of the enforcement of the license or in the event Metro determines that the license or any part thereof is invalid.
2.5	Indemnification	The licensee must indemnify Metro, the Metro Council, the Chief Operating Officer and any of their employees or agents and save them harmless from any and all loss, damage, claim, expense including attorney's fees, or liability related to or arising out of the granting of this license or the licensee's performance of or failure to perform any of its obligations under the license or Metro Code Chapter 5.01, including



		without limitation patent infringement and any claims or disputes involving subcontractors.
2.6	<b>Waivers</b>	To be effective, a waiver of any terms or conditions of this license must conform with Section <a href="#">4412.0</a> and be in writing and signed by Metro.
2.7	<b>Effect of waiver</b>	Waiver of a term or condition of this license does not waive nor prejudice Metro's right otherwise to require subsequent performance of the same term or condition or any other term or condition.
2.8	<b>Enforceability</b>	If a court of competent jurisdiction determines that any provision of this license is invalid, illegal or unenforceable in any respect, the validity of the remaining provisions contained in this license will not be affected.
2.9	<b>License not a waiver</b>	This license does not relieve any owner, operator or the licensee from the obligation to obtain all required permits, licenses or other clearances and to comply with all orders, laws, regulations, reports or other requirements of other regulatory agencies.
2.10	<b>License not limiting</b>	This license does not limit the power of a federal, state or local agency to enforce any provision of law relating to the facility.
2.11	<b>Definitions</b>	<ol style="list-style-type: none"> <li>1. "Aerated static pile (ASP) composting" means the managed process of controlled biological decomposition of feedstocks using an aerobic process. A managed process includes, but is not limited to, reducing feedstock particle size, manipulating air through the material utilizing either positive or negative aeration systems, adding moisture, mixing feedstocks, manipulating compost piles, and performing procedures to achieve pathogen reduction.</li> <li>2. Unless otherwise specified, all other terms are as defined in Metro Code Chapter 5.00.</li> </ol>

<b>3.0</b>	<b>AUTHORIZATIONS</b>	
3.1	<b>General conditions on solid waste</b>	The licensee is authorized to accept at the facility only the solid wastes described in Section 3.0. The licensee is prohibited from knowingly receiving any solid waste not authorized in this section.
3.2	<b>General conditions on activities</b>	The licensee is authorized to perform at the facility only those waste-related activities that are described in Section 3.0.
3.3	<b>Acceptance of yard debris</b>	The licensee is authorized to accept source-separated yard debris provided that the yard debris has not decomposed to the point of producing odors detectable beyond the boundaries of the facility. The licensee may accept yard debris for grinding, composting, the production of mulch, use as hogged fuel or other useful purpose as described in an operating plan and approved in writing by Metro.



3.4	Acceptance of incidental quantities of source-separated pre-consumer vegetative food waste	The licensee is authorized to accept incidental quantities of source-separated pre-consumer vegetative food waste for processing and production of compost as described in an operating plan and approved in writing by Metro.
3.5	Acceptance of incidental quantities of horse manure	The licensee is authorized to accept incidental quantities of horse manure for processing and production of compost as described in an operating plan and approved in writing by Metro.
3.6	Acceptance of land clearing debris	The licensee is authorized to accept source-separated land-clearing debris (e.g., brush and stumps) for grinding, composting, producing hogged fuel, and reloading to authorized facilities for use as hogged fuel or other useful purpose as described in an operating plan and approved in writing by Metro.
3.7	Acceptance of untreated wood	The licensee is authorized to accept source-separated, untreated and unpainted wood waste (e.g., untreated lumber and wood pallets) for grinding, composting, producing hogged fuel, or other useful purpose as described in an operating plan and approved in writing by Metro.
3.8	Acceptance of painted and treated wood	<ol style="list-style-type: none"><li><del>The licensee is authorized to accept painted and treated wood waste, other than creosote-treated wood waste, for grinding and reloading to authorized facilities for use as hogged fuel or other useful purpose as described in an operating plan and approved in writing by Metro.</del></li><li><del>The licensee must not use or incorporate painted and treated wood into mulch, animal bedding, compost, feedstock, or any other landscaping or agricultural products unless otherwise described in an operating plan and approved in writing by Metro.</del></li><li><del>The licensee must keep painted and treated wood separate from yard debris, untreated wood, and other feedstocks that are destined for mulch, animal bedding, compost, or any other landscaping or agricultural products. The licensee must post signs that clearly designate separate receiving areas for painted and treated wood waste and composting feedstock.</del></li></ol>
<del>3.93.8</del>	Production of hogged fuel	<ol style="list-style-type: none"><li><del>As authorized by Section 3.0, t</del>The licensee is authorized to accept and process <del>grind</del> only yard debris, land-clearing debris, and untreated wood, <del>painted wood, and treated wood</del> for delivery to facilities with industrial boilers for use as hogged fuel.</li><li>The licensee is prohibited from mixing any other solid waste with the <del>authorized</del> wastes described <del>above</del> in this section for the production of hogged fuel.</li></ol>
3.103.9	Acceptance of inert materials	The licensee is authorized to accept inert materials such as clean concrete, asphalt, rock and dirt for processing and reuse.

**Commented [JD1]:** Updated to align with language in other compost facilities

**Commented [JD2]:** Removed to align with other yard debris reload/compost licenses

**Commented [JD3]:** Updated to align with standard language



4.0		LIMITATIONS AND PROHIBITIONS
4.1	<a href="#">Pile size limitation</a>	<ol style="list-style-type: none"> <li>All stockpiles and active ASP composting piles must not exceed 14 feet in height including any cover material.</li> <li>All other materials on site, including finished compost piles, must comply with the Oregon Fire Code.</li> </ol>
4.12	Prohibited waste	The licensee must not knowingly receive, process, reload or dispose of any solid waste not authorized in this license. The licensee must not knowingly accept or retain any material amounts of the following types of wastes: non-putrescible waste other than that specifically allowed in Section 3.0; putrescible waste; special waste; creosote-treated wood; materials contaminated with or containing asbestos; lead acid batteries; liquid waste for disposal; vehicles; infectious, biological or pathological waste; radioactive waste; hazardous waste; <a href="#">explosives</a> ; or any waste prohibited by the Oregon Department of Environmental Quality (DEQ).
4.3	<a href="#">Prohibition on mixing</a>	<a href="#">The licensee must not mix source-separated recyclable material with any other waste unless such mixing is described in an operating plan and approved in writing by Metro.</a>
4.24	Source-separated yard debris mixed with residential food waste	The licensee must not knowingly accept or retain source-separated yard debris mixed with residential food waste, including from municipal curbside collection programs.
4.35	No disposal of recyclable materials	The licensee must not transport source-separated recyclable materials to a disposal site, <a href="#">including landfills and incineration facilities</a> , without written permission from Metro and DEQ.
4.46	Limits not exclusive	This license does not limit, restrict, curtail or abrogate any limitation or prohibition contained elsewhere in this license document, in Metro Code or in any federal, state, regional or local government law, rule, regulation, ordinance, order or permit.

**Commented [JD4]:** Moved pile height limit to 4.1 from section 6 (performance requirements) to align with other yard debris/reload facilities.

**Commented [JD5]:** New section in Grimm's license, but standard license language

**Commented [JD6]:** Added this phrase to align with standard language

5.0		OPERATING CONDITIONS
5.1	<a href="#">General performance standards</a>	<p>The licensee must operate in a manner that meets the following general performance standards:</p> <ol style="list-style-type: none"> <li><del>Environment.</del> <a href="#">The licensee must design and operate the facility to avoid undue threats to the environment including, but not limited to, stormwater or groundwater contamination, air pollution and improper acceptance and management of hazardous waste, asbestos and other prohibited wastes.</a></li> <li>Health and safety. <a href="#">The licensee must design and operate the facility to avoid conditions that may degrade public health and safety</a></li> </ol>

**Commented [JD7]:** New section in Grimm's license, but standard license language



		<p><a href="#">including, but not limited to, fires, vectors, pathogens and airborne debris.</a></p> <p><a href="#">3. Nuisances. The licensee must design and operate the facility to avoid nuisance conditions including, but not limited to, litter, dust, odors and noise.</a></p>
<a href="#">5.25-1</a>	<b>Qualified operator</b>	<ol style="list-style-type: none"> <li>1. The licensee must, during all hours of operation, provide an operating staff employed by the facility that is qualified and competent to carry out the functions required by this license and to otherwise ensure compliance with Metro Code Chapter 5.01.</li> <li>2. Facility personnel, as relevant to their job duties and responsibilities, must be familiar with the relevant provisions of this license and the relevant procedures contained within the facility's operating plan.</li> <li>3. A qualified operator must be an employee of the facility with training and authority to reject prohibited waste that is discovered during load checks and to properly manage prohibited waste that is unknowingly received.</li> </ol>
<a href="#">5.35-2</a>	<b>Fire prevention</b>	<ol style="list-style-type: none"> <li>1. The licensee must provide fire prevention, protection and control measures including, but not limited to:           <ol style="list-style-type: none"> <li>(a) Adequate water supply for fire suppression; and</li> <li>(b) The isolation of potential heat sources and/or flammables from the processing and storage areas.</li> </ol> </li> <li>2. The licensee must comply with all applicable Oregon Fire Code requirements and pile size requirements described in this license.</li> </ol>
<a href="#">5.45-3</a>	<b>Adequate vehicle accommodation</b>	<p>The licensee must:</p> <ol style="list-style-type: none"> <li>1. Provide on-site access roads of sufficient capacity to adequately accommodate all on-site vehicular traffic. The licensee must maintain access roads to allow the orderly egress and ingress of vehicular traffic when the facility is in operation, including during inclement weather;</li> <li>2. Take reasonable steps to notify and remind persons delivering solid waste to the facility that vehicles must not park or queue on public streets or roads except under emergency conditions or as provided by local traffic ordinances; <a href="#">and</a></li> <li><del>3. <a href="#">Post signs to inform customers not to queue on public roadways; and</a></del></li> <li><del>4.3. Provide adequate off-street parking and queuing for vehicles, including adequate space for on-site covering and uncovering of loads.</del></li> </ol>
<a href="#">5.55-4</a>	<b>Managing prohibited wastes</b>	<p>The licensee must:</p> <ol style="list-style-type: none"> <li><del>1. Reject prohibited waste that is discovered upon receipt.</del></li> <li>2. Maintain a load-check program to prevent the acceptance of</li> </ol>

**Commented [JD8]:** Removing because already in 5.13. Removed in other licenses as well.

**Commented [JD9]:** Updated to standard language and formatting; no substantive change



		<p>prohibited waste. At minimum, the licensee must:</p> <ul style="list-style-type: none"><li>(a) Provide a qualified operator to perform visible inspection of each load received. The qualified operator must reject prohibited waste discovered during the visual inspection.</li><li>(b) Provide a secure or isolated containment area for the storage of any prohibited wastes that are unknowingly received. Containment areas must be covered and enclosed to prevent leaking and contamination of authorized materials.</li><li>(c) Maintain records of the training of facility personnel in the recognition, proper handling and disposition of prohibited waste and make these records available to Metro upon request.</li></ul> <p>3. Remove all prohibited wastes upon discovery when unknowingly received and manage the waste in accordance with DEQ requirements and procedures established in the operating plan. All such wastes the licensee unknowingly receives must be removed from the site and transported to an appropriate destination within 90 days of receipt, unless required to be removed earlier by DEQ or a local government.</p>
<a href="#">5.65-5</a>	<b>Storage and exterior stockpiles</b>	<p>The licensee must:</p> <ul style="list-style-type: none"><li>1. Manage, contain and remove, at sufficient frequency, stored materials and solid wastes to avoid creating nuisance conditions, vector or bird attraction or harborage, or safety hazards;</li><li>2. Maintain storage areas in an orderly manner and keep the areas free of litter;</li><li>3. Position exterior stockpiles within footprints identified on the facility site plan or operating plan; and</li><li>4. Not stockpile recovered or source-separated materials for longer than 180 days (6 months) unless such material is composting feedstock that is received and managed in accordance with this license and facility operating plan.</li></ul> <p><del>5.4. Comply with all applicable Oregon Fire Code and applicable local requirements including, but not limited to, site access and pile size requirements.</del></p>
<a href="#">5.75-6</a>	<b>Dust, airborne debris and litter</b>	<p>The licensee must:</p> <ul style="list-style-type: none"><li>1. Operate the facility in a manner that controls and minimizes the generation and migration of dust, airborne debris and litter beyond property boundaries;</li><li>2. Take reasonable steps, including signage, to notify and remind persons delivering solid waste to the facility that all loads must be suitably secured to prevent any material from blowing off the load during transit;</li><li>3. Maintain and operate all vehicles and devices transferring or transporting solid waste from the facility to prevent leaking, spilling</li></ul>

**Commented [JD10]:** Removed as it is duplicative to 5.3.2.





		<p>or blowing of solid waste on-site or while in transit;</p> <ol style="list-style-type: none"> <li>Maintain and operate all access roads and receiving, processing, storage and reload areas in such a manner as to control and minimize dust and debris generated on-site and prevent such dust and debris from blowing or settling off-site;</li> <li>Keep all areas within the site and all vehicle access roads within ¼ mile of the site free of litter and debris generated directly or indirectly as a result of the facility's operation;</li> <li>Maintain on-site facility access roads to control and minimize dust and the tracking of mud, gravel or other debris off-site; and</li> <li><del>Provide access to the facility for the purpose of uncovered load enforcement. During all times that solid waste is being accepted, authorized representatives of Metro, including law enforcement personnel on contract to Metro, must be permitted access to the premises of the facility for the purpose of making contact with individuals they have observed transporting uncovered loads of solid waste on a public road right-of-way in violation of Metro Code Chapter 5.09.</del></li> <li><del>Follow the dust control procedures described in its operating plan and immediately take other corrective actions as necessary to comply with the requirements of this license.</del></li> </ol>
<a href="#">5.85-7</a>	<b>Odor</b>	<p>The licensee must:</p> <ol style="list-style-type: none"> <li>Operate the facility in a manner that controls and minimizes the generation of odors that are detectable off-site; <a href="#">and</a></li> <li><del>Establish and follow procedures in the operating plan for minimizing odors at the facility odor minimization plan, included in the operating plan, as approved in writing by Metro; and</del></li> <li><del>Follow its odor minimization plan and immediately take other corrective actions as necessary to comply with the requirements of this license.</del></li> </ol>
<a href="#">5.95-8</a>	<b>Vectors (e.g. birds, rodents, insects)</b>	<p>The licensee must:</p> <ol style="list-style-type: none"> <li>Operate the facility in a manner that is not conducive to the harboring of rodents, birds, insects or other vectors capable of transmitting, directly or indirectly, infectious diseases to humans or from one person or animal to another; and</li> <li>Implement vector control measures if vectors are present or detected at the facility.</li> </ol>
<a href="#">5.105-9</a>	<b>Noise</b>	<p>The licensee must operate the facility in a manner that:</p> <ol style="list-style-type: none"> <li>Controls and minimizes any noise sufficient to cause adverse off-site impacts; and</li> <li>Meets applicable regulatory standards and land-use regulations.</li> </ol>

**Commented [JD11]:** Removed for redundancy. Section 7 describes dust procedure requirements for operating plan.

**Commented [JD12]:** Section updated to align with standard license language. Third bullet removed for redundancy. Section 7 describes odor procedure requirements for operating plan.



<a href="#">5.115-10</a>	<b>Water contaminated by solid waste and solid waste leachate</b>	<p>The licensee must:</p> <ol style="list-style-type: none"> <li>1. Operate the facility consistent with an approved DEQ stormwater management plan or equivalent; <del>and</del></li> <li>2. Control storm water run-off that has contacted compost materials including, but not limited to, feedstocks; <del>and</del></li> <li>3. Dispose of or treat water contaminated by solid waste generated on-site in a manner complying with local, state and federal laws and regulations.</li> </ol>
<a href="#">5.125-11</a>	<b>Access control</b>	<p>The licensee must:</p> <ol style="list-style-type: none"> <li>1. Control access to the facility as necessary to prevent unauthorized entry and dumping; and</li> <li>2. Maintain a gate or other suitable barrier at potential vehicular access points to prevent unauthorized access to the site when an attendant is not on duty.</li> </ol>
<a href="#">5.135-12</a>	<b>Signage</b>	<p>The licensee must post signs at all public entrances to the facility. The signs must comply with local government signage regulations. These signs must be easily and readily visible, and legible from off-site during all hours and must contain at least the following information:</p> <ol style="list-style-type: none"> <li>1. Name of the facility;</li> <li>2. Address of the facility;</li> <li>3. Emergency telephone number for the facility;</li> <li>4. Operating hours during which the facility is open for the receipt of authorized waste;</li> <li>5. Fees and charges;</li> <li>6. Metro's name and telephone number 503-234-3000;</li> <li>7. A list of authorized and prohibited wastes;</li> <li>8. Vehicle / traffic flow information or diagram;</li> <li>9. Covered load requirements; and</li> <li>10. Directions not to queue on public roadways.</li> </ol>
<a href="#">5.145-13</a>	<b>Complaints</b>	<p>The licensee must respond to all complaints as described in the operating plan.</p>
<a href="#">5.155-14</a>	<b>Access to license document</b>	<p>The licensee must maintain a copy of this license on the facility's premises in a location where facility personnel and Metro representatives have ready access to it.</p>

**Commented [JD13]:** Updated to align with standard language and eliminate redundancy with Section 7 (no redline displayed). Historically, the information in this section was duplicative with what was in the operating plan section.



5.16	<u>Employment standard</u>	<p>The licensee must:</p> <ol style="list-style-type: none"> <li><del>1. Comply with Oregon's "ban-the box" law (ORS 659A.360) which makes it unlawful for an employer to inquire about criminal convictions before the interview stage of hiring; and</del></li> <li>2. <u>Maintain a copy of the facility's employment application on the facility premises and in a location where facility personnel and Metro representatives have ready access to it.</u></li> </ol>
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**Commented [JD14]:** New section in Grimm's license, but standard license language

6.0	PERFORMANCE REQUIREMENTS	
6.1	Composting method	By July 1, 2020, <del>the</del> The licensee must employ ASP composting for all incoming feedstocks and all other materials actively composting on-site.
6.2	<u>Pile size</u>	<p><del>By April 30, 2019, material stockpiles must not exceed 25 feet in height, 150 feet in width and 250 feet in length.</del></p> <p><u>By July 1, 2020, material stockpiles subject to ASP composting, including required cover material, must not exceed 14 feet in height.</u></p>
6.32	Cover material	<p>The licensee must:</p> <ol style="list-style-type: none"> <li><del>1. Apply and maintain cover material on all stockpiles subject ASP composting active ASP composting piles.</del></li> <li>2. <u>The licensee must use</u> cover material that functions to control and minimize odors such as, a mix of porous overs and finished compost, a synthetic cover designed for use in composting systems, or another material used as a best practice for odor control in the compost industry as approved in writing by Metro.</li> </ol>
6.43	Bulk density	The licensee must maintain ASP composting piles with adequate bulk density as described in the operating plan and approved in writing by Metro.
6.54	No disturbance of materials	<ol style="list-style-type: none"> <li>1. The licensee must not disturb materials for a minimum of 15 days upon placement in an ASP composting pile.</li> <li>2. The licensee may only disturb ASP composting piles to maintain or achieve optimal composting parameters as specified in its operating plan.</li> <li>3. The licensee must <u>keep-maintain</u> a log on-site of ASP composting pile disturbances including date, time, and the reason for the disturbance and make the log available to Metro for inspection upon request.</li> </ol>
6.65	<u>Aeration system</u>	The licensee must operate and <del>maintain</del> an aeration system that <u>provides achieves and maintains an oxygen level of at least</u> <del>minimum aeration of ten-10 percent oxygen content to in</del> all of the ASP composting piles <u>as described in the operating plan.</u>

**Commented [JD15]:** Removing because deadlines have been met. Pile height is now in Section 4.1.

**Commented [JD16]:** Updated to align language with 6.7 Oxygen monitoring. Removed second and third bullets for redundancy with the Oxygen monitoring section and Section 7 - operating plan.



		<p><del>1. The continuous aeration system, including applicable air cycles, must be described in the operating plan.</del></p> <p><del>2.1. The licensee must monitor and record oxygen levels at a prescribed frequency as described in the operating plan.</del></p>
6.76	Capture and treatment of air over processing equipment	<p>The licensee must:</p> <ol style="list-style-type: none"><li><del>Capture odors air</del> at the equipment used for grinding, screening, and conveyance of materials.</li><li><del>The licensee must d</del>irect all captured air required under this section to a properly designed and maintained bio-filter.</li></ol>
6.87	Oxygen monitoring	<p>The licensee must:</p> <ol style="list-style-type: none"><li><del>Describe in the operating plan how it will a</del>chieve and maintain an optimal oxygen level of <u>at least 10 percent</u> <del>or above</del> in the ASP composting piles.</li><li><del>Describe in the operating plan the method and frequency it will use to m</del>onitor and record oxygen levels in the ASP composting piles <u>at the frequency described in the operating plan.</u></li><li><del>Describe in the operating plan what actions it will take if oxygen levels drop below 10 percent in any part of the ASP composting piles.</del></li><li><del>3</del>. Maintain a record <u>on-site</u> of all <del>these</del> oxygen monitoring results <del>on-site</del> and make the records available to Metro for inspection upon request.</li></ol>
6.98	Compost monitoring parameters	<ol style="list-style-type: none"><li>The licensee must describe in the operating plan the method and frequency in which it will monitor and record compost parameters including:<ol style="list-style-type: none"><li>Moisture content;</li><li>Temperature;</li><li>Oxygen content (aeration);</li><li>Retention time; <u>and</u></li><li>Pile density; <del>and</del></li></ol></li><li>The licensee must describe in the operating plan the method and frequency in which it will monitor and record finished compost parameters including:<ol style="list-style-type: none"><li>Nutrient balance (Nitrogen Phosphorous Potassium - NPK);</li><li>Acidity (pH);</li><li>Stability;</li><li>Electrical conductivity;</li><li>Heavy metals; <del>and</del></li><li>Fecal coliform and salmonella; <u>and</u></li></ol></li></ol>

**Commented [JD17]:** Updated from "odor" to "air" to align with the section title and language in section 7.12 "Procedures for odor prevention".

**Commented [JD18]:** Removed references to operating plan because they are redundant to provisions in Section 7 (operating plan).



		<p>(g) Carbon to Nitrogen ratio.</p> <p>3. The licensee must maintain a record <u>on-site</u> of all of these composting parameters <u>onsite</u> and make the records available to Metro for inspection upon request.</p>
<a href="#">6.109</a>	<a href="#">Pathogen reduction</a>	<p>To <u>achieve pathogen reduction</u>, the licensee must:</p> <p><del>1. describe in the operating plan how it will achieve pathogen reduction on all compost processed at the facility. The plan must include a Process to Further Reduce Pathogens (PFRP) during ASP composting.</del></p> <p><del>2.1 The ASP composting piles must be maintained</del> Maintain ASP <u>composting piles</u> at a minimum temperature of 131° <u>degrees Fahrenheit</u> for a minimum of three consecutive days; <u>and-</u></p> <p><del>3.2 The licensee must m</del> Maintain a log <u>on-site</u> with these records, subject to inspection by Metro.</p>
<a href="#">6.110</a>	<a href="#">Temperature monitoring</a>	<p>The licensee must:</p> <p><del>1. Monitor and record temperatures for ASP composting pile on a daily basis for at least 15 consecutive days.</del></p> <p>2. Document the temperature of all <u>ASP</u> composting piles, including curing piles, at least weekly.</p> <p><del>3. Describe in the operating plan the measures it will implement when the temperatures are outside of the acceptable range, including but not limited to, the types of equipment used both for temperature readings and performing corrective actions.</del></p> <p><del>4.3</del> Maintain a log <u>on-site</u> with these records, subject to inspection by Metro.</p>
<a href="#">6.12</a>	<a href="#">Community engagement plan</a>	<p><del>1. By May 1, 2019, the licensee must establish and submit to Metro a proposed community engagement plan subject to review and written approval by Metro.</del></p> <p><del>2. The community engagement plan must describe, at a minimum, how the facility will perform ongoing outreach to residents and business located in proximity to the facility (such as good neighbor agreement, informational tours, open house gatherings, flyers, etc.).</del></p> <p><del>3. By December 31, 2019, the licensee must either establish a mutually agreed upon Good Neighbor Agreement with the local community group(s) or demonstrate to Metro that it made a good faith effort to engage with the local community, as determined by Metro.</del></p>
<a href="#">6.1311</a>	<a href="#">Compost operator training</a>	<p>The licensee must:</p> <p><del>1. Establish</del> <u>Maintain</u> a composter training program for its qualified operators, including continuing compost education. The licensee must describe the training program in the operating plan.</p> <p><del>2. Maintain a log</del> <u>on-site withof</u> training attendance records <u>on site and</u></p>

**Commented [JD19]:** Removed references to operating plan because they are redundant to provisions in Section 7 (operating plan).

**Commented [JD20]:** Removed references to operating plan because they are redundant to provisions in Section 7 (operating plan).

**Commented [JD21]:** Removing this section as it was related to the transition plan to ASP composting.

**Commented [JD22]:** Updated language to align with other record requirements.



		<p><a href="#">make the log available to Metro for inspection upon request.</a></p> <p><del>3-2. Make the training records or certificates available for to Metro for inspection upon request.</del></p>
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7.0	OPERATING PLAN	
7.1	<b>Plan compliance</b>	The licensee must operate the facility in accordance with an operating plan approved in writing by Metro. The operating plan must include sufficient detail to demonstrate that the facility will be operated in compliance with this license. The licensee may amend or revise the operating plan from time to time, subject to written approval by Metro.
7.2	<b>Plan maintenance</b>	<p><del>By March 29, 2019, the licensee must submit an updated operating plan to Metro as provided in Section 7.0. The operating plan must also include a site plan showing the location of all material stockpiles at the facility and a description of the underlying substrate underneath the piles.</del></p> <p>The licensee must revise the operating plan as necessary to keep it current with facility conditions, procedures and requirements. The licensee must submit revisions of the operating plan to Metro for written approval prior to implementation.</p>
7.3	<b>Access to operating plan</b>	The licensee must maintain a copy of the operating plan on the facility premises in a location where facility personnel and Metro representatives have ready access to it.
7.4	<b>ASP composting implementation timeline</b>	<p><del>The operating plan must include the licensee's timeline for completing and implementing an ASP composting system as required by this license. The licensee must submit a timeline that includes, at a minimum, a description of the:</del></p> <ol style="list-style-type: none"> <li><del>1. Construction and implementation schedule for the ASP composting system (including any construction phases and completion dates);</del></li> <li><del>2. Permit requirements and the expected timeframe for obtaining the permits for the project; and</del></li> <li><del>3. Schedule for providing routine project status updates to Metro and DEQ.</del></li> </ol>
7.47.5	<b>Procedures for inspecting loads</b>	<p>The operating plan must include:</p> <ol style="list-style-type: none"> <li>1. Procedures for inspecting incoming loads for the presence of prohibited or unauthorized wastes; and</li> <li>2. A set of objective criteria for accepting and rejecting loads.</li> </ol>
7.57-6	<b>Procedures for processing and storage of materials loads</b>	<p>The operating plan must include procedures for:</p> <ol style="list-style-type: none"> <li>1. Processing authorized <del>materials</del> <u>solid wastes</u> described in Section 3.0;</li> <li>2. Reloading and <del>transfer of transporting</del> authorized <del>materials</del> <u>solid</u></li> </ol>

**Commented [JD23]:** Removing first paragraph because the requirement was met by the date included in the license. No longer relevant.

**Commented [JD24]:** Removing this section as it was related to the transition plan to ASP composting.

**Commented [JD25]:** Updated language to align with standard license language.



		<p><del>wastes described in Section 3.0;</del></p> <ol style="list-style-type: none"><li>3. Managing <del>all material</del> stockpiles <del>within the size requirements specified in this license to ensure that they remain within the authorized limits;</del></li><li>4. Storing authorized <del>materials</del> <u>solid wastes</u>; and</li><li>5. Minimizing storage times and avoiding delay in processing of authorized <del>materials</del> <u>solid wastes</u>.</li></ol>
<a href="#">7.67-7</a>	<b>Procedures for composting operations</b>	<p>The operating plan must include procedures <del>describing how the licensee will for:</del></p> <ol style="list-style-type: none"><li><del>1. Incorporating</del> <u>feedstocks</u> into ASP composting piles within 24 hours of receipt;</li><li><del>2. Apply cover material on the ASP composting piles (including a description of the type and amount of cover material to be used);</del></li><li><del>3. Manage the cover material appropriately, including but not limited to, ensuring the optimal moisture content range between 40 percent to 60 percent is achieved for a bio-cover;</del></li><li><del>4.2.</del> <u>Establishing</u> criteria and <u>determining</u> the circumstances when the licensee must disturb ASP composting piles to maintain or achieve optimal composting parameters;</li><li><del>5. Control and minimize odors from incoming feedstocks (including procedures for managing or rejecting odorous feedstocks);</del></li><li><del>6.3.</del> <u>Managing</u> feedstocks during all weather conditions and seasonal variability of incoming feedstocks to achieve optimal compost parameters; <u>and</u></li><li><del>7. Maintain and store an adequate supply of readily available bulking agents to maintain or achieve optimal composting parameters; and</del></li><li><del>8.4.</del> <u>Identify</u> <u>identifying</u> procedures for achieving ideal carbon to nitrogen ratio (such as 25:1 or 30:1) during initial <u>ASP composting</u> pile construction and throughout active composting procedures.</li></ol>
<a href="#">7.77-8</a>	<b>Procedures for pile maintenance</b>	<p>The operating plan must include <u>a description of the type of cover used, including the depth if using a bio-cover, and</u> procedures <u>and schedule</u> for:</p> <ol style="list-style-type: none"><li>1. Maintaining ASP composting piles no more than 14-feet in height, including <u>the any</u> cover material;</li><li>2. Applying and maintaining a cover, such as bio-cover comprised of a designed mix of porous overs and composted materials applied at a minimum depth of <u>6-12</u>-inches and covering <u>on</u> all sides of the <u>ASP composting</u> piles;</li><li><del>2.3. and how it is maintained and procedures for managing the bio-cover material appropriately, including but not limited to, ensuring the optimal moisture content range between 40 percent to 60 percent.</del></li></ol>

**Commented [JD26]:** Section updated to remove redundancies with other sections and move all items related to pile maintenance to that specific section (7.7).

**Commented [JD27]:** Removed - redundant to 7.7.2

**Commented [JD28]:** Moved to Section 7.7 Pile maintenance.

**Commented [JD29]:** Removed - redundant to 7.12 Odor

**Commented [JD30]:** Removed here and combined with 7.7.6.

**Commented [JD31]:** Section updated to incorporate pile maintenance requirements moved from Section 7.6.

**Commented [JD32]:** Schedule no longer needed since pile heights have been reduced.

**Commented [JD33]:** Bio-cover depth reduced from 12 inches to 6 inches.



		<p><del>The licensee must use an approved bio-cover unless an alternate cover is pre-approved in writing by Metro; and</del></p> <p>4. <del>Managing the bio-cover material appropriately, including but not limited to, ensuring the optimal moisture content range between 40 percent to 60 percent;</del></p> <p>3-5. <del>Achieving and maintaining ASP composting piles with adequate bulk density in the ASP composting piles. Procedures must describe how to achieve bulk density within the preferred range of 800 to 1,000 pounds per cubic yard;</del> and</p> <p>4-6. <del>Maintaining and storing a readily available supply of bulking agents to maintain or achieve optimal composting parameters.</del></p>
<a href="#">7.87-9</a>	<b>Procedures for oxygen monitoring</b>	<p>The operating plan must include procedures for:</p> <ol style="list-style-type: none"> <li>1. <del>Operating the aeration system to maintain optimal oxygen levels of at least 10 percent</del>s in the ASP composting piles;</li> <li>2. <del>Measures the licensee will take to increase</del>Increasing oxygen in the pile if oxygen levels drop below 10 percent; <del>and</del></li> <li>3. <del>Testing-Monitoring and recording</del> oxygen levels <del>of all ASP composting piles</del>, including frequency, to ensure <del>an</del> optimal level <del>of at least</del>, 10 percent <del>and above, are</del>s achieved.</li> </ol>
<a href="#">7.97-10</a>	<b>Procedures for pathogen reduction</b>	<p>The operating plan must include procedures for: <del>achieving and documenting pathogen reduction on all compost processed at the facility. The plan must include:</del></p> <ol style="list-style-type: none"> <li>1. <del>A description of the process to reduce</del>Reducing pathogens during ASP composting;</li> <li>1-2. <del>The ASP composting piles must be maintained</del>Maintaining at a minimum temperature of 131<sup>o</sup> <del>degrees</del> Fahrenheit for a minimum period of three days;</li> <li>2-3. <del>Methods the facility will use for p</del>Pathogen sampling and testing of compost material; and</li> <li>3-4. <del>Procedures the facility will use for h</del>Handling material that does not meet pathogen reduction standards.</li> </ol>
<del><a href="#">7.107-11</a></del>	<b>Procedures for temperature monitoring</b>	<p><del>The licensee must describe in the operating plan its procedures for monitoring and tracking temperatures of composting materials. The operating plan must include:</del></p> <ol style="list-style-type: none"> <li>1. A description of the equipment the licensee will use to monitor <del>the</del> temperatures <del>of the ASP composting piles</del>;</li> <li>2. Procedures for documenting temperatures on a daily basis for each ASP composting pile for at least 15 total days;</li> <li>3. Procedures for monitoring and documenting the temperature of all <del>ASP</del> composting piles, including curing piles, at least weekly; and</li> </ol>

**Commented [JD34]:** Moved from Section 7.6

**Commented [JD35]:** Updates to streamline language.





		4. Procedures for managing <a href="#">ASP composting</a> piles in the event the temperatures are outside of the acceptable range including equipment used for corrective actions.
<a href="#">7.117-12</a>	<b>Procedures for managing prohibited wastes</b>	The operating plan must include procedures for: <ol style="list-style-type: none"> <li>1. Managing, reloading and transporting to appropriate facilities or disposal sites any prohibited or unauthorized wastes if they are discovered at the facility; and</li> <li>2. Notifying generators not to place hazardous wastes or other prohibited wastes in drop boxes or other collection containers destined for the facility.</li> </ol>
<a href="#">7.127-13</a>	<b>Procedures for odor prevention</b>	The operating plan must include procedures for: <ol style="list-style-type: none"> <li>1. Controlling and minimizing odors generated at the facility from being detected off the premises of the facility;</li> <li>2. Monitoring and managing odors of any derivation including odorous loads delivered to the facility;</li> <li>3. Receiving and recording odor complaints;</li> <li>4. Investigating all odor complaints to determine the cause of odor emissions; <del>and</del></li> <li>5. Remedying promptly all odor problems at the facility;</li> <li>6. Capturing air during screening and conveyance of compost;</li> <li>7. Maintaining the bio-filters at the facility including irrigation, and a media replacement schedule; and</li> <li>8. Additional odor control and minimizing measures as described in the <a href="#">odor minimization operating</a> plan and approved in writing by Metro.</li> </ol>
<a href="#">7.137-14</a>	<b>Procedures for dust prevention</b>	The operating plan must include procedures for: <ol style="list-style-type: none"> <li>1. Controlling and minimizing dust from blowing off the premises of the facility;</li> <li>2. Monitoring and managing dust of any derivation generated on site;</li> <li>3. Receiving and recording dust complaints;</li> <li>4. Investigating all dust complaints to determine the cause of dust emissions; and</li> <li>5. Resolving all dust problems at the facility.</li> </ol>
<a href="#">7.14</a>	<b>Procedures for controlling and minimizing other off-site impacts</b>	The operating plan must include procedures for controlling and minimizing other off-site impacts generated at the facility from being detected off the premises of the facility, including, but not limited to: <ol style="list-style-type: none"> <li>1. <del>Noise from facility operations and associated activities; and</del></li> <li>2. <a href="#">Vectors.</a></li> </ol>

**Commented [JD36]:** Non-substantive updates to align with standard license language.

**Commented [JD37]:** Added section: Section 5 of all licenses says facilities have to control noise and vectors but there is nothing in the operating plan section that says there must be procedures for controlling noise and vectors. In future licenses, dust, noise, odor and vectors will be combined into one section, but Grimm's is unique and so keeping separate.



7.15	<b>Procedures for emergencies</b>	The operating plan must include procedures that the licensee will follow in case of fire or other emergency.
7.16	<b>Procedures for complaints</b>	<p>The operating plan must include procedures for managing complaints. If the facility receives a complaint, the licensee must:</p> <ol style="list-style-type: none"> <li>1. Respond within one business day or sooner as circumstances may require.</li> <li>2. Record the following information for every complaint it receives:           <ol style="list-style-type: none"> <li>(a) Type of complaint (for example odor, dust, noise, litter, etc.);</li> <li>(b) Date the complaint was received;</li> <li>(c) Name, address and telephone number of the complainant; and</li> <li>(d) Description of the actions that the licensee took in response to the complaint, whether successful or unsuccessful.</li> </ol> </li> <li>3. Make the records required by this section available to Metro upon request. The licensee must retain each complaint record for a period of not less than one year.</li> </ol>
7.17	<b>Closure protocol</b>	<ol style="list-style-type: none"> <li>1. The licensee must establish protocol for closure and restoration of the site in the event of a cessation of operations as provided in Metro Code Chapter 5.01.</li> <li>2. The plan must include protocol for:           <ol style="list-style-type: none"> <li>(a) Short-term closure (duration of time that is more than seven consecutive days but less than 30 consecutive days in length); and</li> <li>(b) Long-term closure (duration of time that is 30 consecutive days or more in length).</li> </ol> </li> <li>3. The licensee must notify Metro within one business day of a short-term or long-term closure of the facility.</li> </ol>

**Commented [JD38]:** Updated to align with format of standard licenses. No change to requirements.

**Commented [JD39]:** Updated to align with standard language. Only change is the addition of the 1 day required notice.

<b>8.0 FEES AND RATES</b>		
8.1	<b>Annual fee</b>	The licensee must pay an annual license fee, as established in Metro Code Chapter 5.01. Metro reserves the right to change the license fee at any time by action of the Metro Council.
8.2	<b>Rates not regulated</b>	Metro does not regulate the <del>tipping fees and other</del> rates charged at the facility.
8.3	<b>Regional system fee and excise tax</b>	The licensee is liable for payment of the Metro regional system fee, as provided in Metro Code Chapter 5.02, and the Metro excise tax, as provided in Metro Code Chapter 7.01, on all solid wastes transported to a disposal site.

**Commented [JD40]:** Updated to standard language.



9.0 RECORD KEEPING AND REPORTING	
9.1	<b>Record keeping requirements</b> For all <del>materials</del> <a href="#">solid waste</a> the licensee is authorized to accept under Section 3.0, the licensee must keep and maintain accurate records of the amount of those materials that the licensee accepts, recovers, recycles, reloads and disposes.
9.2	<b>Reporting requirements</b> <ol style="list-style-type: none"><li>1. The licensee must report to Metro the records required under Section 9.1 no later than fifteen days following the end of each month in the form and format prescribed by Metro. An authorized representative of the licensee must certify that the report is accurate.</li><li>2. Notwithstanding Subsection 1, Metro may require the licensee to report the records required by Section 9.0 on a weekly or daily basis in the event of a significant disruption to the solid waste system.</li></ol>
9.3	<b>DEQ submittals</b> The licensee must provide Metro with copies of all correspondence, exhibits or documents submitted to DEQ relating to the terms or conditions of DEQ permits or this license within five business days of providing such information to DEQ.
9.4	<b>Copies of enforcement actions provided to Metro</b> The licensee must provide Metro a copy of any notice of violation or non-compliance, citation or any other similar enforcement action issued to the licensee by any federal, state or local government (other than Metro) related to the operation of the facility within five business days of receipt.
9.5	<b>Unusual occurrences</b> The licensee must: <ol style="list-style-type: none"><li>1. Keep and maintain accurate records of any unusual occurrences (such as fires or any other significant disruption) encountered during operation and methods used to resolve problems arising from these events, including details of all incidents that required implementing emergency procedures;</li><li>2. Notify Metro within 24 hours of any breakdown of the licensee's equipment if the breakdown will substantially impact the facility's ability to comply with this license, with Metro Code, or which will create off-site impacts;</li><li>3. Notify Metro within 12 hours of any fires, accidents, emergencies and other significant incidents that occur at the facility; and</li><li>4. <a href="#">Notify Metro of any long-term or short-term closures as provided in section 7.17.</a></li></ol>
9.6	<b>Changes in ownership</b> The licensee must notify Metro within 10 days if the licensee leases, assigns, mortgages, sells or otherwise transfers control of the license to another person, whether whole or in part, in accordance with Metro Code Chapter 5.01.

**Commented [JD41]:** Addition of second bullet to align with standard language

**Commented [JD42]:** Standard language: update from 2 business days to 5.

**Commented [JD43]:** Standard language: update from 2 business days to 5.

**Commented [JD44]:** New to Grimm's but standard language

**Commented [JD45]:** Update to align with standard language.



9.7	<b>Records of performance requirements</b>	<ol style="list-style-type: none"> <li>The licensee must keep and maintain complete and accurate records of all sampling, testing, monitoring and training on the facility premises and in a location readily accessible to facility personnel and Metro representatives.</li> <li>The licensee must make <del>records of</del> this information available to Metro <a href="#">for review</a> upon request. The licensee must retain each record for a period of no less than one year.</li> </ol>
9.8	<b>Records subject to Metro inspection</b>	The licensee must keep and maintain complete and accurate records and required logs subject to Metro inspection upon request.

10.0	<b>INSURANCE REQUIREMENTS</b>	
10.1	<b>General liability</b>	The licensee must carry the most recently approved Insurance Services Office (ISO) Commercial General Liability policy, or its equivalent, written on an occurrence basis, with limits not less than \$1,000,000 per occurrence. The policy must include coverage for bodily injury, property damage, personal injury, death, contractual liability, premises and products/completed operations. The licensee's coverage will be primary as respects Metro.
10.2	<b>Automobile</b>	The licensee must carry automobile insurance with coverage for bodily injury and property damage, with limits not less than a minimum of \$1,000,000 per accident or combined single limit.
10.3	<b>Additional insureds</b>	Metro, its elected officials, departments, employees, volunteers and agents must be named as ADDITIONAL INSUREDS on the Commercial General Liability policy. The licensee must include the additional insured endorsement along with the certificate of insurance.
10.4	<b>Workers' compensation insurance</b>	<ol style="list-style-type: none"> <li>The licensee, its subcontractors, if any, and all employers working under this license, are subject employers under the Oregon Workers' Compensation Law, and must comply with ORS 656.017, which requires them to provide workers' compensation coverage for all their subject workers.</li> <li>The licensee must provide Metro with certification of workers' compensation insurance including employer's liability. If the licensee has no employees and will perform the work without the assistance of others, a certificate to that effect may be attached in lieu of the certificate showing current workers' compensation insurance.</li> </ol>
10.5	<b>Certificate of insurance</b>	<ol style="list-style-type: none"> <li>The licensee must provide Metro with a certificate of insurance complying with Section 9.0.</li> <li>The licensee must list Metro as the certificate holder.</li> <li>Upon insurance renewal, the licensee must submit an updated certificate of insurance and the additional insured endorsement to</li> </ol>

**Commented [JD46]:** Insurance requirements section has been updated to reflect current requirements. (redline not reflected)



		Metro.
10.6	<b>Notification</b>	The licensee must give at least 30 days written notice to Metro of any lapse or proposed cancellation of insurance coverage.

11.0	<b>ENFORCEMENT</b>	
11.1	<b>Authority vested in Metro</b>	The power and right to regulate, in the public interest, the exercise of the privileges granted by this license is at all times vested in Metro. Metro reserves the right to establish or amend rules, regulations or standards regarding matters within Metro's authority, and to enforce all such requirements against the licensee.
11.2	<b>No enforcement limitations</b>	This license may not be construed to and does not limit, restrict, curtail or abrogate any enforcement provision contained in Metro Code or administrative rules adopted pursuant to Metro Code Chapter 5.01, nor does this license limit or preclude Metro from adopting ordinances that regulate the health, safety or welfare of any person or persons within the Metro jurisdictional boundary, notwithstanding any incidental impact that such ordinances may have upon the terms of this license or the licensee's operation of the facility.
11.3	<b>Penalties</b>	Each violation of a license condition is punishable by penalties as established in Metro Code Chapter 5.01. Each day that a violation continues constitutes a separate violation.  <del>In addition to the penalties described in this section, if the licensee fails to meet the requirements of this license, including, but limited to, each pile size requirement by the due dates summarized in Section 14.0, Metro may immediately suspend the licensee's authorization to accept incoming feedstock until it complies with the requirements described in this license.</del>

**Commented [JD47]:** Updated to standard language. (redline not reflected)

**Commented [JD48]:** Updated to standard language. (redline not reflected)

**Commented [JD49]:** Updated to standard language. Removed additional penalties related to reducing pile size by due dates.

12.0	<b>AMENDMENT, SUSPENSION, REVOCATION AND TERMINATION</b>	
12.1	<b>Amendment, suspension or revocation by Metro</b>	Metro may, at any time before the expiration date, amend, suspend or revoke this license in whole or in part, in accordance with Metro Code Chapter 5.01, for reasons including but not limited to: <ol style="list-style-type: none"> <li>1. Violation of the terms or conditions of this license, Metro Code or any applicable statute, rule or standard;</li> <li>2. Changes in local, regional, state or federal laws or regulations that should be specifically incorporated into this license, such as Metro actions to implement new requirements from the 2030 Regional Waste Plan;</li> <li>3. Failure to disclose fully all relevant facts;</li> <li>4. A significant release into the environment from the facility;</li> </ol>

**Commented [JD50]:** Updated to standard language (combines amendment, suspension, revocation into one section and adds a termination section. (redlines not reflected)



		<ol style="list-style-type: none"> <li>5. A significant change in the character of solid waste received or in the operation of the facility;</li> <li>6. Any change in ownership or control;</li> <li>7. A request from the local government stemming from impacts resulting from facility operations;</li> <li>8. A change of authorization request received from the licensee; and</li> <li>9. Compliance history of the licensee.</li> </ol>
12.2	<b>Termination</b>	Metro may, at any time before the expiration date, terminate this license upon request of the licensee or in the event of a long-term closure of the facility as described in Section <a href="#">6-117.16</a> .

<b>13.0</b>	<b>GENERAL OBLIGATIONS</b>	
13.1	<b>Compliance with law</b>	<p>The licensee must fully comply with all applicable local, regional, state and federal laws, rules, regulations, ordinances, orders and permits pertaining in any manner to this license, <del>including</del> <b>This includes</b> all applicable Metro Code provisions and administrative rules, <del>regardless of whether or not this license specifically mentions or cites those provisions have been specifically mentioned or cited in this license.</del> All conditions imposed on the operation of the facility by federal, state, regional or local governments or agencies having jurisdiction over the facility are deemed part of this license as if specifically set forth in this license. These conditions and permits include those cited within or attached as exhibits to the license document, any existing at the time the license is issued but not cited or attached, and any issued or amended during the term of the license.</p>
13.2	<b>Transport waste to appropriate destinations</b>	<p>The licensee must ensure that solid waste transported from the facility goes to the appropriate destinations under Metro Code Chapters 5.01 and 5.05, and under applicable local, state and federal laws, rules, regulations, ordinances, orders and permits.</p>
13.3	<b>Right of inspection and audit</b>	<ol style="list-style-type: none"> <li>1. The licensee must allow Metro's authorized representatives to access the facility and premises at any time during business hours, with or without advanced notice. For non-business hours, the licensee must allow access to Metro's authorized representatives upon receiving advanced notice of not less than 24 hours.</li> <li>2. Authorized representatives of Metro may take photographs, collect samples of materials and perform such inspection or audit as Metro deems appropriate.</li> <li>3. Metro inspection reports, including site photographs, are public records subject to disclosure under Oregon Public Records Law. Subject to the applicable confidentiality provisions in Section <a href="#">4213.4</a>, Metro's right to inspect includes the right to review all information from which all required reports are derived, including all books, maps,</li> </ol>

**Commented [JD51]:** Reflects recent updates to standard language from Office of Metro Attorney.



		<p>plans, income tax returns, financial statements, contracts and other similar written materials of the licensee that are directly related to the facility's operation and its rates.</p> <p>4. The licensee must permit access to the facility premises to authorized representatives of Metro, including personnel on contract to Metro, to perform research at all times during business hours, with or without notice. The licensee must provide access to:</p> <ul style="list-style-type: none"><li>(a) All areas where it generates, manages, stores and reloads waste, including without limitation to transfer vehicles;</li><li>(b) Facility personnel and equipment to collect, sort, store and weigh waste; and</li><li>(c) A safe, covered location away from working areas and vehicle traffic on site where authorized representatives of Metro may analyze waste and record data.</li></ul>
13.4	<b>Confidential information</b>	<p>1. The licensee may identify as confidential any reports, books, records, maps, plans, income tax returns, financial statements, contracts and other similar written materials of the licensee that are directly related to the operation of the facility and that are submitted to or reviewed by Metro. The licensee must prominently mark any information that it claims confidential with the mark "CONFIDENTIAL" prior to submittal to or review by Metro. Metro will treat as confidential any information so marked and will make a good faith effort not to disclose the information unless Metro's refusal to disclose the information would be contrary to applicable Oregon law, including, without limitation, ORS Chapter 192.</p> <p>2. If Metro receives a public records request seeking disclosure of information identified as confidential by the licensee, Metro will provide the licensee with a courtesy notice of that request within five days of receipt of the request.</p> <p>3. This Section 12.0 does not limit the use of any information submitted to or reviewed by Metro for regulatory purposes or in any enforcement proceeding.</p> <p>4. Metro may share any confidential information with representatives of other governmental agencies provided that, consistent with Oregon law, those representatives agree to continue to treat the information as confidential and make good faith efforts not to disclose the information.</p>
13.5	<b>Compliance by agents</b>	<p>The licensee is responsible for ensuring that its agents and contractors comply with this license.</p>

**Commented [JD52]:** Updated to reflect standard language (redline not reflected)

**Commented [JD53]:** Updated to reflect standard language.



<b>14.0 SUMMARY OF DUE DATES</b>		
<b>14.1</b>	<b>March 29, 2019</b>	By March 29, 2019, the licensee must submit an updated operating plan to Metro as described in Section 7.0.
	<b>April 30, 2019</b>	By April 30, 2019, the licensee must reduce piles to maximum of 25 feet in height, 250 feet in length, and 150 feet in width with a minimum 20 foot separation between piles as described in Section 6.2.
	<b>May 1, 2019</b>	By May 1, 2019 the licensee must submit a community engagement plan as described in Section 6.12.
	<b>December 31, 2019</b>	By December 31, 2019, the licensee must either establish a mutually agreed upon Good Neighbor Agreement with the local community group(s) or demonstrate to Metro that it made a good faith effort to engage with the local community, as determined by Metro.
	<b>July 1, 2020</b>	By July 1, 2020, the licensee must: a) Reduce all materials subject to ASP composting to a maximum of 14 feet in height including any cover material as described in Section 6.2; and Employ ASP composting for all feedstock from the time it is received through the time that the material is actively composting as described in Section 6.0.

Commented [JD54]: This isn't needed anymore.