



**METRO**

**SOLID WASTE FACILITY LICENSE  
No. L-124-13**

<b>LICENSEE:</b>	<b>FACILITY NAME AND LOCATION:</b>
Oil Re-Refining Company, Inc. dba Fuel Processors, Inc. 4150 North Suttle Road Portland, OR 97217 Phone: (503) 286-8352 Fax: (503) 286-5027	Fuel Processors, Inc. 4150 North Suttle Road Portland, OR 97217 Phone: (503) 286-8352 Fax: (503) 286-5027
<b>OPERATOR:</b>	<b>PROPERTY OWNER:</b>
Oil Re-Refining Company, Inc. 4150 North Suttle Road Portland, OR 97217 Phone: (800) 367-8894 Fax: (503) 286-5027	Merit USA, Inc. 4150 North Suttle Road Portland, OR 97217 Phone: (503) 286-8352 Fax: (503) 286-5027

This license replaces and supercedes the provisions of Metro Solid Waste Facility License No. L-124-08. 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 waste and perform the activities authorized by and subject to the conditions stated in this license.

ISSUED BY METRO:

  
\_\_\_\_\_  
Scott Robinson, Deputy Chief Operating Officer

4/17/13  
\_\_\_\_\_  
Date



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<b>1.0</b>	<b>ISSUANCE</b>	
<b>1.1</b>	<b>Licensee</b>	Oil Re-Refining Company, Inc. dba Fuel Processors, Inc. 4150 North Suttle Road Portland, OR 97217 Phone: (503) 286-8352 Fax: (503) 286-5027
<b>1.2</b>	<b>Contact</b>	Logan Choisnet Tel: (503) 286-8352 E-mail: <a href="mailto:loganc@orrco.biz">loganc@orrco.biz</a>
<b>1.3</b>	<b>Registered Agent</b>	Wilmer L. Briggs 4150 North Suttle Road Portland, OR 97217 E-mail: <a href="mailto:billb@orrco.biz">billb@orrco.biz</a>
<b>1.4</b>	<b>License number</b>	When referring to this license, please cite: Metro Solid Waste Facility License No. L-124-13.
<b>1.5</b>	<b>Term</b>	The term will commence on May 1, 2013 and shall expire at midnight on June 30, 2017 unless terminated sooner under Section 11.0 of this license.
<b>1.6</b>	<b>Renewal</b>	The Licensee may apply for a license renewal as provided in Metro Code Section 5.01.087.
<b>1.7</b>	<b>Facility name and mailing address</b>	Fuel Processors, Inc. 4150 North Suttle Road Portland, OR 97217
<b>1.8</b>	<b>Operator</b>	Oil Re-Refining Company, Inc. 4150 North Suttle Road Portland, OR 97217 Phone: (800) 367-8894 Fax: (503) 286-5027
<b>1.9</b>	<b>Facility legal description</b>	Tax lots 1100, 1200, 1300, 1400, & 1700, Section 32, Township 2N, Range 1E, City of Portland, Multnomah County, State of Oregon
<b>1.10</b>	<b>Property owner</b>	Merit USA, Inc. 4150 North Suttle Road Portland, OR 97217 Phone: (503) 286-8352 Fax: (503) 286-5027



1.11	<b>Permission to operate</b>	The Licensee owns the property on which the facility is located.
<b>2.0</b>	<b>CONDITIONS AND DISCLAIMERS</b>	
2.1	<b>Guarantees</b>	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	<b>Non-exclusive license</b>	This license shall not in any way limit Metro from granting other solid waste licenses within Metro's boundaries.
2.3	<b>Property rights</b>	This license does not convey any property rights in either real or personal property.
2.4	<b>No recourse</b>	The Licensee shall have no recourse whatsoever 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	<b>Indemnity</b>	The Licensee shall indemnify Metro, the Council, the Chief Operating Officer ("COO"), and any of their employees, or agents and save them harmless from any and all loss, damage, claim, expenses including attorney 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 the 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>Binding nature</b>	This license is binding on the Licensee. The Licensee is liable for all acts and omissions of the Licensee's contractors and agents.
2.7	<b>Waivers</b>	To be effective, a waiver of any terms or conditions of this license must be in writing and signed by the COO.
2.8	<b>Effect of waiver</b>	Waiver of a term or condition of this license shall not waive nor prejudice Metro's right otherwise to require subsequent performance of the same term or condition or any other term or condition.
2.9	<b>Choice of law</b>	The license shall be construed, applied, and enforced in accordance with the laws of the State of Oregon.



<b>2.10</b>	<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 shall not be affected.
<b>2.11</b>	<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.
<b>2.12</b>	<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.
<b>2.13</b>	<b>Definitions</b>	Unless otherwise specified, all other terms are as defined in Metro Code Chapter 5.01.

<b>3.0</b>	<b>AUTHORIZATIONS</b>	
<b>3.1</b>	<b>Purpose</b>	<ol style="list-style-type: none"><li>1. 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.</li><li>2. This license is not intended to regulate the acceptance and management of hazardous wastes, used oil, or universal wastes that are otherwise regulated at the facility by the Oregon Department of Environmental Quality (DEQ) nor is it intended to regulate non-waste-related activities.</li><li>3. This license does not regulate or prohibit the acceptance and processing of non-hazardous sludge wastes from septic tanks, food service, grease traps, or wastewater from commercial laundries, Laundromats or car washes. In the event that Metro determines, at any time during the term of this license, that a Metro license shall be required to accept and process such non-hazardous sludge wastes, then the Licensee shall cease accepting and processing such wastes or shall apply for a change of authorization to permit it to accept and process such wastes. If such application is denied, Licensee shall cease accepting and processing such wastes.</li></ol>



<b>3.2</b>	<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 of this license. The Licensee is prohibited from knowingly receiving any solid waste not authorized in this section.
<b>3.3</b>	<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 of this license.
<b>3.4</b>	<b>Acceptance and management of cleanup material and petroleum-contaminated solids</b>	<ol style="list-style-type: none"><li>1. The Licensee is authorized by this license to accept Cleanup Material Contaminated by Hazardous Substances, as defined in Metro Code Chapter 5.01, and petroleum-contaminated solids for processing, consolidation, reloading, and transfer to authorized disposal facilities. Such wastes include, but are not limited to, spill cleanup material such as absorbent, used motor oil filters, petroleum-contaminated soil, petroleum grease, non-putrescible sludges, empty drums, and other containers.</li><li>2. The Licensee shall receive, process, store, reload, and transfer all such waste on an impervious surface (e.g., asphalt or concrete) and inside a roofed building.</li></ol>
<b>3.5</b>	<b>Thermal processing of petroleum-contaminated soils</b>	<ol style="list-style-type: none"><li>1. The Licensee is authorized to accept petroleum-contaminated soils and other petroleum-contaminated solids for thermal processing and solidification.</li><li>2. The Licensee shall receive, process, store, reload, and transfer all such waste on an impervious surface and inside a roofed building.</li></ol>
<b>3.6</b>	<b>Management of processing residual</b>	<ol style="list-style-type: none"><li>1. The Licensee shall store all processing residual on an impervious surface and inside a roofed structure or alternatively, inside watertight covered or tarped containers or within covered or tarped transport trailers.</li><li>2. The Licensee shall keep all processing residual physically separated from and not mixed or commingled with source-separated recyclable materials.</li></ol>

<b>4.0</b>	<b>LIMITATIONS AND PROHIBITIONS</b>	
<b>4.1</b>	<b>Purpose</b>	This section of the license describes limitations and prohibitions on the wastes handled at the facility and activities performed at the facility.



4.2	<b>Prohibited waste</b>	The Licensee shall not knowingly receive, process, reload or dispose of any solid waste not authorized in this license or otherwise regulated and authorized in writing by the DEQ. The Licensee shall not knowingly accept or retain any of the following types of wastes: non-putrescible waste, putrescible waste, creosote-treated wood waste, materials contaminated with or containing friable asbestos; infectious, biological or pathological waste; radioactive waste; and any waste prohibited by the DEQ.
4.3	<b>Limits not exclusive</b>	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.

<b>5.0</b>	<b>OPERATING CONDITIONS</b>	
5.1	<b>Purpose</b>	This section of the license describes criteria and standards for the operation of the facility.
5.2	<b>Qualified operator</b>	<ol style="list-style-type: none"><li>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.</li><li>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.</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 inadvertently received.</li></ol>
5.3	<b>Fire prevention</b>	The Licensee 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 and storage areas.
5.4	<b>Adequate vehicle accommodation</b>	The Licensee shall: <ol style="list-style-type: none"><li>1. 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,</li></ol>



		<p>including during inclement weather.</p> <ol style="list-style-type: none"><li>2. 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 except under emergency conditions or as provided by local traffic ordinances.</li><li>3. Post signs to inform customers not to queue on public roadways.</li><li>4. Provide adequate off-street parking and queuing for vehicles, including adequate space for on-site tarping and untarping of loads.</li></ol>
<b>5.5</b>	<b>Managing prohibited wastes</b>	<ol style="list-style-type: none"><li>1. The Licensee shall reject prohibited waste upon discovery and shall properly manage and dispose of prohibited waste when inadvertently received.</li><li>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:<ol style="list-style-type: none"><li>a) Visual inspection. As each load is tipped, a qualified operator shall visibly inspect the load to prevent the acceptance of waste that is prohibited by the license.</li><li>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.</li><li>c) Record 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.</li></ol></li><li>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 Licensees inadvertently receives shall be removed from 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.</li></ol>
<b>5.6</b>	<b>Storage and exterior stockpiles</b>	<p>The Licensee shall:</p> <ol style="list-style-type: none"><li>a) Manage, contain, and remove at sufficient frequency stored materials and solid wastes to avoid creating, environmental impacts, nuisance conditions, vector or bird attraction or harborage, or safety hazards; and</li></ol>