



METRO

SOLID WASTE FACILITY LICENSE
No. L-043-12A

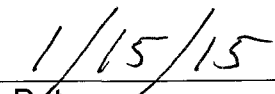
LICENSEE:	FACILITY NAME AND LOCATION:
Grimm's Fuel Company, Inc. 18850 SW Cipole Road Tualatin, Oregon 97062 Telephone: (503) 636-3623 Fax: (503) 692-2015	Grimm's Fuel Company, Inc. 18850 SW Cipole Road Tualatin, Oregon 97062 Telephone: (503) 636-3623 Fax: (503) 692-2015
OPERATOR:	PROPERTY OWNER:
Grimm's Fuel Company, Inc. 18850 SW Cipole Road Tualatin, Oregon 97062 Telephone: (503) 636-3623 Fax: (503) 692-2015	Grimm's Brothers, LLC. 18850 SW Cipole Road Tualatin, Oregon 97062 Telephone: (503) 636-3623 Fax: (503) 692-2015

This license replaces and supercedes the provisions of Metro Solid Waste Facility License No. L-043-12. 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:



Roy W. Brower,
Solid Waste Compliance & Cleanup Manager



Date



TABLE OF CONTENTS

SECTION	TITLE	PAGE
1.0	Issuance	1
2.0	Conditions and Disclaimers	2
3.0	Authorizations	3
4.0	Limitations and Prohibitions	5
5.0	Operating Conditions	5
6.0	Operating Plan	10
7.0	Fees and Rate Setting	12
8.0	Record Keeping and Reporting	13
9.0	Insurance Requirements	14
10.0	Enforcement	15
11.0	Amendment, Modification, Suspension, and Revocation	15
12.0	General Obligations	16



1.0	ISSUANCE	
1.1	Licensee	Grimm's Fuel Company, Inc. 18850 SW Cipole Road Tualatin, Oregon 97062 Telephone: (503) 636-3623 Fax: (503) 692-2015
1.2	Contact	Jeff Grimm Tel: (503) 636-3623 E-mail: jefgfc@teleport.com
1.3	License number	When referring to this license, please cite: Metro Solid Waste Facility License Number L-043-12A.
1.4	Term	The term will commence on December 1, 2012 and shall expire at midnight on June 30, 2017 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	Grimm's Fuel Company, Inc. 18850 SW Cipole Road Tualatin, Oregon 97062
1.7	Operator	Grimm's Fuel Company, Inc. 18850 SW Cipole Road Tualatin, Oregon 97062 Telephone: (503) 636-3623 Fax: (503) 692-2015
1.8	Facility legal description	Tax Lot numbers 1800, 1900, 2100, 2190 and 2202 Section 21, Township 25, Range 1W Washington County, State of Oregon
1.9	Property owner	Grimm's Brothers LLC 18850 SW Cipole Road Tualatin, Oregon 97062
1.10	Permission to operate	The property owner is the owner/operator of the facility.



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 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	Indemnity	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	Binding nature	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	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 subsequent 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 to comply 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 of yard debris and leaves	The Licensee is authorized to accept source-separated yard debris and leaves that have 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, composting, the production of mulch, use as hogged fuel or other useful purpose as described in an operating plan and approved in writing by the COO.
3.5	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. The Licensee may 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 the COO.



3.6	Acceptance of incidental quantities of stable manure	The Licensee is authorized to accept incidental quantities of stable manure. The Licensee may accept incidental quantities of stable manure for processing and production of compost as described in an operating plan and approved in writing by the COO.
3.7	Acceptance of land clearing debris	The Licensee is authorized to accept land-clearing debris (e.g. brush and stumps). The Licensee may accept land clearing debris for grinding, composting, use as hogged fuel or other useful purpose as described in an operating plan and approved in writing by the COO.
3.8	Acceptance 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 wood waste for grinding, composting, for use as hogged fuel or other useful purpose as described in an operating plan and approved in writing by the COO.
3.9	Acceptance of painted and treated wood	<ol style="list-style-type: none">1. 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 the COO.2. The Licensee shall not incorporate painted or treated wood into compost feedstocks, mulch, animal bedding, or any other product unless otherwise described in an operating plan and approved in writing by the COO.3. Painted and treated wood shall be kept separated at all times from yard debris, leaves and untreated wood waste destined for composting or mulch. Signs shall clearly describe the different locations for painted and treated wood waste from other composting feedstock.
3.10	Production of hogged fuel	<ol style="list-style-type: none">1. As authorized by Section 3.0 of this license, the Licensee is authorized to accept and grind only yard debris, land clearing debris, untreated wood, painted wood, and treated wood for delivery to facilities with industrial boilers for use as hogged fuel.2. Licensee is prohibited from mixing any other solid waste with the wood wastes described above in Section 3.10.1 for the production of hogged fuel.
3.11	Acceptance of inert materials	The Licensee is authorized to accept inert materials such as clean concrete, asphalt, rock and dirt for processing and reuse.



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 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, 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 DEQ.
4.3	Source-separated residential yard debris mixed with food waste	The Licensee shall not knowingly accept or retain source-separated residential yard debris mixed with food waste from municipal curbside collection programs.
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



		<p>responsibilities, shall be familiar with the relevant provisions of this license and the relevant procedures contained within the facility's operating plan.</p> <p>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.</p>
5.3	Fire prevention	<p>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.</p>
5.4	Adequate vehicle accommodation	<p>The Licensee shall:</p> <ol style="list-style-type: none">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, including during inclement weather.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.3. Post signs to inform customers not to queue on public roadways.4. 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	<ol 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:<ol style="list-style-type: none">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.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.



		<p>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.</p> <p>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.</p>
5.6	Storage and exterior stockpiles	<p>The Licensee shall:</p> <ol style="list-style-type: none">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;2. Maintain storage areas in an orderly manner and keep the areas free of litter;3. Position exterior stockpiles within footprints identified on the facility site plan or operating plan; and4. Not stockpile recovered or source-separated materials for longer than 180 days (6 months).
5.7	Dust, airborne debris and litter	<ol style="list-style-type: none">1. 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.2. The Licensee shall:<ol style="list-style-type: none">a) 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.b) Maintain and operate all vehicles and devices transferring or transporting solid waste from the facility to prevent leaking, spilling or blowing of solid waste on-site or while in transit.c) Maintain and operate all access roads and receiving, processing (including grinding), storage, and reload areas in such a manner as to minimize dust and debris generated on-site and prevent such dust and



		<p>debris from blowing or settling off-site.</p> <p>d) 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.</p> <p>e) Maintain on-site facility access roads to prevent or control dust and to prevent or control the tracking of mud, gravel or other debris off-site.</p> <p>f) 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.</p>
5.8	Odor	<p>1. The Licensee shall operate the facility in a manner that prevents the generation of odors that are detectable off-site.</p> <p>2. The Licensee shall establish and follow procedures in the operating plan for minimizing odor at the facility.</p>
5.9	Vectors (e.g. birds, rodents, insects)	<p>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.</p> <p>2. If vectors are present or detected at the facility, the Licensee shall implement vector control measures.</p>
5.10	Noise	<p>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.</p>
5.11	Water contaminated by solid waste and solid waste leachate	<p>The Licensee shall operate the facility consistent with an approved DEQ stormwater management plan (or equivalent), and shall:</p> <p>a) Operate and maintain the facility to prevent contact of solid wastes with storm water runoff and precipitation;</p> <p>b) Dispose of or treat water contaminated by solid</p>