



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

## METRO SOLID WASTE FACILITY NON-SYSTEM LICENSE

### No. N-119-16C

|                         |                                                                                                                                                        |
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| <b>LICENSEE:</b>        | West Linn Refuse and Recycling, Inc.<br>1600 SE 4 <sup>th</sup> Avenue<br>Canby, OR 97013                                                              |
| <b>CONTACT PERSON:</b>  | Andy Kahut<br>Phone: (503) 936-3743<br>Fax: (503) 263-6477<br>E-mail: <a href="mailto:akahut@kahutwasteservices.com">akahut@kahutwasteservices.com</a> |
| <b>MAILING ADDRESS:</b> | West Linn Refuse and Recycling, Inc.<br>P.O. Box 550<br>Canby, OR 97013                                                                                |

This non-system license replaces and supersedes the provisions of Metro Solid Waste Facility Non-System License No. N-119-16B.

**ISSUED BY METRO:**

A handwritten signature in black ink, appearing to read "Martha Bennett".

Martha Bennett,  
Chief Operating Officer

A handwritten date in black ink, "11/27/18".

Date

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| <b>1</b> | <b>NATURE OF WASTE COVERED BY LICENSE</b>                                                                                                                       |
|          | Putrescible solid waste that is generated by residential and commercial customers within the Metro region and collected by West Linn Refuse and Recycling, Inc. |

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| <b>2</b> | <b>CALENDAR YEAR TONNAGE ALLOCATION</b>                                                                                                                             |
|          | The licensee is authorized to transport to the non-system facilities described in Section 3 up to 9,000 tons per calendar year of the waste described in Section 1. |

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| <b>3</b> | <b>NON-SYSTEM FACILITIES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|          | <p>The licensee is authorized to transport the waste described above in Section 1 to Canby Transfer and Recycling, Inc. (located at 1600 SE 4<sup>th</sup> Avenue in Canby, Oregon) for the purpose of transfer and disposal as provided below:</p> <ul style="list-style-type: none"><li>(a) The licensee is authorized to transport the waste described above in Section 1 to the following non-system facilities:<ul style="list-style-type: none"><li>i. <u>Columbia Ridge Landfill</u> located at 18177 Cedar Springs Lane in Arlington, Oregon; and</li><li>ii. <u>Coffin Butte Landfill</u> located at 28972 Coffin Butte Road in Corvallis, Oregon.</li></ul></li><li>(b) This license is issued on condition that the non-system facilities named in this section are authorized to accept the type of waste described in Section 1. If Metro receives notice from the Oregon Department of Environmental Quality that these non-system facilities are not authorized to accept such waste, Metro may immediately terminate this license pursuant to Section 7.</li><li>(c) Metro's Chief Operating Officer (the "COO") may amend this section and any other applicable section to authorize an alternate non-system facility if the COO determines that the solid waste system or the public will benefit from, and will be better served by, transporting the waste described in this license to a facility other than those listed in this section.</li></ul> |

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| <b>4</b> | <b>TERM OF LICENSE</b>                                                                                                                          |
|          | The term of this license originally commenced on December 16, 2016, and expires on December 31, 2019, unless terminated sooner under Section 7. |

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| <b>5</b> | <b>REPORTING OF ACCIDENTS AND CITATIONS</b>                                                                                                                                       |
|          | The licensee must report to Metro any significant incidents (such as fires), accidents, and citations involving vehicles transporting the solid waste authorized by this license. |

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| <b>6</b> | <b>RECORD KEEPING AND REPORTING</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|          | <p>(a) The licensee must keep and maintain accurate records of the amount of all waste that the licensee transports to the non-system facilities described in Section 3. These records include the information specified in the Metro document titled, <u>Reporting Requirements and Data Standards for Metro Solid Waste Licensees, Franchisees, and Parties to Designated Facility Agreements</u>.</p> <p>(b) The licensee must perform the following no later than fifteen days following the end of each month:</p> <ul style="list-style-type: none"><li>i. Transmit to Metro the records required under Section 6(a) above in an electronic format prescribed by Metro;</li><li>ii. Submit to Metro a Regional System Fee and Excise Tax Report, that covers the preceding month; and</li><li>iii. Remit to Metro the requisite Regional System Fees and Excise Taxes in accordance with the Metro Code provisions applicable to the collection, payment, and accounting of such fees and taxes.</li></ul> <p>(c) The licensee must make available to Metro (or Metro's designated agent) all records from which Sections 6(a) and 6(b) above are derived for its inspection or copying, as long as Metro provides at least three business days written notice of an intent to inspect or copy documents. The licensee must, in addition, sign or otherwise provide to Metro any consent or waiver necessary for Metro to obtain information or data from a third party, including the non-system facilities named in Section 3.</p> |

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| <b>7</b> | <b>ADDITIONAL LICENSE CONDITIONS</b>                                                                                                                                                                                                                                                                                                                                                                                         |
|          | <p>This license is subject to the following conditions:</p> <p>(a) The permissive transport of solid waste to the non-system facilities, listed in Section 3, authorized by this license is subordinate to any subsequent decision by Metro to direct the solid waste described in this license to any other facility.</p> <p>(b) The COO may amend or terminate this license in the event that the COO determines that:</p> |

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|  | <ul style="list-style-type: none"> <li>i. There has been sufficient change in any circumstances under which Metro issued this license;</li> <li>ii. The provisions of this license are actually or potentially in conflict with any provision in Metro's disposal contract with Oregon Waste Systems, Inc.; or</li> <li>iii. Metro's solid waste system or the public will benefit from, and will be better served by, an order directing that the waste described in Section 1 be transported to, and disposed of at, a facility other than the facilities listed in Section 3.</li> </ul> <ul style="list-style-type: none"> <li>(c) This license, in addition to subsections (b)(i) through (b)(iii), above, is subject to amendment, suspension, or termination pursuant to the Metro Code.</li> <li>(d) The licensee must not transfer or assign any right or interest in this license without prior written notification to, and approval of, Metro.</li> <li>(e) This license will terminate upon the execution of a designated facility agreement with any of the facilities listed in Section 3 that authorizes the acceptance of the waste described in Section 1.</li> <li>(f) This license authorizes the transport of solid waste to the facilities listed in Section 3. Transport of waste generated from within the Metro boundary to any non-system facility other than those specified in this license is prohibited unless authorized in writing by Metro.</li> <li>(g) If the licensee exceeds the calendar year limitation set forth in Section 2, each ton or portion thereof by which the licensee exceeds the limitation constitutes a separate violation subject to a penalty of up to \$500.</li> </ul> |
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| <b>8</b> | <b>COMPLIANCE WITH LAW</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|          | <p>The licensee must fully comply with all applicable local, regional, state and federal laws, rules, regulations, ordinances, orders, and permits pertaining in any manner to this license, including all applicable Metro Code provisions and administrative rules adopted pursuant to Chapter 5.05 whether or not those provisions have been specifically mentioned or cited herein. All conditions imposed on the collection and hauling of the licensee's solid waste by federal, state, regional or local governments or agencies having jurisdiction over solid waste generated by the licensee is deemed part of this license as if specifically set forth herein.</p> |

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| <b>9</b> | <b>INDEMNIFICATION</b>                                                                                                                                                                                                                                            |
|          | <p>The licensee must defend, indemnify and hold harmless Metro, its elected officials, officers, employees, agents and representatives from any and all claims, demands, damages, causes of action, or losses and expenses, or including all attorneys' fees,</p> |

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|  | whether incurred before any litigation is commenced, during any litigation or on appeal, arising out of or related in any way to the issuance or administration of this non-system license or the transport and disposal of the solid waste covered by this license. |
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