



600 NE Grand Ave.
Portland, OR 97232-2736
oregonmetro.gov

METRO SOLID WASTE FACILITY LICENSE

No. L-043-18

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

ISSUED BY METRO:

A handwritten signature in black ink, appearing to read "Roy W. Brower".

Roy W. Brower
Solid Waste Information Compliance & Cleanup Director

12/18/17

Date

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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-043-18.
1.4	Term	The license term is from January 1, 2018 to December 31, 2018 unless amended, suspended, or revoked under Section 11.0.
1.5	Renewal	The licensee may apply for a license renewal as provided in Metro Code Chapter 5.01.
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 does 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 does 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 will 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	Indemnification	The licensee must indemnify Metro, the Metro Council, the Chief Operating Officer (COO), and any of their employees or agents and save them harmless from any and all loss, damage, claim, expense including attorney's 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 its 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	If Metro waives a specific term or condition of this license, that waiver does not waive nor prejudice Metro's right to require subsequent performance of the same term or condition or any other term or condition.
2.9	Choice of law	The license is to 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, that determination has no effect on the validity of the remaining license provisions.
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 applicable 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 terms are as defined in Metro Code Chapter 5.00.

3.0	AUTHORIZATIONS	
3.1	General conditions on solid waste	The licensee is authorized to accept at the facility only the solid wastes described in Section 3.0. The licensee is prohibited from knowingly receiving any solid waste not authorized in this section.
3.2	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.
3.3	Acceptance of yard debris	The licensee is authorized to accept source-separated yard debris provided that the yard debris has not decomposed to the point of producing 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.
3.4	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.
3.5	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.
3.6	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.
3.7	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.
3.8	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 must not use or incorporate painted and treated wood into mulch, animal bedding, compost feedstock, or any other landscaping or

		<p>agricultural products unless otherwise described in an operating plan and approved in writing by the COO.</p> <p>3. The licensee must keep painted and treated wood separate from yard debris, untreated wood, and other feedstocks that are destined for mulch, animal bedding, compost, or any other landscaping or agricultural products. The licensee must post signs that clearly designate separate receiving areas for painted and treated wood waste and composting feedstock.</p>
3.9	Production of hogged fuel	<p>1. As authorized by Section 3.0, 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.</p> <p>2. The licensee is prohibited from mixing any other solid waste with the authorized wastes described above in Section 3.9.1 for the production of hogged fuel.</p>
3.10	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	Prohibited waste	The licensee must not knowingly receive, process, reload or dispose of any solid waste not authorized in this license. The licensee must 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, putrescible waste, special waste, creosote-treated wood, materials contaminated with or containing asbestos; lead acid batteries; liquid waste for disposal; vehicles; infectious, biological or pathological waste; radioactive waste; hazardous waste; any waste prohibited by the DEQ.
4.2	Source-separated residential yard debris mixed with food waste	The licensee must not knowingly accept or retain source-separated residential yard debris mixed with food waste, including from municipal curbside collection programs.
4.3	No disposal of recyclable materials	The licensee must not transfer source-separated recyclable materials to a disposal site.
4.4	Limits not exclusive	This license does not 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	Assessment of composting operations	The licensee must cooperate in good faith with Metro staff and Metro's consultants related to all aspects of the best practice assessment and recommendations for malodor mitigation project (as described in Metro RFP 3419). As part of that cooperation, licensee must provide access to all areas where it generates, manages, processes, or otherwise stores composting feedstock and retail landscaping products, as well as provide access to all non-financial records (including but not limited to feedstock types, volumes, etc.) that are reasonably necessary to complete the malodor mitigation project.
5.2	Qualified operator	<ol style="list-style-type: none"> 1. The licensee must, during all hours of operation, provide an operating staff employed by the facility, and qualified and competent to carry out the functions required by this license and to otherwise ensure compliance with Metro Code Chapter 5.01. 2. Facility personnel, as relevant to their job duties and responsibilities, must be familiar with the relevant provisions of this license and the relevant procedures contained within the facility's operating plan. 3. A qualified operator must be an employee of the facility with training and authority to reject prohibited waste that is discovered during load checks and to properly manage prohibited waste that is inadvertently received.
5.3	Fire prevention	The licensee must provide fire prevention, protection, and control measures, including but not limited to, adequate water supply for fire suppression, and the isolation of potential heat sources and/or flammables from the processing and storage areas.
5.4	Adequate vehicle accommodation	The licensee must: <ol style="list-style-type: none"> 1. Provide access roads of sufficient capacity to adequately accommodate all on-site vehicular traffic. The licensee must maintain access roads 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 cannot 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 must reject prohibited waste upon discovery and properly manage and dispose of prohibited waste when inadvertently received.

		<ol style="list-style-type: none"> 2. The licensee must maintain 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 will visibly inspect the load and deny any 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 must be covered and enclosed to prevent leaking and contamination. c) Record maintenance. The licensee must maintain records evidencing the training of facility personnel to recognize, properly handle and dispose prohibited waste. The licensee must make these records available for review by Metro. 3. Upon discovery, the licensee must remove all prohibited or unauthorized wastes or manage the waste in accordance with DEQ requirements and procedures established in the operating plan. The licensee must remove from the site all prohibited or unauthorized wastes the licensee inadvertently receives and transport the waste to an appropriate destination within 90 days of receipt, unless DEQ or a local government requires that it be removed sooner.
5.6	Storage and exterior stockpiles	<p>The licensee must:</p> <ol style="list-style-type: none"> 1. Manage, contain, and remove stored materials and solid wastes at sufficient frequency 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; and 4. Not stockpile recovered or source-separated materials for longer than 180 days (6 months) unless such material is composting feedstock that is received and managed in accordance with this license and facility operating plan.
5.7	Dust, airborne debris and litter	<ol style="list-style-type: none"> 1. The licensee must operate the facility in a manner that minimizes and mitigates the dust generation, airborne debris and litter, and which prevents its migration beyond property boundaries. 2. The licensee must: <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

		<p>during transit.</p> <p>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.</p> <p>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 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 licensee is accepting solid waste or recyclable materials, licensee must allow authorized representatives of Metro (including law enforcement personnel on contract to Metro) to have access to the facility premises for the purpose of making contact with individuals that Metro representatives 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	<ol style="list-style-type: none"> 1. The licensee must operate the facility in a manner that prevents off-site malodors. 2. The licensee must follow procedures in the operating plan for minimizing malodor at the facility.
5.9	Vectors (e.g. birds, rodents, insects)	<ol style="list-style-type: none"> 1. The licensee must operate the facility in a manner that is not conducive to the harborage of rodents, birds, insects, or other vectors capable of transmitting, directly or indirectly, infectious diseases to humans or from one person or animal to another. 2. If vectors are present or detected at the facility, the licensee must implement vector control measures.
5.10	Noise	The licensee must operate the facility in a manner that prevents noise that causes adverse off-site impacts, and to the extent necessary the licensee must meet applicable noise regulatory standards and land-use regulations.
5.11	Water contaminated by solid waste and solid waste leachate	<p>The licensee must operate the facility consistent with an approved DEQ stormwater management plan (or equivalent), and must:</p> <ol style="list-style-type: none"> a) Operate and maintain the facility to prevent contact of solid wastes with storm water runoff and precipitation;

		<p>b) Dispose of or treat water contaminated by solid waste generated onsite in a manner complying with local, state, and federal laws and regulations.</p>
5.12	Access control	<ol style="list-style-type: none"> 1. The licensee must control access to the facility as necessary to prevent unauthorized entry and dumping. 2. The licensee must maintain a gate or other suitable barrier at potential vehicular access points to prevent unauthorized access to the site when an attendant is not on duty.
5.13	Signage	<p>The licensee must post signs at all public entrances to the facility, and in conformity with local government signage regulations. These signs must be easily and readily visible, and legible from off-site during all hours and must contain at least the following information:</p> <ol style="list-style-type: none"> a) Name of the facility b) Address of the facility; c) Telephone number of facility; d) Emergency telephone number for the facility if different than that listed in subsection (c) above; e) Operating hours during which the facility is open for the receipt of authorized waste; f) Fees and charges; g) Metro's name and telephone number (503) 234-3000; h) A list of authorized and prohibited wastes; i) Vehicle / traffic flow information or diagram; j) Covered load requirements; and k) Directions not to queue on public roadways.
5.14	Nuisance complaints	<ol style="list-style-type: none"> 1. The licensee must respond to all nuisance complaints in a timely manner (including, but not limited to, blowing debris, fugitive dust or malodors, noise, traffic, and vectors), and keep a record of these complaints and any action taken to respond to the complaints, including actions to remedy the conditions that caused the complaint. 2. If the facility receives a complaint, the licensee must: <ol style="list-style-type: none"> a) Attempt to respond to that complainant within one business day, or sooner as circumstances may require, and retain documentation of its attempts (whether successful or unsuccessful); and b) Log all such complaints as provided by the operating plan. The licensee must retain each log entry for one year and it must be available for inspection by Metro.

5.15	Access to license document	The licensee must maintain a copy of this license on the facility's premises, and in a location where facility personnel and Metro representatives have ready access to it.
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6.0	OPERATING PLAN	
6.1	Plan compliance	The licensee must operate the facility in accordance with an operating plan approved in writing by the COO. The operating plan must include sufficient detail to demonstrate that the facility will be operated in compliance with this license. The licensee may amend or revise the operating plan from time to time, subject to written approval by the COO.
6.2	Plan maintenance	The licensee must revise the operating plan as necessary to keep it current with facility conditions, procedures, and requirements. The licensee must submit revisions of the operating plan to the COO for written approval prior to implementation.
6.3	Access to operating plan	The licensee must maintain a copy of the operating plan on the facility premises and in a location where facility personnel and Metro representatives have ready access to it.
6.4	Procedures for inspecting loads	<p>The operating plan must include:</p> <ul style="list-style-type: none"> a) Procedures for inspecting incoming loads for the presence of prohibited or unauthorized wastes; and b) A set of objective criteria for accepting and rejecting loads.
6.5	Procedures for processing and storage of loads	<p>The operating plan must include procedures for:</p> <ul style="list-style-type: none"> a) Processing authorized solid wastes; b) Reloading and transfer of authorized solid wastes; c) Managing stockpiles to ensure that they remain within the authorized volumes and pile heights; d) Storing authorized solid wastes; and e) Minimizing storage times and avoiding delay in processing of authorized solid wastes.
6.6	Procedures for managing prohibited wastes	The operating plan must include procedures for managing, reloading, and transporting to appropriate facilities or disposal sites each of the prohibited or unauthorized wastes if they are discovered at the facility. In addition, the operating plan must include procedures and methods for notifying generators not to place hazardous wastes or other prohibited wastes in drop boxes or other collection containers destined for the facility.

6.7	Procedures for odor prevention	<p>The operating plan must include procedures for preventing malodors generated at the facility from being detected off the premises of the facility. The plan must include:</p> <ul style="list-style-type: none"> a) A management plan that will be used to monitor and manage malodors of any derivation including malodorous loads delivered to the facility; and b) Procedures for receiving and recording odor complaints, immediately investigating any odor complaints to determine the cause of odor emissions, and remedying promptly any malodor problem at the facility.
6.8	Procedures for dust prevention	<p>The operating plan must include procedures for preventing dust from blowing off the premises of the facility. The plan must include:</p> <ul style="list-style-type: none"> a) A management plan that will be used to monitor and manage dust of any derivation; and b) Procedures for receiving and recording dust complaints, immediately investigating any dust complaints to determine the cause of dust emissions, and remedying promptly any dust problem at the facility.
6.9	Procedures for emergencies	<p>The operating plan must include procedures to be followed in case of fire or other emergency.</p>
6.10	Procedures for nuisance complaints	<ol style="list-style-type: none"> 1. For every nuisance complaint (e.g. odor, dust, vibrations, litter) received, the licensee must record: <ul style="list-style-type: none"> a) The nature of the complaint; b) The date the licensee received the complaint; c) The name, address and telephone number of the person or persons making the complaint; and d) Any actions taken by the licensee in response to the complaint (whether successful or unsuccessful). 2. The licensee must make nuisance complaint records available to Metro upon request. The licensee must retain each complaint record for a period of not less than one year.
6.11	Closure protocol	<p>The operating plan must include protocol for closing and restoring the site in the event the licensee ceases operations. The plan must include procedures for:</p> <ul style="list-style-type: none"> a) Short term closure (more than seven consecutive days but less than 30 consecutive days in length); and b) Long term closure (30 consecutive days or more in length).