



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

METRO SOLID WASTE FACILITY LICENSE

No. L-124-18

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| LICENSEE: Oil Re-Refining Company, Inc. 4150 North Suttle Road Portland, OR 97217 Phone: (503) 286-8352 | FACILITY NAME AND LOCATION: Oil Re-Refining Company, Inc. 4150 North Suttle Road Portland, OR 97217 Phone: (503) 286-8352 |
| OPERATOR: Oil Re-Refining Company, Inc. 4150 North Suttle Road Portland, OR 97217 Phone: (503) 286-8352 | PROPERTY OWNER: Merit USA, Inc. 4150 North Suttle Road Portland, OR 97217 Phone: (503) 286-8352 |

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 | Oil Re-Refining Company, Inc. 4150 North Suttle Road Portland, OR 97217 Phone: (503) 286-8352 Fax: (503) 286-5027 |
| 1.2 | Contact | Jonathan Bouselaire Tel: (503) 286-8352 E-mail: jbouselaire@orrcorecycles.com |
| 1.3 | License number | When referring to this license, please cite: Metro Solid Waste Facility License No. L-124-18. |
| 1.4 | Term | The license term is from January 1, 2018 to June 30, 2022 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 Section 5.01.110. |
| 1.6 | Facility name and mailing address | Oil Re-Refining Company, Inc. 4150 North Suttle Road Portland, OR 97217 Phone: (800) 367-8894 Fax: (503) 286-5027 |
| 1.7 | Operator | Oil Re-Refining Company, Inc. 4150 North Suttle Road Portland, OR 97217 Phone: (800) 367-8894 Fax: (503) 286-5027 |
| 1.8 | Facility legal description | Tax lots 1100, 1200, 1300, 1400, & 1700, Section 32, Township 2N, Range 1E, City of Portland, Multnomah County, State of Oregon |
| 1.9 | Property owner | Merit USA, Inc. 4150 North Suttle Road Portland, OR 97217 Phone: (503) 286-8352 Fax: (503) 286-5027 |
| 1.10 | Permission to operate | The licensee owns the property on which the facility is located. |

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| 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. |

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| 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. |

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| 3.0 | AUTHORIZATIONS | |
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| 3.1 | General conditions on activities | <ol style="list-style-type: none"> 1. The licensee is authorized to perform at the facility those waste-related activities that are described in Section 3.0. 2. Notwithstanding subsection 1 above, this license does not regulate the acceptance, management, and processing of hazardous wastes, used oil, or universal wastes that are otherwise regulated at the facility by the Oregon Department of Environmental Quality (DEQ). This license does not regulate non-waste-related activities. |
| 3.2 | General conditions on solid waste | The licensee is authorized to accept at the facility the solid wastes described in Section 3.0 and otherwise authorized by DEQ. The licensee is prohibited from knowingly receiving any solid waste not authorized in this section. |
| 3.3 | Acceptance and management of cleanup material and petroleum-contaminated solids | <ol style="list-style-type: none"> 1. The licensee is authorized to accept cleanup material and other petroleum-contaminated solids for processing, consolidation, reloading, and transfer to authorized disposal facilities. Such wastes include, but are not limited to, spill cleanup material such as absorbents, used motor oil filters, petroleum-contaminated soil, petroleum grease, empty drums, and other containers. 2. The licensee must receive, process, store, reload, and transfer all such waste on an impervious surface (e.g., asphalt or concrete) and inside a roofed building, or alternatively, inside water-tight covered containers or transport trailers. |
| 3.4 | Management of processing residual | <ol style="list-style-type: none"> 1. The licensee must store all processing residual on an impervious surface and inside a roofed structure or alternatively, inside watertight covered or tarped containers or within covered or tarped transport trailers. 2. The licensee must all processing residual physically separated from and not mixed or commingled with source-separated recyclable materials. |

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| 4.0 | LIMITATIONS AND PROHIBITIONS | |
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| 4.1 | Prohibited waste | The licensee must not knowingly receive, process, reload or dispose of any solid waste not authorized in this license or otherwise regulated and authorized in writing by DEQ. The licensee must not knowingly receive or retain any material amounts of the following types of wastes: non-putrescible |
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| | | waste other than that specifically allowed in Section 3.0, putrescible waste, special waste, creosote-treated wood, materials contaminated with or containing friable asbestos; lead acid batteries; liquid waste for disposal; vehicles; infectious, biological or pathological waste; radioactive waste; hazardous waste; any waste prohibited by the DEQ. |
| 4.2 | 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. |

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| 5.0 | OPERATING CONDITIONS | |
| 5.1 | 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. |
| 5.2 | 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. |
| 5.3 | Adequate vehicle accommodation | <p>The licensee must:</p> <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. Provide adequate off-street parking and queuing for vehicles. 4. Provide adequate space on-site for covering and uncovering loads. 5. Post signs to inform customers not to queue on public roadways. |

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| <p>5.4</p> | <p>Managing prohibited wastes</p> | <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. 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. |
| <p>5.5</p> | <p>Storage and exterior stockpiles</p> | <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. |
| <p>5.6</p> | <p>Dust, airborne debris and litter</p> | <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 during transit. b) Maintain and operate all vehicles and devices transferring or transporting solid waste from the facility to prevent leaking, spilling or blowing of solid waste on-site or while in transit. |

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| | | <ul style="list-style-type: none"> 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. 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. 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. 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. |
| 5.7 | Odor | <ul 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. 3. This license does not regulate air emissions as otherwise regulated at the facility by DEQ. |
| 5.8 | Vectors (e.g. birds, rodents, insects) | <ul 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. |
| 5.9 | 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. |
| 5.10 | 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> <ul style="list-style-type: none"> a) Operate and maintain the facility to prevent contact of solid wastes with storm water runoff and precipitation; b) Dispose of or treat water contaminated by solid waste generated onsite in a manner complying with local, state, and federal laws and regulations. |
| 5.11 | Access control | <ul style="list-style-type: none"> 1. The licensee must control access to the facility as necessary to prevent unauthorized entry and dumping. |

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| | | <p>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.</p> |
| 5.12 | 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> <ul 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) Metro's name and telephone number (503) 234-3000; f) Directions not to queue on public roadways. |
| 5.13 | 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 must 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: <ul 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. |
| 5.14 | Access to license document | <p>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.</p> |

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| 6.0 | OPERATING PLAN | |
| 6.1 | Plan compliance | <p>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.</p> |

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| 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 | The operating plan must include: <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 | The operating plan must include procedures for: <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 malodor prevention | 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: <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 malodor complaints, immediately investigating any malodor complaints to determine the cause of malodor emissions, and remedying promptly any malodor problem at the facility. |
| 6.8 | Procedures for dust prevention | The operating plan must include procedures for preventing dust from blowing off the premises of the facility. The plan must include: |

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| | | <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 | The operating plan must include procedures to be followed in case of fire or other emergency. |
| 6.10 | Procedures for nuisance complaints | <ol style="list-style-type: none"> 1. For every nuisance complaint (e.g. malodor, 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). |

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| 7.0 | FEES AND RATES | |
| 7.1 | Annual fee | The licensee must pay an annual license fee, as established in Metro Code Chapter 5.01. Metro reserves the right to change the license fee at any time by Metro Council action. |
| 7.2 | Rates not regulated | Metro does not regulate the tipping fees and other rates charged at the facility. |
| 7.3 | Metro fee and tax imposed at time of disposal | The licensee is liable for payment of the Metro regional system fee, as provided in Metro Code Title V, and the Metro excise tax, as provided in Metro Code Title VII, on all solid wastes delivered to a disposal site. |