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# Metro Solid Waste Regulatory Guidance Bulletin

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GB4

March 2010

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## Metro Non-System Licenses

This *Metro Solid Waste Regulatory Guidance Bulletin* (the “Bulletin”) explains when a Metro Non-System License (NSL) is needed, how to apply for an NSL, and the requirements that a holder of an NSL (Licensee) must meet.

### Overview

Metro manages the system for disposal and recycling of solid waste in the Metro region. Metro’s involvement in the solid waste arena includes:

1. Coordinating regional programs to reduce and recycle solid waste;
2. Investigating and cleaning up illegal dump sites throughout the region;
3. Providing hazardous waste disposal for citizens and small businesses;
4. Planning, managing and regulating the regional solid waste system; and
5. Assuring that the citizens and businesses of the region have a complete and cost-effective solid waste system.

Metro Code requires generators and haulers of solid waste, whether they are collectors, private businesses, or individuals, to deliver all waste that is generated within the Metro region to either

- An authorized solid waste facility or disposal site that is designated by Metro; or
- Another facility under authority of an NSL issued by Metro.

The complete Metro Code can be accessed at [www.oregonmetro.gov](http://www.oregonmetro.gov) .

Regional system fees and excise taxes are assessed and collected on each ton of waste that is generated within the region. The regional system fee provides Metro with revenue to pay for the management of the solid waste system and the other solid waste and recycling services. Excise taxes supply Metro with general fund revenues to pay for the many other, non-solid waste-related services that Metro provides to the citizens of the region.

### Designated Facilities

Designated Facilities are solid waste facilities or disposal sites that may accept solid waste originating or generated from within the Metro region. Metro Designated Facilities include:

1. Solid waste facilities located within the Metro region that are licensed, franchised, or otherwise regulated by Metro;
2. Metro-owned transfer stations (i.e., Metro Central and Metro South); and
3. Any disposal site located outside the Metro region that has contracted with Metro to receive specified types of non-putrescible waste in return for the collection and remittance to Metro of regional system fees and excise taxes. Out-of-region facilities cannot accept putrescible waste from the Metro region unless the generators or haulers

first obtain an NSL from Metro. The following is a list of Designated Facilities located outside of the Metro region that are authorized to accept certain types of non-putrescible waste, including special waste, from within the Metro region:

Coffin Butte Landfill	Corvallis, OR	Riverbend Landfill	McMinnville, OR
Columbia Ridge Landfill	Arlington, OR	Roosevelt Regional Landfill	Klickitat County, WA
Finley Buttes Regional Landfill	Morrow County, OR	Tualatin Valley Waste Recovery	Hillsboro, OR
Hillsboro Landfill	Hillsboro, OR	Wasco County Landfill	The Dalles, OR
Riverbend Landfill	McMinnville, OR	Weyerhaeuser Regional Landfill	Castle Rock, WA

**Non-Designated Facilities and Delivery of Putrescible Waste Outside of the Region**

To deliver non-putrescible waste, including special waste or Cleanup Material Contaminated by Hazardous Substances, to facilities that are not Designated Facilities, or to deliver putrescible waste to any out-of-region facility, Metro requires the generator or the hauler to first obtain an NSL. The Licensee is then responsible for directly reporting and paying to Metro the appropriate regional system fees and excise taxes for all waste it delivers to a facility under authority of its NSL.

If any person or business generates solid waste that its hauler intends to deliver to a facility that is not a Designated Facility, either for disposal or for processing before disposal, the generator and hauler share responsibility for assuring that a Metro NSL is obtained. The Licensee must then:

1. Report to Metro the solid waste tonnage delivered under the NSL; and
2. Pay to Metro all appropriate regional system fees and excise taxes on such solid waste, unless it is a waste stream that the Metro Code specifically exempts<sup>1</sup> from Metro fees and taxes. Metro requires an NSL, even if the waste being delivered is exempt from fees and taxes, and the Licensee must report the tonnage on a monthly basis to provide Metro with important waste flow information.

Each NSL is unique and specifically identifies the Licensee, the type(s) and origin of solid waste licensed the maximum quantity of solid waste licensed, and the disposal facility. It is a violation of Metro Code to deliver solid waste to a non-system facility or to deliver unacceptable waste to a Designated Facility without a valid NSL. For such violations, Metro pursues enforcement actions to collect the fees and taxes owed and to recover monetary penalties.

In addition, a person that has an NSL may not deliver more tonnage than the NSL authorizes, waste types not specifically authorized by the NSL, or wastes to a facility not specified by the NSL. Such actions would require either a formal amendment of an existing NSL or the issuance of an additional NSL. Also, an NSL authorizes delivery of solid waste only by the Licensee. If the Licensee contracts with another party for the delivery of waste, Metro must be notified and approve of any such deliveries in advance.

<sup>1</sup> Example of waste that is exempt from Metro’s fees and taxes includes tire residual and source-separated vegetative food waste.

**TO REPORT ILLEGAL DUMPING**  
**CALL (503) 234-3000 or report via Internet at [www.oregonmetro.gov](http://www.oregonmetro.gov)**

### Commonly Used Solid Waste Facilities that Require an NSL

The following is a list of commonly used facilities that are not Designated Facilities and that are located outside of the Metro region. Metro Code requires a person to obtain an NSL to use these facilities for disposal of solid waste from within the Metro region:

Canby Transfer & Recycling Station	Canby, OR	Nature's Needs	North Plains, OR
Central Transfer & Recycling Center	Vancouver, WA	Newberg Transfer Station	Newberg, OR
Columbia County Landfill	Scappoose, OR	Sandy Transfer Station	Sandy, OR
Covanta Waste-to-Energy Facility	Brooks, OR	Waste Control	Longview, WA
Cowlitz County Landfill	Longview, WA	West Van Materials Recovery Center	Vancouver, WA
Delta Sand & Gravel Demolition Landfill	Eugene, OR		

The above list does not include all facilities that are not Designated Facilities. If you are unsure as to whether a particular facility is part of the Metro solid waste system, please contact Metro.

### Types of Non-System Licenses

Metro issues both full-term and limited-duration NSLs.

- Full-term licenses are issued up to a maximum term of three years and are intended for generators and haulers with ongoing solid waste disposal responsibilities.
- Limited-duration licenses are issued for a term of no more than 120 days and are intended for solid waste disposal associated with special projects, generally of a non-recurring nature.

### Applying for an Non-System License

An applicant must submit an NSL on forms provided by Metro. Metro issues NSLs for non-putrescible wastes, including special and cleanup wastes. Metro approves or denies this type of application within 60 days of the submission. The Metro Council authorizes NSLs for putrescible wastes and the Council will approve or deny the application within 120 days of submission of a complete application. Criteria used to determine whether or not to issue an NSL include the following:

1. The types of wastes previously accepted by the disposal facility and the degree to which they may pose future environmental risks;
2. The disposal facility's regulatory compliance record;
3. Operational practices and management controls at the disposal facility;
4. Potential impacts of the proposed NSL on the region's recycling efforts;
5. Consistency of the proposed NSL with Metro's contractual obligations;
6. The applicant's regulatory compliance record with regard to Metro ordinances and agreements; and
7. Any other factors as the Metro Chief Operating Officer may deem appropriate.

## EDWRP

Metro's Enhanced Dry Waste Recovery Program ("EDWRP") requires that all mixed non-putrescible waste, such as construction and demolition debris, undergo processing to recover recyclable materials prior to disposal. Haulers, therefore, cannot deliver mixed non-putrescible waste directly to a landfill, but must deliver it to a Metro-authorized material recovery facility.

## Non-System License Application Fees

The following table lists the application fees for new NSLs, license renewals and changes to existing licenses. Application fees vary based on the duration of the license and the amount of tonnage authorized.

TYPE OF NSL	APPLICATION FEE (New License)	APPLICATION FEE (Renewal)	APPLICATION FEE (Change Request)
<b>Standard NSL</b> (More than 500 tons annually)	\$1,000*	\$1,000*	\$250
<b>Standard NSL</b> (500 tons or less)	\$500**	\$100	\$250***
<b>Limited Duration NSL</b> (Maximum 120 days)	\$250	NA	NA
<b>NSL for Exempt Waste</b>	\$100	\$50	\$50

\*\$500 is refundable if the application is completely denied.

\*\*\$250 is refundable if the application is completely denied.

\*\*\*If the change request would result in granting more than 500 tons of authority, the change request application fee would be \$500, of which \$250 would be refunded if the request were denied.

**To determine whether a disposal site is a Designated Facility or to obtain a NSL application form, contact Metro's Solid Waste Compliance & Cleanup Division at (503) 797-1835 or visit [www.oregonmetro.gov](http://www.oregonmetro.gov) .**

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