



# Solid Waste Facility License Application

Application packet for a new license, license renewals, change of authorization requests, or change in ownership for facilities that:

- Process non-putrescible (dry) waste
- Reload solid waste
- Compost or reload yard debris

Issued June 2016

Metro  
600 NE Grand Ave.  
Portland, OR 97232-2736  
503-797-1835

# Solid Waste Facility License Application



**Metro**

600 NE Grand Ave.  
Portland, OR 97232  
503-797-1835

This packet contains an application for a Metro Solid Waste Facility License. You may also want to review the relevant sections of Metro Code. Metro Code Chapter 5.01 identifies which solid waste facilities and activities require a Metro license. You can access the Metro Code via the Metro web site at [www.oregonmetro.gov/metro-code](http://www.oregonmetro.gov/metro-code).

Metro staff will review an application for completeness within 15 business days of receipt and notify the applicant whether their application is deemed to be complete. If an application is incomplete, Metro will notify the applicant as to what additional information is required.

## **Application for a new Solid Waste Facility License**

An applicant seeking a new Metro Solid Waste Facility License must first attend a pre-application conference before submitting an application. The purpose of the pre-application conference is for Metro to obtain a description of the proposed solid waste facility and provide the applicant with information regarding the applicable requirements for the proposed operation. The conference also provides the applicant with an opportunity to discuss the application process and to identify any potential issues specific to its proposal. An applicant should prepare for the pre-application conference by reviewing application forms and drafting answers before the conference. To schedule a pre-application conference, contact Metro's Solid Waste Compliance and Cleanup Division at 503-797-1835 or via email at [SWCC@oregonmetro.gov](mailto:SWCC@oregonmetro.gov).

After completing the pre-application conference, an applicant seeking a new license must submit to Metro a completed *Solid Waste Facility License Application* form and provide all additional information as required. Metro will generally approve or deny a new license within 120 days after Metro deems the application to be complete. The fee for filling a license application is \$300. See Metro Code Chapter 5.01 for more information regarding the issuance of a license.

## **Renewal of an Existing License**

An applicant seeking to renew an existing license without substantive changes to the current authorization must submit a completed *Solid Waste Facility License Application* form and provide all additional information as required, unless Metro staff directs otherwise. License renewal applications must be submitted not less than 120 days before the current license expires. If a licensee fails to timely submit a renewal application, the licensee's authority to operate may lapse. Additionally, the Chief Operating Officer is not obligated to renew a license earlier than the expiration date of the existing license even if the licensee files a renewal application more than 120 days before the existing license expires. The fee for filing a license renewal application is \$300. See Metro Code Chapter 5.01 for more information regarding the renewal of licenses.

## **Change of Authorization to an Existing License**

An applicant seeking a change of authorization for an existing license (other than renewal) must submit to Metro a completed *Solid Waste Facility License Application* form and provide all additional information as required unless Metro staff directs otherwise. The applicant cannot implement the requested change of authorization until Metro approves it in writing. The fee for filing a change of authorization application is \$100. See Metro Code Chapter 5.01 for more information regarding changes of authorization for licenses. Metro may require the applicant to apply for a new license if there is a significant change in the types of solid waste accepted or activities performed at a facility.

## **Transfer of Ownership or Control of an Existing License**

An applicant seeking to transfer ownership or control of an existing license must submit to Metro a completed *Solid Waste Facility License Application* form and provide all additional information as required, unless Metro staff directs otherwise. See Metro Code Chapter 5.01 for more information regarding requirements for the transfer of ownership for a licensed facility.

# Solid Waste Facility License Application

## INSTRUCTIONS

1. Complete Parts 1 and 2 of application.
2. Verify information is accurate and application is complete.
3. Sign page 14 of application.
4. Include application fee payment
5. Submit application and payment to:  
Metro  
Solid Waste Compliance and Cleanup  
600 NE Grand Avenue  
Portland, OR 97232-2736  
Tel: (503) 797-1835  
Fax: (503) 813-7544  
[SWCC@oregonmetro.gov](mailto:SWCC@oregonmetro.gov)

**Metro use only**    **AUG 10 '17 RCVD**  
**DATE RECEIVED:**  
**DATE DEEMED COMPLETE BY METRO:**

## PART 1 – Standard License Application Information

<b>1. Type of Application (please check one)</b>	
<input checked="" type="checkbox"/>	New license Date of Pre-Application Conference: March 22, 2017
<input type="checkbox"/>	Renewal of an existing license Solid Waste Facility License Number:
<input type="checkbox"/>	Change of authorization to an existing license (other than a renewal) Please describe the proposed change below in Section 3.
<input type="checkbox"/>	Transfer of ownership or control of an existing license

<b>2. Type of facility (please check one)</b>	
<input type="checkbox"/>	Non-putrescible (dry) waste material recovery facility
<input type="checkbox"/>	Source-separated food waste reload facility
<input checked="" type="checkbox"/>	Yard debris reload facility
<input type="checkbox"/>	Other solid waste reload facility
<input type="checkbox"/>	Yard debris composting facility

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**3. If seeking a change of authorization to an existing license, please explain the proposed change below (attach additional pages if necessary). Complete all remaining sections of this form as they pertain to the request.**

N/A

#### 4. Applicant (Licensee)

Facility Name:	Dan Davis Yard Debris Recycling Facility
Company Name:	City of West Linn
Street Address:	4001 Willamette Falls Drive
City/State/Zip:	West Linn, OR 97038
Mailing Address:	22500 Salamo Road
City/State/Zip:	West Linn, OR 97038
Contact Person:	Jeff Randall
Phone Number:	503-742-8616
Fax Number:	503-656-4106
E-mail Address:	jrandall@westlinnoregon.gov

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5. Applicant's Owner or Parent Company (provide information for all owners)	
Name:	City of West Linn
Mailing Address:	22500 Salamo Road
City/State/Zip:	West Linn, OR 97038
Phone Number:	503-657-0331
Fax Number:	503-650-9041
E-mail Address:	

6. Site Operator (if different from Applicant)	
Company Name:	Recology Portland
Contact Person:	Carl Peters
Street Address:	9345 N Harborgate St
Mailing Address:	9345 N Harborgate St
City/State/Zip:	Portland, OR 97203
Phone Number:	503-283-2015
Fax Number:	503-283-2071
E-mail Address:	cpeters@recology.com

7. Site Description			
Tax Lot(s): 01705	Section: 21E	Township: 36	Range:

8. Land Use		
Present Land Use Zone:	General Industrial	
Is proposed use permitted outright?	<input type="checkbox"/> Yes If yes, attach a copy of the <i>Land Use Compatibility Statement</i> (see Attachment E).	<input checked="" type="checkbox"/> No
Is a conditional use permit necessary for the facility?	<input checked="" type="checkbox"/> Yes If yes, attach a copy of the <i>Conditional Use Permit</i>	<input type="checkbox"/> No
Are there any land use issues presently pending with the site?	<input type="checkbox"/> Yes If yes, please explain the land use issues below.	<input checked="" type="checkbox"/> No

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Description of the pending land use issues identified above:	N/A	
Are any permits required from the Oregon Department of Environmental Quality (DEQ)?	<input type="checkbox"/> Yes If yes, please list all DEQ permits below and attach copies with this application (see Attachment G).	<input checked="" type="checkbox"/> No
Listing of all required DEQ permits:	N/A	
Are any other local permits or building codes required?	<input type="checkbox"/> Yes If yes, please list all other required permits below and attach copies with this application (see Attachment H).	<input checked="" type="checkbox"/> No
Listing of other required permits:	N/A	

<b>9. Land Owner</b>		
Is the applicant the sole owner of the property on which the facility is located?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No If no, please complete this section with additional pages if necessary and attach a completed <i>Property Use Consent Form</i> (see Attachment F).
Property Owner:	Portland General Electric Co	
Mailing Address:	121 SW Salmon Street	
City/State/Zip:	Portland, OR 97204	
Phone Number:	503-464-8102	

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10. Public/Commercial Operations		
Will the facility be open to the public (e.g., non-commercial self-haul customers)?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Will the facility be open to non-affiliated commercial solid waste collectors?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Will the facility accept waste from outside the boundary of Metro?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

11. Operating Hours and Traffic Volume			
	Public (non-commercial self-haul)	Commercial Affiliated	Commercial Non-Affiliated
Operating Hours	Tues – Saturday, 8:30am – 4:00pm	N/A	Tues – Saturday, 8:30am – 4:00pm
Estimated Vehicles Per Day	5-20	N/A	5-25

12. Inbound Waste/Feedstock by Generator			
Identify the expected annual tonnage amount of waste/feedstock that the facility will receive and recover from the following types of generators.			
Generator	Tons Received	Tons Recovered	Tons Residual
Agricultural:	N/A	N/A	N/A
Commercial:	445 yards	N/A	N/A
Industrial:	N/A	N/A	N/A
Residential:	1155 yards	N/A	N/A
<b>TOTAL TONS:</b>	<b>1600 yards</b>	<b>N/A</b>	<b>N/A</b>

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### 13. Inbound Waste/Feedstock by Type

Identify the types of waste/feedstock and annual tonnage amounts of each that the applicant expects to receive at the facility. Also, identify how the applicant will manage each waste stream, the expected tip fees that the applicant will be post at the facility, and estimate of typical length of time required to process each waste stream (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)	Estimate the maximum and typical lengths of time required to process each day's receipt of each waste/feedstock type
Source-Separated Wood:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	70 yards	Reload	\$20.50/yard	
Source-Separated Yard Debris:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	1520 yards	Reload	\$18.50/yard	
Source-Separated Residential Food Waste Mixed with Yard Debris:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Source-Separated Commercial and other Food Waste:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Inerts (e.g., rock, concrete, etc.): Dirt	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	10 yards	Reload	\$20.50/yard	
Non-putrescible (dry) waste:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Source-Separated Recyclables: Metal	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	50 tons	Reload	No charge	
Special Wastes (please specify):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Petroleum Contaminated Soil:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Putrescible (wet) waste:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Other Waste/Feedstocks (please specify):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Other Waste/Feedstocks (please specify):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				

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## 14. Outbound Waste, Products, and By-Products

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

Destination Site (Name and address)	Waste/Product/By-Product Type	Expected Annual Tonnage	Purpose of Delivery*
Rivergate Scrap Metal 9645 N. Columbia Blvd Portland, OR 97203	Metal	50 tons	Disposal
Foster Road MRF 6400 SE 101 <sup>st</sup> Ave Portland, OR 97266	Yard debris/wood	1600 yards	Reload to composter (Nature's Needs or Aumsville)

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

## 15. Subcontractors

Provide the name, address and function of all subcontractors involved in the facility operations:

NAME	ADDRESS	FUNCTION
N/A	N/A	N/A

## PART 2 – Standard Attachments to License Application (License application continued)

- Metro requires the following attachments (Attachments A–I) for new applications in order for Metro to deem a license application complete. The applicant must clearly label each attachment.
- 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.
- An applicant seeking to renew an existing license without substantive changes to the current authorization may defer to previously submitted documents if Metro has the most current version of all attachments (Attachments A- I) on file, unless otherwise directed by Metro staff. The date of the document on file with Metro is required for each deferred attachment. To confirm that Metro has current documentation on file, please contact Metro's Solid Waste Compliance & Cleanup Division at (503) 797-1835 or via email at [SWCC@oregonmetro.gov](mailto:SWCC@oregonmetro.gov).

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## ATTACHMENT A: 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. Applicant must provide the following information on the site plan:

- (1) The location of the facility on a tax lot map.
- (2) Boundaries of the facility and property including all tax lots.
- (3) All buildings on the property (existing and proposed) and other pertinent information with respect to the operation of the facility, to include:
  - a) scale and scale house location
  - b) fencing and gates
  - c) access roads
  - d) paved areas
  - e) vegetative buffer zones and berms
  - f) sorting line and other major materials recovery equipment
- (4) All exterior stockpile footprints, material types stored outside, and the maximum height of each exterior material stockpile.
- (5) Identify water sources for fire suppression.
- (6) Identify on-site traffic flow patterns.
- (7) Facility signage. Facility signs must:
  - a) display all of the information required by Metro
  - b) be posted at all public entrances to the facility; and
  - c) conform with local government signage regulations.
- (8) 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.
- (9) Load checking areas (as applicable).
- (10) Storage areas for the temporary containment of prohibited waste that the facility inadvertently receives, while awaiting proper removal or disposal of the prohibited waste. The facility must cover and enclose the containment areas and construct them in a manner to prevent leaking and contamination.
- (11) The location of all commercial and residential structures within a one mile radius of the facility, identified on a map or aerial photograph.
- (12) The prevailing wind direction, by season, identified on a map or aerial photograph. (Compost facility only).

### **FACILITY RENEWAL APPLICANTS ONLY: N/A**

By checking this box, I certify that to the best of my knowledge, the Site Plan on file with Metro dated \_\_\_\_\_ is the most current and accurate version of this document.

## ATTACHMENT B: FACILITY DESIGN PLAN

The applicant must submit a facility design plan that addresses the following:

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(1) All solid waste facility license applicants must submit a written description of the following:

- a) Facility overview.
- b) Facility design and technology.
- c) Buildings and major equipment (existing and proposed).
- d) Construction timeline (as applicable).
- e) Types of wastes to be processed.
- f) Residuals management.

(2) A compost facility must submit a written description of the following (in addition to the items listed above in subsection 1):

- a) Feedstock receiving procedures.
- b) Feedstock pretreatment and contaminant removal procedures and equipment (as applicable).
- c) Feedstock processing details and methods. Dewatering and liquids management (as applicable).
- d) Pathogen reduction / control procedures (as applicable).
- e) Monitoring, quality control and testing.

(3) 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, reloading, and storage for all materials.
  - o **Compost facility only:** Also, provide locations for compost/curing piles/windrows, aeration systems including bio-filters 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.

(4) Fire prevention.

Submit proof of compliance with local and state fire codes.

(5) Adequate vehicle accommodation.

Provide documentation to demonstrate that the facility will provide adequate on-site areas at the facility's entrance, scales, loading and unloading points and exit points to allow safe queuing off the public roads and right-of-way given the number and types of vehicles expected to use the facility during peak times.

(6) 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.

## **FACILITY RENEWAL APPLICANTS ONLY: N/A**

By checking this box, I certify that to the best of my knowledge, the Facility Design Plan on file with Metro dated \_\_\_\_\_ is the most current and accurate version of this document.

## **ATTACHMENT C: OPERATING PLAN**

The applicant must submit an operating plan for review and approval by Metro. This section lists the procedures that the applicant must include in the required facility operating plan. The applicant must submit a proposed facility operating plan with the completed license application subject to any additional elements as required in the license - if one is approved and issued. The operating plan must include, at a minimum a detailed description of:

- (1) Types of solid wastes the facility will accept.
- (2) How the facility will further recycling or material recovery processing within the Metro region (as applicable). The description should address each of the following:
  - a) How you will distinguish and manage loads of incoming source-separated recyclables from other materials.
  - b) The steps you will take to recover materials from solid waste. Include the material recovery methods and equipment to be used on site (e.g. sorting lines, hand picking, magnets, etc.).
  - c) How you will manage the materials and wastes and the type of equipment that you will use (from delivery to reload and transport to a processing or disposal facility).
  - d) The general markets for the material recovered at the facility.
  - e) The methods you will use for measuring and keeping records of materials received, recovered from processing, and solid waste disposed - consistent with Metro's reporting requirements.
- (3) Procedures for inspecting loads including:
  - 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.
- (4) Procedures for processing and storage of loads including:
  - a) Processing of all authorized solid wastes.
  - b) Reloading and transfer of authorized solid wastes.
  - c) Managing stockpiles.
  - d) Storing authorized solid wastes
  - e) Minimizing storage times and avoiding delay in processing and managing of all authorized solid wastes and recovered materials.
- (5) Procedures for rejecting or managing prohibited wastes. The operating plan must describe procedures for rejecting, managing, reloading and transporting to an appropriate facility or disposal site any prohibited or unauthorized wastes discovered at the facility. The plan must include procedures for managing:
  - a) Hazardous wastes.
  - b) Other prohibited solid wastes (e.g., putrescible (wet) waste, special waste, asbestos).
  - 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.

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(6) Procedures for odor prevention. The operating plan must establish procedures for preventing all objectionable odors from being detected off the premises of the facility. The plan must include:

- a) A management plan that the facility will use to monitor and manage all objectionable odors of any derivation including malodorous loads delivered to the facility.
- b) Procedures for receiving and recording odor complaints, immediately investigating any odor complaints to determine the cause of odor emissions, and promptly remedying any odor problem at the facility.

(7) Procedures for emergencies. The operating plan must describe procedures that the facility will follow in case of fire or other emergency.

(8) Procedures for preventing and controlling nuisances, including noise, vectors, dust, litter, and odors. Include a description of how the facility will encourage delivery of waste in covered loads.

(9) Procedures for fire prevention, protection, and control measures used at the facility.

**FACILITY RENEWAL APPLICANTS ONLY: N/A**

By checking this box, I certify that to the best of my knowledge, the Operating Plan on file with Metro dated \_\_\_\_\_ is the most current and accurate version of this document.

**ATTACHMENT D: INSURANCE**

The applicant must submit proof of the following types of insurance, covering the applicant, its employees, and agents:

(1) The most recently approved ISO (Insurance Services Office) Commercial General Liability policy, or its equivalent, written on an occurrence basis. The policy must include coverage for bodily injury, property damage, personal injury, death, contractual liability, premises and products/completed operations. All insurance coverage must be a minimum of \$1,000,000 per occurrence and \$1,000,000 aggregate.

(2) Automobile bodily injury and property damage liability insurance must be a minimum of \$1,000,000 per occurrence and \$1,000,000 aggregate.

(3) The insurance must name Metro, its elected officials, departments, employees, and agents as ADDITIONAL INSURED on the Commercial General Liability and automobile insurance policies.

(4) Certification of Workers' Compensation insurance including employer's liability. If the applicant or licensee has no employees and will perform the work without the assistance of others, you may attach a certificate to that effect in lieu of the certificate showing current Workers' Compensation.

**FACILITY RENEWAL APPLICANTS ONLY: N/A**

By checking this box, I certify that to the best of my knowledge, the Insurance on file with Metro dated \_\_\_\_\_ is the most current and accurate version of this document.

**ATTACHMENT E: LAND USE COMPATIBILITY STATEMENT (LUCS)**

The applicant must submit the following information:

A copy of a completed Metro LUCS or DEQ LUCS. The Metro LUCS is available at [www.oregonmetro.gov/solidwasteforms](http://www.oregonmetro.gov/solidwasteforms).

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## **FACILITY RENEWAL APPLICANTS ONLY:**

By checking this box, I certify that to the best of my knowledge, the LUCS on file with Metro dated \_\_\_\_\_ is the most current and accurate version of this document.

## **ATTACHMENT F: PROPERTY USE CONSENT FORM**

The applicant must submit the following information:

If required in Part 1, section 9, of this application. The Property Use Consent Form is available at [www.oregonmetro.gov/solidwasteforms](http://www.oregonmetro.gov/solidwasteforms).

## **FACILITY RENEWAL APPLICANTS ONLY:**

By checking this box, I certify that to the best of my knowledge, the Property Use Consent Form on file with Metro dated \_\_\_\_\_ is the most current and accurate version of this document.

## **ATTACHMENT G: DEQ PERMIT APPLICATIONS AND INFORMATION: N/A.**

The applicant must submit the following information:

A copy of all applications for necessary DEQ permits 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.

## **FACILITY RENEWAL APPLICANTS ONLY:**

By checking this box, I certify that to the best of my knowledge, the DEQ permit or applications on file with Metro dated \_\_\_\_\_ is the most current and accurate version of this document.

## **ATTACHMENT H: OTHER REQUIRED PERMITS: N/A**

The applicant must submit the following information:

A copy of any required permit, license or franchise that a governing body or agency (whether federal, state, county, city or other) has granted or issued to the applicant (not including materials required by Attachment G). If the governing body or agency has not yet issued the required permit, license or franchise, the applicant must provide a copy of the application it submitted. Metro may also request copies of correspondence pertaining to any required permit, license or franchise.

## **FACILITY RENEWAL APPLICANTS ONLY: N/A**

By checking this box, I certify that to the best of my knowledge, all other required permits on file with Metro dated \_\_\_\_\_ are the most current and accurate version of these documents.

## **ATTACHMENT I: CLOSURE PLAN AND FINANCIAL ASSURANCE**

The applicant must submit the following information:

- (1) If DEQ requires a closure plan and financial assurance, the applicant must include copies of these documents with the application per Attachment G.
- (2) If DEQ does **not** require a closure plan for the facility, attach a closure document describing closure protocol and associated costs. Closure means those activities associated with restoring the site to its condition before the applicant engaged in the licensable activity. Closure may include, but is not limited to, removal of all on-site solid waste stockpiles

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accumulated after Metro issued a Metro Solid Waste Facility License. The closure plan is the written protocol that specifies the activities required to properly close the facility and cease further solid waste activities.

- (3) If DEQ does **not** require any financial assurance for the costs of closure of the facility, applicant must attach proof of financial assurance for the costs of closure of the facility. Cost of closure means the costs associated with restoring the site to its condition before the applicant engaged in the licensable activity.

These costs may include but are not limited to:

- a) The cost to load and transport accumulated solid waste stockpiles to an authorized disposal site or recycling facility;
- b) The cost to "tip" the waste at an authorized landfill or recycling facility; and
- c) Other related costs such as site grading or additional disposal costs associated with restoring the site.

Examples of acceptable forms of financial assurance include, but are not limited to, the following: surety bond, irrevocable letter of credit, closure insurance, escrow account.

If the DEQ does not issue a permit or require financial assurance, then Metro may waive the requirement for financial assurance if the applicant demonstrates that the cost to implement the closure plan will be less than \$10,000.

**FACILITY RENEWAL APPLICANTS ONLY: N/A**

By checking this box, I certify that to the best of my knowledge, the closure plan on file with Metro dated \_\_\_\_\_ is the most current and accurate version of this document.

## PUBLIC NOTICE AND CONFIDENTIAL INFORMATION

This application and all of the supporting documentation that the applicant provides is subject to Metro's public notice procedures. Metro will notify and provide the public with an opportunity to review and comment on the proposed application. The public notice may include, but is not limited to, posting 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 must prominently mark any information that it claims confidential with the mark "CONFIDENTIAL" before submitting the information to Metro. Subject to the limitations and requirements of ORS Chapter 192 (public records law) and other applicable laws, Metro will treat as confidential any information so marked and will make a good faith effort to not disclose that information unless Metro's refusal to disclose the information would be contrary to applicable Oregon law.

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Within five days of Metro's receipt of a request for disclosure of information identified by the applicant (or licensee) as confidential, Metro will provide the applicant (or licensee) written notice of the request. The applicant (or licensee) will have three 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 (or licensee) must pay any costs incurred by Metro as a result of Metro's efforts to remove or redact any confidential information from documents that Metro produces in response to a public records request. These conditions do 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, those representatives agree to continue to treat the information as confidential and make good faith efforts to not disclose the information.

## APPLICANT CERTIFICATION

An authorized agent of the applicant must sign this application. Metro will not accept an application without a signature.

*I certify 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

A handwritten signature in cursive script that reads "Eileen Stein".

TITLE City Manager

PRINT NAME Eileen Stein

DATE 8-4-17

PHONE 503-657-0331

EMAIL estein@westlinnoregon.gov

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**OPERATIONS PLAN**

**RECOLOGY PORTLAND, INC.  
DAN DAVIS RECYCLING YARD  
WEST LINN RECOVERY FACILITY**

**4001 WILLAMETTE FALLS DRIVE  
WEST LINN, OREGON - 97068**

**REVISION DATE: JULY 2017**

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## ACRONYMS AND ABBREVIATIONS

ACM	Asbestos-Containing Material
ACWM	Asbestos Containing Waste Material
DEQ	Oregon Department of Environmental Quality
ft	Foot
H&S	Health and Safety
MRF	Material Recovery Facility
NPDES	National Pollutant Discharge Elimination System
O&M	Operation and Maintenance
OAR	Oregon Administrative Rule
PPE	Personal Protective Equipment
RPI	Recology Portland, Inc.
SWPCP	Stormwater Pollution Control Plan

## **1.0 Introduction**

### **1.1 Purpose**

This Facility Operations Plan pertains to a yard debris depot facility operated by Recology Portland, Inc. (RPI), located at 4001 Willamette Falls Drive, West Linn, Oregon, 97068. This plan contains procedures for receiving, handling, and re-loading yard debris, clean wood waste, landscape waste, and scrap metal.

This Facility Operations Plan is part of the supporting documentation required by Metro, in accordance with Metro Contract Number 930896, and the Intergovernmental Agreement between Metro and the City of West Linn.

Any time this Operations Plan is updated, RPI shall submit an updated plan to Metro and the City of West Linn for approval, prior to implementing operational changes.

### **1.2 Overview of Operations**

The total area of this site is approximately 1.5 acres, including the outdoor stockpiles, office building, shop, and the surrounding area.

Acceptable materials include: yard debris (i.e., grass and leaves), land clearing debris (i.e., brush, limbs, sod, and stumps), clean wood waste and scrap metal.

## **2.0 Facility Description**

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### **2.1 Site Location and Topography**

The Dan Davis Recycling Yard is located at 4001 Willamette Falls Drive, West Linn, Oregon 97068. It encompasses tax lot 1705 and a portion of 1700, City of West Linn, Clackamas County, and State of Oregon.

The site is accessed by Willamette Falls Drive from the northern border of the property, and is located at the top of a steep slope adjacent to the Willamette River. The site is sloped to the northeast and consists primarily of impervious surfaces.

### **2.2 Facility Layout - Site Access and Egress**

Trucks delivering waste materials to the facility are required to enter through of the northwestern gate and check in with site personnel. Loads of yard debris, clean wood, and land clearing debris are tipped near the appropriate outdoor stockpile. Scrap metal is received and stored within a drop box. Vehicles are directed to exit the facility through the northeastern gate.

Currently, the volume of incoming loads are estimated by the yard, and charged accordingly. Vehicles delivering material to the facility will be instructed not to park or queue on public streets or roads, except under emergency conditions.

### **2.3 Surface Water Flow and Stormwater Management**

The surface water at the facility flows from west to east, following the natural slope of the property. Yard debris and land clearing debris are stored in outside stockpiles. These materials are in contact with rain and generate stormwater runoff. Metals are stored inside a drop box to prevent stormwater from coming into contact with it. At present, there is no stormwater discharge permit held by the facility. However, RPI employees will maintain the quality of stormwater runoff by following basic best management practices during operations (i.e., general housekeeping, maintain heavy equipment to ensure no oil or fuel leakage occurs, clean up spills or leaks from vehicle traffic immediately, etc.).

## **2.4 Leachate Management System**

Should any leachate water develop from the stockpiled material onsite, it can be absorbed with wood chips, eco bags (which are wood chips within a netting material), booms, and/or absorbent materials. These materials would be scooped up with shovels and loaded into a suitable container for disposal at an appropriate offsite disposal location on an as needed basis.

## **3.0 General Facility Operations**

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### **3.1 Hours of Operation**

The Dan Davis Recycling Yard operates Tuesday through Saturday. Commercial and public vehicles are accepted at the facility on Tuesday through Saturday between 8:30 a.m. and 4 p.m. The facility is closed on Sunday and Monday.

### **3.2 Access Control**

Access to the site is controlled by a fenced entrance from Willamette Falls Drive located on the northern side of the property. Vehicular access is limited on three sides by steep slopes and landscaping. During non-business hours, the fence gate is closed and locked to prevent unauthorized entry and dumping.

Incoming vehicles are directed by the site operator to the appropriate area to unload. After unloading, vehicles work with the site operator to complete their transaction and then exit the site.

### **3.3 Reporting Requirements**

The site maintains records to document when and how much material enters and leaves the facility. Truck logs and receiving tickets document the volume of loads entering the facility and the quantity material re-loaded and exported off site.

RPI's management maintains all records for facility management purposes, as well as to comply with Metro reporting requirements.

All records pertaining to the Dan Davis Recycling Yard will be kept at RPI's regional office. Electronic copies will also be kept whenever possible.

### **3.4 Opportunity to Recycle**

All materials deemed recyclable are recycled. This includes clean wood, yard debris, land clearing debris, and metal. RPI continually seeks to maximize diversion from landfilling.

### **3.5 Litter Prevention**

Site personnel will keep all areas within the site and all vehicle access roads within 1/4 mile of the site free of litter and debris generated as a result of the facility's operation. Regular litter patrols will be conducted for this purpose.

### **3.6 Vector Prevention and Control**

Vectors, such as flies, rodents, and birds, are minimized by not accepting commercial putrescible solid waste, or yard debris that has reached a state of decomposition. Any incidental putrescible waste received is immediately placed into a covered container and then disposed of at a fully permitted and licensed site. Ongoing measures such as containerizing any waste residuals and minimizing the duration of the on-site storage of yard and land clearing debris helps prevent and control any potential vector issues.

### **3.7 Dust, Odor, and Noise Control**

Numerous best management practices (BMPs) are implemented at the facility in order to minimize potential nuisance (odor, dust, noise) conditions.

All equipment onsite is operated within the noise levels allowed for the zoning of our facility. Equipment is only operated during business hours, and has appropriate mufflers and other noise reducing mechanisms.

Yard debris and any other potential odorous loads are mixed and removed promptly to minimize odors on-site or leaving the site.

Any potential fugitive dust emissions would be controlled by using water to mist loads as necessary. A water truck (which can be brought in from other RPI facilities when necessary) and a sprinkler system could be used to control dust around the exterior stockpiles and access road, as needed.

### **3.8 Truck Washing Facilities**

Washing trucks is not permitted at the Dan Davis Recycling Yard. All vehicle and equipment washing will take place offsite.

### **3.9 Facility Operation Equipment**

Facility operation equipment used at the site includes the following:

- 1 excavator
- 1 skid steer

Additional equipment from other RPI facilities would be available in the event that onsite equipment was to be taken out of commission for any reason.

#### **3.9.1 Maintenance Records and Schedules**

All equipment used in the onsite operations, as well as RPI owned and/or operated vehicles used to transfer or transport materials to and from the facility are maintained to prevent leaks and spills from occurring. Vehicle maintenance is performed on a regularly scheduled basis by a Recology mechanic. Maintenance records for all RPI operating equipment are maintained by the mechanic, and will be made available for inspection to Metro or the City of West Linn upon request.

### **3.10 Complaint Response Procedures**

A sign is posted on the front of the office stating how customers can file a complaint. Complaints are able to be received by phone or in person by onsite personnel. The complaint is logged each time one is received. Complaints will be kept on file for no less than 1 year and records will be made available upon request to Metro. The person filing the complaint is contacted if possible and informed how the complaint has been addressed. The complaint form contains the following:

- The nature of the complaint
- The date the complaint was received
- The name, address and telephone number of the person or persons making the complaint
- Actions taken by the operator in response to the complaint

## **4.0 Waste Handling Operations**

### **4.1 Acceptable Wastes**

Acceptable materials include: yard debris (i.e., grass and leaves), clean wood waste, land clearing debris (i.e., brush, limbs, sod, and stumps), and scrap metal.

#### **4.1.1 Prohibited and Unacceptable Wastes**

The Dan Davis Recycling Yard is prohibited from receiving, processing, reloading or disposing of any solid waste not authorized by Metro or the City of West Linn. The facility will not knowingly accept or retain any material amounts of the following types of waste: roofing wastes; putrescible waste; special wastes (friable and non-friable asbestos containing materials, septage and sewage sludge); creosote-treated wood waste; lead acid batteries; liquid waste for disposal; vehicles; infectious, biological or pathological waste; radioactive waste; hazardous waste; and any waste prohibited by the DEQ, METRO Regional Government or the City of West Linn permits, codes or regulations.

### **4.2 Waste Receiving**

Loads of incoming materials are visually inspected at the time they are tipped. As the vehicles initially arrive at the facility, the onsite operator will query each vehicle as to its contents and the presence of any prohibited wastes. All loads of material tipped within the unloading areas are thoroughly inspected by personnel trained to identify prohibited materials. Any load which is observed to contain prohibited materials (see Section 4.1.1) will be rejected and/or reloaded. If prohibited materials are discovered in a load that has been tipped, the prohibited wastes will be separated and reloaded for proper disposal offsite either by the generator or by an appropriately licensed contractor. In order to discourage attempts to dispose of unauthorized material RPI will back charge all costs to the offending generator. If a pattern of recurring violation occurs, RPI reserves the right to suspend facility privileges and/or seek legal remedy against the generator and/or hauler involved depending on the nature and severity of the issue.

Prohibited wastes will be disposed of in a timely manner at an appropriate offsite disposal facility. In no case will prohibited waste remain on site for more than 90 days after receipt.

#### **4.2.1 Load Checking**

A qualified operator will be on site at all times to inspect all inbound loads when they are tipped,

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and attempt to stop the driver who delivered unacceptable materials before they leave the facility. Whenever possible, prohibited wastes will be reloaded onto the delivering vehicle.

#### **4.2.2 Rejection Procedures**

RPI reserves the right to reject all or part of any loads containing prohibited or unauthorized waste, at its discretion. Loads with more than a nominal amount of putrescible waste are rejected and referred to a transfer station for disposal. A load rejection form is included within this plan to be completed by an operator whenever a load is rejected.

#### **4.2.3 Storage and Processing**

Recyclable materials are removed during receiving and processing and are placed into containers for preparation for sale to recycling markets. Materials that cannot be recycled are loaded into containers for disposal.

Clean wood, yard debris and land clearing debris loads are tipped and transported with front-end loaders into the outside stockpiles. Metal is transported with the front-end loader into a drop box or bin onsite.

Yard debris and land clearing debris is re-loaded into a semi-truck for transport to a compost facility. Clean wood waste may either go for transport to a compost facility, or to be processed and shipped as hog fuel, depending upon the market for these items. RPI will minimize storage times to avoid unnecessary delays in processing the materials onsite, and avoid creating nuisance conditions or safety hazards.

#### **4.2.4 Stockpile Management**

RPI Management will monitor the volume of incoming and outgoing materials, and adjust the flow of shipments accordingly to ensure that the size of the outdoor stockpiles do not hinder the ability to handle, store, or process incoming materials, or create nuisance conditions or safety hazards.

#### **4.2.5 Grinding Procedures**

Wood waste and woody yard debris may be ground outside to produce biomass fuel (hog fuel) near the exterior stockpile. Alternatively, wood waste and woody yard debris may be stockpiled in this area and reloaded to be processed at another facility. Water may be used to mist material prior to and during grinding to reduce dust generation, if needed. Ground materials are loaded into trucks for transportation offsite to appropriate reuse facilities. Wood chips or other residuals are used to absorb water generated from dust mitigation, if needed.

### **4.3 Waste Control**

The Dan Davis Recycling Yard is contained within a fenced and secured facility. Access by people and vehicles entering the facility are controlled by RPI personnel. All loads are inspected. Signs listing acceptable materials are posted for the public to read. Prohibited wastes that cannot be reloaded on the offending vehicle and rejected are isolated and stored prior to removal and disposal. If the hauler or generator can be identified, RPI may charge this customer for the proper disposal of prohibited wastes.

### **5.0 Inspection and Maintenance Schedule**

All equipment is inspected daily, before use, for breakage, leaks, fluid levels, tire pressures, and wear and tear. The maintenance schedule is unique to each individual piece of equipment and maintained by an employee service technician. The cleaning/replacement of filters and oil and lubrication are done on a schedule or an as needed basis. All facility problems are reported to the RPI Operations Manager.

## 6.0 Contingency Plan

### 6.1 Safety Program

Monthly safety committee meetings are held and recorded for all RPI facilities, and the Dan Davis Recycling Yard is represented within these meetings. Any training sessions or safety meetings held for facility employees are lead by qualified and informed personnel and are documented. Regular inspections are completed at the facility to ensure employees are wearing the proper personal protective equipment; fire extinguishers are in good working condition, etc. All safety concerns, problems and violations shall be reported immediately to the RPI Operations Manager and the Safety Manager.

### 6.2 Emergency Contacts

Fire / Medical Emergencies Dial:	911
METRO Solid Waste- ODEQ	503-234-3000 503-229-5263
RPI Environmental Compliance Manager	503-849-9114
RPI Safety Manager	971-300-7553
Spill Response- Oregon Emergency Response System	1-800-452-0311
Spill Response-National Response Center	1-800-424-8802

### 6.3 Emergency Access

Site Supervisor:	Jose Placencia	503-849-6337
Operations Manager:	Greg Moore	503-804-6867

### 6.4 Personal Protective Equipment

All persons working at the Dan Davis Recycling Yard will wear the following personal protective equipment (PPE) while operating heavy equipment, and while receiving handling incoming

materials: hard hat, safety glasses, gloves, safety shoes and hearing protection as appropriate.

## **6.5 Onsite Emergency Equipment**

Fire extinguishers are mounted on the heavy equipment and within the scale house.

## **6.6 Spill Prevention and Response Procedures**

Oil absorbent materials including pads, booms, and diapers are at the facility. These materials will allow Recology employees to quickly contain accidental spills or leaks resulting from equipment failure.

## **6.7 Disposal Procedures for Prohibited Waste**

Any prohibited waste that is discovered in a load brought to the Dan Davis Recycling Yard is addressed on an individual basis. For example, if tires were found within the stockpile, they will be properly collected, stored, and sent to an appropriate recycler. All prohibited items will be disposed of properly by RPI.

## **7.0 Job Description and Training**

### **7.1 Personnel Training**

All Recovery facility personnel are trained on the following:

- Applicable operations equipment
- PPE to be worn and used properly.
- Emergency procedures including fire, medical, violence and accidents.
- Spill prevention and response.
- Firefighting equipment and procedures.
- Dust nuisance prevention and control procedures.
- Monitoring of all incoming loads.

**Figures**

*Figure 1 - Site Diagram*

**FIGURE 1:**  
**SITE DIAGRAM**



ATTACHMENT D: Insurance

CERTIFICATE OF COVERAGE						
<b>Agent</b> Brown & Brown Northwest 2701 NW Vaughn St, Ste. 340 Portland, OR 97210  www.bbnw.com	This certificate is issued as a matter of information only and confers no rights upon the certificate holder other than those provided in the coverage document. This certificate does not amend, extend or alter the coverage afforded by the coverage documents listed herein.			 citycounty insurance services		
<b>Named Member or Participant</b> City of West Linn 22500 S Salamo Road West Linn OR 97068	<b>Companies Affording Coverage</b> COMPANY A - CIS COMPANY B - National Union Fire Insurance Co COMPANY C - RSUI Indemnity COMPANY D - StarStone National Insurance Co					
LINES OF COVERAGE						
This is to certify that coverage documents listed herein have been issued to the Named Member herein for the Coverage period indicated. Notwithstanding any requirement, term or condition of any contract or other document with respect to which the certificate may be issued or may pertain, the coverage afforded by the coverage documents listed herein is subject to all the terms, conditions and exclusions of such coverage documents.						
Type of Coverage	Company Letter	Certificate Number	Effective Date	Termination Date	Coverage	Limit
<b>General Liability</b> ✓ Commercial General Liability ✓ Public Officials Liability ✓ Employment Practices ✓ Occurrence	A	16LWTL	7/1/2016	7/1/2017	General Aggregate: \$30,000,000 Each Occurrence: \$10,000,000	
<b>Auto Liability</b> ✓ Scheduled Autos ✓ Hired Autos ✓ Non-Owned Autos	A	16LWTL	7/1/2016	7/1/2017	General Aggregate: None Each Occurrence: \$10,000,000	
<b>Auto Physical Damage</b> ✓ Scheduled Autos ✓ Hired Autos ✓ Non-Owned Autos	A	16APDWTL	7/1/2016	7/1/2017		
✓ <b>Property</b>	C A	16PWTL	7/1/2016	7/1/2017		Per Filed Values
✓ <b>Boiler and Machinery</b>	A	16BWTL	7/1/2016	7/1/2017		Per Filed Values
<b>Excess Liability</b>						
✓ <b>Excess Crime</b>	B	16ECWTL	7/1/2016	7/1/2017	Per Loss:	\$1,000,000
<b>Excess Earthquake</b>						
<b>Excess Flood</b>						
✓ <b>Excess Cyber Liability</b>	A	16ECLWTL	7/1/2016	7/1/2017	Occurrence/Aggregate:	\$1,000,000
<b>Workers' Compensation</b>						
<b>Description:</b> RE: Metro Solid Waste Facility License Application  Attached CIS General Liability Coverage Agreement CIS – GL/AL (7/1/16) applies. Subject to policy terms, conditions and exclusions.						
<b>Certificate Holder:</b>  Metro, its elected officials, departments, and agents 600 NE Grand Avenue Portland OR 97232			<b>CANCELLATION:</b> Should any of the coverage documents herein be cancelled before the expiration date thereof, CIS will provide 30 days written notice to the certificate holder named herein, but failure to mail such notice shall impose no obligation or liability of any kind upon CIS, its agents or representatives, or the issuer of this certificate.   By: Ron Cutter Date: 6/28/2017			

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# CIS TRUST

## GENERAL AND AUTO LIABILITY COVERAGE AGREEMENT

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This is an agreement between the **Trust**, as defined herein, and the **named member** identified in the General & Auto Liability Coverage Declarations as "Named Member" for "Public Entity Liability Coverage" for the applicable coverage period. Various provisions of this agreement restrict coverage. Read the entire coverage agreement carefully to determine rights, duties, and what is and what is not covered. Words or phrases that appear in **bold-faced** type have special meaning and are defined in Sections 1, 10B, 11B, and 12C.

### 1. DEFINITIONS

A. **"Administration"** means:

- (1) Giving counsel to employees with respect to the **employee benefit programs**;
- (2) Interpreting the **employee benefit programs**;
- (3) Handling records in connection with **employee benefit programs**;
- (4) Effecting enrollment, termination or cancellation of employees under the **employee benefits programs**;

provided all such acts are authorized by the **named member**.

B. **"Airport"** means any area of land or water that is intended for the landing and takeoff of aircraft, and includes its buildings and related facilities, if any.

C. **"Bodily Injury"** means bodily injury, sickness or disease sustained by a person including death resulting from any of these.

D. **"Claim"** means any notice or demand to the **named member** by or on behalf of a party seeking **damages** that reasonably communicates to the **named member** the party's intent to seek money **damages** from the **member**.

E. **"Covered Auto"** means any vehicle designed for land transportation, whether or not licensed for highway use, and owned or operated by the **member**.

F. **"Damages"** means all sums recoverable by law from any liability covered under this coverage agreement, including punitive damages if awarded, but not including any sums awarded for plaintiff's attorney fees, or expert fees, under any statute including but not limited to, 42 U.S. Code, 1988, in any case in which monetary damages are not sought or not awarded. Damages do not include:

- (1) Costs necessary to comply with injunctions or declaratory relief.
- (2) Sums recoverable for breach of contract; express or implied.
- (3) Sums awarded as compensation due or accruing to the benefit of the employee while still employed by the **named member**.

- (4) Sums sought or awarded for claims of unjust enrichment, money had and received or replevin.
  - (5) Sums due to taxing authorities, insurance programs, or retirement plans as a result of an award of damages or claim settlement.
  - (6) Fines or penalties assessed to the Member for non-payment of taxes, insurance contributions or retirement plan contributions.
- G. **"Employee benefit programs"** shall mean group life insurance, group health insurance, profit sharing plans, pension plan, employee stock subscription plans, workers' compensation, unemployment insurance, social security, disability benefits insurance and travel, savings or vacation plans.
- H. **"Fungus or fungi"** includes but is not limited to any form or type of mold, mushroom or mildew.
- I. **"Hazardous properties"** means radioactive, toxic or explosive properties.
- J. **"Hospital" or "nursing home"** means any facility with an organized medical staff, with permanent facilities that include inpatient beds and with medical services, including physician services and continuous nursing services under the supervision of registered nurses, to provide diagnosis and medical or surgical treatment including but not limited to providing treatment for 1) acutely ill patients and accident victims, 2) mentally ill patients or 3) patients in special inpatient care facilities. However, in-patient care facilities incidental to correctional facilities shall not be considered a **hospital** or **nursing home**.
- K. **"Member"** means the entity named on the declarations page and its officers, employees and agents including volunteers, authorized to act on behalf of the **named member**, all acting within the scope of their employment or duties whether arising out of a governmental or proprietary function. The term **member** shall also include **additional members** to the extent coverage is afforded under the definition of **additional member**.
- (1) **"Named member"** means the entity named as such on the Declarations page of the coverage agreement,
  - (2) **"Additional member"** means any party whom a public body covered under this coverage agreement has agreed to hold harmless, indemnify or defend pursuant to a contract or other agreement lawfully entered into by such public body. However, in no event shall coverage under this coverage agreement extend to such party for any **claim** arising out of an **occurrence** after the expiration of this coverage agreement or the expiration of the contract or agreement entered into by the public body, whichever shall occur first. Further, in no event shall coverage under this coverage agreement extend to such party for any **claim**, however or whenever asserted, arising out of such party's sole negligence. Except as specified in this paragraph, such party shall have no rights under the **Trust Agreement**, Bylaws or Rules of the **Trust**. The term "additional insured" if used on a certificate of coverage, shall be understood to mean the same as **additional member**.
- L. **"Nuclear Facility"** means:
- (1) Any nuclear reactor;
  - (2) Any equipment or device designed or used for:

- a. separating the isotopes of uranium or plutonium,
  - b. processing or utilizing **spent fuel**, or
  - c. handling, processing, or packaging **nuclear waste**;
- (3) any equipment or device used for the processing, fabricating or alloying of special **nuclear material** if at any time the total amount of such material in the custody of the **member** at the premises where such equipment or device is located consists of or contains more than 25 grams of plutonium or uranium 233 or any combination thereof, or more than 250 grams of uranium 235;
- (4) any structure, basin, excavation, premises or place prepared or used for the storage or disposal of **nuclear waste**;

and includes the site on which any of the foregoing is located, all operations conducted on such site and all premises used for such operations.

- M. **"Nuclear material"** means **source material, special nuclear material or by-product material**.
- N. **"Nuclear reactor"** means any apparatus designed or used to sustain nuclear fission in a self-supporting chain reaction or to contain a critical mass of fissionable material.
- O. **"Nuclear waste"** means any waste material:
- (1) containing **by-product material** other than the tailings or wastes produced by the extraction or concentration of uranium or thorium from any ore process primarily for its **source material** content, and
  - (2) resulting from the operation by any person or organization of any nuclear facility included under the first two paragraphs of the definition of **nuclear facility**.
- P. **"Nursing home"** see **Hospital**.
- Q. **"Occurrence"** means:
- (1) an incident, event, act, error or omission which occurs during the coverage period:  
or
  - (2) a series of related incidents, events, acts, errors or omissions; or a continuous or repeated exposure to substantially the same general conditions, which occur during the coverage period. If the **occurrence** begins in one coverage period and ends in another, the **occurrence** shall be deemed to have taken place during the last such coverage period. Such incidents, events, acts, errors or omissions, or continuous or repeated exposures to substantially the same conditions shall be deemed to be a single **occurrence** for purposes of determining the "per occurrence" limit of liability and deductible, if any. Only the coverage and limits in effect for the last coverage period shall apply and only one "per occurrence" limit shall be available for each such multi-period **occurrence** regardless of the number of coverages under this coverage agreement which may apply to such **occurrence**.

- R. **"Personal Injury"** means false arrest, detention, imprisonment, malicious prosecution, libel, slander, or publication or utterance in violation of the individual's right of privacy, wrongful entry or eviction, or invasion of the right of private occupancy.
- S. **"Pollutants,"** as used in exclusion Section 4I, means any solid, liquid, gaseous, or thermal irritant or contaminant, including smoke, vapor, soot, fumes, acids, alkali, and chemicals, bacteria, organisms, and pathogens. However, **pollutants** does not include sewage which through the negligence of the **member** escapes the confines of a municipal sewage treatment system owned or operated by the **member**.
- T. **"Property Damage"** means injury to or destruction of tangible property.
- U. **"Source material," "special nuclear material,"** or **"by-product material"** have the meanings given them in the Atomic Energy Act of 1954 or in any law amendatory thereof.
- V. **"Spent fuel"** means any fuel element or fuel component, solid or liquid, which has been used or exposed to radiation in a **nuclear reactor**.
- W. **"Spore(s)"** include any reproductive body produced or arising out of any **fungus or fungi**.
- X. **"Trust Agreement"** means the CITY COUNTY INSURANCE SERVICES DECLARATION AND AGREEMENT OF TRUST.
- Y. **"Trust"** means the CIS or CIS Trust, as described in the **Trust Agreement**.
- Z. **"Waste"** as used in exclusion Section 4I, includes, but is not limited to, materials to be recycled, reconditioned, or reclaimed.

## 2. COVERAGES

In accordance with and subject to the General & Auto Liability Coverage Declarations applicable to the **named member** to which this Coverage Agreement applies; the City County Insurance Services Declaration and Agreement of Trust (herein "**Trust Agreement**"); the Bylaws and Rules of the **Trust**; and the terms, conditions, and limitations of this Coverage Agreement and in consideration of the contribution for which this coverage agreement is written, the **Trust** will pay on behalf of the **member** all **damages** arising out of an **occurrence**, not to exceed the Limits of Liability as set further described in Section 4. of this Coverage Agreement because of:

- Coverage A: Liability arising under Oregon Revised Statutes 30.260 to 30.300; asserted pursuant to ORS 30.260 to 30.300.
- Coverage B: Liability arising under 42 U.S. Code 1983; 42 U.S. Code 2000e, et seq. (Title VII of the Civil Rights Act of 1964); 29 U.S. Code 621, et seq. (Age Discrimination in Employment Act of 1967); The Americans with Disabilities Act; The Civil Rights Act of 1991; 42 U.S. Code 1981; 42 U.S. Code 3601, et seq. (The Fair Housing Act); ORS Chapter 659; ORS Chapter 659A; ORS 652.355; ORS 654.062; 29 U.S. Code Sec. 261, et seq. (Family and Medical Leave Act); or any law amendatory thereof.
- Coverage C: Tort liability for **bodily injury, personal injury** and **property damage** for which the **member** is legally liable under the laws of any jurisdiction other than the State of Oregon and other than any United States Federal jurisdiction to which this coverage agreement applies.

- Coverage D: Tort liability for the negligence of others assumed by the **named member** under contract, except as hereinafter limited in the definition of the term "**member**."
- Coverage E: Liability to a **named member's** employee, prospective employee, former employee or the beneficiaries or legal representatives thereof, arising out of, and asserted pursuant to, ORS 30.260 to 30.300, and caused by an **occurrence** consisting of or based upon the **member's** negligent errors or omissions in the **administration** of the **named member's employee benefits program**.
- Coverage F: Uninsured/Underinsured Motorists Coverage as set forth in Section 10 of this coverage agreement, pursuant to ORS 278.215. The Limits of Liability of such coverage with respect to a **member** shall be the Per Occurrence Limit for General and Auto Liability Coverage as set forth in the General and Auto Liability Declarations. The limits of liability of such coverage with respect to a permissive user of a **covered auto**, other than a **member**, shall be the amounts set forth in ORS 806.070 that is the minimum liability limits of the Financial Responsibility Law as provided in the Oregon Vehicle Code and as set forth in Section 8 of this coverage agreement.

In accordance with and subject to the Declarations, the **Trust Agreement**, Bylaws and Rules of the **Trust**, and in consideration of the contribution for which this Coverage Agreement is written, and independent of Coverages A - F above, the **Trust** will pay:

- Coverage G: Legal expenses reasonably incurred by a public official of the **named member** arising out of defense of a complaint alleging violation of ORS 244.040 or 244.120 to 244.135, subject to the terms and conditions set forth in Section 7, ETHICS LEGAL EXPENSE COVERAGE of this coverage agreement.
- Coverage H: The actual or alleged accidental discharge, dispersal, release or escape of pollutants, subject to the terms, conditions, and limitations set forth in this Coverage Agreement, specifically including, without limitation, Section 11, LIMITED POLLUTION LIABILITY COVERAGE.
- Coverage I: Unless such expenses or **damages** are otherwise covered by this Coverage Agreement, CYBER SECURITY EXPENSE COVERAGE as set forth in Section 12.

The **Trust** shall have the right and duty to defend, with legal counsel selected by the **Trust**, any claim or suit against the **member** seeking **damages**, even if any of the allegations of the suit are groundless, false or fraudulent, and may make such investigation and settlement of any claim or suit as it deems expedient. The duty to defend any claim or suit shall terminate, except as provided hereafter, when such claim or suit ceases to seek **damages** against the **member**. Provided, however, that the duty to defend any claim or suit shall not terminate so long as the claim or suit includes an allegation of breach of an implied contract arising out of an employment relationship with the **named member**.

### 3. DEDUCTIBLES

#### A. CONDITIONAL DEDUCTIBLE: Employment Practices

# Land Use Compatibility Statement (LUCS)

Solid waste application supplemental form



**Metro**

600 NE Grand Ave.  
Portland, OR 97232  
503-797-1835

**SUBMIT THIS FORM TO:**

Metro  
Solid Waste Compliance and Cleanup  
600 NE Grand Avenue  
Portland, OR 97232-2736  
Tel: (503) 797-1835  
Fax: (503) 813-7544  
[SWCC@oregonmetro.gov](mailto:SWCC@oregonmetro.gov)

**Metro use only**

**DATE RECEIVED:**

**DATE DEEMED COMPLETE BY METRO:**

## METRO Land Use Compatibility Statement (LUCS)

**WHAT IS A LUCS?** A Land Use Compatibility Statement is the document that Metro relies on to determine that an application to Metro for a solid waste facility license or franchise is compatible with the applicant's local land use approval.

**WHEN IS A LUCS REQUIRED?** A completed LUCS should accompany each application for a new Metro solid waste facility license, or franchise and any application for a change of authorization to add new activities to an existing license or franchise.

**HOW TO COMPLETE A LUCS:** The applicant must fill out Section 1 of the form and then submit the form to the local city or county planning office where Section 2 is completed. The local planning office will determine if the facility meets local land use requirements concerning planning and zoning. The applicant then submits the LUCS to Metro as part of its license or franchise application.

**WHERE TO GET HELP:** Questions on the Metro LUCS can be directed to Metro Solid Waste Compliance and Cleanup Division staff responsible for processing the Metro license or franchise application at (503) 797-1835.

### SECTION 1: To be completed by the applicant:

<b>1. Applicant Information</b>		
<b>Facility Name:</b>	Dan Davis Recycling Center	
<b>Company Name:</b>	City of West Linn	
<b>Location Address:</b>	<b>Mailing Address:</b>	
4001 Willamette Falls Drive West Linn, OR 97038	22500 Salamo Road West Linn, OR 97038	
<b>Contact Person:</b>	Amy Pepper	
<b>Phone Number:</b> 503-722-3437	<b>Fax Number:</b> 503-656-4106	<b>E-mail:</b> <a href="mailto:apecpper@westlinnoregon.gov">apecpper@westlinnoregon.gov</a>

# Land Use Compatibility Statement (LUCS)

Solid waste application supplemental form



600 NE Grand Ave.  
Portland, OR 97232  
503-797-1835

2. Site Description			
Tax Lot(s): 01705	Section: 21E	Township: 36	Range:

3. Description of the type of facility, the solid wastes to be accepted and the activities to be undertaken		
<p>A. Check all the proposed solid wastes to be accepted in the left column "Proposed waste streams". In the "Activity code" column to the right, insert the letter(s) of all the proposed activities from the list of codes (a-g) corresponding to each waste stream:</p>		
<u>Proposed waste streams</u>	<u>Activity code(s)</u>	<u>Proposed activities and codes:</u>
<input type="checkbox"/> Putrescible mixed solid waste (i.e. residential garbage)	_____	a) Material recovery (source separated)
<input type="checkbox"/> Food waste (source separated vegetative or non-vegetative)	_____	b) Material recovery (mixed dry waste)
<input checked="" type="checkbox"/> Yard debris	<input checked="" type="checkbox"/>	c) Composting
<input checked="" type="checkbox"/> Wood waste (clean wood waste)	_____	d) Reload / transfer
<input type="checkbox"/> Wood waste (painted or treated)	_____	e) Chipping & grinding
<input type="checkbox"/> Non-putrescible mixed solid waste (dry mixed waste)	_____	f) Other (explain in detail)
<input checked="" type="checkbox"/> Other (explain in detail): Scrap metal	_____	g) NA (not applicable)
<p>B. Description of proposed solid wastes to be accepted and proposed waste-related activities. Please describe in detail the activity you plan to perform on <u>each</u> waste you accept. Add additional pages if necessary.</p> <p>Accepted materials include: yard debris (i.e., grass and leaves), land clearing debris (i.e., brush, limbs, sod, and stumps), clean wood waste and scrap metal.</p>		

4. This land use approval is being sought in conjunction with application to Metro for (check all that apply)			
New <input type="checkbox"/>	Amended <input type="checkbox"/>	License <input checked="" type="checkbox"/>	Franchise <input type="checkbox"/>

**SECTION 2: To be completed by a city or county planning official:**

1. Name of city or county that has land use jurisdiction
City of West Linn

2. The proposed facility is located (check all that apply)			
<input checked="" type="checkbox"/>	Inside city limits	<input type="checkbox"/>	Inside UGB
<input type="checkbox"/>	Outside city limits	<input type="checkbox"/>	Outside UGB

# Land Use Compatibility Statement (LUCS)

Solid waste application supplemental form



**Metro**

600 NE Grand Ave.  
Portland, OR 97232  
503-797-1835

### 3. Consistency with local comprehensive plan and zoning ordinance

- This facility is not regulated by the local comprehensive plan and zoning ordinance.
- This facility has been reviewed and is consistent with the local comprehensive plan and zoning ordinance. OR-87-08
- This facility has been reviewed and is **not** consistent with the local comprehensive plan and zoning ordinance.
- Consistency of this facility with the local comprehensive plan and zoning ordinance cannot be determined until the following local approval(s) are obtained:
  - Conditional Use Approval
  - Development Permit
  - Plan Amendment
  - Zone Change
  - Other

An application has been made for the local approvals checked above:

Yes



No



### Local Government Planning Official - Reviewer Information:

Signature: John J. Boyd

Print Name: John J. Boyd

Title: Planning Manager

Date: 7/11/17

Telephone Number: 503 742 6058

E-Mail: JBOYD@WESTLIN.OREGON.GOV

# Property Use Consent

Solid waste application supplemental form



**Metro**  
600 NE Grand Ave.  
Portland, OR 97232  
503-797-1835

SUBMIT THIS FORM TO:  
Metro  
Solid Waste Compliance and Cleanup  
600 NE Grand Avenue  
Portland, OR 97232-2736  
Tel: (503) 797-1835  
Fax: (503)813-7544  
[SWCC@oregonmetro.gov](mailto:SWCC@oregonmetro.gov)

**Metro use only**  
**DATE RECEIVED:**  
**DATE DEEMED COMPLETE BY METRO:**

## Property Use Consent

<b>1. Property Owner.</b>	
Name:	Portland General Electric Company
Mailing Address:	121 SW Salmon St, 3WTC0406
City/State/Zip:	Portland, OR 97204
Phone Number:	503-464-8102

<b>2. Site Description.</b>			
Tax Lot(s): 1705	Section:36	Township: 2S	Range: 1E
Address: 4001 Willamette Falls Drive, West Linn, OR 97068			

<b>3. Describe the applicant's proposed use of this property.</b>
The property will be used as a material refuse collection site for 1) yard debris, sod, bushes and shrubs; 2) branches and stumps under 2'; 3) clean, dimensional lumber and wooden crates and 4) metal.

<b>4. Describe the property interest held by the prospective Licensee or Franchisee (Applicant).</b>
The City of West Linn held a leasehold interest in the property until 2011. At this time, there is no current agreement between PGE and the City of West Linn, although a License Agreement between the parties has been proposed.

<b>5. Describe the duration of the interest.</b>
To be determined.

# Property Use Consent

Solid waste application supplemental form



**Metro**

600 NE Grand Ave.  
Portland, OR 97232  
503-797-1835

**APPLICANT CERTIFICATION:**

An authorized agent of the applicant must sign this form. Metro will not accept a form without a signature.

*I certify that the information contained in this form 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 *Eileen Stein*

TITLE City Manager

PRINT NAME Eileen Stein

DATE 8-4-17 PHONE 503-667-0331

**PROPERTY OWNER(S):** This form cannot be processed without a signature.

*"I consent to the applicant's proposed use of this property as described on this form. I have also read and agree to be bound by the provisions of Section 5.01 of the Metro Code if the applicant is granted a franchise or license and that franchise or license is subsequently revoked or if renewal of that franchise or license is refused." Metro Code Section 5.01 states: "Upon revocation or refusal to renew the Franchise or License, all rights of the Franchisee or Licensee in the Franchise or License shall immediately be divested."*

*I certify that the information contained in this form 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 *Mark Lindley*

PRINT NAME Mark Lindley, Manager, Property Services

DATE 8/27/2017 PHONE 503-464-8102

SIGNATURE \_\_\_\_\_

PRINT NAME \_\_\_\_\_

DATE \_\_\_\_\_ PHONE \_\_\_\_\_



CITY OF  
**West Linn**

**DAN DAVIS YARD DEBRIS RECYCLING FACILITY  
CLOSURE PLAN**

When closure of the Dan Davis Yard Debris Recycling Facility becomes necessary or desirable, the City of West Linn (City) will take the following steps:

1. City staff will notify Metro 30 days prior to the date of the closure. The public will also receive advance notice of the intent to not accept self-haul material at the site.
2. After closure, all material will be properly hauled off in compliance with all local, state and federal regulations and properly disposed of.
3. After all material has been properly removed and disposed of, the City will notify Metro that the facility is closed and material has been removed. All signage related to the facility will be removed.

The City, in accordance with its lease agreement with PGE, may utilize the site for other purposes after closure. As such, closure will not include removal of any fencing, paving or other related improvements that could be utilized in future uses of the site.