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METRO

www.oregonmetro.gov

SOLID WASTE DESIGNATED FACILITY AGREEMENT APPLICATION

Food Waste Processing Facility

Application packet for new designated facility agreement or renewal of an existing designated facility agreement. Food waste processing facilities include, but are not limited to composting, anaerobic digestion and fermentation.



METRO SOLID WASTE DESIGNATED FACILITY AGREEMENT APPLICATION for FOOD WASTE PROCESSING

**Issued
August 2014**

This packet contains an application for a Metro Solid Waste Designated Facility Agreement (DFA). You may also want to review the relevant sections of the Metro Code. The Metro Code can be accessed via the Metro web site at www.oregonmetro.gov.

Application for a new DFA

Applicants seeking a new DFA should first participate in a pre-application conference prior to submitting a final application form. The purpose of the pre-application conference is to obtain a description of the proposed designated facility and provide the applicant with information regarding the applicable requirements for the designation. The conference also provides the applicant with an opportunity to discuss the application process and to identify any potential issues specific to its proposal. Applicants should prepare for the pre-application conference by reviewing the application forms and drafting answers prior to the conference with Metro. To schedule the pre-application conference, contact Metro's Solid Waste Compliance and Cleanup Division at (503) 797-1835.

After completing the pre-application conference, applicants seeking to enter into a new DFA with Metro must submit a completed *DFA Application* form and provide all additional information as required. Metro will generally grant or deny a new application within 120 days after the filing of a complete application. See Metro Code Chapter 5.05 for more information regarding the issuance of DFA.

Renewal of an Existing DFA

Applicants seeking to renew an existing DFA must submit a completed *DFA Application* form and provide all additional information as required unless otherwise directed by Metro staff. DFA renewal applications must be submitted not less than 120 days prior to expiration of the existing DFA.



METRO

MAIL THIS APPLICATION TO:

DATE RECEIVED BY METRO:

Metro Finance and Regulatory Services
Solid Waste Compliance and Cleanup
600 NE Grand Avenue
Portland, OR 97232-2736
(503) 797-1835

DESIGNATED FACILITY AGREEMENT APPLICATION FORM Food Waste Processing Facility

(Including but not limited to composting, anaerobic digestion and fermentation)

PART 1 – Standard Application Information

Applicants applying for a DFA must provide the following information:

1. Type of Application (please check one)	
<input type="checkbox"/>	New Designated Facility Agreement (DFA) Date of Pre-Application Conference: _____
<input type="checkbox"/>	Renewal of an existing DFA Metro Contract No. _____

Applicants applying for a DFA must provide the following information:

2. Applicant	
Facility Name:	
Company Name:	
Street Address:	
Mailing Address:	
City/State/Zip:	
Registered Agent:	
Contact Person:	
Phone Number:	
Fax Number:	
E-mail Address:	

3. Owner or Parent Company (provide information for all owners)

Name:	
Address:	
City/State/Zip:	
Phone Number:	
Fax Number:	
E-mail Address:	

4. Site Operator

Company Name:	
Contact Person:	
Street Address:	
Mailing Address:	
City/State/Zip:	
Phone Number:	
Fax Number and E-mail Address:	

5. Site Description

Tax Lot(s):	Section:	Township:	Range:
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6. Land Use and Other Permits

Present Land Use Zone:	
Is proposed use permitted outright?	
<input type="checkbox"/> If yes, attach a copy of a completed Metro or DEQ Land Use Compatibility Statement or equivalent. (See also, Attachment F requirements)	
Is a conditional use permit (CUP) necessary for the facility?	
<input type="checkbox"/> If yes, attach a copy of the CUP or equivalent.	
Are there any land use issues presently pending?	

If yes, explain:	
List the required DEQ permits or equivalent permits. (See Attachment G requirements)	
Are any other local permits required? If yes, list them (see Attachment H requirements).	

7. Land Owner	
Is the applicant the sole owner of the facility property?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Name of Property Owner:	
Mailing Address:	
City/State/Zip:	
Phone Number:	

8. Public/Commercial Operations - Solid Waste Accepted from the Metro Region			
Will the facility be open to the public (e.g., non-commercial haulers)?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
Will the facility be open to non-affiliated commercial solid waste collectors?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
Operating Hours and Traffic Volume:	PUBLIC	COMMERCIAL AFFILIATED	COMMERCIAL NON-AFFILIATED
Operating Hours			
Estimated Vehicles Per Day			

9. Inbound Waste/Feedstock by Type to be Accepted from the Metro Region and Activities Conducted

Identify the types of waste/feedstock and annual tonnage amounts of each that are expected to be received at the facility from the Metro region. Also, identify how each waste stream will be managed and the expected tip fees that will be posted at the facility (attach additional pages if necessary).

Waste/Feedstock Type	Accepted at Facility	Expected Annual Tonnage Amount	Type of Activity to be Performed on Waste	Expected Tip Fee (per Ton)
Source-Separated Wood:	<input type="checkbox"/> Yes <input type="checkbox"/> No			
Source-Separated Yard Debris:	<input type="checkbox"/> Yes <input type="checkbox"/> No			
Source-Separated Residential Food Waste Mixed with Yard Debris:	<input type="checkbox"/> Yes <input type="checkbox"/> No			
Source-Separated Food Waste:	<input type="checkbox"/> Yes <input type="checkbox"/> No			
Inerts (e.g., rock, concrete, etc.):	<input type="checkbox"/> Yes <input type="checkbox"/> No			
Other Waste/Feedstocks (please specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No			
Other Waste/Feedstocks (please specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No			

10. Inbound Waste/Feedstock by Generator from the Metro Region

Identify the expected annual tonnage amount of waste/feedstock that will be received from the Metro region and recovered at the facility from the following types of generators.

Generator	Tons Received	Tons Recovered	Tons Residual
Agricultural:			
Commercial:			
Industrial:			
Residential:			
TOTAL TONS:			

11. Outbound Waste, Products, and By-Products

List the expected destination and amount of each type of outbound solid waste, products or by-products to be transferred from the facility (attach additional pages if necessary).

Destination Site	Waste/Product/By-Product Type	Expected Annual Tonnage	Purpose of Delivery*

**For example: disposal, recovery, land reclamation, beneficial use, etc*

PART 2 – Standard Attachments to DFA Application for Food Waste Processing (application form continued)

- ❑ All of the following attachments (Attachments A – H) are required and must be submitted in order for an application to be considered complete. Each attachment must be clearly labeled.
- ❑ Application submittals such as facility design, building plans, site plans and specifications must be prepared, as appropriate, by persons licensed in engineering, architecture, landscape design, traffic engineering, air quality control, and design of structures.

ATTACHMENT A: FACTORS FOR METRO COUNCIL CONSIDERATION

Metro Code Section 5.05.030(b) lists seven factors, reproduced below, that the Metro Council must consider when designating a facility of the system pursuant to a duly enacted ordinance. Attach as many additional pages, with sufficient detail as necessary, to address any or all of the following evaluation criteria:

- | | |
|-----|--|
| (1) | The degree to which prior users of the facility and waste types accepted at the facility are known and the degree to which such wastes pose a future risk of environmental contamination. |
| (2) | The record of regulatory compliance of the facility’s owner and operator with federal, state and local requirements, including but not limited to public health, safety and environmental rules and regulations. |
| (3) | The adequacy of operational practices and management controls at the facility. |
| (4) | The expected impact on the region’s recycling and waste reduction efforts. |
| (5) | The consistency of the designation with Metro’s existing contractual arrangements. |
| (6) | The record of the facility regarding compliance with Metro ordinances and agreements or assistance to Metro in Metro ordinance enforcement. |
| (7) | Other benefits or detriments accruing to residents of the region from Council action in designating the proposed facility. |

ATTACHMENT B: SITE PLAN

The applicant must submit a facility site plan that includes scaled maps and drawings showing the location of the facility at an appropriate scale, and no smaller than one inch equals 30 feet. The location of the following items must be provided on the site plan:

- | | |
|-----|---|
| (1) | Boundaries of the facility. |
| (2) | Property boundaries, if different. |
| (3) | All buildings on the property (existing and proposed) and other pertinent information with respect to the operation of the facility, to include: <ul style="list-style-type: none">a) scale locationb) scale housec) all proposed buildings and structures to include: intake, processing, and product/by-product storage.d) sorting line and other major materials recovery equipmente) fencing and gatesf) access roadsg) paved areas.h) vegetative buffer zones and berms |

(4)	All receiving, processing, reload and storage areas, as applicable, for solid waste, source-separated recyclable materials, yard debris, recovered materials, product/by-products, waste residuals, exterior stockpiles, hazardous waste, and other materials.
(5)	All exterior material stockpile footprints, material types stored outside, and maximum height of each stockpile.
(6)	Load checking areas.
(7)	Prohibited waste storage areas. Containment areas shall be covered and enclosed and constructed to prevent leaking and contamination.
(8)	Identification of on-site traffic flow patterns.
(9)	The location of all commercial and residential structures within a one mile radius of the composting facility, identified on a map or aerial photograph.
(10)	The prevailing wind direction, by season, identified on a map or aerial photograph.
(11)	Facility signage. Facility signs must display all of the information required by Metro and be posted at all public entrances to the facility, and in conformity with local government signage regulations.

ATTACHMENT C: FACILITY DESIGN PLAN AND REPORT

The applicant shall submit a facility design plan and/or report to address the following:

- (1) **Submit a narrative that includes a description of the following:**
 - a) Facility overview.
 - b) Key assumptions for economic viability.
 - c) Facility design and technology.
 - d) Buildings and major equipment (existing and proposed).
 - e) Construction timeline (as applicable).
 - f) Types of wastes to be processed.
 - g) Feedstock receiving procedures.
 - h) Feedstock pretreatment and contaminant removal procedures and equipment.
 - i) Processing: digestion process and methane recovery, fermentation or composting process.
 - j) Dewatering and liquids management (as applicable for anaerobic digestion or fermentation facilities).
 - k) Digestate fiber management (as applicable for anaerobic digestion or fermentation facilities).
 - l) Residuals management.
 - m) Pathogen reduction / control procedures.
 - n) Biogas storage, conditioning and power and/or fuel generation (for anaerobic digestion or fermentation facilities).
 - o) Monitoring, quality control and testing.
- (2) **Dust, odor, airborne debris and litter.**
 - a) Submit a proposed design or existing design plan that identifies the location of all areas for load checking, receiving/tipping, mixing, processing, curing and storage for all materials. Provide locations for compost piles/windrows, digestion, fermentation, aeration systems including biofilters or enclosed structures to prevent odors from being detected offsite.
 - b) Describe control measures to prevent odors, fugitive dust, airborne debris and litter. Describe how the facility design will provide for shrouding and dust prevention for the receiving area, processing area, storage area, reload area, and all waste processing equipment and all conveyor transfer points where dust is generated.
 - c) Describe any additional facility design measures and procedures for the control of odor, dust, windblown materials, airborne debris, litter and for the handling of the waste and waste by-products in the case of major processing facility breakdown.

(3) **Facility capacity.**

- a) Provide engineering plans, reports and specifications to document that the size and configuration of the facility grounds, building and equipment, including the facility layout, drainage structures, building design, and major facility equipment, processing systems and storage areas are of sufficient capacity to accommodate seasonal throughput of all food wastes and materials that will be delivered to and generated by the facility.
- b) Provide the estimated capacity (cubic yards and tons) of the facility storage area(s) for incoming solid waste waiting to be processed, the estimated capacity (cubic yards and tons) for storage of recovered materials or products, and the estimated capacity (cubic yards and tons) for storage of processing residual and other by-products.

(4) **Adequate vehicle accommodation.**

Provide documentation to demonstrate that adequate on-site area at the facility's entrance, scales, loading and unloading points and exit points shall be provided to allow the number and types of vehicles expected to use the facility during peak times to safely queue off the public roads and right-of-way.

(5) **Water contaminated by solid waste and solid waste leachate.**

Submit a DEQ (or equivalent) approved plan with pollution control measures to protect surface and ground waters, including runoff collection and discharge and equipment cleaning and washdown water.

ATTACHMENT D: OPERATING PLAN

The applicant is required to develop and submit an operating plan for Metro review and approval. This section lists the procedures that must be included in the required facility operating plan. A proposed facility operating plan must be submitted with the completed DFA application and must be amended if subject to any additional elements required in the DFA - if one is approved and issued. The operating plan shall describe at a minimum:

- (1) The types of solid waste and materials to be accepted and handled at the facility from the Metro region.
- (2) Methods of measuring and keeping records of incoming materials from the Metro region.
- (3) A detailed description of how you will distinguish and manage loads of incoming materials that are generated from inside the Metro region.
- (4) Procedures for inspecting loads. The operating plan shall establish:
 - a) Procedures for inspecting incoming loads for the presence of prohibited or unauthorized wastes.
 - b) A set of objective criteria for accepting and rejecting loads.
 - c) An asbestos testing protocol for all material that appears as if it may contain asbestos.
- (5) Procedures for processing and storage of loads. The operating plan shall establish procedures for:
 - a) Processing of all authorized materials. Include the methods and equipment to be used on site (e.g., pre-processing, sorting lines, hand picking, magnets, and other major processing equipment.)
 - b) Reloading and transfer of authorized materials.
 - c) Managing stockpiles.
 - d) Storing authorized materials
 - e) Minimizing storage times and avoiding delay in processing and managing of all authorized materials and recovered materials.
- (6) Describe the general markets for the materials recovered and processed at the facility.

- (7) Procedures for rejecting or managing prohibited wastes. The operating plan shall describe procedures for rejecting, managing reloading and transporting to appropriate facilities or disposal sites any prohibited or unauthorized wastes discovered at the facility. The plan shall include procedures for managing:
- a) Hazardous wastes.
 - b) Other prohibited solid wastes (e.g., putrescible waste other than source separated food waste, special waste).
 - c) Procedures and methods for notifying generators not to place hazardous wastes or other prohibited wastes in drop boxes or other collection containers destined for the facility.
- (8) Procedures for rejecting or managing loads of food waste that are contaminated with plastic or other non-biodegradable wastes. The operating plan shall describe procedures for rejecting, managing, reloading and transporting to appropriate facilities or disposal sites:
- a) Loads contaminated with plastics and other non-biodegradable waste.
 - b) Processed material that due to concentrations of contaminants cannot be further processed or marketed and must be disposed.
- (9) Procedures for odor prevention. The operating plan shall establish procedures for preventing all objectionable odors for being detected off the premises of the facility. The plan must include:
- c) A management plan that will be used to monitor and manage all objectionable odors of any derivation including malodorous loads delivered to the facility.
 - d) Procedures for receiving and recording odor complaints, immediately investigating any odor complaints to determine the cause of odor emissions, and remedying promptly any odor problem at the facility.
- (10) Procedures for emergencies. The operating plan shall describe procedures to be followed in case of fire or other emergency.
- (11) Procedures for preventing and controlling nuisances, including noise, vectors, dust, litter, and odors. Include a description of how you will encourage delivery of waste in covered loads.
- (12) Procedures for fire prevention, protection, and control measures used at the facility.
- (13) Procedures for pathogen reduction and pathogen testing on end products and by-products.

ATTACHMENT E: LAND USE COMPATIBILITY STATEMENT (LUCS)

The following information must be provided:

A copy of a completed DEQ LUCS or equivalent.

ATTACHMENT F: DEQ PERMIT APPLICATIONS AND INFORMATION

The following information must be provided:

A duplicate copy of all applications for necessary DEQ permits (or equivalent) and any other information required by or submitted to DEQ, including closure plans, financial assurance for the costs of closure of the facility, and conditional use permit or land use compatibility statement, if applicable.

ATTACHMENT G: OTHER REQUIRED PERMITS

The following information must be provided:

A copy of any required federal, state, county, city or other permits, licenses, or franchises that have been granted or issued, not including materials required by Attachment F, or a copy of any applications for such other permits, licenses, or franchises. Copies of correspondence pertaining to such permits, licenses or franchises may be requested.

ATTACHMENT H: APPLICANT QUALIFICATIONS AND EXPERIENCE

Provide a written description of the experience and qualifications of the facility owner and operator. Attach as many additional pages as needed.

PUBLIC NOTICE AND CONFIDENTIAL INFORMATION

This application for the proposed solid waste facility is subject to Metro’s public notice procedures. Metro will notify the public of all complete applications that are received by Metro and provide an opportunity for the public to review and comment on the proposed application. Such public notice may include, but not limited to, the posting of the complete application on Metro’s website.

The applicant may identify as confidential any reports, books, records, maps, plans, income tax returns, financial statements, contracts and other similar written materials of the applicant that are directly related to the proposed application and that are submitted to or reviewed by Metro. The applicant shall prominently mark any information that it claims confidential with the mark "CONFIDENTIAL" prior to submittal to or review by Metro. Metro shall treat as confidential any information so marked and will make a good faith effort not to disclose such information unless Metro's refusal to disclose such information would be contrary to applicable Oregon law, including, without limitation, ORS Chapter 192.

Within five (5) days of Metro's receipt of a request for disclosure of information identified by the applicant as confidential, Metro shall provide the applicant written notice of the request. The applicant shall have three (3) days within which time to respond in writing to the request before Metro determines, at its sole discretion, whether to disclose any requested information. The applicant shall pay any costs incurred by Metro as a result of Metro’s efforts to remove or redact any such confidential information from documents that Metro produces in response to a public records request. These conditions shall not limit the use of any information submitted to or reviewed by Metro for regulatory purposes or in any enforcement proceeding. In addition, Metro may share any confidential information with representatives of other governmental agencies provided that, consistent with Oregon law, such representatives agree to continue to treat such information as confidential and make good faith efforts not to disclose such information.

APPLICANT CERTIFICATION: This form cannot be processed without a signature

I certify under penalty of law that the information contained in this application is true and correct to the best of my knowledge. I agree to notify Metro within 10 days of any change in the information submitted as a part of this application.

SIGNATURE OF AUTHORIZED AGENT _____

TITLE _____

PRINT NAME _____

DATE _____ PHONE _____

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