



METRO

SOLID WASTE FACILITY LICENSE

No. L-045-11A

LICENSEE:	FACILITY NAME AND LOCATION:
S&H Logging, Inc. 20200 SW Stafford Road Tualatin, OR 97062 Tel (503) 638-1011 Fax (503) 638-3134	S&H Logging, Inc. 20200 SW Stafford Road Tualatin, OR 97062 Tel (503) 638-1011 Fax (503) 638-3134
OPERATOR:	PROPERTY OWNER:
S&H Logging, Inc. 20200 SW Stafford Road Tualatin, OR 97062 Tel (503) 638-1011 Fax (503) 638-3134	Duane, Loretta and Casey Stroupe 20200 SW Stafford Road Tualatin, OR 97062 Tel (503) 638-1011 Fax (503) 638-3134

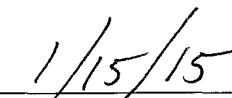
This license replaces and supercedes the provisions of Metro Solid Waste Facility License No. L-045-11. Metro grants this license to the Licensee named above. The Licensee is authorized to operate and maintain a solid waste facility, and to accept the solid wastes and perform the activities authorized by and subject to the conditions stated in this license.

ISSUED BY METRO:



Roy W. Brower

Solid Waste Compliance and Cleanup Manager



Date

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1.0		ISSUANCE
1.1	Licensee	S&H Logging, Inc. 20200 SW Stafford Road Tualatin, OR 97062 Tel (503) 638-1011 Fax (503) 638-3134
1.2	Licensee contact	Casey Stroupe Tel: 503-638-1011 E-mail: Casey@shbark.com
1.3	License number	When referring to this license, please cite: Metro Solid Waste Facility License No. L-45-11A.
1.4	Term	The term of this license will commence on December 1, 2011, and shall expire at midnight on June 30, 2016, unless terminated sooner under Section 11.0 of this license.
1.5	Renewal	The Licensee may apply for a license renewal as provided in Metro Code Section 5.01.087.
1.6	Facility name and mailing address	S&H Logging, Inc. 20200 SW Stafford Road Tualatin, OR 97062
1.7	Operator	Casey Stroupe S&H Logging, Inc. 20200 SW Stafford Road Tualatin, OR 97062 Tel (503) 638-1011 Fax (503) 638-3134
1.8	Facility legal description	¼ section 29 & the NW ¼ of section 28, Tax lots 4500, 4100, and 4000, T25, R1E, W.M., Clackamas County, State of Oregon
1.9	Property owner	Duane, Loretta and Casey Stroupe 20200 SW Stafford Road Tualatin, OR 97062
1.10	Permission to operate	The Licensee is the property owner.



2.0 CONDITIONS AND DISCLAIMERS		
2.1	Guarantees	This license shall 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 shall not in any way limit Metro from granting other solid waste licenses within Metro's boundaries.
2.3	Property rights	This license does not convey any property rights in either real or personal property.
2.4	No recourse	The Licensee shall have no recourse whatsoever against Metro, 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 shall indemnify Metro, the Council, the Chief Operating Officer (the "COO"), and any of their employees, or agents and save them harmless from any and all loss, damage, claim, expenses including attorney's fees, or liability related to or arising out of the granting of this license or the performance of or failure to perform any of obligations under the license or Metro Code Chapter 5.01, including without limitation patent infringement and any claims or disputes involving subcontractors.
2.6	Binding nature	The license is binding on the Licensee. The Licensee is liable for all acts and omissions of the Licensee's contractors and agents.
2.7	Waivers	To be effective, a waiver of any terms or conditions of this license must be in writing and signed by the COO.
2.8	Effect of waiver	Waiver of a term or condition of this License shall not waive nor prejudice Metro's right otherwise to require performance of the same term or condition or any other term or condition.
2.9	Choice of law	The License shall be construed, applied and enforced in accordance with the laws of the State of Oregon.



2.10	Enforceability	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 shall not be affected.
2.11	License not a waiver	This license does not relieve any owner, operator, or the Licensee from the obligation to obtain all required permits, licenses, or other clearances and complying with all orders, laws, regulations, reports or other requirements of other regulatory agencies.
2.12	License not limiting	This license does not limit the power of a federal, state, or local agency to enforce any provision of law relating to the facility.
2.13	Definitions	Unless otherwise specified, all other terms are as defined in Metro Code Chapter 5.01.

3.0	AUTHORIZATIONS	
3.1	Purpose	This section of the license describes the wastes that the Licensee is authorized to accept at the facility, and the waste-related activities the Licensee is authorized to perform at the facility.
3.2	General conditions on solid waste	The Licensee is authorized to accept at the facility only the solid wastes described in Section 3.0 of this license. The Licensee is prohibited from knowingly receiving any solid waste not authorized in this section.
3.3	General conditions on activities	The Licensee is authorized to perform at the facility only those waste-related activities that are described in Section 3.0 of this license.
3.4	Acceptance and management of yard debris	The Licensee is authorized to accept source-separated yard debris that has not reached a state of decomposition sufficient to produce malodors detectable beyond the boundaries of the facility. The Licensee may accept yard debris for grinding and reloading to authorized facilities for composting, use as hogged fuel, or other useful purposes as described in an operating plan and approved in writing by the COO.
3.5	Acceptance and management of untreated wood	The Licensee is authorized to accept source-separated, untreated and unpainted wood waste (e.g. untreated lumber and wood pallets). The Licensee may accept untreated and unpainted wood waste for grinding and



		reloading to authorized facilities for composting, use in paper production, use as hogged fuel, or other useful purposes as described in an operating plan and approved in writing by the COO.
3.6	Acceptance and management of painted and treated wood	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 purposes as described in an operating plan and approved in writing by the COO. The Licensee shall 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 the COO. The Licensee shall post signs that clearly designate the different locations for painted and treated wood waste from that of composting feedstock.

4.0	LIMITATIONS AND PROHIBITIONS	
4.1	Purpose	This section of the license describes limitations and prohibitions on the wastes handled at the facility and waste-related activities performed at the facility.
4.2	Prohibited waste	The Licensee shall not knowingly receive, process, reload or dispose of any solid waste not authorized in this license. The Licensee shall 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 of this license, putrescible waste, stable manure, special wastes as defined in Metro Code Chapter 5.01, creosote-treated wood or timbers, materials contaminated with or containing friable asbestos; lead acid batteries; liquid waste for disposal; vehicles; infectious, biological or pathological waste; radioactive waste; hazardous waste; any waste prohibited by the Oregon Department of Environmental Quality ("DEQ").
4.3	Composting prohibited	This Licensee shall not keep yard debris on site long enough for more than negligible biological decomposition to begin. Yard debris shall not be stored on-site for more than seven days.



4.4	No disposal of recyclable materials	The Licensee shall not transfer source-separated recyclable materials to a disposal site.
4.5	Limits not exclusive	This license shall not be construed to 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.

5.0	OPERATING CONDITIONS	
5.1	Purpose	This section of the license describes criteria and standards for the operation of the facility.
5.2	Qualified operator	<ol style="list-style-type: none">1. The Licensee shall, during all hours of operation, provide an operating staff employed by the facility, and qualified and competent to carry out the functions required by this license and to otherwise ensure compliance with Metro Code Chapter 5.01.2. Facility personnel, as relevant to their job duties and responsibilities, shall be familiar with the relevant provisions of this license and the relevant procedures contained within the facility's operating plan.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 inadvertently received.
5.3	Fire prevention	The operator shall provide fire prevention, protection, and control measures, including but not limited to, adequate water supply for fire suppression, and the isolation of potential heat sources and/or flammables from the processing area.
5.4	Adequate vehicle accommodation	The Licensee shall: <ol style="list-style-type: none">a) Provide access roads of sufficient capacity to adequately accommodate all on-site vehicular traffic. Access roads shall be maintained to allow the orderly egress and ingress of vehicular traffic when the facility is in operation, including during inclement weather.b) Take reasonable steps to notify and remind persons delivering solid waste to the facility that vehicles shall not park or queue on public streets or roads



		<p>except under emergency conditions or as provided by local traffic ordinances.</p> <ul style="list-style-type: none">c) Post signs to inform customers not to queue on public roads.d) Provide adequate off-street parking and queuing for vehicles, including adequate space for on-site tarping and untarping of loads.
5.5	Managing prohibited wastes	<ul style="list-style-type: none">1. The Licensee shall reject prohibited waste upon discovery and shall properly manage and dispose of prohibited waste when inadvertently received.2. The Licensee shall implement a load-checking program to prevent the acceptance of waste that is prohibited by the license. This program must include at a minimum:<ul style="list-style-type: none">a) Visual inspection. As each load is tipped, a qualified operator shall visibly inspect the load to prevent acceptance of waste that is prohibited by the license.b) Containment area. A secured or isolated containment area for the storage of prohibited wastes that are inadvertently received. Containment areas shall be covered and enclosed to prevent leaking and contamination.c) Records maintenance. Records of the training of personnel in the recognition, proper handling, and disposition of prohibited waste shall be maintained in the operating record and be available for review by Metro.3. Upon discovery, the Licensee shall remove all prohibited or unauthorized wastes or manage the waste in accordance with DEQ requirements and procedures established in the operating plan. All such wastes the Licensee inadvertently receives shall be removed for the site and transported to an appropriate destination within 90 days of receipt, unless required to be removed earlier by the DEQ or local government.
5.6	Storage and exterior stockpiles	<p>The Licensee shall:</p> <ul style="list-style-type: none">a) Manage, contain, and remove at sufficient frequency stored materials and solid waste to avoid creating nuisance conditions, vector or bird attraction or harborage, or safety hazards;b) Maintain storage areas in an orderly manner and keep the areas free of litter;



		<ul style="list-style-type: none">c) Position the exterior stockpiles within the footprints identified on the facility site plan or operating plan; andd) Not stockpile recovered or source-separated materials for longer than 180 days (6 months).
5.7	Dust, airborne debris and litter	<p>The Licensee shall operate the facility in a manner that minimizes and mitigates the generation of dust, airborne debris and litter, and shall prevent its migration beyond property boundaries. The Licensee shall:</p> <ul style="list-style-type: none">a) Take reasonable steps, including signage, to notify and remind persons delivering yard debris and wood wastes to the facility that all loads must be suitably secured to prevent any material from blowing off the load during transit;b) Maintain and operate all vehicles and devices transferring or transporting yard debris and wood wastes from the facility to prevent leaking, spilling or blowing of such material on-site or while in transit;c) Maintain and operate all access roads and receiving, processing, storage, and reload areas in such a manner as to minimize dust and debris generated on-site and prevent such dust and debris from blowing or settling off-site;d) Keep all areas within the site and all vehicle access roads within $\frac{1}{4}$ mile of the site free of litter and debris generated directly or indirectly as a result of the facility's operation;e) Maintain on-site facility access roads to prevent or control dust and to prevent or control the tracking of mud off-site; andf) Provide access to the facility for the purpose of uncovered load enforcement. During all times that solid waste or recyclable materials are being accepted, authorized representatives of Metro, including law enforcement personnel on contract to Metro, shall 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 or recyclable materials on a public road right-of-way in violation of Metro Code Section 5.09.040.



5.8	Odor	<ol style="list-style-type: none">1. The Licensee shall operate the facility in a manner that prevents the generation of odors that are detectable off-site.2. The Licensee shall establish and follow procedures in the operating plan for minimizing odor at the facility.
5.9	Vectors (e.g. birds, rodents, insects)	<ol style="list-style-type: none">1. The Licensee shall operate the facility in a manner that is not conducive to the harborage 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.2. If vectors are present or detected at the facility, the Licensee shall implement vector control measures.
5.10	Noise	The Licensee shall operate the facility in a manner that prevents the creation of noise sufficient to cause adverse off-site impacts and to the extent necessary to meet applicable regulatory standards and land-use regulations.
5.11	Water quality	The Licensee shall operate the facility consistent with an approved DEQ storm water management plan, or equivalent and shall: <ol style="list-style-type: none">a) Operate and maintain the facility to minimize contact of solid wastes with storm water runoff and precipitation; andb) Dispose of or treat water contaminated by solid waste generated on-site in a manner complying with local, state, and federal laws and regulations.
5.12	Access control	<ol style="list-style-type: none">1. The Licensee shall control access to the facility as necessary to prevent unauthorized entry and dumping.2. The Licensee shall 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.
5.13	Signage	The Licensee shall post signs at all public entrances to the facility, and in conformity with local government signage regulations. These signs shall be easily and readily visible, and legible from off-site during all hours and shall contain at least the following information: <ol style="list-style-type: none">a) Name of the facilityb) Address of the facility;



		<ul style="list-style-type: none"> c) Emergency telephone number for the facility; d) Operating hours during which the facility is open for the receipt of authorized waste; e) Fees and charges; f) Metro's name and telephone number (503) 234-3000; g) A list of authorized and prohibited wastes; h) Vehicle / traffic flow information or diagram; i) Covered load requirements; and j) Directions not to queue on public roadways.
5.14	Nuisance complaints	<ol style="list-style-type: none"> 1. The Licensee shall respond to all nuisance complaints in a timely manner (including, but not limited to, blowing debris, fugitive dust, odors, noise, traffic and vectors), and shall keep a record of such complaints and any action taken to respond to the complaints, including actions to remedy the conditions that caused the complaint. 2. If the facility receives a complaint, the Licensee shall: <ul style="list-style-type: none"> a) Attempt to respond to that complaint within one business day, or sooner as circumstances may require, and retain documentation of its attempts (whether successful or unsuccessful); and b) Log all such complaints as provided in the operating plan. Each log entry shall be retained for one year and shall be available for inspection by Metro.
5.15	Access to license document	The Licensee shall maintain a copy of this license on the facility's premises, and in a location where facility personnel and Metro representatives have ready access to it.

6.0	OPERATING PLAN	
6.1	Purpose	This section lists the requirements associated with preparing and implementing a facility operating plan, and lists the procedures that must be included in the required facility operating plan.
6.2	Plan compliance	The Licensee must operate the facility in accordance with an operating plan approved in writing by the COO. 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 the COO.
6.3	Plan maintenance	The Licensee shall submit an updated operating plan to the COO by February 1, 2012 as provided in Section 6.0 of this license. The Licensee must revise the operating plan as necessary to keep it current with facility conditions, procedures, and requirements. The Licensee must submit amendments and revisions of the operating plan to the COO for written approval prior to implementation.
6.4	Access to operating plan	The Licensee shall maintain a copy of the operating plan on the facility's premises and in a location where facility personnel and Metro representatives have ready access to it.
6.5	Procedures for inspecting loads	The operating plan shall establish: a) Procedures for inspecting incoming loads for the presence of prohibited wastes; and b) A set of objective criteria for accepting and rejecting loads.
6.6	Procedures for processing and storing of loads	The operating plan shall establish procedures for: a) Processing authorized solid wastes; b) Reloading and transfer of authorized solid wastes; c) Managing stockpiles to ensure that they remain within the authorized limits; d) Storing authorized solid wastes; and e) Minimizing storage times and avoiding delay in processing of authorized solid wastes.
6.7	Procedures for managing prohibited wastes	The operating plan shall establish procedures for managing, reloading, and transferring to appropriate facilities or disposal sites each of the prohibited or unauthorized wastes if they are discovered at the facility. In addition, the operating plan shall establish 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.
6.8	Procedures for odor prevention	The operating plan shall establish procedures for preventing objectionable odors generated at the facility