



Definitions:

“Aerobic active composting” means the managed process of controlled biological decomposition of feedstocks until pathogen reduction is achieved. A managed process includes, but is not limited to, reducing feedstock particle size, manipulating air through the material utilizing either positive or negative methods, adding moisture, mixing feedstocks, manipulating compost piles, and performing procedures to achieve pathogen reduction.

Due dates:

1. Fire Code 40’ pile heights – **January 1, 2019**
2. Updated operating plan – **January 31, 2019**, including:
 - Site plan;
 - Odor minimization plan
3. Community engagement plan – **March 4, 2019**, including such as:
 - Good Neighbor Agreement
 - Open house gathering(s)
 - Flyers
 - Informational tour(s)
4. Fire Code pile heights – **April 30, 2019**
5. Metro 14’ pile height – **December 31, 2019**

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	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.

		<ol style="list-style-type: none"> 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	<ol style="list-style-type: none"> 1. 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. 2. <u>The licensee must comply with all applicable Oregon Fire Code requirements including, but not limited to, site access and pile size requirements.</u> 2-3. <u>Unless otherwise specified in this license, the licensee must not stockpile materials more than 25-feet in height, 150-feet in width and 250-feet in length after April 30, 2019.</u>
5.4	Adequate vehicle accommodation	<p>The licensee must:</p> <ol style="list-style-type: none"> 1. Provide <u>on-site</u> access roads of sufficient capacity to adequately accommodate all 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 materials 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 on-site 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. 2. The licensee must maintain a load-checking program to prevent the acceptance of waste that is prohibited by the license. Load-checking 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 reject any waste that is prohibited by the license. b) Containment area. A secured and isolated containment area for the storage of prohibited wastes that are inadvertently received.

		<p>Containment areas must be covered and enclosed to prevent leaking and contamination.</p> <p>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.</p> <p>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>
5.6	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 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 controls and mitigates-minimizes the generation of dust, 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. c) Maintain and operate all access roads and receiving, processing (including grinding), storage, and reload areas in such a manner as to minimize-control dust and debris generated on-site and prevent minimize such dust and debris from blowing or settling off-site.

		<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 <u>minimize</u> 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 Chapter 5.09.</p>
5.8	Odor	<ol style="list-style-type: none"> 1. The licensee must operate the facility in a manner that prevents <u>controls and minimizes</u> off-site mal odors. 2. The licensee must establish and follow an odor minimization plan as approved in writing by the Chief Operating Officer.
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 <u>Control</u> storm water runoff and precipitation that has <u>contacted compost materials including feedstock;</u> b) Dispose of or treat water contaminated by solid waste generated onsite in a manner complying with local, state, and federal laws and regulations.
5.12	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.

		<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>
5.13	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> <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) 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	<p>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.</p> <p>2. If the facility receives a complaint, the licensee must:</p> <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 three <u>one</u> years and it must be available for inspection by Metro.
5.15	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>

new	Performance Requirements	
new	Pile size	<ol style="list-style-type: none"> 1. By December 31, 2019, aerobic active composting materials may not exceed 14-feet in height, including any cover material. 2. By April 30, 2019, all materials onsite, including finished stockpiles, must comply with the Oregon Fire Code of 25-feet in height, 150-feet in width and 250-feet in length.
new	Cover material	<ol style="list-style-type: none"> 1. The licensee must apply a cover, such as an engineered mix of porous overs and finished composted materials, to all aerobic active composting piles, unless otherwise approved in writing by the COO. 2. The licensee must describe in the operating plan how it will adequately maintain the cover.
new	Bulk density	The licensee must maintain aerobic active composting piles with adequate bulk density as described in the operating plan and approved in writing by the COO.
new	No disturbance of materials	<ol style="list-style-type: none"> 1. To achieve pathogen reduction, the licensee must not disturb materials for a minimum of 15 days upon placement in an aerobic active composting pile. 2. The licensee may only disturb aerobic active composting piles to maintain or achieve optimal conditions as specified in its operating plan. 3. The licensee must keep a log onsite of active composting pile disturbances including date, time, and the reason for the disturbance and make the log available to Metro for inspection upon request.
new	Aerated System	<ol style="list-style-type: none"> 1. The licensee must design, operate, and maintain an aeration system that provides a minimum aeration of ten percent oxygen content to all of the aerobic active composting piles. 2. The continuous aeration system, including applicable air cycles, must be described in the operations plan. 3. The licensee must monitor and record oxygen levels at a prescribed frequency as described in the operations plan.
new	Capture and treatment of air over processing equipment	<ol style="list-style-type: none"> 1. The licensee must capture odors at the equipment used for screening and processing of compost. 2. The licensee must direct all captured air required under this section to a properly designed and maintained bio-filter.
new	Oxygen monitoring	1. The licensee must describe in the operating plan how it will maintain optimal oxygen levels above five percent in the aerobic active composting piles.

		<ol style="list-style-type: none"> 2. The licensee must describe in the operating plan what actions it will take if oxygen levels drop below five percent. 3. The licensee must describe in the operations plan how and when it will monitor for oxygen levels to ensure optimal levels are being achieved. 4. The licensee must maintain a log onsite with these oxygen monitoring records onsite.
new	Compost monitoring parameters	<ol style="list-style-type: none"> 1. The licensee must describe in the operating plan the method and frequency in which it will monitor and record composting parameters including: <ol style="list-style-type: none"> a) Nutrient balance (carbon to nitrogen ratio) b) Moisture content c) Aeration d) Acidity (pH) e) Stability f) Electrical conductivity g) Heavy metals h) Temperature i) Oxygen j) Fecal coli form and salmonella k) Retention time 2. The licensee must maintain a record of these composting parameter on site.
new	Pathogen Reduction	The licensee must describe in the operating plan how it will achieve pathogen reduction on all compost processed at the facility. The plan must include a Process to Further Reduce Pathogens (PFRP) during aerobic active composting.
new	Temperature monitoring	<ol style="list-style-type: none"> 1. The licensee must monitor and record temperatures for each aerobic active composting pile on a daily basis for at least 15 consecutive days. 2. The licensee must document the temperature of all composting piles, including curing piles, at least weekly. 3. The licensee must describe in the operating plan the measures it will implement when the temperatures are outside of the acceptable range, including but not limited to, the types of equipment used both for temperature readings and performing corrective actions. 4. The licensee must maintain a log onsite with these records.
new	Community engagement plan –	<ol style="list-style-type: none"> 1. By March 4, 2019, the licensee must establish and submit to Metro a community engagement plan that must be approved in writing by the COO. 2. The community engagement plan must describe, at a minimum, how the facility will perform outreach to residents and business located in

		<p>proximity to the facility (such as good neighbor agreement, informational tours, open house gatherings, flyers, etc.).</p> <p>3. By December 31, 2019, the licensee must either establish a mutually agreed upon plan with local community group(s) or demonstrate to Metro that it made a good faith effort to engage with the local community.</p>
new	Compost operator training	<p>1. The licensee must establish a training program for its qualified operators, including continuing education. The licensee must describe the training program in the operating plan.</p> <p>2. The licensee must maintain a log onsite with training attendance records.</p> <p>3. The licensee must provide copies of training records or certificates to Metro upon request.</p>

6.0	OPERATING PLAN	
6.2	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 comply with this license. The licensee may amend or revise the operating plan from time to time. Revisions to the plan are subject to written approval by the COO.
6.3	Plan maintenance	<p>1. The licensee must submit an updated operating plan to the COO by January 31, 2019 as provided in Section 6.0 of this license. The licensee must revise the operating plan as necessary to reflect current facility conditions, procedures, and requirements. The licensee must submit revisions of the operating plan to the COO for written approval before the licensee implements the revisions.</p> <p>2. By January 31, 2019, the licensee must identify the locations of all stockpiles including underlying substrate on a site plan and submit it to Metro.</p>
6.4	Access to operating plan	The licensee must maintain a copy of the operating plan on the facility premises and in a location readily accessible to facility personnel and Metro representatives.
6.5	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.

<p>6.6</p>	<p>Procedures for processing and storage of loads</p>	<p>The operating plan must include procedures for:</p> <ul style="list-style-type: none"> a) Processing authorized materials described in Section 3.0; b) Reloading and transfer of authorized materials described in Section 3.0; c) Managing all material stockpiles within the authorized size requirements as specified in this license; d) Storing authorized materials; and e) Minimizing storage times and avoiding delay in processing of authorized materials.
<p>new</p>	<p>Procedures for composting operations</p>	<p>The operating plan must include procedures for:</p> <ul style="list-style-type: none"> a) Incorporating feedstock into aerobic active composting piles within 24 hours of receipt; b) Covering aerobic active composting piles (e.g. bio-cover); c) Managing the cover appropriately, including but not limited to, ensuring the optimal moisture content range between 40 percent to 60 percent is achieved for a bio-cover; d) Identify criteria and situations necessary for disturbing the aerobic active composting pile, including the types of corrective actions and equipment used; e) Management of malodorous incoming feedstock; and f) Managing feedstocks during all weather conditions and seasonal variability of incoming feedstocks to achieve appropriate nutrient balance (carbon to nitrogen ratio).
<p>new</p>	<p>Procedures for pile maintenance</p>	<p>The operating plan must include procedures and schedule for:</p> <ul style="list-style-type: none"> a) Maintaining aerobic active composting materials no more than 14-feet in height, including the cover material; b) Applying and maintaining a cover, such as bio-cover comprised of an engineered mix of porous overs and composted materials applied at a minimum depth of 12-inches and covering all sides of the piles. The licensee must use a bio-cover unless an alternate cover is pre-approved in writing by the COO; and c) Maintaining aerobic active composting piles with adequate bulk density, not to drop below 30 percent including specification of a readily available supply of bulking agents

new	Procedures for oxygen monitoring	<p>The operating plan must include procedures for:</p> <ul style="list-style-type: none"> a) Maintaining optimal oxygen levels in the aerobic active composting piles and measures the licensee will take if oxygen levels drop below five percent; and b) Testing oxygen levels, including frequency, to ensure optimal levels, 10 percent and above, are achieved.
new	Pathogen reduction	<p>The operating plan must include procedures for achieving pathogen reduction on all compost processed at the facility. The plan must include:</p> <ul style="list-style-type: none"> a) A description of the PFRP used at the facility during aerobic active composting; b) Methods the facility will use for sampling and testing of compost material; c) Procedures the facility will use for handling material that does not meet pathogen reduction standards.
new	Procedures for temperature monitoring	<p>The licensee must describe in the operating plan its procedures for monitoring and tracking temperatures of composting materials. The plan must include:</p> <ul style="list-style-type: none"> a) A description of the equipment the licensee will use to monitor temperatures; b) Procedures for documenting temperatures on a daily basis for each aerobic active composting pile for at least 15 total days; c) Procedures for monitoring and documenting the temperature of all composting piles, including curing piles, at least weekly; and d) Procedures for managing piles in the event the temperatures are outside of the acceptable range including equipment used for corrective actions.
6.7	Procedures for managing prohibited wastes	<p>The operating plan must include procedures for:</p> <ul style="list-style-type: none"> a) Managing, reloading, and transporting to appropriate facilities or disposal sites each of the prohibited or unauthorized wastes if they are discovered at the facility; and b) Notifying generators not to place hazardous wastes or other prohibited wastes in drop boxes or other collection containers destined for the facility.
6.8	Odor minimization plan	<p>The operating plan must include procedures for controlling and minimizing odors 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 odors

		<p>of any derivation including malodorous loads delivered to the facility; and</p> <ul style="list-style-type: none"> b) Procedures for receiving and recording odor complaints, immediately investigating any odor complaints to determine the cause of odor emissions, and remedying promptly any odor problem at the facility. c) Additional odor-minimizing measures as described in the odor minimization plan and approved in writing by the COO. d) Procedures for capturing air during screening and final processing of compost. e) Procedures for maintaining the bio-filters at the facility including irrigation, and a media replacement schedule.
6.9	Procedures for dust prevention	<p>The operating plan must include procedures for preventing dust from blowing off the premises. 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.
6.10	Procedures for emergencies	<p>The operating plan must include procedures to be followed in case of fire or other emergency.</p>
6.11	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 complaint was received; c) The name, address, email address, and telephone number of the person or persons making the complaint; and d) Any actions taken by the operator in response to the complaint (whether successful or unsuccessful). 2. The licensee must make these records available to Metro inspection upon request. The licensee must retain each complaint record onsite for a period of no less than three years.
6.12	Closure protocol	<p>As provided in Metro Code Chapter 5.01, the licensee must describe protocol to close and restore the site in the event operations cease. The plan must include procedures for:</p>

		<p>a) Short term closure (duration of time that is more than seven consecutive days but less than 30 consecutive days in length); and</p> <p>b) Long term closure (duration of time that is 30 consecutive days or more in length).</p>
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8.0	RECORD KEEPING AND REPORTING	
8.1	Record keeping requirements	For all materials the licensee is authorized to receive under Section 3.0, including yard debris, the licensee must keep and maintain complete and accurate records of the amount of those materials that the licensee receives, reloads, recovers for delivery for reuse or recycling markets, and disposes.
8.2	Reporting requirements	The licensee must transmit to Metro the records required under Section 8.1 no later than fifteen days following the end of each month in the form and format prescribed by Metro.
8.3	DEQ submittals	If the licensee submits to DEQ any correspondence, exhibits, or documents relating to the terms or conditions of the DEQ solid waste permit or this license, then the licensee must submit copies of that information to Metro within two business days of submitting it to DEQ.
8.4	Copies of enforcement actions provided to Metro	If the licensee receives any notice of violation or non-compliance, citation, or any other similar enforcement action related to the facility's operation from any federal, state or local government (other than Metro), then licensee must send copies of the enforcement action to Metro within two business days of receipt.
8.5	Unusual occurrences	<ol style="list-style-type: none"> 1. The licensee must keep and maintain accurate records of any unusual occurrences (such as fires or any other significant disruption) encountered during operation and methods used to resolve problems arising from these events, including details of all incidents that required implementing emergency procedures. 2. If a breakdown of the licensee's equipment occurs that will substantially impact the facility's ability to remain in compliance, or create off-site impacts, the licensee must notify Metro within 24 hours of the breakdown. 3. The licensee must report any facility fires, accidents, emergencies, and other significant incidents to Metro at (503) 234-3000 within 12 hours of the discovery of their occurrence.
8.6	Transfer of ownership or control of facility	<ol style="list-style-type: none"> 1. The licensee must notify Metro within 10 days if the licensee leases, assigns, mortgages, sells or otherwise transfers the control of the facility to another person, whether whole or in part.

		2. The term for any transferred license is for the remainder of the original term unless the COO establishes a different term.
new	Records of performance requirements	<ol style="list-style-type: none"> 1. The licensee must keep and maintain complete and accurate records of all sampling, testing, monitoring and training on the facility premises and in a location where facility personnel and Metro representatives have ready access to it. 2. The licensee must make records of this information available to Metro upon request. The licensee must retain each record for a period of no less than three years.
new	Records subject to Metro inspection	The licensee must keep and maintain complete and accurate records and required logs subject to Metro inspection upon request.