

Solid Waste Facility License Application



Metro

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

INSTRUCTIONS

1. Complete all applicable parts of application.
2. Review confidentiality section and sign last page of application.
3. Attach required documents. *(If submitting printed copies, please print double-sided.)*
4. Submit application, attachments and application fee using one of the following methods:
 - a. **Online:**
 - Email the completed application to SWICC@oregonmetro.gov. Contact Joanna Dyer for assistance with large files (contact information below).
 - Call Metro's Accounts Receivable at 503-797-1620 to pay the application fee by credit card.

- b. **By Mail:** Mail the completed application and a check for the application fee to:

Metro
Waste Prevention and Environmental Services
Attn: Joanna Dyer
600 NE Grand Avenue
Portland, OR 97232-2736

Questions? Contact Joanna Dyer, Metro's Solid Waste Authorization Coordinator, at 971-401-0976 or joanna.dyer@oregonmetro.gov.

PART 1 – Standard License Application Information

1. Applicant (Licensee)	
Facility Name:	K.B. Recycling, Inc.
Company Name:	Kahut Companies Holdings, Inc. dba KB Recycling Inc.
Facility Street Address, City, State, Zip:	9602 SE Clackamas Road Clackamas, OR 97015
Facility Mailing Address, City, State, Zip:	P.O. Box 550 Canby, OR 97013
Contact Person & Title:	Jason Hudson, Division Vice President
Phone Number:	503-318-1572
E-mail Address:	jason.hudson@wasteconnections.com

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2. Type of Application (please check one)		
<input type="checkbox"/>	New license <i>Date of Pre-Application Conference:</i> _____	
<input checked="" type="checkbox"/>	Renewal of an existing license	<i>Current Metro Solid Waste Facility License Number:</i> <u>L-007-17</u>
<input type="checkbox"/>	Change of authorization to an existing license (other than a renewal) <i>Please describe the proposed change below in Section 4.</i>	
<input type="checkbox"/>	Transfer of ownership or control of an existing license	

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

4. 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.

5. Applicant's Owner or Parent Company (Provide information for all owners and corporate structure if applicable)	
Company Name:	Kahut Companies Holdings, Inc. dba KB Recycling Inc.
Mailing Address, City, State, Zip:	P.O. Box 550 Canby, OR 97013
Contact Person & Title:	Jason Hudson, Division Vice President
Phone Number:	503-318-1572
E-mail Address:	jason.hudson@wasteconnections.com

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6. Site Operator (if different from Applicant)	
Company Name:	
Mailing Address, City, State, Zip:	
Contact Person & Title:	
Phone Number:	
E-mail Address:	

7. Site Description			
Tax Lot(s): 101, 200, 300, 301, 302, 1701 W.M.	Section: 09DA, 09DB	Township: 2S	Range: 2E

8. Land Use		
Present Land Use Zone:		
Is proposed use permitted outright?	<input checked="" type="checkbox"/> Yes If yes, attach a copy of the <i>Land Use Compatibility Statement</i> (See Attachment D).	<input 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> (See Attachment F)	<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
Description of the pending land use issues identified above:		
Are any permits required from the Oregon Department of Environmental Quality (DEQ)?	<input checked="" type="checkbox"/> Yes If yes, please list all DEQ permits below and attach copies with this application (see Attachment F).	<input type="checkbox"/> No
Listing of all required DEQ permits:	- DEQ Solid Waste Disposal Site Permit 480, Expires March 20, 2030 - General Permit NPDES ISDP No. 1200-Z, Expires June 30, 2026	
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 F).	<input checked="" type="checkbox"/> No

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Listing of other required permits:	
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9. Land Owner

Is the applicant the sole owner of the property on which the facility is located?	<input checked="" type="checkbox"/> Yes	<input 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 E).
Property Owner:	Kahut Companies Holdings, Inc. dba KB Recycling Inc.	
Mailing Address, City, State, Zip:	P.O. Box 550 Canby, OR 97013	
Phone Number:	503-318-1572	
E-mail Address:	jason.hudson@wasteconnections.com	

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	8:00 am to 3:30 pm	6:00 am to 6:00 pm	6:00 am to 6:00 pm
Customer Hours (if different)			
Estimated Vehicles Per Day	20	25	17

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12. Inbound Waste/Feedstock by Type

Identify the types of waste/feedstock and annual tonnage amounts 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 post at the facility, and the 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	390	Segregation	Market Rate	1 hour
Source-Separated Yard Debris:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Source-Separated Yard Debris Combined with Residential Food Waste:	<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.):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Non-Putrescible (dry) Waste:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	2,910	MRF Sorting	Market Rate	8 hours
Source-Separated Recyclables:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	13,100	MRF Sorting	Market Rate	8 hours
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): OCC, fiber, glass, plastic, other principal recyclables	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	11,750	MRF Sorting	Market Rate	8 hours

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13. Inbound Waste/Feedstock by Generator

Identify the generator type and the expected annual tonnage of waste/feedstock that the facility will receive and recover from each type. Add additional rows if necessary.

Generator Type*	Tons Received**	Tons Recovered**	Tons Residual**
Agriculture:			
Commercial:	15,050	13,846	1,204
Industrial:			
Residential:	13,100	11,719	1,381
TOTAL TONS:	28,150	25,565	2,585

* Example: commercial, residential, self-haul, etc.

** Tons received = tons recovered + tons residual

14. Outbound Waste and Materials

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

Destination Site (Name and address)	Waste/ Material Type	Expected Annual Tonnage	Purpose Of Delivery*
Various	Comingled Fiber	7,577	Recycle/Reuse
Glass to Glass	Mixed Glass	3,144	Recycle/Reuse
Various	Hog Fuel	457	Industrial Fuel
Various	OCC	13,318	Recycle/Reuse
Various	Newspaper	0	Recycle/Reuse
Various	Other Recyclables	1,069	Recycle/Reuse
Metro – South TS	Residual Solid Waste	2,585	SW Disposal

*Example: disposal, recovery, land reclamation, beneficial use, etc.

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15. Subcontractors

Provide the name, address and function of all subcontractors involved in the facility operations, if applicable (this does not include janitorial staff):

Name	Address	Function
Safety Kleen	16540 SE 130 th Avenue Clackamas, OR 97015	Household Hazardous Waste Disposal and Transportation
Safety Kleen	16540 SE 130 th Avenue Clackamas, OR 97015	Spill Response Contractor – Hazardous Materials Spills
Clean Harbors, Inc.	1443 SE Industrial Way Clackamas, OR 97015	Spill Response Contractor – Fats, Oils, and Greases
Axiom Eco Pest Control	4252 SE International Way Milwaukie, OR 97222	Pest Control – Vectors and Insects
Daly, Standlee & Associates	11855 SW Ridgecrest Drive, Suite 201 Beaverton, OR 97005	Industrial Hygiene – Noise
Thermo Fluids, Inc.	12533 SE Carpenter Drive Clackamas, OR 97015	Use Motor Oil Transportation and Disposal

PART 2 – Standard Attachments to License Application

New License, License Renewal and Change of Authorization

- The applicant must provide a current version of all of the following attachments with each application unless otherwise directed by Metro.
- The applicant must clearly label each attachment submitted as part of the application. A description of each attachment is provided in Appendix A.

Check if included	Attachment
<input checked="" type="checkbox"/>	Attachment A: Site Plan
<input checked="" type="checkbox"/>	Attachment B: Operating Plan
<input checked="" type="checkbox"/>	Attachment C: Proof of Insurance
<input checked="" type="checkbox"/>	Attachment D: Land Use Compatibility Statement (LUCS)
<input type="checkbox"/>	Attachment E: Property Use Consent Form (This form is not necessary if the property is solely owned by the applicant)
<input checked="" type="checkbox"/>	Attachment F: Required Permits
<input type="checkbox"/>	Attachment G: Facility Design Plan (NEW CONSTRUCTION ONLY)

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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.
- 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.

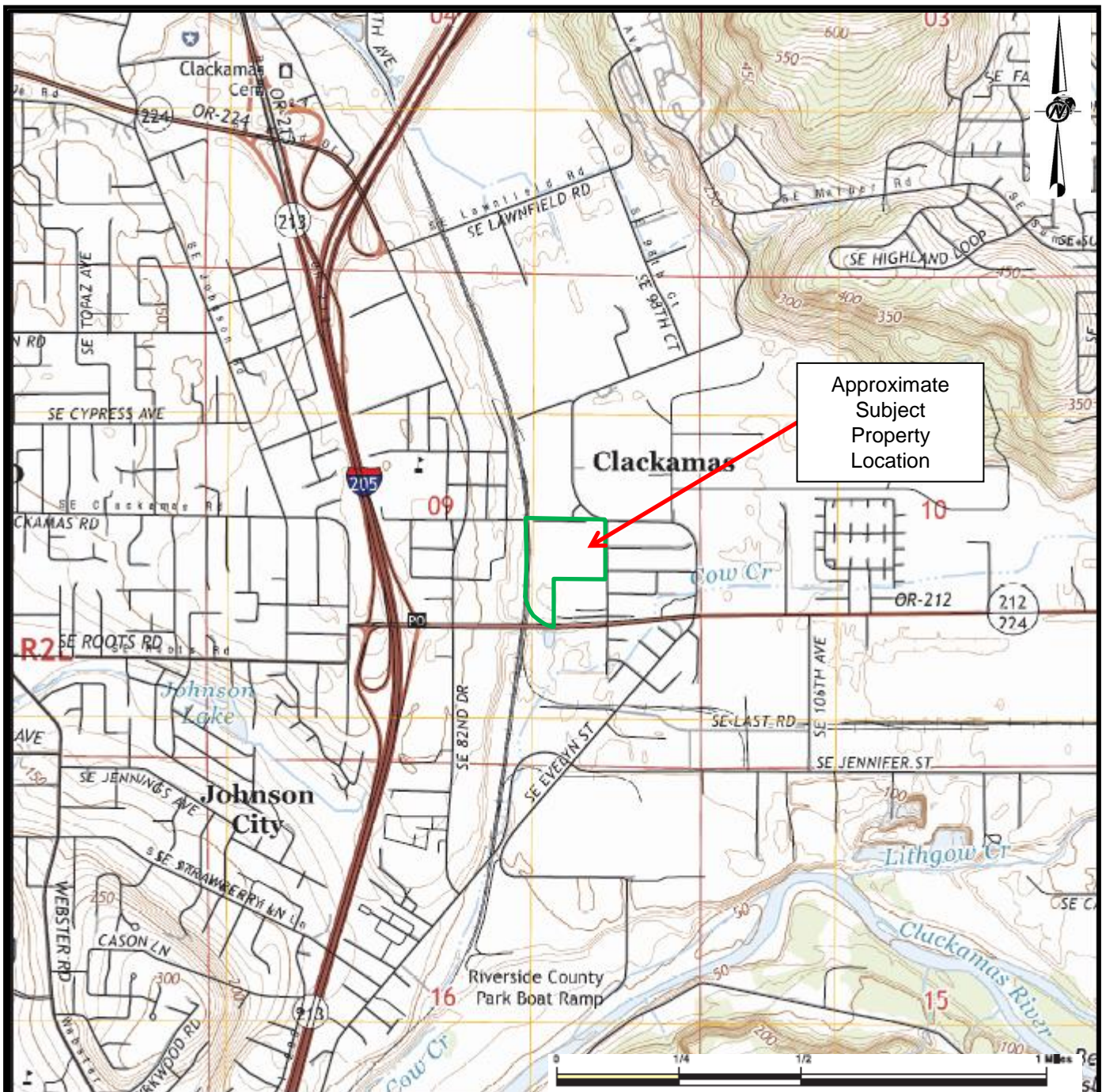
I certify that the information contained in this application is true and correct to the best of my knowledge. I agree to notify Metro within 10 days of any change in the information submitted as a part of this application.

Signature of authorized agent _____ Date 02/24/2022


Print name Yuta Naganuma

Title Regional Engineer

Email yuta.naganuma@wasteconnections.com Phone 360-216-9263



Reference: The EDR Radius Map™ Report with Geo Check®, Kahut Waste Services, 9602 SE Clackamas Road, Clackamas, OR 97015, July 15, 2021, Map for 2014 Gladstone, OR.

<p>CLIENT/PROJECT</p> <p>Waste Connections/K.B. Recycling, Inc.</p> <p>9602 SE Clackamas Road</p> <p>Clackamas, OR 97015</p>	 <p>GOLDER</p> <p>MEMBER OF WSP</p>		<p>USGS TOPOGRAPHIC MAP:</p> <p>GLADSTONE</p> <p>MAP YEAR: 2014</p> <p>SERIES: 7.5</p> <p>SCALE: 1:24000</p>				
<p>TITLE</p> <p>Subject Property Location Map</p>	<p>DRAWN</p> <p>TK</p>	<p>CHECKED</p>	<p>REVIEWED</p>	<p>DATE</p> <p>08-04-21</p>	<p>SCALE</p> <p>As Shown</p>	<p>JOB NO.</p> <p>21480076</p>	<p>FIGURE</p> <p>1</p>



LEGEND

1. Can-Am Chains
2. Camp Withycombe
3. Builders FirstChoice
4. Aloha Produce
5. Baldor Electric Company
6. Wooded slope
7. Wooded slope
8. Peterson the Cat Rental Store
9. Collision Center
10. Team Electric
11. Shop building – not signed

- A. Recovery Building (baler in center)
- B. Office area
- C. Used oil tank, drums, and electronic waste storage
- D. Maintenance shop
- E. Diesel AST, 500-gallon
- F. Scale house & scales
- G. Bin storage (unpaved)
- H. Lumber storage (Builders FirstChoice)
- I. Oil-stained asphalt
- J. Bioswale
- K. Pad-mounted transformer
- L. Public recycling bins
- M. Main entrance

— Approximate Subject Property Boundary

CLIENT/PROJECT

Waste Connections/K.B. Recycling, Inc.
9602 SE Clackamas Road
Clackamas, OR 97015



GOLDER
 MEMBER OF WSP

TITLE

Subject Property and Surrounding Properties Map

DRAWN
TK

CHECKED

REVIEWED

DATE
08-04-21

SCALE
As Shown

JOB NO.
21480076

DWG NO.
NA

SUBTITLE
NA

REV. NO.
NA

FIGURE

2

1 TITLE DESCRIPTION

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, COUNTY OF CLACKAMAS, STATE OF OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF HOLLYWOOD GARDENS AS SHOWN ON THE PLAT THEREOF, RECORDED IN BOOK 17, PAGE 0026, RECORDS OF TOWN PLATS OF CLACKAMAS COUNTY, OREGON; THENCE NORTH 89°03'10" WEST, 30.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF S.E. 98TH AVENUE AND THE TRUE POINT OF BEGINNING; THENCE NORTH 89°03'10" WEST, 816.03 FEET TO A POINT ON THE ARC OF A 4613.69 FOOT RADIUS CURVE, SAID POINT ALSO BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF THE SOUTHERN PACIFIC RAILROAD; THENCE ALONG SAID RIGHT-OF-WAY LINE FROM A TANGENT BEARING OF SOUTH 306°14" EAST ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 022°24", AN ARC DISTANCE OF 30.06 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING COURSES: SOUTH 09°03'10" EAST 20.04 FEET TO A POINT ON THE ARC OF A 4633.69 FOOT RADIUS CURVE; THENCE FROM A TANGENT BEARING OF SOUTH 2°42'53" EAST ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 3°31'08", AN ARC DISTANCE OF 284.59 FEET TO A POINT OF TANGENCY; THENCE SOUTH 0°48'15" WEST, 67.60 FEET TO A POINT OF CURVATURE WITH A 5779.65 FOOT RADIUS CURVE; THENCE ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 3°04'26", AN ARC DISTANCE OF 310.08 FEET; THENCE SOUTH 86°07'19" EAST, 11.83 FEET TO A POINT ON THE ARC OF A 333.39 FOOT RADIUS CURVE; THENCE FROM A TANGENT BEARING OF SOUTH 7°01'51" EAST ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 72°51'45" AN ARC DISTANCE OF 423.97 FEET TO THE SOUTHWEST CORNER OF THAT PARCEL OF LAND CONVEYED TO MARVIN L. EFFINGER AS PARCEL II BY DEED RECORDED MARCH 31, 1977, UNDER FILE NO. 77-11840, RECORDS OF CLACKAMAS COUNTY, OREGON; THENCE LEAVING SAID RIGHT-OF-WAY LINE NORTH 0°04'40" WEST ALONG THE WEST LINE OF SAID PARCEL II, 430.50 FEET TO THE NORTHWEST CORNER OF THAT PROPERTY CONVEYED BY SOUTHERN PACIFIC INDUSTRIAL DEVELOPMENT CO. BY DEED RECORDED UNDER FEE NO. 84020548, RECORDS OF CLACKAMAS COUNTY, OREGON; THENCE LEAVING SAID WEST LINE SOUTH 89°3'10" EAST ALONG THE NORTH LINE OF SAID PARCEL CONVEYED BY SOUTHERN PACIFIC INDUSTRIAL DEV. CO., 520.44 FEET TO THE NORTHEAST CORNER THEREOF; SAID POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF S.E. 98TH AVENUE, NORTH 89°03'10" WEST, 30.00 FEET FROM THE WEST LINE OF SAID HOLLYWOOD GARDENS; THENCE ALONG SAID WEST RIGHT-OF-WAY LINE NORTH 0°04'40" WEST, 545.06 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPT THAT PORTION OF LAND CONVEYED TO CLACKAMAS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF OREGON, ITS HEIRS, SUCCESSORS AND ASSIGNS FOR PERMANENT RIGHT OF WAY EASEMENT FOR ROAD PURPOSES BY DOCUMENT RECORDED FEBRUARY 25, 2010 AS FEE NO. 2010 011881.

THE LAND SHOWN IN THIS SURVEY IS THE SAME AS THAT DESCRIBED IN THE PRELIMINARY TITLE REPORT IDENTIFIED AS "FIRST AMERICAN TITLE INSURANCE COMPANY", COMMITMENT NO. NCS-1069911-CO, WITH A COMMITMENT DATE OF MAY 21, 2021.

2 TITLE INFORMATION

THE LAND SHOWN IN THIS SURVEY IS THE SAME AS THAT DESCRIBED IN THE PRELIMINARY TITLE REPORT IDENTIFIED AS "FIRST AMERICAN TITLE INSURANCE CO" ORDER NO NCS-1069911-CO, WITH A COMMITMENT DATE OF 5/21/21.

11 SURVEYOR'S NOTES

- THE LOCATION OF UTILITIES SERVING THE SUBJECT PROPERTY CAN ONLY BE DETERMINED BY OBSERVED EVIDENCE TOGETHER WITH PLANS AND MARKINGS PROVIDED BY CLIENT, UTILITY COMPANIES, AND OTHER APPROPRIATE SOURCES. THE LOCATION OF THE UTILITIES EXISTING ON OR SERVING THE SURVEYED PROPERTY WAS DETERMINED BY OBSERVATION OF ABOVE GROUND EVIDENCE. THIS SURVEY WOULD NOT SHOW UTILITIES COVERED BY VEHICLES, OR OVERGROWTH OF FOLIAGE, TREES, BUSH OR SHRUBS.
- THE BUILDING FOOTINGS WERE NOT EASILY ACCESSIBLE AND THEREFORE THE BUILDING LIMITS SHOWN HEREON, AND THE BUILDING SQUARE FOOT CALCULATIONS, WERE MEASURED ALONG THE BUILDING FASCIA.
- ITEM NUMBERS SHOWN HEREON ARE STATED AS MATTERS OF REFERENCED COMMITMENT. NO RESPONSIBILITY FOR THE COMPLETENESS, ACCURACY, OR CONTENT OF SAID REPORT IS ASSUMED BY THIS MAP.
- THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BLDG. ADDITIONS WITHIN RECENT MONTHS.
- THERE ARE NO CHANGES IN STREET RIGHT OF WAY LINES EITHER COMPLETED OR PROPOSED TO THE BEST OF OUR KNOWLEDGE, AND AVAILABLE FROM THE CONTROLLING JURISDICTION.
- THERE IS NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
- THERE IS NO OBSERVABLE EVIDENCE OF SITE USE AS A CEMETERY.
- THIS SURVEY MAP CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY.
- THERE ARE DISCREPANCIES BETWEEN THE BOUNDARY LINES OF THE PROPERTY AS SHOWN ON THIS SURVEY MAP AND AS DESCRIBED IN THE LEGAL DESCRIPTION PRESENTED IN THE TITLE COMMITMENT.
- THE BOUNDARY LINE DIMENSIONS SHOWN ON THIS SURVEY MAP FORM A MATHEMATICALLY CLOSED FIGURE W/IN 0.1'±.
- THE BOUNDARY LINES OF THE PROPERTY ARE CONTIGUOUS WITH THE BOUNDARY LINES OF ALL ADJOINING STREETS, HWYS., RIGHTS OF WAY AND EASEMENTS, PUBLIC OR PRIVATE, AS DESCRIBED IN THEIR MOST RECENT RESPECTIVE LEGAL DESCRIPTIONS OF RECORD.
- EXCEPT AS OTHERWISE NOTED BELOW, IF THE PROPERTY CONSISTS OF TWO OR MORE PARCELS, THERE ARE NO GAPS OR GORES BETWEEN SAID PARCELS.
- THE SUBJECT PROPERTY HAS DIRECT ACCESS TO/FROM S.E. CLACKAMAS RD., A PUBLIC RIGHT-OF-WAY.
- THE SUBJECT PARCEL IS LANDSCAPED WITH TREES/SHRUBS. THIS SURVEY REFLECTS MEASUREMENTS OF HARDSCAPE ONLY AND THEREFORE LANDSCAPING, LANDSCAPE LIGHTING AND IRRIGATION SYSTEMS ARE NOT SHOWN HEREON.
- NO PARTY WALLS EXIST BETWEEN THE SUBJECT PROPERTY AND ANY ADJOINING PROPERTIES.
- THE LAND SHOWN IN THIS SURVEY IS THE SAME AS THAT DESCRIBED IN FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. NCS-1069911-CO, DATED MAY 21, 2021.
- ALL STATEMENTS WITHIN THE CERTIFICATION, AND OTHER REFERENCES LOCATED ELSEWHERE HEREON, RELATED TO: UTILITIES, IMPROVEMENTS, STRUCTURES, BUILDINGS, PARTY WALLS, PARKING, EASEMENTS, SERVITUDES, AND ENCROACHMENTS ARE BASED SOLELY ON ABOVE-GROUND, VISIBLE EVIDENCE, UNLESS ANOTHER SOURCE OF INFORMATION IS SPECIFICALLY REFERENCED HEREON.

3 SCHEDULE 'B' ITEMS

- AN EASEMENT ELECTRICAL/TELEPHONE LINE PURPOSES RECORDED APRIL 11, 1947 IN VOLUME 388 AND PAGE 0446. SAID ITEM APPEARS TO LIE OVER THE SUBJECT PROPERTY BEING DESCRIBED AS OVER "GRANTOR'S PROPERTY TAX LOT (18)". THE LOCATION OF SAID TAX LOT CAN NOT BE DETERMINED FROM THE DOCUMENT AND THEREFORE IS NOT SHOWN HEREON.
- AGREEMENT FOR EASEMENT RECORDED FEBRUARY 7, 1978 AS FEE NO. 78005156. SAID ITEM LIES OUTSIDE OF THE SUBJECT PROPERTY BUT IS SHOWN HEREON FOR INFORMATION PURPOSES.
- AN EASEMENT FOR ROAD PURPOSES RECORDED FEBRUARY 14, 1978 AS FEE NO. 78006238. SAID ITEM LIES OUTSIDE OF THE SUBJECT PROPERTY BUT IS SHOWN HEREON FOR INFORMATION PURPOSES.
- AN EASEMENT FOR ANCHOR AND GUY WIRE PURPOSES RECORDED OCTOBER 28, 1981 AS FEE NO. 81037232. SAID ITEM LIES OVER THE SUBJECT PROPERTY AND IS SHOWN HEREON.
- AN EASEMENT FOR SEWER PURPOSES RECORDED AUGUST 11, 2008 AS FEE 2008 056286. SAID ITEM LIES OVER THE SUBJECT PROPERTY AND IS SHOWN HEREON.
- AN EASEMENT FOR TEMPORARY CONSTRUCTION PURPOSES RECORDED FEBRUARY 25, 2010 AS FEE NO. 2010 011881. SAID ITEM LIES OVER THE SUBJECT PROPERTY AND IS SHOWN HEREON.
- AN EASEMENT FOR ANCHOR PURPOSES RECORDED AUGUST 31, 2010 AS FEE NO. 2010 053043. SAID ITEM LIES OVER THE SUBJECT PROPERTY AND IS SHOWN HEREON.

13 LAND AREA

THE LAND AREA OF THE SUBJECT PROPERTY IS 536,246 SQ. FT. (12.31 ACRES) AS DESCRIBED IN THE LEGAL DESCRIPTION SHOWN HEREON.

10 BASIS OF BEARINGS

THE BEARINGS SHOWN HEREON ARE BASED ON THE THE MOST WESTERLY EAST LINE OF THE SUBJECT PROPERTY AS SHOWN ON BOUNDARY SURVEY FILED AS PS26777 IN THE OFFICE OF THE CLACKAMAS CO. SURVEYOR, OREGON, BEING NORTH 00°01'40" WEST.

14 BUILDING AREA

63,112 SQ. FT.

15 BUILDING HEIGHT

HEIGHT: 33'±; 1 STORY

5 FLOOD INFORMATION

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED IN ZONE "X" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 4100500370, WHICH BEARS AN EFFECTIVE DATE OF JUNE 17, 2008 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE AND AN ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THIS DETERMINATION OR APPLY FOR A VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY. ZONE "X" DENOTES AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

7 POSSIBLE ENCROACHMENTS

- BACK OF SIDE EXTENDS UP TO 0.1' SOUTHERLY AND WESTERLY INTO THE SUBJECT PROPERTY.
- AN AREA OVER THE SOUTHWESTERLY PORTION OF THE PROPERTY APPEARS TO BE USED BY THE NEIGHBORING PROPERTY WITHOUT THE BENEFIT OF AN EASEMENT.
- CHAIN LINK FENCE EXTENDS UP TO 10.2' EASTERLY AND 2.7' SOUTHERLY INTO THE NEIGHBORING PROPERTY.

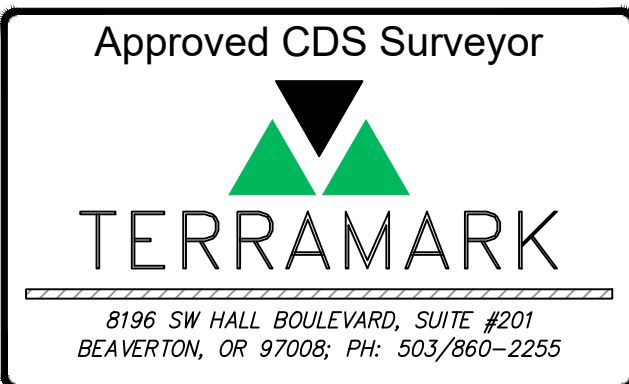
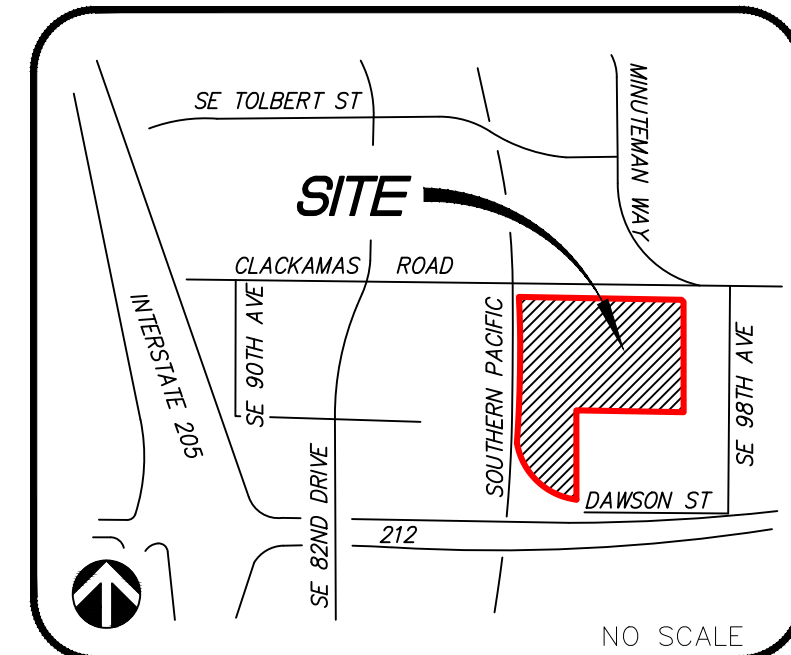
6 CEMETERY

THERE IS NO OBSERVABLE EVIDENCE OF SITE USE AS A CEMETERY.

12 PARKING INFORMATION

REGULAR SPACES: 60 SPACES
HANDICAP SPACES: 0 SPACES
TOTAL SPACES: 60 SPACES

16 VICINITY MAP



8 ZONING INFORMATION

ZONING INFORMATION WAS NOT PROVIDED TO SURVEYOR PURSUANT TO TABLE A ITEM 6.

4 SURVEYOR CERTIFICATION

TO: KAHUT INVESTMENT HOLDINGS LLC; FIRST AMERICAN TITLE INSURANCE COMPANY; AND COMMERCIAL DUE DILIGENCE SERVICES CO.;

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2, 3, 4, 6(A), 7(A), 7(B)(1), 7(C), 8, 9, 10, 13, 14, 16, 17, AND 19 OF TABLE A THEREOF.

THE FIELD WORK WAS COMPLETED ON: 07/05/21

MICHAEL A. HOFFMANN, P.L.S. 57847 (OREGON)
EXP: JUNE 30, 2023
MIKEH@TERRAMARKINC.COM

DATE

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
FEBRUARY 19, 1999
MICHAEL A. HOFFMANN
57847LS
EXPIRES: 30 JUNE, 2023

Key to CDS ALTA Survey

1 TITLE DESCRIPTION

2 TITLE INFORMATION

3 SCHEDULE 'B' ITEMS

4 SURVEYOR CERTIFICATION

5 FLOOD INFORMATION

6 CEMETERY

7 POSSIBLE ENCROACHMENTS

8 ZONING INFORMATION

9 LEGEND

10 BASIS OF BEARING

11 SURVEYOR'S NOTES

12 PARKING INFORMATION

13 LAND AREA

14 BUILDING AREA

15 BUILDING HEIGHT

16 VICINITY MAP

17 NORTH ARROW / SCALE

18 CLIENT INFORMATION BOX

19 SURVEY DRAWING

20 PROJECT ADDRESS

18 ALTA/NSPS Land Title Survey

This survey prepared in accordance with the "Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys (Effective February 23, 2016)

This Work Coordinated By:
FA Commercial Due Diligence Services Co.

CDS
COMMERCIAL
DUE DILIGENCE SERVICES

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Drawn By: M.A.H.	Date: Revision:
Surveyor Ref.No: 20214642	Date: Revision:
Approved By: M.A.H.	Date: Revision:
Field Date: 07/05/21	Date: Revision:
Scale: 1" = 60'	Date: Revision:

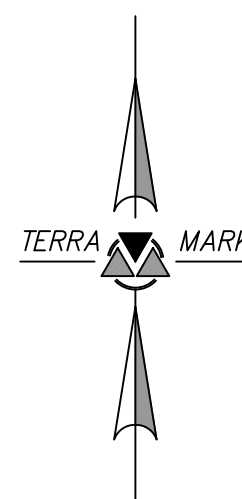
Prepared For:

Client Ref. No:

20 PROJECT ADDRESS

9602 SOUTHEAST CLACKAMAS ROAD
CLACKAMAS, OREGON

Project Name:
WASTE CONNECTIONS
Job Number:
21-05-0843



	BLOCK/CONCRETE WALL
	CONCRETE
	ASPHALTIC CONCRETE
	BUILDING LINE
	HANDICAP PARKING
	CHAIN LINK FENCE
	WOOD FENCE
	IRON FENCE
	LIGHT POLE
	PROPERTY LINE
	OVERHEAD WIRE

Project Name:
WASTE CONNECTIONS

Job Number:
21-05-0843

K.B Recycling, Inc.



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Phone: (503) 266-3900 Fax: (503) 263-6477

Operations Plan

Revised
February 2022

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SECTION I - INTRODUCTION

K.B. Recycling, Inc. is a material recovery and processing facility (MRPF). It includes structures, equipment, and operating personnel designated and trained to operate the facility. K.B. Recycling, Inc.'s management team will operate the MRPF to achieve maximum waste flow throughput efficiently and safely. Clearly, flexibility will be the watch word of the operating philosophy of the KB team. Close, coordinated relationships will be developed and nurtured between all of the stakeholders at the MRPF. Particular management focus will be placed on the following areas:

- A safe and healthy working environment for employees and customers;
- Minimization of traffic queues at both public and commercial ingress/egress areas;

This particular recycling facility is distinguished from scrap recycling facilities and waste recycling facilities that accept a mixed waste stream of non-recyclable and recyclable wastes. Facilities included in this sub-sector would include facilities that receive source-separated, recyclable materials primarily from industrial and residential sources. The recyclable materials in this sub-sector can be characterized as common consumer products such as paper, newspaper, cardboard, plastic containers, glass bottles, aluminum, and tin cans. These facilities commonly accept a mix of recyclable materials and reject non-recyclable materials from the source.

K.B. Recycling receives residential, commercial, and industrial recyclable dry waste materials, supplied by affiliated collection companies, other haulers, and source-separated recyclables received from the public. This material may consist of mixed solid waste with a 25% or higher recyclable content, source-separated recyclables and curbside collected recyclable materials.

Material received at K.B. Recycling is processed for recyclables with unrecoverable waste materials shipped to Metro other approved landfills.

The Operations Plan serves a critical function in integrating structures, equipment, and the workforce. The Plan is expected to be revised as operational experience suggests better ways to utilize the facility and accomplish the required work.

A. PURPOSE OF THE OPERATIONS PLAN

The main body of this plan describes the general operating procedures for the MRPF facility. The purpose of the Plan is to:

1. Acquaint operations and maintenance personnel with the facility's overall capabilities.
2. Describe individual job responsibilities for the operations and maintenance personnel.
3. Provide personnel with the necessary instructions for proper operation and maintenance of the facility under both normal and unusual conditions.

The Plan is intended to be a guide for personnel who have some familiarity with the recycling and processing of solid waste materials. It should be emphasized, however, that the Plan cannot be substituted for experience, nor is it intended to cover all operational possibilities.

A.1 USER GUIDE

In order to best serve users of the Plan, it is recommended that all key facility personnel become familiar with the Plan's contents, format, and organization, as follows:

SECTION I is an introductory section. It describes the function and use of the Plan and provides background information on the relationship of the facility to the overall material processing system.

SECTION II describes general facility operating requirements and procedures, for functions not directly related to waste processing, and recycling.

SECTION III contains a detailed description of each facility component related to material processing: Specific operation and control features are also described.

SECTION IV deals with equipment and its maintenance.

SECTION V describes the duties of personnel working at the facility. Work schedules, job training, and a listing of the staffing structure are also discussed.

SECTION VI covers procedures to be followed under general contingency conditions of work stoppage, bad weather, and equipment failure.

SECTION VII covers procedures to be followed under emergency contingency conditions of fire, explosion, and suspicious/hazardous waste spills.

SECTION VIII describes the system of maintaining operation and equipment records and the reporting system that provides this information to K.B. Recycling's and Regional Office.

SECTION IX discusses safety policy and procedures to be followed at the facility.

A.2 OVERVIEW OF FACILITY FUNCTION

K.B. Recycling, Inc., is a registered company in the State of Oregon. K.B. Recycling includes the main processing building, scale house, office, equipment, paving, and landscaping. K.B. Recycling holds a Solid Waste License issued by the Metropolitan Service District (Metro) and is authorized by the Oregon Department of Environmental Quality (DEQ) to accept commercial and industrial solid wastes and source-separated recyclable materials. No other wastes are accepted without the written approval of Metro and/or the DEQ. K.B. Recycling is not permitted to accept prohibited or hazardous wastes, except for small amounts that may be incidental to the materials received and within state and federal parameters.

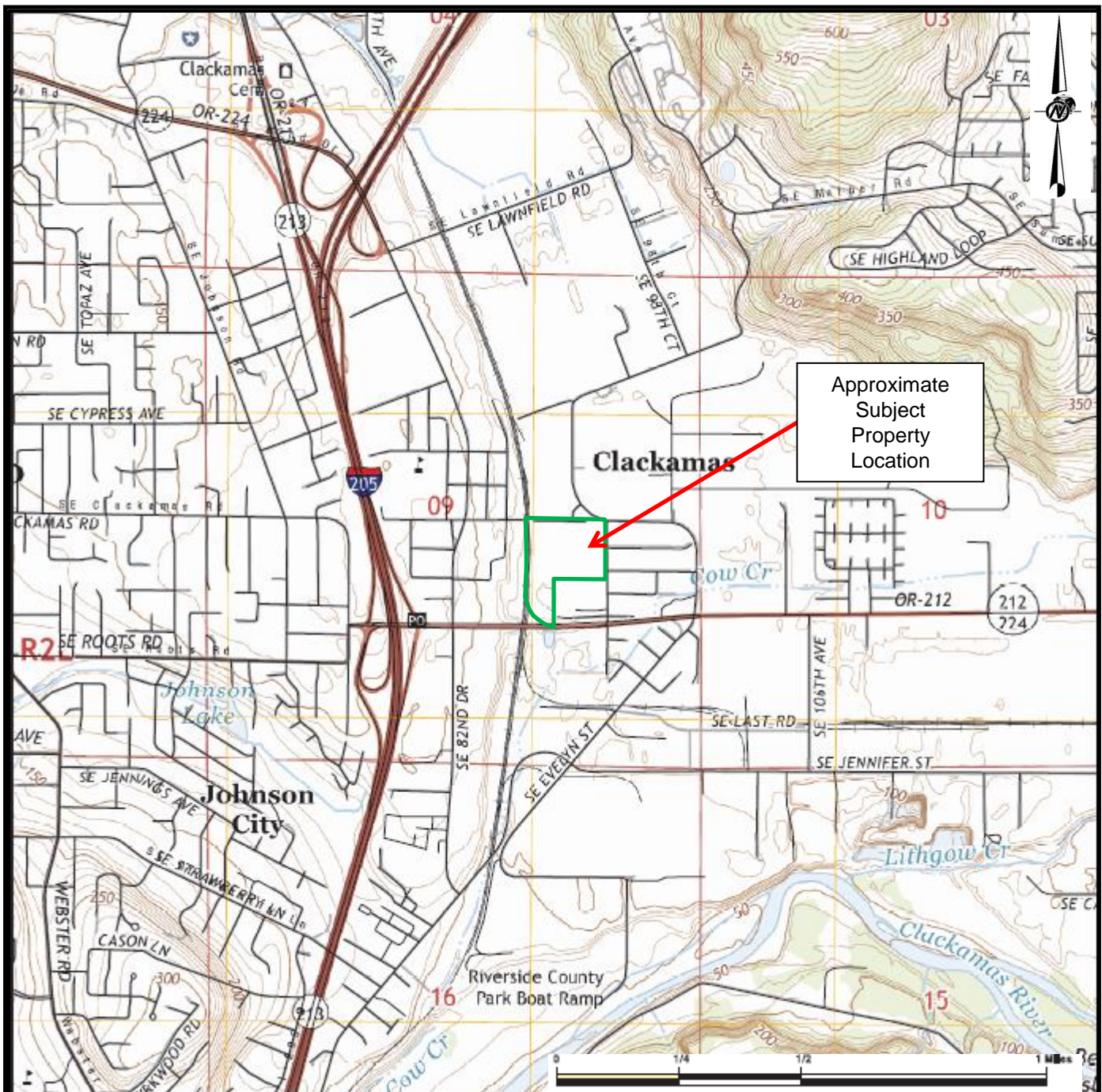
The principal function of the K.B. Recycling facility is to receive, process, and/or separate recyclable materials and then transport them to other destinations for additional processing and/or disposal. The facility will receive loads with a high percentage of recyclable materials, source-separated materials, and mixed waste.

Mixed dry waste containing recoverable quantities of recyclables will be floor sorted by trained employees. Recyclables are baled or otherwise prepared for shipment to market and non-recyclable materials will be compacted or shipped loose to an approved solid waste disposal facility.


In the event any hazardous waste is discovered and the generator or hauler cannot be identified, the material will be removed from the facility by a licensed contractor and shipped directly to an authorized storage or disposal site. If the generator is identified, he or she will have the option of

removing the material. If he or she does not choose to, or cannot remove the waste, K.B. Recycling shall contract such removal at the expense of the generator and/or hauler.

K.B. Recycling currently accepts mixed recyclables from residential and commercial collection programs, recyclable material from the public, mixed dry waste from commercial sources. Glass, plastic, newspaper, mixed paper, high-grade paper, corrugated cardboard, wood, drywall, and non-ferrous metals are prepared and shipped off-site. Non-recyclable waste material from the recycling process is shipped to a permitted disposal facility. The Site Plan shows details of the location and layout of the facility.



Reference: The EDR Radius Map™ Report with Geo Check®, Kahut Waste Services, 9602 SE Clackamas Road, Clackamas, OR 97015, July 15, 2021, Map for 2014 Gladstone, OR.

<p>CLIENT/PROJECT</p> <p>Waste Connections/K.B. Recycling, Inc.</p> <p>9602 SE Clackamas Road</p> <p>Clackamas, OR 97015</p>	 <p>GOLDER</p> <p>MEMBER OF WSP</p>		<p>USGS TOPOGRAPHIC MAP:</p> <p>GLADSTONE</p> <p>MAP YEAR: 2014</p> <p>SERIES: 7.5</p> <p>SCALE: 1:24000</p>				
<p>TITLE</p> <p>Subject Property Location Map</p>	<p>DRAWN</p> <p>TK</p>	<p>CHECKED</p>	<p>REVIEWED</p>	<p>DATE</p> <p>08-04-21</p>	<p>SCALE</p> <p>As Shown</p>	<p>JOB NO.</p> <p>21480076</p>	<p>FIGURE</p> <p>1</p>



LEGEND

1. Can-Am Chains
2. Camp Withycombe
3. Builders FirstChoice
4. Aloha Produce
5. Baldor Electric Company
6. Wooded slope
7. Wooded slope
8. Peterson the Cat Rental Store
9. Collision Center
10. Team Electric
11. Shop building – not signed

- A. Recovery Building (baler in center)
- B. Office area
- C. Used oil tank, drums, and electronic waste storage
- D. Maintenance shop
- E. Diesel AST, 500-gallon
- F. Scale house & scales
- G. Bin storage (unpaved)
- H. Lumber storage (Builders FirstChoice)
- I. Oil-stained asphalt
- J. Bioswale
- K. Pad-mounted transformer
- L. Public recycling bins
- M. Main entrance

— Approximate Subject Property Boundary

CLIENT/PROJECT

Waste Connections/K.B. Recycling, Inc.
9602 SE Clackamas Road
Clackamas, OR 97015



GOLDER
 MEMBER OF WSP

TITLE

Subject Property and Surrounding Properties Map

DRAWN
TK

CHECKED

REVIEWED

DATE
08-04-21

SCALE
As Shown

JOB NO.
21480076

DWG NO.
NA

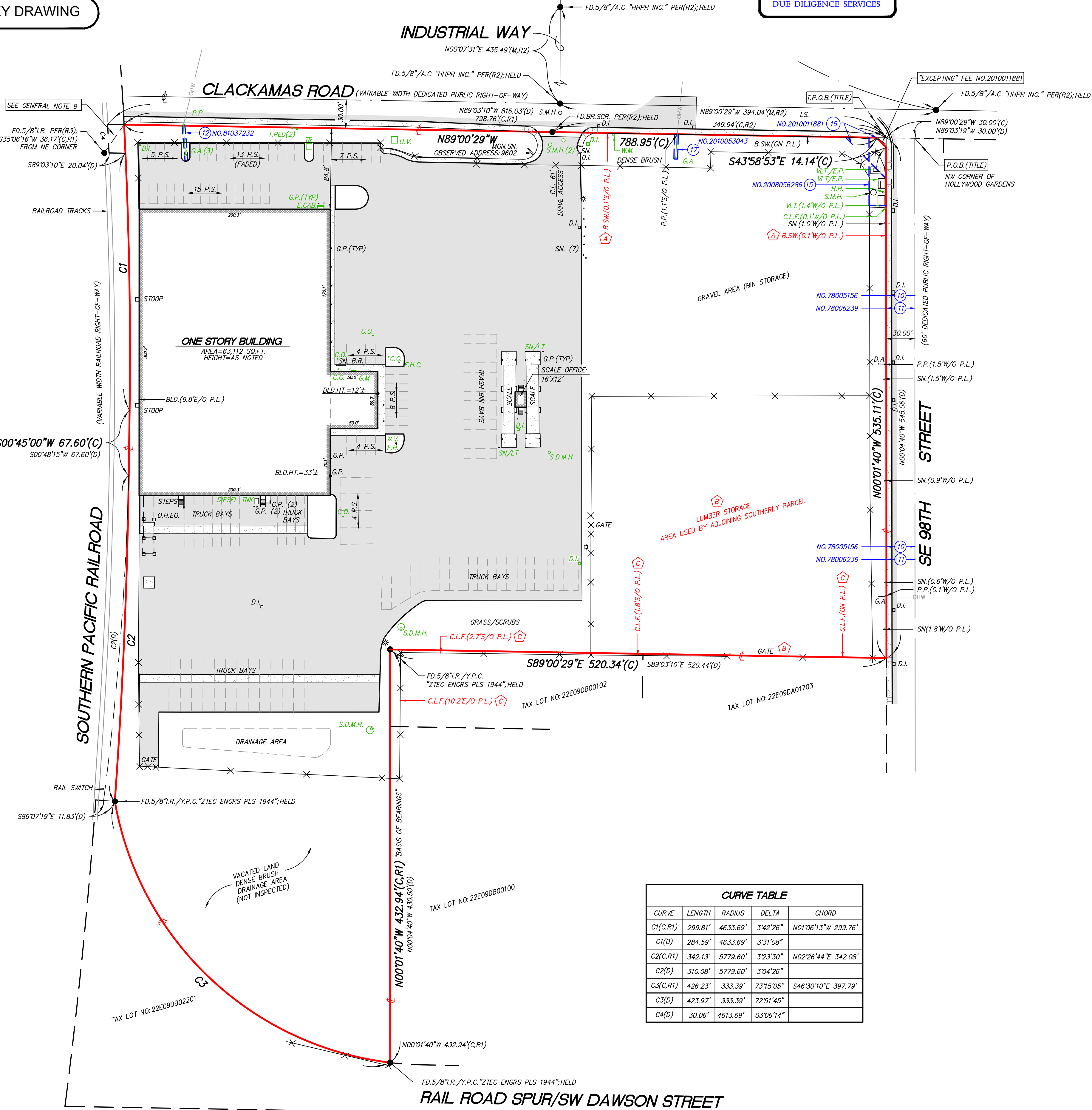
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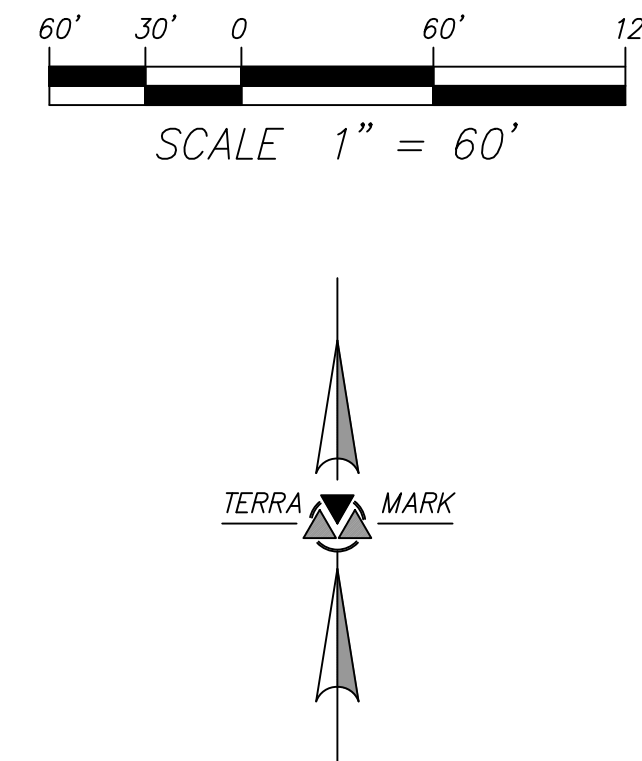
FIGURE

2

19 SURVEY DRAWING



17 NORTH ARROW / SCALE



9 LEGEND

- A.C. ALUMINUM CAP
- B.R. BIKE RACK
- B.S.W. BACK OF SIDEWALK
- C.O. CLEAN OUT
- (D) DEED DATA
- D.I. DRAIN INLET
- E.P. EDGE OF PAVEMENT
- E.Q. EQUIPMENT
- F.H.C. FIRE HOSE CONNECTOR
- F.H. FIRE HYDRANT
- F.S.V. FIRE SERVICE VALVE
- FD. FOUND
- G.A. GUY ANCHOR
- G.P. GUARD POST
- H.H. HAND HOLE
- I.R. IRON ROAD
- L.T. LIGHT
- (M) MEASURED DATA
- MON.SN. MONUMENT SIGN
- O.H. OVER HANG
- P.L. PROPERTY
- P.P. POWER POLE
- P.S. PARKING SPACE
- (R1) SN 26777
- (R2) SN 2011-112
- (R3) SN 19912
- S.D.M.H. STORM DRAIN MAN HOLE
- S.M.H. SEWER MAN HOLE
- SN. SIGN
- T.PED. TELEPHONE PEDESTAL
- TNK. TANK
- U.V. UTILITY VAULT
- V.L. VAULT
- W.M. WATER METER
- W.V. WATER VALVE
- Y.P.C. YELLOW PLASTIC CAP
- BLOCK/CONCRETE WALL
- CONCRETE
- ASPHALTIC CONCRETE
- BUILDING LINE
- HANDICAP PARKING
- CHAIN LINK FENCE
- WOOD FENCE
- IRON FENCE
- LIGHT POLE
- PROPERTY LINE
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18 ALTA/NSPS Land Title Survey

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This Work Coordinated By:
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Drawn By:	M.A.H.	Date:	
Surveyor	Ref.No: 20214642	Revision:	
Approved By:	M.A.H.	Date:	
Field Date:	07-06-21	Revision:	
Scale:	1" = 60'	Date:	
		Revision:	

Prepared For:

Client Ref. No:

20 PROJECT ADDRESS

9602 SOUTHEAST CLACKAMAS ROAD
CLACKAMAS, OREGON

Project Name:
WASTE CONNECTIONS
Job Number:
21-05-0843

SECTION II - GENERAL FACILITY OPERATING REQUIREMENTS

This section provides descriptions of general operating requirements and specific procedures necessary to meet those requirements apart from the solid waste handling functions of the facility. Waste handling operations are discussed in Section III.

A. SITE DEVELOPMENT AND STRUCTURES

The facility is composed of a 60,000 square foot, recovery building with areas designated for waste processing. It also includes an outside receiving, processing, and storage area for public drop-off of recyclables, an office, a scale house with two scales, paved and landscaped areas. Figure 1 is the site plan as constructed.

The general flow of traffic onto the site is direct to designated drop-off areas. Curbside traffic and commercial traffic will be to the northern portion of the main building. Self-haul will be at the south side of the building. Public drop-off is just inside the main gate toward the front of the building.

B. ACCESS AND CIRCULATION/TRAFFIC CONTROLS

The facility entry from Clackamas Street provides two lanes; one across the inbound eighty-foot (80') truck scale with corresponding scale house; and one bypass lane, for emergency equipment access. All traffic will exit via one of the two lanes; one across the outbound eighty-foot (80') scale, and the by-pass lane.

C. PARKING

Employee and visitor parking is provided along the east and north end of the site. This parking lot includes handicap parking.

D. STORM AND SANITARY DISPOSAL

The facility produces two different non-process wastewater streams which are handled as follows:

1. Sanitary sewer water, including drainage from inside the processing building, toilets, and washbasins, is discharged to the Clackamas County Service District No. 1 sanitary sewer system.
2. Storm Drains from on-site pavement and roof areas.

Clackamas County has determined that there are wetlands on the site. All of the identified wetlands have been designated low value (total social value score is 2.08). Because of their low value, the wetlands are not considered significant by the County, and fill or removal in the wetlands does not require County permits. Jurisdiction over these wetlands falls under the authority of the Oregon Division of State Lands (DSL) and the U.S. Army Corps of Engineers (USACOE). DSL has declined to take jurisdiction over the wetlands due to their low quality and artificial nature. In order to accommodate the economic use of the property, avoidance of wetlands impacts is not possible. Past uses of the property included the placement of an asphalt layer that was subsequently buried by the placement of various types of fills. The site was abandoned in the mid-1970s and since that time water has collected in depressional areas and wetland plants have colonized these areas. Seven

wetlands were delineated within the parcel by the applicant. The total wetland acreage within the parcel is 0.96 acres.

Approximately 1 acre of combined emergent, scrub-shrub, and forested wetland was created in the southwestern corner of the site. This created wetland replaced the 0.96 acres of low-quality/value impacted wetlands that were dispersed in seven (7) separate pods throughout the project site. Of this 0.96 acre, approximately 0.12 acre was within the area of the proposed 1 acre created wetland but was of such low quality that it was excavated and incorporated into the proposed larger and higher quality PEMIPSS/PFO wetland system. In addition to providing wetland mitigation, this 1-acre facility was engineered to act as the stormwater detention facility for the project site.

There are no ponds, lakes, or streams on the project site. However, due to inadequate drainage conveyance infrastructure adjacent to and within the site, there is seasonal flooding in the immediate area. The most noticeable problem is standing water that collects four to five times a year in the area of southeast Clackamas Road between southeast 98th avenue and southeast Industrial Way. County public works personnel must regularly barricade Clackamas road as standing water depth typically reaches 12 inches. The cause of this problem appears to be the limited capacity of the ditch on the east side of the Southern Pacific railroad and north of Highway 212, into which the area drains.

Correction of the drainage problems at the site called for regarding and installation of improved stormwater conveyance and water quality enhancement systems. The approved infrastructure improvements consist of the following elements:

1. Pretreatment biofiltration swales - Two (2) one hundred lineal foot sections have been constructed on the southern edge of Clackamas road. Both of these elements run parallel to Clackamas road and intercept stormwater runoff from the road surface and up-gradient development. These intercepted flows outfall to a stormwater sediment trapping manhole prior to being conveyed to the combination constructed wetland/stormwater detention facility located in the southwest corner of the project site.

One (1) two hundred lineal foot section has been constructed on the western edge of southeast 98th Avenue effectively spanning the length of the eastern border of the project site. This facility will intercept stormwater runoff from 98th Avenue if required. As a condition of development, a half street improvement has been made to southeast 98th Avenue corresponding to the length of the property. Included in the street, and curb & gutter improvements, are catch basin and pipe improvements that connect to the County's public conveyance that is in place in 98th Avenue to the south of the project site. It is anticipated that the in-street drainage improvements will divert flows to the existing public drainage conveyance system.

One (1) two hundred fifty-foot section has been constructed on the southern edge of the property running perpendicular to southeast 98th Avenue. This facility will intercept stormwater runoff from the parking lot on the project site. Flows that are intercepted by this facility will outfall to a water quality enhancing manhole (with sediment trapping features) prior to being conveyed to the combination constructed wetland/stormwater detention facility located in the southwest corner of the project site. One (1) fifty lineal foot section has been constructed directly adjacent to the inlet of the combination constructed wetland/stormwater detention facility discussed above. This facility will intercept the pretreated flows from the three biofiltration swales itemized above along with flows conveyed from up-gradient

development. Flows that outfall to this facility will be further detained and pretreated prior to outfalling to the constructed wetland/stormwater detention facility. A water quality enhancing manhole has been constructed on the outlet side of this facility. Flows passing through this structure will then outfall directly to the detention facility.

2. Stormwater pipe conveyance - In order to convey detained and pretreated stormwater from up-gradient development and from the two (2) 100 lineal foot biofiltration swales that have been constructed on the southern edge of Clackamas road, approximately 600 lineal feet of 30" concrete pipe was installed on the project site. As discussed above, flows from up-gradient development and the two Clackamas road swales will first enter a storm sediment trapping manhole. These flows will outfall from this structure directly into the 30" pipe. Once in the pipe, these flows will be conveyed to the southwest corner of the project site where they will converge with flows from the 250' swale that collects stormwater runoff from the project parking lot. This will be the terminus of the pipe conveyance. At the terminal end of the pipe, a second water quality enhancing manhole has been constructed (with sediment trapping features). All of the flows that enter this structure will outfall to the 50' biofiltration swale that is connected to the combination constructed wetland/stormwater detention facility.
3. Constructed wetland/stormwater detention facility - As discussed above, approximately 1 acre of combined emergent, scrub-shrub, and forested wetland has been created in the southwestern corner of the site. In addition to providing wetland mitigation, this 1-acre facility has been engineered to act as the stormwater detention facility for the project site. Pretreated stormwater will enter this engineered facility at an inlet elevation of approximately 103.5' (at the northeast corner), and will outfall from the facility at an outlet elevation of approximately 102.5' (at the southwest corner).

Once the treated stormwater leaves the project site (i.e., from the outlet of the constructed wetland/stormwater detention facility) it will flow into the existing ditch on the east side of the Southern Pacific Railroad track. This ditch has been improved by K.B. Recycling to accommodate 25-year future conditions design flows (calculated at 18cfs at peak). This ditch follows the railroad track south where it eventually outflows to the confluence of the Cow Creek drainage.

E. NUISANCE CONTROL

K.B. Recycling has contracted with a pest control specialist to inspect the facility and place vector control devices throughout the facility, on a monthly basis. If in the course of normal operations, insects, birds, rodents, or other animals become a nuisance or health and safety hazard, the facility will increase the means of vector control, and take such action as required to minimize such nuisances.

Neither odor nor odor control has been an issue of concern at K.B. Recycling. The facility follows procedures identified in the K.B. Recycling Odor Control Plan, to minimize and control odors at the facility.

F. NOISE CONTROL

If noise complaints are received, the Facility Manager will conduct an investigation and develop a mitigation plan, if necessary.

G. LITTER CONTROL

The facility is surrounded by fencing or shrubbery that serves as a means to limit litter from leaving the site. On-site litter control is performed by facility personnel on a daily basis. Regular inspections are performed with particular attention to windblown material near perimeter areas. Litter is to be collected and disposed of daily.

H. HOURS OF OPERATION

The facility is open to the public for waste receipt from 8:00 a.m. to 3:30 p.m. on weekdays, except on New Year's Day and Christmas Day, at which time the facility is closed. The facility may operate Thanksgiving Day, at reduced hours. Facility hours are subject to change.

I. FACILITY TOURS

Local enforcement or regulatory agency personnel may visit the facility from time to time to monitor facility operation and procedures. All visiting personnel will be escorted by the Operations Manager, Site Manager, Operations Supervisor, or Regional Environmental Manager during these visits and will be registered at the office.

Other visitors wishing to tour the facility are requested to do so by appointment only. Those without prior appointment may be allowed to visit without an appointment by the authority of the Operations Manager. All visitors are required to register at the office. Visitors are not allowed to take photographs without prior permission.

J. LANDSCAPE AND GROUNDS

K.B. Recycling will maintain site landscaping with its own personnel, and as required, contract with outside landscape contractors to ensure all landscape areas remain healthy and attractive for the future.

SECTION III - WASTE HANDLING OPERATIONS

A. GENERAL

This section describes the operation and control of each component in the facility that is directly related to solid waste handling. More detailed information about specific pieces of equipment can be found in the appropriate manufacturer's manual. Maintenance schedules and procedures are briefly addressed in Section W. Detailed maintenance information is contained in the individual equipment operation and maintenance manual(s).

B. THE WASTE STREAM

The following two categories of waste are expected to arrive at the facility:

1. Source Separated Recyclable Material
2. Industrial and Commercial Mixed Dry Waste

B.1 ACCEPTABLE WASTE

Acceptable waste means any and all recoverable commercial and industrial solid waste.

B.2 UNACCEPTABLE WASTE

Unacceptable waste means:

1. Hazardous waste as defined in ORS 466.005.

B.3 Chemicals, liquids, explosives, infectious materials, and other materials which may be hazardous or difficult to **manage**.

1. Bulky combustible material, car bodies, dead animals, tires, sewage sludge's, septic tank pumpings or hospital wastes,
2. Mixed solid waste from the public.
3. Putrescible (wet) waste.

In general, unacceptable waste means liquids, hazardous waste, radioactive materials, explosives, pathological or infectious waste, oversize items, bulk loads of tires, or any materials that would likely pose a threat to health or safety, or that might cause damage or adversely affect facility operation, and other material specifically prohibited by state or federal statute(s).

C. MATERIAL RECEIVING

C.1 INCOMING MATERIAL

The facility is equipped with two scales and a scale house. The normal operation calls for the scale house to be open during all hours that material is being accepted. Customers will be charged on the basis of weight. Customers with a K. B. charge account are identified by an account number. These account numbers are keyed into the computerized weighing system, which registers the vehicle's gross weight and then stores the information for later use. When the vehicle is empty on the outbound scale, the account number is again keyed into the system and a tare weight is computed.

The computer automatically calculates the net weight and fee by subtracting the tare weight from the gross weight and multiplying it by the tonnage rate. A weight ticket is then printed with the weight information, date, time of day, and total fee. If for some reason, an account customer does not weigh empty, they will be contacted and requested to come back to establish an empty weight. This tare weight is then used to determine a net weight and, thus, a tip fee for the transaction. In the event someone jumps the scale or avoids being weighed out, a charge for that load will be based on the gross weight.

In general, small loads (less than 800 pounds), arriving at the facility in cars, pick-up trucks, or cars/pick-ups with trailers are charged based on a minimum fee. K.B. Recycling will post a standard fee for different types of loads based upon the minimum. The Cashier will enter the material type in the computer and a ticket will be automatically generated indicating the total charge, or payout, to the customer.

Weight-based customers paying by cash or check are weighed into the system. At the time the customer is on the inbound scale, a gross weight is captured and a deposit amount is received by the Cashier. The deposit amount is an estimate of the actual disposal fee. After off-loading, this customer is directed to the scale to obtain a tare weight and settle payment before exiting. If for some reason, a cash customer does not weigh out, the gross weight is assumed to be the net weight. This weight is then entered into the computer and a ticket is printed as if the transaction were complete.

If the scales are bypassed by a licensed hauler they will be called to come back and be weighed to establish a tare weight, unless a tare weight has previously been recorded for that vehicle. The driver will be notified of this as he/she enters the facility.

If a load contains unacceptable waste the vehicle operator or owner will be directed to remove the material from the Facility. If the truck delivering the unacceptable waste has off-loaded and has left the facility, K.B. Recycling will contact the person who delivered the unacceptable materials, to remove them. If the owner of the unacceptable waste cannot be identified, K.B. Recycling will be responsible for the proper disposal of the waste, at its own expense.

At the scale house, loads with recyclable materials will be directed to the appropriate off-loading area.

C.3 SCALE HOUSE

The Scale house area consists of a computer terminal, phone, and an attendant building. The building has a work area and locking storage area. The scale is attached to the computer network through digital indicators. The PC scale software program is loaded on the network and can be used to communicate information to the regional office. This program stores all pertinent customer data and uses the data to calculate net weight, tipping fee, and to print weight tickets.

C.4 COMMERCIAL HAULERS

Commercial haulers and all large trucks will be directed to the processing building or the specific commercial off-loading area. Activity at these areas will be controlled by a designated spotter or operator working in that respective area.

C.5 SELF-HAULERS (PUBLIC)

Self-haulers will be directed, by the scale operator, to a specific off-loading area. At the Recycling drop-off area, signage will direct incoming vehicles to appropriate locations depending on the nature of the recyclable materials. Vehicles which have deposited their entire load of recyclable materials will be directed to exit the facility. Scavenging is not permitted at the K.B. Recycling facility.

C.6 LOAD CHECKING

A Spotter/Recycle Technician observes the unloading of all material. If suspicious and/or hazardous wastes are identified they will be returned to the hauler.

C.7 FACILITY PROCESS FLOW

Figure 1 illustrates the general flow of vehicles through the K.B. Recycling property.

D. FACILITY FLOOR OPERATIONS

Material entering the facility is directed to one of the following areas:

1. OCC tipping area (clean)
2. Mixed fiber area
3. Public recycling area
4. Mixed dry waste tipping area

D.1 MIXED COMMINGLED CURBSIDE LINE

This line is used in order to retrieve all metal and OCC products from the residential commingled material

D.2 MIXED COMMINGLED CURBSIDE LINE

The curbside line is used to separate OCC and both ferrous and nonferrous scrap metals from curbside materials via a hand sort. Material is fed onto an incline conveyor and up to a variable speed sorting line. OCC is extracted from the ONP, MWP, plastics, glass (if any), tin and aluminum. The material then falls onto another sort line where any remaining OCC and/or scrap or precious metals are retrieved. All OCC is then transferred to an AMFAB compactor for final compaction and shipment. All remaining commingle is then loaded, either via outbound conveyor system where it falls down an enclosed chute into a trailer or over the top of the trailer inside the warehouse, then is shipped to another recycling center for a further sort

D.3 BALER

The baler is fed by the baler infeed conveyor. The infeed conveyor receives material from the mixed waste paper processing line, directly: from two tipping floor areas. The baler is operated manually from the control panel located near the infeed hopper of the machine. The baler will continue to cycle taking successively shorter strokes as the bale is built. When the bale reaches maximum size the baler automatically ejects and wire straps the bale. The baler returns to its starting point and begins another bale. Due to the different characteristics and densities of materials, an operator usually monitors this procedure.

D.4 CONSTRUCTION and DEMOLITION (C&D) Loading Area

Trailers for hauling C&D residuals are top loaded on the tipping floor. All material is hand sorted to ensure a cleaner more efficient sort. All rejected materials are separated and top loaded into trailers. Each load is approximately 17-22 tons.

D.5 C&D WASTE LOADING

The waste loads after floor sorting of C&D materials are loaded into trailers inside the southern end of the building for transportation to an approved landfill site.

D.6 MISCELLANEOUS MATERIALS HANDLING

K.B. Recycling receives various materials delivered in bulk. Drop boxes, bins, or concrete bunkers for storage of recyclables are provided. Drop boxes, bins, or concrete bunkers typically store metal.

K.B. Recycling also maintains a public recyclable drop-off area. The area provides for full-service recyclables collection and is located just inside the main gate at the facility.

D.7 USED OIL STORAGE

K.B. Recycling has a 500 gallon used oil storage tank with a roof and a secondary spill containment pan underneath. Commercial haulers bring in used oil in small curbside containers (2 gallons or less). After weighing in at scales they proceed to the oil storage tank, drain oil into the tank and dispose of empty containers in garbage bins beside the oil tank. This tank will be emptied on a regular basis. The surrounding area will be regularly cleaned and maintained by K.B. Recycling employees.

E. TRAILER/SHIPPING CONTAINER PROCEDURES

Full containers or trailers with outbound recyclable materials may be stored in the area east of the entry gate.

Putrescible materials are shipped to a Metro-approved transfer site within 24 hours of receipt.

E.1 MATERIAL HAULING AND TRUCKING

K.B. Recycling utilizes its own rolling stock and subcontractors for hauling of process recyclables, reject materials, mixed paper, and various other materials. Loading operations generally take place in their respective areas where forklifts load trucks from ground level or the loading dock. A tractor is used to spot trailers.

E.2 TRAILER/SHIPPING CONTAINER PROCESSING

All trailers and shipping containers will be weighed entering and leaving the facility, to establish the net weight shipped. In the event a truck is overweight, the Cashier will notify the truck driver and the truck will be required to re-enter the facility and have the load adjusted.

F. CONTROL OF WASTE MATERIALS

The K.B. Recycling facility will not knowingly handle waste types that are prohibited by federal, state, or local regulations and policies. These wastes include:

1. Hazardous wastes as defined in ORS 466.005.
2. Chemicals, liquids, explosives, infectious materials, and other materials which may be hazardous or difficult to manage.
3. Bulky combustible material, car bodies, dead animals, tires, sewage sludge's, septic tank pumpings, or hospital wastes.
4. Mixed solid wastes from the public.

The control of waste types is carried out at the facility in several ways. The first responsibility for controlling prohibited waste lies with the generator. This control is initiated through education and is the responsibility of the area collectors and Clackamas, Multnomah, and Washington County governments, and the Oregon DEQ. The second line of control is through inspection by the collector and transporter. The spotter visually inspects all loads and denies the off-loading of prohibited waste types. If unacceptable waste is detected, it will be logged on the Unacceptable Waste Log, giving the item numbers, date discovered, description of the material, and generator, if known. This is especially important with regard to self-haul material, which can be highly variable. Spotters and/or operators give a final inspection after the load is unloaded in its respective area. When the spotter rejects a load, they will contact the cashier who will provide to the individual: a list of possible disposal options; and/or the phone number of Metro; where disposal information can be obtained for materials not allowed at the facility.

Control procedures inside the facility are as follows:

1. Material is visually inspected as it is being tipped. The inspection is done by K.B. Recycling spotters or operators. Communication devices are provided to allow contact between the spotter, equipment operator, leadperson or site supervisor, cashier and the office.
2. Spotters, lead persons and the site supervisors are trained to spot suspicious waste, unacceptable waste, and special waste. They are knowledgeable about the identifiable characteristics of these types of wastes and the distinctive markings on containers.
3. Any suspicious waste delivered to the facility will be managed in accordance with all applicable laws and regulations. Suspicious wastes are materials that may be prohibited and the lack of information associated with the waste does not designate it as acceptable.
4. If any inspection or testing performed by K.B. Recycling, or others, reveals that any material which is delivered to the facility is unacceptable waste, K.B. Recycling will contact the hauler to have it removed. If the hauler refuses to remove the material then a qualified firm will be contracted to perform the unacceptable waste cleanup in accordance with applicable law.

When it is detected that unacceptable or hazardous waste has been unloaded at the facility,

K.B. Recycling will:

1. Contain and isolate the K.B. Recycling material.
2. If appropriate, notify the Regional Environmental Manager who will contact Metro, DEQ or EPA, as appropriate.
3. Use good faith efforts to identify the person or persons who delivered the waste. The efforts will use methods that are generally accepted as sufficient to prove responsibility for disposal.
4. Preserve and protect the evidence that may assist in proving ownership of, or responsibility for, the unacceptable waste.
5. Arrange such cleanup, or require the person(s) who delivered the waste to perform the unacceptable waste cleanup, immediately, in a manner that minimizes contamination of the facility and acceptable waste, minimizes the risk of damage to persons or the environment, and is in accordance with state and federal regulations.
6. If the responsible person is unknown or, in K.B. Recycling's judgment, is incapable of complying with the requirements for unacceptable waste cleanup, K.B. Recycling will arrange the unacceptable waste cleanup.
7. Fully document all costs for managing suspicious, hazardous and unacceptable wastes.

SECTION IV - EQUIPMENT AND EQUIPMENT MAINTENANCE

A. GENERAL

To a great extent, a well operated materials recovery center depends on a good preventive maintenance program. Except for specific repairs, all maintenance is preventive maintenance. The preventive maintenance program outlined in this section has the following objectives:

1. Ensure maximum safety for all individuals
2. Ensure reliability of operation
3. Minimize or eliminate adverse effects on the surrounding community
4. Protect the Company's investment in the facility
5. Ensure that all supplies, materials and equipment remain available to continue effective facility operation

A complete set of equipment operation, maintenance, and repair instructions are provided in specific equipment manuals. These instructions consist primarily of manuals provided by the manufacturers and describe in detail how a piece of equipment is to be operated, lubricated, and maintained for the best results. In addition, most manuals describe such repair procedures as changing belts, seals, etc. These references must be used, since in many cases warranties will be voided unless manufacturer's procedures are followed.

The equipment operation and maintenance manuals will be updated with maintenance procedures specific to the facility as these are identified through operating experience.

B. MAINTENANCE

B.1 MAINTENANCE RECORDS

Records of service, maintenance, and repair are to be maintained in order to develop historical data (vital for planning purposes) and to provide proper documentation for warranty purposes. The Maintenance Department maintains equipment service, maintenance, and repair records on file.

B.2 EQUIPMENT/GROUNDS MAINTENANCE

Major equipment on the site includes recycling processing sort line, baler, infeed conveyors, truck scales, rolling stock, environmental controls, and miscellaneous electrical equipment. Inspection and/or maintenance schedules for this equipment and for the-facility bounds are provided in the following subsection. Specific maintenance requirements for equipment are listed in their manual and have been incorporated into the routine equipment inspection program.

All equipment when received from a manufacturer or sales agent is checked for its specifications and operation prior to its use at the facility. No equipment will be used until formally accepted and inspected when received from the manufacturer or sales agent. All equipment will be maintained by K.B. Recycling maintenance personnel with assistance, as required, from off-site contractors.

K.B. Recycling has developed preventive maintenance procedures for the equipment. Daily cleaning of the facility grounds is considered a maintenance function. Additional maintenance schedules will be developed as required.

B.3 MAINTENANCE SCHEDULES

All equipment is inspected daily and is documented on equipment inspection forms. Baler inspection utilizes the manufacturers' Daily Service Record form. The company maintains weekly, monthly, and annual maintenance records. In addition, the company has its drivers complete Daily Vehicle Inspection and Vehicle Condition Reports.

Service and maintenance for all equipment, excluding scales, is recorded on the service record forms. A detail of equipment maintenance, beyond servicing, is recorded on a maintenance work order forms. All equipment maintenance beyond routine servicing requires the Facility Manager's approval.

K.B. Recycling submits oil samples from each equipment oil change to a qualified lab for wear analysis testing. Wear analysis reports are maintained in the equipment files. The following equipment and areas have specific inspections and maintenance items developed for them. Items are recorded on the service record forms, and the maintenance work order forms.

STORM/SEWAGE, ROOF DRAINS, BUILDINGS AND GROUNDS - The storm, sewage and roof drains receive periodic inspections as specified in the K.B. Recycling NPDES permit. A copy of storm, sewage, roof drains, buildings and grounds maintenance repair items is kept at K.B Recycling's office.

SCALES - The scales receive an annual inspection by a certified contractor. A certificate of inspection is maintained in the scale house and in the office.

BALER - The baler has specific daily and yearly inspections and servicing patterns. Inspection items are detailed in baler inspection forms. Maintenance items are recorded on baler maintenance forms.

SORT LINE - The sort line has specific daily and weekly inspections and maintenance patterns. Inspection items are detailed in sort line inspection forms. Maintenance items are recorded on the inspection and service order forms.

SECTION V - STAFFING: PERSONNEL, DUTIES AND WORK SCHEDULE

This section describes the K.B. Recycling facility's personnel organization structure. Topics include:

1. Work schedules
2. Descriptions of personnel duties
3. Training program
4. Subcontractors

A. GENERAL ORGANIZATION

K.B. Recycling maintains a centralized management and administrative staff to handle the common needs of all of its facilities. In addition, each facility has its own management and technical staff, most of whom are assigned to that facility only.

B. WORK SCHEDULES

Table 1 shows the K.B. Recycling facility staffing. The facility operates with one primary shift. The day begins at 6:00 a.m. The facility will be opened at 5:30 a.m. by the Plant Manager or Operations Supervisor. Facility hours and employee shift schedules are subject to change based on customer and production requirements.

Table 1 K.B. Recycling Material Recovery and Processing Facility Staffing

Management Positions	Staff Positions
Plant Manager	Lead person
Operations Manager	Spotter
Site Supervisor	Equipment Operator
Office Admin	Baler Operator
	Sort Line Operator
	Laborers
	Scale House Operator

Note: Positions in BOLD FACE can also be designated as a Plant Manager at any time the regular Plant Manager is not on-site. At those times, the Plant Manager will have overall responsibility for facility operations. A Plant Manager will be on-site during all operating hours.

At all times, the facility is under the direct control of supervisory personnel with full authority to make operating decisions. Maintenance and key operating personnel are on-site as required to

accommodate the work needs and are on-call when the facility is closed. Cross training provides for position replacement when individuals are sick or on vacation. At a minimum, staffing is maintained at the facility during primary delivery hours as follows:

1. A Site Supervisor.
2. Equipment Operators, which includes the baler, and sort line operators, in sufficient number to operate equipment at the facility.
3. Spotters in sufficient number to assist in the control of traffic, unloading of material, control of debris, maintenance of the site, recovery of recyclable materials.
4. Scale House Operator sufficient to handle the flow of waste and number of users.
5. Leadpersons and Laborers in sufficient number to process the waste received.
6. Additional personnel as required based on seasonal fluctuations and weekend versus weekday operations.

Workers may be rotated among several positions throughout the work schedule, as directed by the Site Supervisor.

C. DESCRIPTIONS OF PERSONNEL DUTIES

Descriptions of duties and required qualifications of facility personnel are provided below:

C.1 PLANT MANAGER

This position is responsible for the coordination and integration of all activity on the site. The Facility Manager's responsibilities include, but are not limited to:

1. Oversee the general operation of the site.
2. Formulate and develop rules, regulations, work methods, and procedures, monitor and review work activities and performance.
3. Coordinate expenditures for day-to-day operations and, if necessary, supervise the preparation of projected facility improvements.
4. Receive and investigate complaints of citizens and recommend remedial action as appropriate.
5. Lead tours of site for pre-arranged individuals or groups.
6. Ensure adequate site security.
7. Maintain health and safety and environmental compliance overall.

C.2 SITE SUPERVISOR

The Site Supervisor is responsible for planning and directing the work of a group of Equipment Operators, spotters and laborers involved in the processing of waste received at the facility. Work involves planning and scheduling employees and equipment in order to ensure full coverage; developing new and improved methods of handling, recycling, and compacting acceptable wastes, and; providing technical, as well as functional assistance and guidance to subordinates. When the

Facility Manager is not on-site, the Site Supervisor also performs the function of Facility Manager with responsibility for the operation of the overall facility.

The Site Supervisor's responsibilities include, but are not limited to:

1. Plan and direct the work activities of a group of subordinates; provide assistance and guidance for difficult or unusual problems; monitor work progress to ensure compliance with operating policies.
2. Develop and implement modifications and revisions in existing operating procedures; initiate improvements in areas of greatest need.
3. Implement and supervise safety policy; ensure that all necessary safety precautions are observed; coordinate safety meetings for employee groups.
4. Provide training of Equipment Operators.

C.3 LEADPERSON

The Leadperson directly supervises Equipment Operators, Spotters, Laborers, Scale House Operators and others as required. The Leadperson is a working position in designated areas responsible for ongoing supervision, and direction of the area's workers. The Leadperson insures safety, quality, and performance standards are being met and provides training as required. The Leadperson may assist the Site Supervisor or Facility Manager in scheduling workers and other tasks that may be delegated. In the absence of both the Facility Manager and the Site Supervisor, a Leadperson may be designated to function as the Site Supervisor.

C.4 SPOTTERS

The Spotter's primary duty is to direct arriving vehicles into appropriate areas for unloading. They ensure the safe and efficient flow of private and commercial vehicles into and out of unloading areas.

Spotters are responsible for visually inspecting waste and recyclables as it is being unloaded in the facility. They look for any suspicious or unacceptable materials, and use good faith efforts to identify the person or persons who delivered the material. They may respond to minor incident containment or cleanups and will call the designated Emergency Coordinator in the event of any major incidents. They will receive initial training in safety and hazardous waste identification and handling procedures.

The Spotter inspects each load of material received to ensure the material quality.

C.5 EQUIPMENT OPERATORS I & II AND SORT LINE OPERATORS

These positions are responsible for the safe and efficient operation of heavy or specialized equipment with complex controls that require considerable manipulative skills. Duties include manual tasks associated with equipment operation assignments. Assignments involve a varying degree of responsibility for the safe operation of the equipment and the safety of others working

with the equipment. Training for the equipment is provided to Operators by the appropriate Supervisor. A list of operators certified to operate equipment is maintained by the Site Supervisor. Equipment Operators, Balers and Sort Line Operators run the front-end loaders, forklifts, skid steer, drop box trucks, the baler, sort line, compactor, wood chipper, yard goat, and other equipment that may be on site.

The responsibilities of the Equipment Operators, Balers, and Sort Line Operators include, but are not limited to:

1. Daily pre- and post- operating inspections on each piece of equipment operated.
2. Operation of equipment in a safe and efficient manner, complying with all company and manufacturers' procedures, exercising appropriate care and judgment.
3. Insure regularly scheduled preventive maintenance of equipment.
4. Perform any other assigned duties designated by the Leadperson or the Site Supervisor.

C.6 LABORER

This position is responsible for the separation and processing of recyclable materials received at the facility. The Laborer will be trained to identify and distinguish between types of materials, including metals and plastics that must be handled separately for effective marketing to recycling markets.

The responsibilities of the Laborer include, but are not limited to:

1. Segregate and remove recyclable materials and reject materials from designated waste loads on the transfer floor or from the various conveyors and picking lines utilized in material processing.
2. Assist the general public in identifying materials and designating the proper bins for disposal.
3. Assist in maintaining adequate storage capacity in bulk receiving areas and in public drop-off bins.
4. Assist in cleaning and maintaining the facility.
5. Provide manual support for the recyclable sorting processes.
6. Insure that the quality of recyclable materials is maintained at a minimum standard, prior to being directed to its designated area.
7. Clean facility and equipment and perform litter patrol functions.
8. Perform other facility functions as directed by supervisors.

C.7 OFFICE ADMINISTRATOR

This position involves varied administrative work, supporting the Facility Manager and Site Supervisor as required. The responsibilities of this position include, but are not limited to:

1. Prepare monthly, quarterly and annual reports as required.
2. Work with Company accounting personnel to prepare on-site records for central processing.
3. Perform reception and telephone operator functions.

4. Perform special studies as directed.
5. Procure necessary supplies and equipment for field and office functions.
6. Coordinate record keeping and data management with scale house personnel.
7. Provide backup to scale operator/cashier functions.
8. Perform other tasks that may be assigned.

C.8 SCALE HOUSE OPERATOR

This position is responsible for the operation of the scale house, the processing of vehicles through the entry scale house area, the charging and collection of material fees and directing customers to appropriate areas of the facility.

The Scale House Operator is required to have knowledge of the computer and records system as well as the ability to identify material types, including recoverable materials. This position will also be the primary point of contact with the general public and will require good public relations skills.

Specific responsibilities of the Scale House Operator include, but are not limited to:

1. Opening and closing the material receiving/records system on a daily basis.
2. Perform limited waste screening and visual inspection of loads.
3. Operating the scale and managing the flow of receipts and records required between the facility and the waste hauling trucks.
4. Receiving the general public as they enter the facility and making judgments as required about incoming material to determine fees.
5. Managing cash transactions; maintaining proper records and receipts to ensure that cash received is fully accounted for.

C.9 FACILITY MAINTENANCE PERSONNEL

This position has the lead responsibility for all maintenance of the K.B. Recycling site.

Specific responsibilities include, but are not limited to:

1. Develop, implement and track a preventive maintenance program for all facility equipment and structures.
2. Acquire and maintain appropriate tooling and repair equipment to adequately service the facility and its equipment.
3. Diagnose and recommend needed repair of facility and equipment as required.
4. Review routine preventive maintenance on all equipment.
5. Schedule and implement facility maintenance.

D. OPERATIONS TRAINING PROGRAM

All personnel are required to participate in an on-going training program with an emphasis on safety and loss prevention, employee morale, productivity and customer satisfaction. All personnel are given an orientation program upon hiring after which they then participate in the on-going training programs for all personnel.

This program is designed to educate employees about the overall functioning of the facility, their particular responsibilities, hazards associated with facility operation functions, and methods to minimize such hazards. This program also educates employees about the existence and location of safety equipment, personal protective gear, emergency directories, and the response procedures to follow in the event of an emergency.

As required, selected employees will receive specialized training, off-site, directly related to their individual work responsibilities and hazardous materials.

E. SUBCONTRACTORS

The following subcontractors are involved in the listed activities:

1. Household Hazardous Waste -Disposal & Transportation

Safety Kleen
16540 S.E. 130th Avenue
Clackamas. OR 97015
(503) 655-3068

2. Spill Response Contractor-Hazardous Materials Spills

Safety Kleen
16540 SE 130th Avenue
Clackamas, OR 97015
(503) 655-3068

3. Spill Response Contractor-Oil Spills

Clean Harbors, Inc.
14434 SE Industrial Way
Clackamas, OR 97015
(503) 785-0404

4. Pest Control Contractor

Axiom Eco Pest Control
4252 SE International Way
Milaukie, OR 97222
(503) 772-9466

5. Noise Consultant

Daly, Standlee & Associates
11855 SW Ridgecrest Drive #201
Beaverton, OR 970705
(503) 646-4420

6. Used Oil Contractor

Thermo Fluids, Inc.
12533 SE Carpenter Dr.
Clackamas, OR 97015
(503) 788-4612

SECTION VI - GENERAL CONTINGENCY PLAN

A. INTRODUCTION

This section provides information on procedures to be followed in the event of certain unusual occurrences. Because the facility is a vital link in the operation schedule of contract haulers bringing materials to the facility, facility functions must continue as normal as possible under these circumstances.

B. BAD WEATHER

In the Portland area, potential types of bad weather that could affect operations include:

1. "Black ice" or freezing rain
2. Excessive rain or snow
3. Excessive wind

These conditions could cause some or all material deliveries to stop, and could also prevent the transfer of waste from the facility. The number of staff available could also be limited because of travel conditions. The Facility Manager or his/her designate would assess the situation, and staff assignments would be adjusted accordingly. It is likely that material volumes would increase in the period following such weather. Special arrangements, including extended working hours, may be necessary in such cases.

C. EQUIPMENT FAILURE

The compactor, baler and conveyor units are the only pieces of equipment that if broken or unusable, for any reason, might potentially interrupt the flow of material. However, if such an event were to occur for an extended period, material deliveries could be rerouted to an alternate facility. Materials already received could be loaded into open top trailer/trucks and shipped to directly to the disposal facility.

All other equipment is mobile equipment and can be easily and quickly replaced with other equipment on-site or from other KB facilities.

D. SITE ACCESS BLOCKAGE

If arterial access to the facility is denied because of an emergency, K.B. Recycling will consult with Metro and/or Clackamas County regarding an alternative transportation plan. If the blockage appears to be lengthy, haulers may be diverted to an alternate facility. Material at the facility may be held in containers, trailers or on the floor of the facility until conditions allow shipment.

SECTION VII - CONTINGENCY PLAN A. PURPOSE AND SCOPE

The purpose and scope of this Contingency plan is to provide guidance to insure personnel safety and to minimize hazards to human health and the environment. This plan is intended to meet applicable state and federal requirements.

A.1 FACILITY INFORMATION

Name of FacilityK.B. Recycling, Inc.
Type of Facility..... Commercial Solid Waste
Location & Mailing Address9602 SE Clackamas Road
..... Clackamas, OR 97015
Name of contact personKris Wright
Phone number: (503) 504-6457
E-mail address..... kristopher.wright@wasteconnections.com
Name and address of company owner or parent companyJason Hudson
.....9602 SE Clackamas Road
..... Clackamas, OR 97015
Phone number: (503) 318-1572
E-mail addressjason.hudson@wasteconnections.com

A.2 APPLICABLE APPENDICES

A. Statement of Authorization for K.B. Recycling Emergency Coordinators and Alternates

Name	Title	Address & Phone No.
Jason Hudson	Division Vice President	12115 NE 99 th St. Vancouver, WA
Kris Wright	Operations Manager	9602 SE Clackamas Road Clackamas, OR
Mike Smith	Plant Manager	9602 SE Clackamas Road Clackamas, OR

A.3 Emergency Call list

<u>Emergency type</u>	<u>Service provider</u>	<u>Phone Number</u>
Injury	Willamette Falls Hospital	(503) 657-6702
Fire	CCFD #1	911
Public & Life Safety	CCFD #1	911
Clean-up	Clean Harbors, Inc.	503-785-0404
Spill Reporting	Oregon Emergency Response System	800-452-0311

B. PREPAREDNESS AND PREVENTION

B.1 DESIGN AND OPERATION

The K.B. Recycling facility has been designed and constructed in a manner that minimizes the potential for environmental exposures, fires, and explosions. Its features include paved material handling areas and appropriate containers for material staging. The facility is inspected regularly and cleaned daily.

Operational procedures, plans, and equipment that further reduce potential environmental exposures include the personnel training program, inspections, reporting procedures, and this Contingency Plan.

B.2 EMERGENCY COORDINATOR AND RESPONSE TEAM

The Plant Manager is responsible for handling situations at the facility that require implementation of the contingency plan. The Plant Manager will assume responsibility for all emergencies and response measures relating to hazardous waste and will report to management regarding spills and emergencies. The Operations Manager will form an Emergency Response Team. K.B. Recycling will maintain a Statement of Authorization for each member of the Emergency Response Team.

The Plant Manager alternates are familiar with all aspects of the contingency plan, and they retain copies of it in their offices. Additional copies are maintained at the facility for inspection. Either the primary or the alternate Plant Manager is at the facility at all times or can reach the facility quickly. Members of the facility's emergency response team may also be needed to assist the Plant Manager in the event of an incident. Their specific duties are described in the operations personnel training plan maintained by the facility (Section V). The Plant Manager has the authority to commit whatever K.B. Recycling resources are needed to carry out the contingency plan.

General Procedure for Emergencies

In the event of an imminent or actual emergency situation, the following steps will be taken:

1. Contact the Plant Manager or alternate.
2. The Plant Manager/Alternate Emergency Coordinator will activate internal facility alarms or communication systems to notify all facility personnel.
3. If there has been a release of hazardous materials, the Plant Manager/Alternate Emergency Coordinator will identify and determine the extent of the release.
4. If the Plant Manager/Alternate Emergency Coordinator determines that there has been a release which could threaten human health or plant & equipment, he will notify the appropriate local agencies (police, fire, and/or hospital)
5. The release will be controlled and contained as described below in "Specific Instructions for Chemical Spills".
6. The Plant Manager/Alternate Emergency Coordinator will ensure that fires, explosions, and releases do not occur, recur, or spread.
7. The released material will be properly treated and cleaned up as described below in "Specific Instructions for Chemical Spills".
8. If evacuation of the facility is necessary, steps will be carried out.
9. The Plant Manager/Alternate Emergency Coordinator will insure that no waste that may be compatible with the released materials is treated, stored, or disposed of until clean-up procedures are completed.
10. After the emergency, the Plant Manager/Alternate Emergency Coordinator will ensure that all emergency equipment is cleaned and fit for use before operations are resumed.

B.3 ARRANGEMENTS WITH LOCAL RESPONDERS

In an emergency to which plant personnel cannot adequately respond, the services of the designated spill response contractor, local fire department, police, or hospital may be required. Coordination arrangements have been made with the agencies and organizations included in the information listed above.

B.4 PERSONNEL TRAINING

The Plant Manager and alternates, as well as members of the emergency response team, complete a program of classroom instruction and/or on-the-job training that includes implementing the contingency plan. Other key employees who work with suspicious or hazardous materials also receive training, at least annually.

The personnel training program includes the following:

1. Orientation for new employees on the facility's safety program and contingency plans, as well as basic personal safety instruction.
2. Regularly scheduled safety meetings.
3. First aid instruction for selected staff members.
4. Specific instruction for all personnel regarding the hazards associated with chemicals used at the facility and the location of information concerning each (in compliance with federal hazard communication standards).

5. Fire prevention and firefighting instruction.
6. Instruction for all personnel on how to detect suspicious and hazardous materials before and after it is unloaded and how to identify the person(s) who disposed of the materials.
7. Instruction concerning detailed procedures to effectively respond to emergency situations and implement the contingency plan.
8. Routine inspection and testing program for all safety- and emergency- related equipment and protective devices (the results of which will be discussed at the safety meetings). This is part of the facility maintenance procedures (see Section IV).
9. Thorough investigation of all accidents to ascertain their cause and to devise methods to prevent them from recurring.
10. Issuance of an employee safety manual to each department for use in training sessions and for personal reference.
11. Posting of safety bulletins or posters concerning accidents, hazards, or hazardous conditions occurring elsewhere in the industry.
12. Routine walk-through inspections conducted by Company personnel through all areas of the facility, seeking out potential or current safety hazards, including permanent equipment and building features.
13. Maintenance of a training log indicating date of training and employee's name.
14. Observation of all applicable Occupational Safety and Health Administration (OSHA) standards.

Annual training review for all employees. Training review includes discussion of pertinent hazards at each department.

B.5 SECURITY

The facility has established security measures to prevent entry of unauthorized persons. Access to the site is controlled by perimeter fencing and gates across the entrances. The front gate is kept closed when the facility is not receiving waste. The rear gate is kept locked at all times, except for emergencies. Supervisors, maintenance personnel and lead persons have keys to open all facility gates. K.B. Recycling also utilizes a company to maintain security during off-hours.

C. EMERGENCY EQUIPMENT

C.1 EXTERNAL COMMUNICATION SYSTEM

In a major emergency, any situation that endangers life and/or property, or is a threat to adjoining properties, the Plant Manager will call, or designate someone to call, the proper authorities and regional management. All telephones at the facility have the capability of off-site calling.

C.3 ALARM SYSTEMS AND INTERNAL COMMUNICATIONS

K.B. Recycling has developed a communication and alarm system capable of initiating the emergency response procedures and of enabling rapid evacuation of affected areas. The internal communication and alarm system consist of:

1. Landline Telephones
2. Cellular Telephones

Cellular telephones are carried by most K.B. Recycling operations staff. Scale house and the K.B. Recycling receptionist are also in telephone contact with facility floor personnel.

C.4 FIRE CONTROL EQUIPMENT

The building has a complete sprinkler system, which is automatically activated by heat sensors. The fire control equipment at the facility includes sprinkler system, portable fire extinguishers, fire hydrants and fire hoses. The locations of the fire hoses and the fire extinguishers are shown in Figure 1. There are two hydrants, one is located at the northwest end of the building and the second is at the southeast end of the property. Portable fire extinguishers are used to control small fires, and all employees are trained in their proper use. Fires are classified in three categories and each type of fire can be controlled by certain types of extinguishers as shown in Table 2. All of the facility's fire extinguishers are rated to handle A, B, and C classes of fire extinguishers.

Table 2 Fire Extinguisher Use

Class of Fire	Type of Fire	Extinguisher
A	Combustible fire	Use water, ABC, Halon, or
B	Flammable liquids	Use ABC, BC, Halon, or Purple K
C	Electrical fire	Use ABC, BC

D. SPILL AND EMERGENCY RESPONSE PROCEDURES

Whenever there is an actual or imminent emergency, the procedures listed in this section shall be implemented.

D.1 SPILL RESPONSE EQUIPMENT

Absorbent material is kept at various locations in the facility, in large plastic cans, so that personnel can respond to hazardous material and petroleum releases, until appropriate cleanup measures are implemented.

D.2 DESCRIPTION OF WASTES PRESENT

The facility receives solid wastes from commercial, industrial and source separated recyclable material sources. Materials that fit the definition of hazardous wastes under 40 CFR 261 may be

unintentionally included along with other, non-hazardous wastes. Discovery of suspicious or hazardous wastes from these sources is the primary focus of this contingency plan.

K.B. Recycling also stores certain materials, designated by DOT or OSHA as hazardous, for use in maintenance activities. Hazardous materials stored and used on-site are accompanied by Safety Data Sheets (SDS). SDS are available in the break room for review by personnel. Employees have been informed of the contents and location of the SDS as part of their training.

D.3 DEFINITION OF MINOR AND MAJOR EMERGENCIES

The appropriate response action for any given spill or emergency depends on the material released, the amount of material, and where the release occurs. The following is the general definition of a minor emergency and the general definition of a major emergency.

Minor Emergency Definition:

1. Any situation that could possibly endanger personnel or damage property in a given process or area but that can be controlled with available facility portable emergency equipment and/or facilities and staff.
2. Adjacent areas and neighboring properties are not endangered, full mobilization of the facility is not required, although outside help may be called in as backup.
3. Any situation where the specific hazards of the spilled or released waste are compatible with other nearby materials and/or do not constitute a potential threat to human health or the environment.

Major Emergency Definition:

1. Any situation that could endanger personnel and/or property that is also a threat to neighboring areas or the community surrounding the facility.
2. Outside help must be secured and the facility mobilized to control the emergency.
3. Any situation where the specific hazards of the spilled or released waste are deemed to be incompatible with nearby materials and/or constitute a potential threat to human health or the environment.

D.4 D.4 PLAN IMPLEMENTATION

The activities involved in implementing the contingency plan and the sequence in which they are implemented are listed and then described below. The Plant Manager is responsible for implementing the following activities:

1. Briefly assess the situation to determine whether a total or partial facility evacuation is necessary (i.e. decide whether circumstances constitute a minor or major emergency).
2. Assess potential hazards to human health or the environment presented by the release.
3. Assess the source, extent and nature of the material involved in the release.
4. Activate alarm, if necessary.
5. Initiate partial or total facility evacuation, if necessary.
6. Isolate the spill with absorbent material, if necessary.

7. If a major emergency has occurred, including a reportable spill, telephone OERS and the spill response contractor. If a minor emergency has occurred and outside help is needed, telephone spill response contractor.
8. Implement notification procedures (Regional Management and/or Metro, DEQ, or EPA). The spill response contractor will implement control and cleanup procedures as required.

A detailed spill response, and asbestos identification plan is explained in Appendix E.

D.5 EVACUATION PLAN

In case of fire, explosion or other emergency requiring evacuation of the entire facility, supervisors and operators will be notified by two-way radio to activate the evacuation plan.

Upon receiving notification, employees of the affected area are instructed to take all precautions for their own safety and to do as the Plant Manager directs. Any individual who enters the affected area must be properly equipped and follow company procedures regarding personnel safety during emergencies.

Employees will evacuate the facility via the nearest accessible exit. The evacuation route each employee takes to the facility gates will depend on where the person is located at the time of the emergency. All personnel will gather at the front gate for a head count.

The Plant Manager is responsible for determining that all facility employees and visitors have been evacuated. This will be accomplished for workers by taking a head count. All visitors are under escort at all times and are to be evacuated by facility employees. Spotters will be responsible for getting both public and private haulers out of the building. Evacuation drills will be conducted periodically to ensure smooth operation of the plan. If evacuation is necessary, the Operations Manager will notify the Region Office, which will then notify Metro.

Note: All non-employees will be escorted to the front gate and will not re-enter the facility until the Plant Manager authorizes re-entry.

D.6 INITIAL ASSESSMENT AND EVALUATION

The first response procedure is to assess and evaluate the release. The Plant Manager will visually assess the emergency and contact available witnesses to the release to determine whether facility evacuation is necessary. If the Plant Manager determines that the situation endangers (or is likely to endanger) the safety of facility personnel, the Plant Manager will begin an evacuation of the area immediately affected by the release, or an evacuation of the entire facility. This decision will be made based on the initial assessment of the extent of the danger presented by the emergency. During those times when the primary Plant Manager is not at the facility, the operations supervisor will immediately contact the primary Site Manager, describe the emergency, and follow the Plant Manager's oral orders until he or she arrives at the facility or until the primary Plant Manager can delegate authority to an alternate.

D.8 IDENTIFICATION OF MATERIALS

The Plant Manager will assess the source, extent, and nature of the materials involved in the release. This information is intended only to assist the spill response contractor in characterizing the nature of the release. The Plant Manager will accomplish this by visually inspecting the situation and by talking with any witnesses to the release.

If there are no eyewitnesses to the incident, the Plant Manager will use the following information to identify the hazardous materials:

1. **Type of Waste:** The spotter who directs unloading of waste has a good knowledge of typical load contents or who delivered the material. The spotter may also have information about the contents of the waste load.
2. **Location of the Incident:** The location of the incident will give an indication of the waste that might have been released.
3. **Container Involved:** The number and type of containers involved in a spill will provide an indication of the amount of waste that has been released.
4. **Container Labels:** All hazardous materials packaging should be labeled. The label will help identify the type of waste in the event of a release. Deposited wastes will be examined for containers showing evidence of leakage. If the generator is known, have a SDS faxed to the facility, the SDS may identify the type of waste.
5. **Other Information:** Visual observations of the labels and existing chemical analyses of wastes will be used to determine potential identity and risks of the release. If the identity of the material released cannot be accessed through these means, the Site Manager will consult the spill response contractor.
6. **Initial Response Sampling and Analysis:** All response sampling and analysis will be conducted by the spill response contractor. He or she will perform any further activity necessary to stabilize cleanup and decontaminate the area.

D.9 ASSESSMENT AND OFF-SITE NOTIFICATION

After tentatively identifying the material that has been released, the Plant Manager will assess possible hazards to human health or the environment that may result. This will be done by reviewing SDS sheets for materials potentially encountered at the facility and evaluating the available information about the materials involved and the quantity and location of the release.

If the Plant Manager determines that the facility has had a release, fire, or explosion that could threaten human health or the environment and cannot be controlled with available facility response equipment, or that requires evacuation of the immediate facility vicinity, the Plant Manager, or the alternate present at the site, will immediately initiate the following notification procedures:

1. Contact plant and regional personnel as needed from the Emergency Phone Number List shown in Section VII.
2. Contact the external authorities shown in Section VII at the direction of the Regional Environmental Manager or Plant/Safety Manager.

3. Provide the following information to authorities, if available.

- Name and telephone number of caller and name and address of facility
- Time and type of incident
- Name and estimated quantity of materials involved and extent of injuries
- Possible hazards to human health or the environment outside the facility
- Steps taken to contain or clean up hazardous material.
- Agencies that have been notified

Releases of more than a specified amount of hazardous substances listed in 40 CFR 302.4 (referred to as a Reportable Quantity) must be reported to the National Response Center. This applies to releases of substance beyond secondary containment provisions at the facility where the substance enters soil, surface water, or air. Any spill meeting the Reportable Quantity Requirements of OAR 340-142-0050 are to be reported immediately to the Oregon Emergency Management Division's Oregon Emergency Response System (OERS) by calling 1-800-452- 0311.

D.10 CONTROL PROCEDURES

Once the materials involved in a release have been tentatively identified, control procedures described below will be implemented and the appropriate agencies will be notified. The control procedures involve physically controlling the spread of a spill or release and cleaning up the spill or release residue.

The control procedures implemented will depend on the type of release (such as spill of solids, liquid or gas) and the magnitude of the problem presented by the release (minor or major emergency). Table 5 lists the general control procedures that may be implemented in a minor emergency. These procedures will not require implementation of the contingency plan.

Table 5 Minor Emergency Procedures (Contingency Plan Not Activated)

1. Maximize the safety of all employees and visitors in the area. Prevent inadvertent access into the release area by using traffic control devices or by staffing the location with an employee.
2. Implement partial facility evacuation, if necessary.
3. Call spill response contractor to perform assessment and cleanup.
4. Clean up spills in accordance with accepted procedures. This is the responsibility of the spill response contractor.
5. Notify Regional management and the agencies as in Section VII, as appropriate.
6. Transport containers to appropriate disposal area or remove from site as appropriate. If the release is considered a major emergency, the Operations Manager is contacted.

Table 6 below lists the control procedures that may be implemented in the event of a major emergency. The contingency plan will be implemented in the event of a major emergency. Major emergency steps listed below may occur concurrently to each other.

Table 6 Major Emergency Procedures (Contingency Plan Activated)

1. Maximize safety of all employees and visitors to the area. Prevent inadvertent access into the release area by using traffic control devices or by staffing the location with an employee.
2. Implement partial or full facility evacuation, if necessary.
3. Call spill response contractor to perform assessment and cleanup.
4. Stop container leak at source, if possible. (This should only be attempted with proper PPE and adequate equipment for the spilled material).
5. Contain spilled material. Use absorbent material to contain spilled liquids if there is a risk that the liquid will spread.
6. Notify Regional management and the agencies in Section VII, as appropriate.
7. Clean up spill in accordance with accepted procedures. This is the responsibility of the spill response contractor.

D.11 LEAKAGE AND SPILLS OF HAZARDOUS OR SUSPICIOUS WASTES

Contingency plans have been developed to respond to releases from leaking containers of hazardous or suspicious wastes. In the event of a spill or leak of suspicious waste from a container, a K.B. Recycling responder will assess the situation and, if appropriate, isolate the material and contain the area. The remaining liquid will be transferred to an approved drum and any spilled liquid will be absorbed with an absorbent. The spill response contractor will perform this work.

K.B. Recycling will use good faith efforts to identify persons who dump identified hazardous wastes. The "Spotters" working on the tipping floor will be trained to identify suspicious wastes through knowledge of distinctive markings on containers. Methods and documentation used will be sufficient to prove who is responsible for disposing of these wastes. The cleanup and documentation will be performed in a manner that minimizes contamination of the facility and of acceptable waste, minimizes risk of damage to persons or the environment, and is in accordance with state and federal regulations.

In the event of a minor or major emergency, DEQ and/or Metro will be notified by K.B. Recycling as soon as practicable, but within twenty-four (24) hours.

D.12 DECONTAMINATION ACTIVITIES FOLLOWING CONTROL OF INCIDENT

Following control and initial cleanup of the release, the spill response contractor will initiate post-emergency cleanup and decontamination activities, if necessary. Depending on the magnitude of the

incident (e.g. extent of damage, contamination, or release) and the type of waste involved, cleanup activities may vary widely. The spill response contractor will make a case-by-case determination of activities in consultation with the site manager. In general this determination will be based on the following methodology:

1. Initial sampling and analysis. Following initial stabilization of the emergency situation (e.g. temporary berming), the spill response contractor will determine whether sufficient information is available to determine an appropriate method of cleanup and subsequent decontamination. If insufficient information is available, the spill response contractor will sample and analyze spill residues to generate sufficient information to make this determination.
2. Before sampling, the spill response contractor will consult with regional management and guidance documents, if needed, to determine the appropriate sampling (including personnel protective equipment, sampling methods, and sample containers) and analysis protocols.
3. Initial decontamination. Following assessment of the chemical nature of the residues, the spill response contractor will determine appropriate decontamination methods, including the types of cleaning solutions and equipment required, methods of cleaning, and residue collection and management.
4. Follow-up sampling and analysis. Before completing the cleanup and decontamination activities, the spill response contractor may conduct additional sampling and analysis to determine the effectiveness of the cleanup operation. Procedures will be similar to those previously noted. If analysis shows that further cleanup is needed, these activities will also be conducted.
5. Final decontamination activities. Following determination by the spill response contractor that decontamination and cleanup are complete, the spill response contractor will instruct cleanup personnel to decontaminate reusable or salvageable response equipment. Contaminated items not suitable for reuse (e.g., disposal clothing) will be discarded along with the spill residue, or in separate containers, as appropriate.

D.13 PREVENTION OF RECURRENCE OR SPREAD OF FIRES, EXPLOSIONS, OR RELEASES

During an emergency, the Operations Manager or his/her designate, will undertake reasonable measures necessary to minimize the potential for a secondary fire, explosion, or release. The following procedures will be carried out:

1. Access to the affected area will be controlled to reduce the possibility of spilled material spreading to other areas.
2. Containers, valves, pipes, and transfer vehicles in the affected area will be inspected for other potential for releases. Valves will be closed to reduce the potential for additional releases.
3. The affected area will be inspected to determine whether gas or heat buildup is occurring and whether this could lead to a fire or explosion. If so, fuel valves will be closed and electrical power which does not hamper firefighting equipment will be shut off.
4. Waste materials will be isolated to reduce the possibility for contact with any potentially incompatible materials.

If there is a risk of fire, any containers of ignitable materials that may be stored nearby will be removed from the area or have water sprayed on them.

D.14 STORAGE AND DISPOSAL OF RELEASED MATERIAL

Wastes that are involved in an unplanned release will be cleaned up as described earlier in D.11. Following control of the release, drums containing spill residue, contaminated soils, absorbent, contaminated clothing, and decontamination equipment and residues will be labeled and removed to an appropriate storage/disposal facility by a licensed contractor.

By using test data and referring to chemical compatibility information, the spill response contractor will determine the appropriate method and location for storage.

D.15 INCOMPATIBLE WASTES

Incompatible wastes (hazardous materials, liquids, etc.) will be removed from the waste stream, segregated into appropriate categories, and staged for pickup and disposal by the spill response contractor or the generator.

D.16 POST -EMERGENCY EQUIPMENT MAINTENANCE

The Plant Manager is responsible for overseeing the post emergency equipment inspection. The specific details of the inspection plan depend on the type and extent of the emergency. Following is a list of typical inspection procedures:

1. Replace fire extinguisher(s) used during the emergency.
2. Visually inspect and roll up fire hose(s).
3. Check stock items in first aid kits and replenish as needed.
4. Conduct general housekeeping inspection of production areas affected by the emergency, including but not limited to electrical and hydraulic systems, ventilation equipment and mobile equipment.

Management will assess each post-emergency situation and develop an appropriate inspection schedule to implement corrective actions.

D.17 AMENDMENTS TO THE PLAN

The Contingency Plan will be reviewed annually and revised as necessary. The plan will be revised if:

1. Applicable regulations change or the facility permit is revised.
2. The facility changes in design, construction, operation, or maintenance; if other circumstances develop that substantially increase or decrease the potential for releases of hazardous waste or hazardous waste constituents; or if changes occur in the response necessary in any emergency.
3. The list of Emergency coordinators change.
4. The Emergency Phone Numbers List changes.
5. The list of emergency equipment changes substantially.

SECTION VIII - REPORTING PROCEDURES AND COORDINATION

A. GENERAL

The K.B. Recycling facility uses a reporting system that allows both internal functioning and a flow of required information to Regional Office, DEQ and Metro. The reporting system has been designed to integrate smoothly with the daily work routines of staff members with reporting functions. This section contains a description of the facility reporting and information system.

With the exception of required reporting and operational data, all personnel and operational files are kept by the personnel department at the K.B. Recycling Office.

B. REPORTS/RECORDS

A monthly facility report is generated which summarizes all daily and weekly tonnage, maintenance, safety and health, and operational data for each month.

B.1 PERSONNEL RECORDS

Complete detailed personnel records are maintained at the K.B. Recycling Office.

B.2 TRAINING RECORDS

Employee training records are kept in the K.B. Recycling office and are stored in individual employee files. As an employee receives work related training, documentation of the training is placed in his/her file. Training records are archived at the K.B. Recycling office when an employee leaves K.B. Recycling employment. Training records are retained, at a minimum, for as long as specified by the individual training requirements.

B.3 WASTE DISPOSAL RECORDS/REPORTS

Tonnage of material received at the facility is recorded automatically by a computerized system installed in the scale house. The readout from the scale is automatically recorded and stored by computer. Tonnage and yardage records are summarized daily and entered into files which are stored on diskettes kept in the administrative building office.

Monthly waste reporting is compiled by the accounting group. Monthly tonnage reports are submitted to Metro and/or DEQ.

B.4 EQUIPMENT/MAINTENANCE REPORTS

Operator reports are reviewed by the maintenance department on a daily basis. Repair logs are periodically reviewed by both maintenance and management to be sure schedules are in order and maintenance items are not above normal. Mileage and/or hours of operation for each piece of mobile equipment used at the facility are recorded then compiled in a monthly report. These reports are used to review equipment needs, identify under-used equipment and develop equipment replacement and maintenance schedules. The equipment mileage and hours records and equipment lists are kept in the K.B. Recycling Office.

A comprehensive list of equipment owned or leased by K.B. Recycling, Inc. is kept at the facility. This list includes a description, the license number, and the serial number of each piece of equipment in use. The list is updated as new equipment is acquired and old equipment is removed from operation.

Maintenance records are maintained by maintenance personnel under the direction of the Facility Manager. For more detail on equipment and maintenance reports see Section IV, of this manual.

B.5 PERSONAL INJURY ACCIDENTS

In the event of a personal injury accident, the Site Supervisor or other senior individual assumes immediate responsibility at the scene. He/she seeks assistance from other employees, designates someone to make necessary calls and administers first aid. The victim should not be moved if there is a possibility of broken bones or severe injury.

Accident response and reporting procedures are outlined in Section IX, of this manual, and in the K.B. Recycling Health and Safety Manual.

B.6 MONITORING AND REPORTING REQUIREMENTS

K.B. Recycling is required to submit monitoring reports to Oregon DEQ and other State agencies on a scheduled basis. K.B. Recycling's annual NPDES report is compiled by the Operations Manager and submitted to DEQ. Annual recycling and monthly volume reports are compiled by K.B. Recycling and submitted to Metro and/or the DEQ as scheduled. The State of Oregon Fire Marshal report is completed and submitted annually to the State Fire Marshal, by Management.

SECTION IX - SAFETY PLAN

It is K.B. Recycling's policy to provide a safe work place for all employees. The solid waste industry need not be any more dangerous than any other industry consisting of manual labor jobs. Avoiding accidents requires a thorough knowledge of safe procedures and the observation of these safety procedures through good common sense. It is everyone's responsibility to know these procedures and to follow them. Starting the first day on the job, new employees must learn the safety procedures immediately and thoroughly. Violations of safety rules and regulations will not be tolerated, and failure to comply with these rules will result in disciplinary actions. It is the supervisor's responsibility to see that all employees are properly trained in the use of safety procedures. When supervisors enforce the safety rules and the employees follow them, on-the-job injuries will be kept to a minimum.

A. SAFETY PROGRAM

The K.B. Recycling safety program includes:

1. Risk management/loss control
2. Claims reporting
3. Physician/clinic procedures
4. Hazard communication-right to know

In addition, K.B. Recycling maintains OSHA record keeping requirements for documentation and reporting. These program elements provide a safe work place, and remain in compliance with regulatory health and safety requirements.

B. GENERAL PRECAUTIONS AND PROCEDURES

All employees must wear work clothing that offers protection from possible injuries and lost-time accidents: full-length trousers; coveralls (clothing must not be frayed or torn); and high top, steel toed work boots with nonskid soles. Gloves, safety glasses, hearing protection, safety vests, dust masks, and hard hats will be provided by K.B. Recycling. Dust masks that cover the nose and mouth are to be worn in areas where dust has been shown to be a problem. Hearing protection is required in designated areas, and eye protection is required at all times in the main receiving and recycling building. Scale house attendants and office employees are exempt from this requirement except when entering the processing areas. The above items are supplied by K.B. Recycling and are mandatory wearing apparel. If an employee wears prescription eyeglasses, they must be of the safety-lens type.

Employees must know the locations of fire extinguishers and other types of firefighting equipment.

Employees must know proper procedures to be used in the event of oil, gas, or chemical spills; these procedures are addressed in Section VII.

Employees must be aware of the various hazardous materials designations and symbols that are used on containers for use or transportation. Employees must be familiar with procedures to follow if they should come into contact (either physically or visually) with these types of chemicals - whom to contact, and what precautions to take until a supervisor or a person of authority arrives. The employee who makes the discovery is in charge until he or she is relieved by a supervisor,

regional staff, the spill response contractor, police, fire department, or a responsible regulatory agent.

Three rules should be applied when evaluating possible emergency response actions:

1. Do not do anything that would make the damage or cleanup extensive unless it is absolutely necessary to protect human health or life. This also means weighing general environmental damage against limited property damage.
2. Do not assign an employee to take an action unless he or she is properly trained and has the necessary protective equipment. To do otherwise could result in serious injury to your fellow employee. This rule can be violated voluntarily in order to protect a human life.
3. Do only what you have been trained to do.

All workers must work safely and efficiently; they must remember that excessive speed in the work area is unsafe to all employees, co-workers, and the public.

No employee is to operate any equipment unless properly trained, and then only after receiving the supervisor's permission.

Selected employees are required to have a valid First Aid card in their possession. At least one employee trained in first aid will be on site during working hours.

B.1 SAFETY TRAINING PROGRAM

This section describes the safety training program in use at the facility. See Section V for a description of the general operations training program.

Every K.B. Recycling employee is adequately trained to perform his or her job safely and efficiently. The in-house training program incorporates specific requirements for the facility, and may also include OSHA requirements. For example, the development of an accident prevention program is included in the training program. The accident prevention program includes periodic site staff safety meetings to discuss safety issues, review any hazards identified during site inspections, and evaluate corrective measures for any unsafe condition. The meetings are tailored to the particular operation and attendance is mandatory. An in-house training program will contain the following:

1. All training required by OSHA.
2. Training for employees in the use and location of safety equipment at the site.
3. Training for employees in the emergency response and contingency plan procedures.

In addition to the usual hazards present in an industrial work place, the waste handling system places checkers and loaders in proximity to the waste. Because potentially dangerous materials may be encountered in any waste handling system, K.B. Recycling includes a safety and training program for all such workers. The program defines hazardous waste and other potential hazards. It covers the characteristics of hazardous material - ignitable, corrosive, reactive, and toxic. The program explains methods for identifying, recognizing, and responding in the event that these materials are encountered. A safety officer conducts the training and is available to answer questions.

In addition, Safety Data Sheets (SDS) are available for hazardous materials stored on-site. The hazardous properties of these materials and the type of precaution to use when handling the

material are listed in the MSDS. All employees are informed of the location of MSDS and their function as a part of the employee right-to-know program. This information is provided at the initial training session and is reinforced at safety meetings.

Some employees may wear personal protective equipment that includes but is not limited to: hearing protection, protective eye wear, dust masks, rubber aprons, and gloves. The facility will comply with all applicable federal OSHA requirements for workplace health and safety standards and will be inspected by K.B. Recycling and safety officers for compliance. Emergency eyewash facilities will also be located in work areas.

SECTION X – E-WASTE DISPOSAL BAN

Oregon's 2007 Electronics Recycling Law prohibits any person from disposing of computers, monitors and televisions (collectively known as "covered electronic devices" or CEDs) after January 1, 2010. It also prohibits solid waste disposal facility operators from knowingly accepting these devices for disposal after that date, and requires disposal site operators to implement a program to prevent acceptance of these devices for disposal. The following elements make up the program for this company's disposal site.

A. GATE OPERATIONS

The following measures will be taken to discourage delivery of CEDs to the facility for disposal and to identify CEDs that arrive for disposal.

A.1 Signage & Notification

Prior to January 1, 2010, signs will be posted at the entrance, or similar location, of the transfer station alerting all customers of the impending disposal ban. Signs will include the January 1, 2010 effective date of the ban. By January 1, 2010, sign(s) will be posted at the entrance, or a similar location, of the transfer station alerting all customers of the disposal ban and/or modifications will be made to existing signs for already existing banned items. The sign(s) will indicate that the following CEDs are prohibited from disposal:

1. A computer monitor of any type having a viewable area greater than four inches measured diagonally;
2. A desktop computer or portable computer; or
3. A television of any type having a viewable area greater than four inches measure diagonally.

By January 1, 2010, signs will be posted directing customers to the nearest e-waste drop off location for recycle or reuse. Signage will indicate the location of the on-site facility or the address of the closest off-site location.

A.2 Inspection of Incoming Loads

The designated employee (Lead Person) will:

1. Ask the customer if there are any prohibited materials, including CEDs, in the load;
2. Enumerate the entire list of excluded materials for anyone appearing to be unsure or careless in responding;
3. Observe the load for indications of prohibited wastes; and
4. Notify an equipment operator or other designated employee if suspicious of customer or load.

If e-waste is found in a load destined for disposal, the following measures will be implemented to determine where the e-waste originated:

1. Question the driver about the material, if available, and direct the driver to the nearest e-waste drop off location for recycle or reuse.

2. If customer is not available but source of e-waste can be determined, contact customer if there are repeated violations to inform the customer of the disposal ban in order to prevent e-waste in future loads.
3. If no ownership can be established, segregate the waste and haul to the designated e-waste drop off location for recycle or reuse.

B. MANAGEMENT PRACTICES

The following procedures will be taken for safely managing CEDs received for disposal.

B.1 WHOLE OR INTACT CEDs

Whole or intact CEDs found for disposal will be safely removed and transported, where practical, to the on-site or off-site designated e-waste location and placed in sturdy, secure containers such as Gaylords or on pallets which will be periodically reloaded into trucks for transport to recycling facilities. The Gaylord containers and pallets will be secured to minimize damage during shipping. Containers which include any Cathode Ray Tubes (CRTs) not destined for reuse will be labeled ("CRTs for recycling"), stored and shipped according to the CRT regulations. A whole or intact CED destined for disposal will not be removed from the disposal site if the safety of any transfer station employee is jeopardized, as determined by the on-site supervisor.

B.2 BROKEN CATHODE RAY TUBES

When broken CEDs or CRTs are found for disposal the following procedures will be implemented. Broken CRTs: A CRT is broken if the glass is broken or the vacuum seal has been released. These should be managed as used, broken CRTs and, if possible, the following procedures should be taken.

1. Segregate and remove the waste in a safe manner. For example, cleanup of broken CRTs at transfer stations or material recovery facilities includes:
2. Using appropriate protective equipment to protect personnel, carefully scoop up the material using stiff paper and place into glass jar with a metal lid or in a double sealed plastic bag.
3. Use sticky tape, such as duct tape, to pick up any remaining small glass fragments and powder.
4. Wipe the area clean with damp paper towels or disposable wet wipes. Place towels in the glass jar or plastic bag.
5. Store and prepare for shipment by placing CRTs in suitable containers to prevent release of hazardous constituents and label the container with the words "Broken CRTs for Recycling," as required by the CRT regulation.
6. Ship in accordance with CRT regulations.

Broken CEDs (i.e. computer towers and other non-CRTs): the CED will be safely removed, where feasible, and placed in the designated on-site or off-site e-waste location for recycling or reuse.

Severely Damaged CEDs: A CED is too severely damaged to be reused or recycled when either 1) it cannot be identified as a CED, 2) the CED is no longer "whole or intact", or 3) removal of the CED for reuse or recycling places the safety of the customer or transfer station employee at

risk. Severely damaged CEDs will be disposed of in a way that poses the least amount of risk to the transfer station customers and its employees.

B.3 TRAINING

The following is a description of the training program for employees who will/may come in contact with CEDs in the employee's normal course of operations. This training will be conducted with such employees annually and at the hiring of such employees.

1. Recordkeeping: Provide each employee with a copy of the "E-Waste Disposal Ban" Section of the Operations Plan. Have employees read, sign, and date a copy of the "E-Waste Disposal Ban" Section of the Operations at the end of employee training.
2. Identification of CEDs: Show employees, either with a picture or visual, a whole desktop, portable computer, television, and monitor, both flat-screen and cathode ray tube (CRT), with a viewable area greater than four inches measure diagonally.
3. Inspection of Incoming Loads: Tell employees what questions to ask of customers with incoming loads (refer them to the "Gate Operations" section of addendum).
4. Handling incoming CEDs: Tell employees how to handle CEDs that are found for disposal by reading the "Management Practices" section of this addendum and answering any questions employees may have about the procedures.
5. Cleaning Up Broken CEDs: Show employees how to properly clean up broken CEDs, as outlined in the "Management Practices" section of the operations plan.

APPENDIX

- A. Litter control for waste-related uses
- B. Dust, Mud, Vector Control
- C. Odor Control Plan
- D. Unacceptable Waste Exclusion Plan
- E. Special Waste Management Procedures Plan
- F. Spill Response Plan
- G. Closure Protocols
- H. Complaint Logging

A. Litter Control for Waste-Related Uses

A two-man litter control program is maintained daily for all areas within the K.B. Recycling site. Litter control is constantly monitored with areas being addressed as incidences occur. Regular routes covering the perimeter of the site are maintained daily. The immediate area from Clackamas Street out to 98th Avenue is monitored daily and litter and fresh waste are picked up as incidences occur. Upon observation or notification of illegally dumped waste products (dry waste) near the K.B. Recycling site, the litter patrol is sent out to clean up the identified area. All materials are put into the waste stream at K.B. Recycling.

A tag is issued to all non-commercial vehicles coming into the K.B. Recycling site that are not tied down or covered in order to minimize littering from the vehicle. The tag asks them to please tie down or cover their loads in the future to help control litter on our roadways.

All commercial vehicles coming into the site are either covered with tarps or completely enclosed in order to minimize any discharge of material. This meets the Clackamas County requirements for waste-related vehicles.

B. Dust, Mud, Vector Control

The dust and mud control is maintained by an onsite street sweeper that is used on a regular schedule. The service days are Monday through Friday and cover all areas of the site. Since the area is all asphalt, there is a minimal amount of problems that occur on site.

Pest control is maintained by an outside firm that conducts regular service to the site on a monthly basis. If any unusual situations occur, the Pest Control Company can respond on a daily or weekly basis if needed. Minimal problems have been noted in the past for this site. Mosquito abatement is handled by the same firm which will respond as needed. Checks are done in the spring for any potential problems.

C. Odor Control Plan

While neither odor nor odor control has been an issue of concern at K.B. Recycling facilities, the Company will abide by the following procedures for minimizing and controlling odors at the facility:

1. Putrescible waste transferred to Metro facilities. All Putrescible waste must be sent to a Metro approved landfill or disposal site; therefore, K.B. Recycling does not receive such waste intentionally. In the unlikely event that the K.B. Recycling facility receives a load containing a significant amount of decomposing material that may soon emit objectionable odors, the Company will immediately place such a load in a covered container and transfer it to one of the Metro approved facilities handling Putrescible waste. The Company will make no effort toward material recovery as to such a load.
2. Odor complaint triggers immediate identification and containment procedure. If K.B. Recycling receives an odor complaint, the company will log it in the complaint log. The site manager or his or her designee will attempt to determine what waste materials were received during the period of the complaint by reviewing the scale tickets. If the scale tickets identify nothing unusual, then the site manager will interview the spotters to determine if they

identified anything out of the ordinary. If the site manager identifies an offending load that is still on-site, the Company will load it into a trailer or container and ship it off-site for disposal. Results of all such searches, whether or not they produce a positive identification, will be noted in the complaint log.

3. No yard debris allowed. The conditional use permit for this facility specifically prohibits the Company from accepting yard debris. Spotters will be trained to reject any loads that contain yard debris. If any incidental yard debris is received at the facility, it will be reloaded into drop boxes and taken to a DEQ approved yard debris handling or composting facility.
4. Litter control minimizes odor. The Company maintains a daily two-person litter control program for all areas on the site. The entire facility and surrounding areas are constantly monitored for the presence of litter. Particular attention is given to the area from Clackamas Street to 98th Avenue, where trucks drive to access the site. Upon observation or notification of illegally dumped dry waste products near the site, the litter patrol immediately cleans up the identified area. All materials are put into the waste stream at
5. K.B. Recycling.
6. The Company issues a tag to all non-commercial vehicles coming into the site that are not tied down or covered in order to minimize littering from the vehicle. The tag asks these non-commercial customers to tie down or cover their loads in the future to help control litter on our roadways. All commercial vehicles coming into the site are either covered with tarps or completely enclosed in order to minimize any discharge of material. This meets the Clackamas County requirements for waste related vehicles.

D. Unacceptable Waste Exclusion Plan

The MRPF is designed to process source separated recyclables, construction and demolition debris and other dry non- Putrescible waste, and inert materials. This plan establishes procedures for managing wastes that are not suitable for processing at the facility.

1. Purpose

The purpose of the Unacceptable Waste Exclusion Plan is threefold:

- To prevent unacceptable waste from entering the recyclable stream,
- To detect unacceptable waste that has entered the facility, and
- To safely manage unacceptable waste that has been removed from the recyclable stream.

Unacceptable waste includes all hazardous waste, unapproved or improperly handled special waste, untreated infectious waste, liquid waste, tires, and any other waste not authorized for disposal by those governmental entities having jurisdiction.

2. Prevention

The most effective way to eliminate unacceptable waste from the facility is to prevent its initial entry. K.B. Recycling has implemented the following methods to prevent unacceptable waste from entering the facility:

- A. Customer Survey and Education
- B. Special Waste Program
- C. Signs
- D. Inspection of Loads
- E. Spotter

3. Detection

If unacceptable waste is discovered in the recyclable, efforts are made to remove that waste as soon as possible. Early detection increases the likelihood of identifying the waste generator. Unacceptable waste detection will be performed by collection vehicle drivers, the MRF spotter, and other K.B. Recycling staff who have occasion to view the recyclable stream.

K.B. Recycling & Third Party Drivers

Drivers are the first line of defense for detecting and removing unacceptable waste from the recyclable stream. Prior to transporting a customer's material, roll-off drivers will usually inspect the visible portion of each load for unacceptable waste. If the driver suspects that a load might contain unacceptable waste, he or she should immediately contact dispatch for instructions.

Spotter/Sorter

A spotter/sorter will observe tipping operations at the MRF. The spotter/sorter must have specified safety equipment readily available. As waste from commercial and industrial sources is dumped onto the tipping floor, the spotter/sorter will carefully scrutinize the material for unacceptable waste that may be contained in the load. Suspected unacceptable waste will be handled by the procedures identified in Section 4.

The MRPF Facility Manager will designate and train staff members who will be assigned as spotters/sorters. The training will include detection, recognition, identification, and handling of suspected unacceptable and hazardous waste. The training will also include use of protective clothing and equipment.

Personnel

All other MRPF personnel will receive annual training in the recognition of unacceptable waste. As these personnel perform their daily tasks, they should watch for unacceptable waste and notify the spotter or their supervisor if they suspect a waste is unacceptable.

4. Managing Unacceptable Wastes

There are two possible scenarios for the management of unacceptable waste:

Scenario 1 -Generator Known:

If the generator or hauler can be identified, they will be directed to safely load and remove the unacceptable material, so it can be managed properly. Generators will be directed to Oregon Department of Environmental Quality or Metro, as appropriate, for assistance in finding appropriate handling or disposal of their wastes.

Scenario 2 -Generator Unknown:

In spite of K.B. Recycling prevention and detection programs, a situation may occur in which unacceptable waste is discovered and the generator cannot be identified. In this case, the waste will be identified, if possible, and the risks associated with handling and storage will be taken into account. If the material is known or suspected to be hazardous, the following procedures will be followed:

The Plant Manager will contact the Regional Environmental Manager for assistance with waste characterization and designation, and to determine if there are any dangers inherent in moving and storing the waste. The Operations Manager will seek a Special Waste Decision from the Environmental Manager. The decision will designate the waste and provide handling and disposal conditions.

If the suspect waste is determined to be a regulated dangerous waste, a licensed hazardous waste service provider will be contacted to arrange for recycling or disposal.

If the unacceptable waste is determined to be a non-regulated waste, it will be disposed of as municipal solid waste.

A. Handling

Unacceptable wastes will be handled in a manner appropriate to the risks of handling and/or storing the material. This will be determined on a case-by-case basis in consultation with the Facility Manager and the Environmental, Health & Safety Manager. A licensed hazardous waste service provider will be contacted to handle wastes which require use of HAZMAT techniques.

B. Storage

The designated unacceptable waste storage area is an area where suspected hazardous waste can be isolated and protected from the environment. In addition, the storage area will meet the following criteria: The storage area can be properly secured when an authorized attendant is not present.

C. Disposal

The unacceptable waste will be designated to determine whether it is a hazardous or non-hazardous waste.

5. Recordkeeping

When an unacceptable waste is isolated from the waste stream, the waste container will be assigned a unique identifying number and the following information will be recorded in material recycling facility's Unacceptable Waste Log:

(1) the truck number; (2) the date the waste was discovered; and (3) a description of the waste (include hazard, volume, and anything written on the container). The final disposition and date of disposition must also be recorded.

6. Criteria for Accepting or Rejecting Loads This facility accepts and processes loads having the following characteristics:

- Dry nonputrescible construction and demolition (C&D) waste. C&D waste means solid waste resulting from the construction, repair, or demolition of buildings, roads and other structures, and debris from the clearing of land. Such waste typically consists of materials including concrete, bricks, bituminous concrete, asphalt paving, untreated or chemically treated wood, glass, masonry, roofing, siding, plaster; and soils, rock, stumps, boulders, brush and other similar material.
- Source separated recyclables that are collected via the Portland area curbside recycling programs and commercial recycling programs.
- Clean fill. Clean fill means material consisting of soil, rock, concrete, brick, building block, tile or asphalt paving, which do not contain contaminants which could adversely impact the waters of the State or public health.
- No other wastes shall be accepted unless specifically authorized in writing by all regulatory authorities with jurisdiction.

This facility rejects any load if:

- The load contains hazardous waste, which includes the following:

(a) Discarded, useless or unwanted materials or residues resulting from any substances or combination of substances intended for the purpose of defoliating plants or for the preventing, destroying, repelling or mitigating of insects, fungi, weeds, rodents or predatory animals, including but not limited to defoliants, desiccants, fungicides, herbicides, insecticides, nematocides and rodenticides.

(b) Residues resulting from any process of industry, manufacturing, trade or business or government or from the development or recovery of any natural resources, if such residues have been classified as hazardous by any government authority with jurisdiction.

- The load contains "Industrial Solid Waste", which means solid waste generated by manufacturing or industrial processes. Such waste may include, but is not limited to, waste resulting from the following processes: Electric power generation; fertilizer/agricultural chemicals; food and related products/by-products; inorganic chemicals; iron and steel manufacturing; leather and leather products; nonferrous metals manufacturing/foundries; organic chemicals; plastics and resins manufacturing; pulp and paper industry; rubber and miscellaneous plastic products; stone, glass; clay and concrete products; textile manufacturing; transportation equipment; water treatment; and timber products manufacturing. This term does not include construction/demolition waste; municipal solid waste from manufacturing or industrial facilities such as office or "lunch room" waste; or packaging materials for products delivered to the generator.
- The load contains "Commercial Solid Waste", which means solid waste generated by stores, offices, including manufacturing and industry offices, restaurants, warehouses, schools, colleges, universities, hospitals, and other nonmanufacturing entities.

- The load contains "Domestic Solid Waste", which includes, but is not limited to, residential (including single and multiple residences), commercial and institutional wastes. This restriction does not include dry, nonputrescible building demolition or construction wastes.
- The load contains "Putrescible Waste", which means solid waste containing organic material that can be rapidly decomposed by microorganisms, and which may give rise to foul smelling, offensive products during such decomposition or which is capable of attracting or providing food for birds and potential disease vectors such as rodents and flies.
- The load contains "Cleanup Materials Contaminated by Hazardous Substances", which means contaminated materials from the cleanup of releases of hazardous substances into the environment, and which are not hazardous wastes as defined above.
- The load contains asbestos-containing materials.

E. Special Waste Management Procedures

KB screens all incoming waste materials to detect any unacceptable waste that may have been tipped onto the transfer floor and to safely manage those unacceptable wastes that have been detected at the facility. Unacceptable wastes are segregated for proper characterization and management. A log of such materials will be filled out for each incident.

Any liquids or other unacceptable wastes are to be removed from the load prior to dumping, and returned to the customer after they have disposed of their load. The customer will not be allowed to proceed to the tipping floor until unacceptable materials have been isolated from the waste load.

Solid Waste Containing Friable Asbestos

Asbestos Training is conducted in compliance with DEQ standards (See Addendum 1). Friable asbestos shall be isolated from the general waste and returned to the customer. If the quantity is sufficient that separation may cause fugitive dust, the entire load shall be rejected, and the customer directed to arrange for disposal at an approved landfill. If asbestos is observed in waste on the floor, the spotter will immediately contact a supervisor after clearing people away from the area. Wind patterns will be noted when directing traffic away from the area making sure that people are positioned upwind from the material in question. A qualified contractor will be engaged to remove this material for proper disposal.

Solid Waste Containing Non-friable Asbestos

When a load is dumped on the floor and the operators identify suspected non-friable ACM in a waste load, the following procedures will be followed:

- The suspected material will be isolated, taking care not to disturb or cause depredation to the material by minimizing the mechanical handling;
- Wet the material with water to prevent fiber emissions;
- As soon as possible load material directly into trailer;
- Immediately cover suspected material with solid waste to prevent escape of emissions and dust;
- Notify disposal site of trailer containing suspected non-friable ACM prior to shipping the load.

Infectious wastes and explosives, including small arms ammunition are not accepted under any circumstances.

F. Spill Management Plan

Leaks and spills at the transfer station are most likely to be caused by defective or broken equipment hoses or vehicle collisions. The substances most likely to be released include: hydraulic fluid, diesel fuel, and motor oil or radiator fluid. The preventive maintenance program for equipment helps minimize potential releases or spills.

If a spill or leak occurs, efforts will be taken to prevent the released substance from entering the sewer and storm water collection points. All employees will be trained in spill response activities. The facility will be equipped with spill response equipment including: containment booms, absorbent pads and granular floor sweep. Contaminated absorbent materials and collected residual product will be handled and disposed of in compliance with permit conditions and applicable laws and regulations.

If a reportable spill occurs, then the Oregon Emergency Response System (OERS) will be notified at 1-800-452-0311. A reportable spill includes:

- Any amount of oil to waters of the state;
- Oil spills on land in excess of 42 gallons;

- Hazardous materials that are equal to, or greater than, the quantity listed in the Code of Federal regulations, 40 CFR Part 302(List of Hazardous Substances and Reportable Quantities), and amendments adopted before July 1, 2002.

When the spill is reported the following information will be provided:

- Type of oil or hazardous material
- Quantity
- Location of spill (land or water)
- Names and phone numbers

G. Closure Protocol

In the event of a short-term cessation of operations (7 days to 30 days), management will contact all customers and advise them of the approximate time the closure will be in effect. The gates will be closed and a sign will be posted on the gates advising of Temporary Closure. All finished outbound material will be transported as soon as is feasible. DEQ and METRO will be advised of the nature of the problem, the proposed resolution and the approximate time of re-opening.

In the event of a long-term or permanent cessation of operations, management will immediately contact and meet with Metro as early as it is known that there is a significant market change which necessitates either a major shift in operations or closure of a product line or lines. As the result of meetings with Metro the best course of action possible will be decided which serves our company, Metro, and the customer base. If at all possible, efforts will be made to secure alternative markets for the customers in order to not cause any significant disruption of their business.

Once a decision is made to cease operations, as much as practicable, receipt of materials from non-critical customers will stop immediately. All remaining products will be shipped on an expedited basis. Any non-merchantable product remaining at the end will be shipped to an appropriate facility for disposal. The site will be left clean and all bills will be paid in full. No further restoration other than site cleaning is necessary as the site is hard-surfaced.

H. Complaint Logging

In the event of a complaint, the facility manager shall immediately log the complaint to include the date, name of complainant, description of the complaint, and the action taken to resolve the complaint.

ADDENDUM 1

- A. Initial asbestos training form
- B. Annual asbestos training form

K.B. Recycling, Inc.
PO BOX 550
Canby, OR 97013

Initial Training – Two Hour Version

Date

Re: Asbestos Awareness Training

On **DATE**, **K.B. Recycling, Inc.** provided a two-hour initial training session on asbestos awareness, including screening Oregon Refuse and Recycling Association's PowerPoint presentation, "Asbestos Awareness."

The training included discussion of the health effects of friable asbestos, recognition of asbestos-containing materials and presumed asbestos-containing materials and the proper response to discovering friable asbestos and any friable asbestos fiber release episode.

The following individuals attended the Asbestos Awareness Training class held at **LOCATION OF TRAINING**:

Name

Date of Birth

Signed by:

Name:

Title:

Annual Refresher Training – No time requirement specified

K.B. Recycling, Inc.

PO BOX 550

Canby, OR 97013

Date

Re: Asbestos Awareness Training

On **DATE**, **K.B. Recycling, Inc.** provided asbestos awareness training, including screening Oregon Refuse and Recycling Association's PowerPoint presentation, "Asbestos Awareness."

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The following individuals attended the Asbestos Awareness Training class held at **LOCATION OF TRAINING**:

Name

Date of Birth

Signed by:

Name:

Title:



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

2/23/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Edgewood Partners Insurance Center 5909 Peachtree Dunwoody Road Suite 800 Atlanta GA 30328	CONTACT NAME: Certificate Unit PHONE (A/C, No, Ext): 404-781-1700 FAX (A/C, No): E-MAIL ADDRESS: certificate@epicbrokers.com														
INSURED Kahut Waste Services, LLC 3 Waterway Square Place, Suite 110 The Woodlands, TX 77380	<table border="1"> <thead> <tr> <th>INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> </thead> <tbody> <tr> <td>INSURER A : ACE American Insurance Company</td> <td>22667</td> </tr> <tr> <td>INSURER B : Indemnity Insurance Company of N A</td> <td>43575</td> </tr> <tr> <td>INSURER C :</td> <td></td> </tr> <tr> <td>INSURER D :</td> <td></td> </tr> <tr> <td>INSURER E :</td> <td></td> </tr> <tr> <td>INSURER F :</td> <td></td> </tr> </tbody> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : ACE American Insurance Company	22667	INSURER B : Indemnity Insurance Company of N A	43575	INSURER C :		INSURER D :		INSURER E :		INSURER F :	
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INSURER C :															
INSURER D :															
INSURER E :															
INSURER F :															

COVERAGES

CERTIFICATE NUMBER: 738733389

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y		HDO G72492547	8/1/2021	8/1/2022	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 5,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
B A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A	WLR C67816389 (AOS) WLR C67816420 (CA, MA)	8/1/2021 8/1/2021	8/1/2022 8/1/2022	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,500,000 E.L. DISEASE - EA EMPLOYEE \$ 1,500,000 E.L. DISEASE - POLICY LIMIT \$ 1,500,000

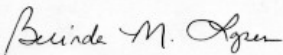
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Named Insured Includes: Kahut Companies Holdings, Inc dba KB Recycling, Inc.

Metro, its elected officials, departments, employees, volunteers, and agents, to the extent required by written contract, are additional insured with respect to General Liability.

CERTIFICATE HOLDER

CANCELLATION

Metro 600 NE. Grand Ave. Portland OR 97232	<p>SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.</p> <p>AUTHORIZED REPRESENTATIVE </p>
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**Oregon Department of Environmental Quality
LAND USE COMPATIBILITY STATEMENT (LUCS)**

p. 1 of 2

SECTION 1 - TO BE COMPLETED BY APPLICANT

1A. Applicant Name: K.B. Recycling, In.	1B. Project Name: KB Recycling 2017 DEQ SW Permit Renewal
Contact Name: Andy Kahut	Physical Address: 9602 SE Clackamas Road
Mailing Address: P.O. Box 550	City, State, Zip: Clackamas, OR 97015
City, State, Zip: Canby, OR 97013	Tax Lot #: 101, 200, 300, 301, 302, 1701 WM
Telephone: 503.266.3900	Township: 2S Range: 2E Section: 9DB, 9DA
Tax Account #: 93-0743653	Latitude: 45.4105
	Longitude: 122.5652

1C. Describe the project, include the type of development, business, or facility and services or products provided (attach additional information if necessary):

Material Recovery Facility (MRF) – receiving and processing select loads of dry, non-putrescible wastes containing a high percentage of recyclable materials generated by commercial, industrial, construction and demolition sites and clean source separated recyclables.

1D. Check the type of DEQ permit(s) or approval(s) being applied for at this time.

- | | |
|---|--|
| <input type="checkbox"/> Air Quality Notice of Construction | <input type="checkbox"/> Pollution Control Bond Request |
| <input type="checkbox"/> Air Contaminant Discharge Permit (<i>excludes portable facility permits</i>) | <input type="checkbox"/> Hazardous Waste Treatment, Storage, or Disposal Permit |
| <input type="checkbox"/> Air Quality Title V Permit | <input type="checkbox"/> Clean Water State Revolving Fund Loan Request |
| <input type="checkbox"/> Air Quality Indirect Source Permit | <input type="checkbox"/> Wastewater/Sewer Construction Plan/Specifications
(<i>includes review of plan changes that require use of new land</i>) |
| <input type="checkbox"/> Parking/Traffic Circulation Plan | <input type="checkbox"/> Water Quality NPDES Individual Permit |
| <input type="checkbox"/> Solid Waste Land Disposal Site Permit | <input type="checkbox"/> Water Quality WPCF Individual Permit (<i>for onsite construction-installation permits use the DEQ Onsite LUCS form</i>) |
| <input type="checkbox"/> Solid Waste Treatment Facility Permit | <input type="checkbox"/> Water Quality NPDES Stormwater General Permit (1200-A, 1200-C, 1200-CA, 1200-COLS, and 1200-Z) |
| <input type="checkbox"/> Solid Waste Composting Facility Permit (includes Anaerobic Digester) | <input type="checkbox"/> Water Quality General Permit (<i>all general permits, except 600, 700-PM, 1700-A, and 1700-B when they are mobile.</i>) |
| <input type="checkbox"/> Conversion Technology Facility Permit | <input type="checkbox"/> Water Quality 401 Certification for federal permit or license |
| <input type="checkbox"/> Solid Waste Letter Authorization Permit | |
| <input checked="" type="checkbox"/> Solid Waste Material Recovery Facility Permit | |
| <input type="checkbox"/> Solid Waste Energy Recovery Facility Permit | |
| <input type="checkbox"/> Solid Waste Transfer Station Permit | |
| <input type="checkbox"/> Waste Tire Storage Site Permit | |

1E. This application is for: ☒ Permit Renewal ☐ New Permit ☐ Permit Modification ☐ Other:

SECTION 2 - TO BE COMPLETED BY CITY OR COUNTY PLANNING OFFICIAL

Instructions: Written findings of fact for all local decisions are required; written findings from previous actions are acceptable. For uses allowed outright by the acknowledged comprehensive plan, DEQ will accept written findings in the form of a reference to the specific plan policies, criteria, or standards that were relied upon in rendering the decision with an indication of why the decision is justified based on the plan policies, criteria, or standards.

2A. The project proposal is located: ☐ Inside city limits ☒ Inside UGB ☐ Outside UGB

2B. Name of the city or county that has land use jurisdiction (the legal entity responsible for land use decisions for the subject property or land use):

Clackamas County

**Oregon Department of Environmental Quality
LAND USE COMPATIBILITY STATEMENT (LUCS)**

p. 2 of 2

SECTION 2 - TO BE COMPLETED BY CITY OR COUNTY PLANNING OFFICIAL

Applicant Name: Andy Kahut

Project Name: KB Recycling 2017 DEQ SW Permit Renewal

2C. Is the activity allowed under Measure 49 (2007)? ☒ No, Measure 49 is not applicable ☐ Yes; if yes, then check one:

☐ Express; approved by DLCD order #:

☐ Conditional; approved by DLCD order #:

☐ Vested; approved by local government decision or court judgment docket or order #:

2D. Is the activity a composting facility?

☒ No ☐ Yes; Senate Bill 462 (2013) notification requirements have been met.

2E. Is the activity or use compatible with your acknowledged comprehensive plan as required by OAR 660-031?

Please complete this form to address the activity or use for which the applicant is seeking approval (see 1.C on the previous page). If the activity or use is to occur in multiple phases, please ensure that your approval addresses the phases described in 1.C. For example, if the applicant's project is described in 1.C as a subdivision and the LUCS indicates that only clearing and grading are allowed outright but does not indicate whether the subdivision is approved, DEQ will delay permit issuance until approval for the subdivision is obtained from the local planning official.

☐ The activity or use is specifically exempt by the acknowledged comprehensive plan; explain:

☐ YES, the activity or use is pre-existing nonconforming use allowed outright by (provide reference for local ordinance):

☐ YES, the activity or use is allowed outright by (provide reference for local ordinance):

☐ YES, the activity or use received preliminary approval that includes requirements to fully comply with local requirements; findings are attached.

☒ YES, the activity or use is allowed; findings are attached.

☐ NO, see 2.C above, activity or use allowed under Measure 49; findings are attached.

☐ NO, (complete below or attach findings for noncompliance and identify requirements the applicant must comply with before compatibility can be determined):

Relevant specific plan policies, criteria, or standards:

Provide the reasons for the decision:

Additional comments (attach additional information as needed):

Subsection 602.05B11 of the Light Industrial District permits consideration of recycling centers and transfer stations subject to the Clackamas County Comprehensive Plan Section 819 as a Conditional Use. The subject facility is operating under a valid Clackamas County Conditional Use Permit.

Planning Official Signature:

Title: Sr. Planner

Print Name:

Rick McIntire

Telephone #:

503-742-4516

Date:

1/27/17

If necessary, depending upon city/county agreement on jurisdiction outside city limits but within UGB:

Planning Official Signature:

Title:

Print Name:

Telephone #:

Date:

*Clackamas
County*DEPARTMENT OF
TRANSPORTATION AND DEVELOPMENT

Sunnybrook Service Center

THOMAS J. VANDERZANDEN
DIRECTORDECISION OF APPROVAL BY PLANNING DIRECTOR IN RESPONSE
TO PEREMPTORY WRIT OF MANDAMUS2017A-96-C
20895-97-DApplicant: Fred KahuiFile No.: Z0174-96-CProperty Legal Description:T2S, R2E, Section 09DB, Tax Lots 101, 200, 300, 301,
302, W.M.

T2S, R2E, Section 09DA, Tax Lot 1701, W.M.

Zone: I-2, Light Industrial

This application for approval of a one-year time extension of a previously approved conditional use was approved by Planning Staff in a February 2, 1999 "Notice of Decision". That approval was appealed by the Clackamas CPO to the Land Use Hearings Officer, who denied the time extension. After filing a request for rehearing, the applicant filed a mandamus action in Circuit Court pursuant to ORS 215.428, *State ex rel K. B. Recycling, Inc. and Fred Kahui v. Clackamas County*, Clackamas County Circuit Court No. 99-05-315. Neither Clackamas CPO nor any other parties intervened in that case.

The Circuit Court granted judgment in favor of Clackamas County on the claim involving the time extension. The Court of Appeals subsequently reversed and remanded that decision. After due consideration, the County has now agreed to settle the mandamus action by reinstating the February 2, 1999 staff decision, including its conditions of approval with one modification. That settlement has been memorialized in a peremptory writ of mandamus issued on February 14, 2001.

Accordingly, this application is approved, subject to the conditions set forth in the attached "Notice of Decision on Conditional Use Time Extension—Approval", except that the expiration date of the conditional use permit shall be one year from the date of this approval. The applicant will also be given a refund of one-half of the application fee for the time extension.


Doug McClain
Planning Director

Date: 2/26/01

Ex. 2

**Clackamas
County****DEPARTMENT OF
TRANSPORTATION AND DEVELOPMENT**

Sunnybrook Service Center

THOMAS J. VANDERZANDEN
DIRECTOR**NOTICE OF DECISION ON**
CONDITIONAL USE TIME EXTENSION APPROVAL

TO: Applicant, Citizens Planning Organization, Agencies, and Property Owners within 300 feet of this application.

DATE: February 2, 1999.

LAST DATE TO APPEAL: February 12, 1999.

FILE NO.: Z0174-96-C

STAFF CONTACT: Gary Naylor

APPLICANT: Fred Kahui

OWNER(S): Same

LOCATION: South side of Clackamas Road between 98th Avenue and the Southern Pacific Railroad line; Clackamas area.

LEGAL DESCRIPTION: T2S, R2E, Section 09DB, Tax Lot(s) 101, 200, 300, 301, 302, W.M.
T2S, R2E, Section 09DA, Tax Lot(s) 1701 W.M.

SITE ADDRESS: None

TOTAL AREA INVOLVED: Approximately 12.42 Acres

PRESENT ZONING: I-2, Light Industrial

CITIZENS PLANNING ORGANIZATION FOR AREA: Clackamas CPO; Jerry Nordstrom; PO Box 2136, Clackamas, OR 97015; (503) 655-3988.

PROPOSAL: One (1) year time extension of originally approved Conditional Use, to permit the implementation of that approval, to develop the site for a hazardous waste recovery facility and high grade recycling center.

DECISION: Approval**CONCLUSIONS:**

Subsection 1203.03 of the Clackamas County Zoning and Development Ordinance states a one (1) year time extension for a Conditional Use may be granted once by the Planning Division staff subject to three (3) provisions. The staff has reviewed the request with respect to these provisions and finds:

1. The first provision states the time extension must be in writing, on forms provided by the Planning Division, at least thirty (30) days prior to the expiration of the approval. This Conditional Use application was considered through the public hearing process and approved by the County Hearings Officer on January 6, 1997. Applicant Fred Kahut submitted this time extension in writing on January 22, 1998, over two months prior to the two (2) year expiration of this Conditional Use. This first provision is met.
2. The second provision requires this request be consistent with all ordinance provisions in effect at the time of the time extension request. The subject property is within the Light Industrial Zoning District. There has been no change in Comprehensive Plan and Zoning and Development Ordinance language relating to the Light Industrial Zoning district since the original application was approved. Specifically, Subsection 602.05B11 of the Light Industrial District continues to permit consideration of recycling centers and transfer stations subject to Section 819 as a Conditional Use. There has also been no change in the language of Section 819 and Subsections 602.05A, 801.03 and 1203.01 of the Zoning and Development Ordinance which respectively identify the mitigation standards for recycling centers, criteria for considering a Conditional Use in the Light Industrial district, submittal requirements for a Conditional Use and the criteria that must be demonstrated to allow a Conditional Use in all Zoning Districts. Next, the applicants request has not changed from what was proposed in the original Conditional Use application.

What has changed is the amount of traffic using the network of public roads within the area affected by this land use proposal. The County Traffic Engineering staff have approved this time extension and states the Traffic Engineering and Development Review staff have no objection to this application. The Oregon Department of Transportation staff have advised by telephone they have no objection to this time extension and will further respond in the Design Review process for this development.

The County Hearings Officer reviewed a transportation impact study and additional traffic information submitted by the applicant as well as the analysis of that information by the County Traffic Engineering Section. The Hearings Officer found street intersections within the area affected by traffic generated by this use were operating at an unacceptable level of traffic service during the AM peak traffic period and/or PM peak traffic period. Therefore, the Hearings Officer attached conditions to this proposal restricting the traffic it generates to the period time in which the street system operates at an acceptable level of traffic service. The County Traffic Engineer and Oregon Department of Transportation have advised these traffic restrictions continue to be acceptable mitigation measures to ensure there is an acceptable level of traffic service when the proposed use is generating traffic.

At the time of the original Hearings Officer approval, public facilities and services were available to adequately serve this use. Specifically, public water was provided by the Clackamas River Water District, public sanitary sewer by Clackamas County Service District #1, and fire and emergency protection by Clackamas County Fire District #1. These public facilities and services continue to be provided.

In conclusion, this second provision is met subject to the attached conditions which sufficiently mitigate the traffic impact of this use.

3. The third provision requires there be reasonable expectancy the necessary development permits can be secured within the one year time extension period. The applicant has made progress towards securing the necessary development permits for this use as evidenced by securing Master plan and Phase I development approvals from the Design Review Committee. The decision of the Design Review Committee was also upheld by the County Hearings Officer on appeal. However, through no fault of the applicant the Hearings Officer did not submit a final written decision on this appeal. The Hearings Officer is writing that decision at this time. The applicant also intends to seek Phase II and Phase III Design Review for the remainder of this development during this year. Based on the present state of implementing the Hearings Officers conditions of approval, there is a reasonable expectancy the applicant can secure the necessary development permits to implement this Conditional Use approval within the one year time extension period. The third provision is met.

In conclusion, the Planning Division staff finds the three provisions for granting this time extension are met and, therefore, the staff approves this one (1) time extension of Conditional Use File #Z0174-96-C subject to the following conditions which were imposed by the County Hearings Officer in the original approval:

1. A Design Review application shall be submitted to the Planning Division for approval by the Design Review Committee prior to any development on the subject property associated with this Conditional Use. Design Review considerations shall include the signing, building and site design requirements under Subsection 819.02A8 and the standards under Subsection 602.03.
2. This materials recovery facility shall accept only dry construction and demolition debris and clean source separated recyclables. It shall not accept putrescible solid waste or yard debris.
3. The truck route to this facility shall be from State Hwy 212-224 to 102nd Avenue to Clackamas Road. The operator shall post identification signs along this truck route subject to the regulations of Clackamas County and Oregon Department of transportation. The driveway entrance onto the subject property shall be from Clackamas Road. There shall be no driveway access permitted onto 98th Avenue.
4. The applicant shall dedicate additional right-of-way along that portion of the property frontage with Clackamas Road designated a minor arterial to ultimately achieve a 70 ft. right-of-way. This will require a dedication of at least 5 ft. The dedication will also include an industrial standard radius at the corner of 98th Avenue and Clackamas Road. To achieve proper curb alignment and construct a sidewalk along Clackamas Road west of Industrial Way where it is a local street, the applicant may have to dedicate additional right-of-way.
5. Up to a one-half street improvement will be designed and constructed on the property frontage with Clackamas Road and 98th Avenue. The frontage on 98th Avenue shall be

improved with curb, surfacing, storm sewer, five ft. sidewalk and pavement tapers. The curb off-set shall be at least 21 ft. from centerline for an ultimate curb width of 42 ft. The improvements shall be tapered to match the existing improvement to the south which appears to be 24 ft. from centerline. Some of the existing road surface is in poor condition and has poor drainage and it may be necessary to make additional improvements to ensure proper drainage and a vital driving surface.

6. The property frontage improvements on Clackamas Road shall consist of curb, surfacing, storm sewer, and sidewalk. Due to the functional classification difference, the segment between Industrial Way and 98th Avenue shall have a centerline offset of 24 ft. and a six ft. sidewalk. West of Industrial Way, the centerline offset may be reduced to 21 ft. to correspond to the functional class and the sidewalks shall be five ft. There must be a satisfactory radius or taper to transition traffic and stormwater between the two road segments.
7. A grading permit shall be obtained from the County Department of Transportation and Development for the proposed development.
8. The applicant shall obtain a Street Construction and Encroachment Permit for construction of the required street improvements. The applicant shall submit plans prepared and stamped by an engineer registered in the State of Oregon, a performance guaranty and an inspection fee for this permit.
9. Parking of all vehicles associated with this business shall occur only on this site.
10. The development is subject to the Rules & Regulations for Clackamas County Service District #1.
11. The storm drainage shall be in accordance with the Rules & Regulations for Clackamas County Service District #1 and Section 1603 of the Clackamas County Zoning and Development Ordinance.
12. The cost of the storm and sanitary sewer systems shall be borne entirely by the developer.
13. Storm drainage design and detention calculations shall be by the King County method.
14. The applicant's engineer must provide supporting data (to the District) that the downstream conveyance system has adequate capacity to accommodate the additional flows and not cause flooding. The maximum release rate allowed may be less than the five year rate.
15. The applicant's engineer shall submit two copies of an Erosion Control Plan and two copies of the storm drainage and detention system along with one copy of the detention calculations to the County Water Environment Services Department.
16. The applicant shall furnish the wetland mitigation plan approved by the Army Corps of Engineers and/or Division of State Lands to the County Water Environment Services Department along with the plan for on-site storm detention and water quality facility.
17. Emissions (odors) from this facility shall not exceed the standards in OAR Chapter 340, Division 21, and Section 050. An odor control plan shall be submitted to Metro and Department of Environmental Quality. A copy of the approved plan shall be submitted to Clackamas County prior to operation of this facility.
18. The applicant shall submit a dust control plan to the Department of Environmental Quality for approval. A copy of the approved plan shall be submitted to Clackamas County prior to operation of this facility.
19. The operation of this facility shall be in compliance with the Department of Environmental Quality Noise Standards. A copy of the Department of Environmental Quality approval shall be submitted to Clackamas County prior to issuance of a building permit.

20. Storage of materials shall occur only in a totally enclosed building with proper air quality controls except recyclable materials that do not require post-consumer processing may be stored in drop boxes outside of the processing building which are enclosed by a fence. These drop boxes shall be completely enclosed containers except during times of loading and unloading. Also permitted is the unloading by haulers into a bunker system, with temporary storage only permitted in the bunker prior to removal of the material into the processing building.
21. The applicant shall have a Metro approved operating plan for the salvaging of any recyclable materials.
22. The applicant shall have a County Recycling License or permit for any salvaging of materials if applicable.
23. The applicant shall have a stormwater management plan for the stormwater collection and disposal system which shall include emergency spill containment and clean up measures and water quality mitigation measures approved by the County Water Environment Services Department.
24. This facility shall not accept hazardous waste or bio-medical waste. Any incidental hazardous waste such as household hazardous materials shall be confined within the processing building. The applicant shall have an incidental hazardous waste containment and clean up plan approved by Clackamas County Department of Environmental Quality.
25. The applicant shall have a hazardous spill response plan approved by the County Water Environment Services Department and Clackamas County Fire District #1.
26. The Army Corp of Engineers and/or Division of State Lands shall approve a wetlands mitigation plan prior to any disturbance of the wetland areas on the subject property. A copy of the approved plan shall be submitted to Clackamas County.
27. The applicant shall pay a County Solid Waste Fee to Metro if required.
28. The applicant shall acquire a Metro processing franchise and comply with the terms and conditions of that franchise. A copy of this franchise shall be submitted to Clackamas County prior to operation of this facility.
29. The applicant shall acquire a department of Environmental Quality Disposal Permit and comply with the terms and conditions of that permit. A copy of this permit shall be submitted to Clackamas County prior to operation of this facility.
30. The applicant shall acquire a Clackamas County Recycling License and comply with the terms and conditions of that license.
31. The applicant shall use only Metro or Metro-designated or approved facilities for disposal of residual solid waste.
32. The applicant shall have a litter control plan approved by Clackamas County, and Metro if required, to keep the site clean of litter and other debris.
33. The applicant shall provide and maintain fire department access, grades, and turnarounds per County, Fire District, and UPC Standards and Requirements.
34. The applicant shall provide approved address numbering, fully visible from the street, which clearly identifies the site location.
35. The applicant shall provide fire extinguishers accessible to the public, with each extinguisher to have a minimum rating of 3A:40BC.
36. All flammable, combustible and hazardous materials shall be stored, used and handled per UPC requirements.

37. All working operations shall comply with UFC requirements.
38. The applicant shall provide fire hydrants as required to meet the fire flow ordinance requirements with location subject to joint water and fire district approval.
39. Any signing within the State right-of-way will require a permit from the Oregon Department of Transportation.
40. The applicant shall have signing to keep trucks from using 98th Avenue to access this facility. The signing shall be approved by the County Traffic Engineering Section.
41. The applicant shall have a Certificate of Occupancy prior to operation of this facility.
42. The applicant shall not allow activities which will result in any vehicle trip generation to/from this facility between the hours of 3:30 PM to 6:00 PM, Monday through Friday. The applicant shall require all deliveries prior to 3:30 PM, Monday through Friday. The applicant shall erect highly visible signs informing the public that this facility is closed to public buy-back and drip-off activity between the hours of 3:30 PM to 6:00 PM, Monday through Friday. The applicant shall keep records of public vehicle arrivals between the hours of 3:30 PM to 6:00 PM, Monday through Friday.
43. The applicant shall arrange all employee shift changes so that no employee traffic will occur between the hours of 3:30 PM to 6:00 PM, Monday through Friday.
44. This Conditional Use permit is granted for the specific materials recovery facility identified in this application to the extent it is consistent with the conditions of approval.
45. This Conditional Use permit is approved subject to the conditions of approval. Noncompliance with any of these conditions constitutes a violation of this permit and shall be cause for revoking this permit.
46. The Conditional Use Permit shall expire without effect if the County in the event this approval is not implemented within one (1) year from January 6, 1999. The Conditional Use approval is implemented when all necessary permits for development have been secured and are maintained.

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR, OR SELLER: ORS CHAPTER 215 REQUIRES THAT IF YOU RECEIVE A NOTICE OF SALE IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER.

IF YOU HAVE ANY QUESTIONS ABOUT THIS APPLICATION, PLEASE CONTACT THE PLANNING DIVISION OFFICE. IF YOU DISAGREE WITH THESE FINDINGS OF CONDITIONS, YOU MAY APPEAL THIS DECISION TO THE CLACKAMAS COUNTY HEARINGS OFFICER. THE COST OF THE APPEAL IS \$100. YOU APPEAL MUST BE RECEIVED IN THE PLANNING DIVISION OFFICE BY 5:00 PM ON THE LAST DATE TO APPEAL, WHICH IS FEBRUARY 12, 1999. THIS PERMIT WILL NOT BE ISSUED UNTIL THE DAY AFTER THE APPEAL DEADLINE.

RICHARD F. CRIST
Land Use Hearings Officer
18734 Upper Midhill Drive
West Linn, Oregon 97068
(503) 636-9256

FINDINGS AND DECISION OF THE HEARINGS OFFICER

File No.: 20174-96-C (Rehearing)

Applicant: Fred Kahut, P.O. Box 550, Canby, OR 97013

Proposal: To develop the subject property with a materials recovery facility and a high-grade recycling center.

Planning Division Recommendation: Approval

Staff Representative: Gary Naylor

Public Hearing: A public hearing was held at the Clackamas County Department of Transportation and Development (DTD), 902 Abernethy Road, Oregon City, Oregon on April 17, 1996 at 9:00 a.m., at which time testimony and other evidence was received, the record was left open for the receipt of additional written information through May 8, 1996, and the matter was continued for decision until May 15, 1996 at 9:00 a.m., at which time an oral decision was announced denying the application. By Order entered on June 28, 1996, the applicant's Request for Rehearing was granted, the Findings and Decision of the Hearings Officer herein, dated and filed June 12, 1996 was set aside, and the Planning Director was directed to schedule this matter for a further public hearing. A further public hearing was held on August 28, 1996 at 10:45 a.m., at which time additional testimony and other evidence was received, the record was closed, and the matter was continued for decision until September 11, 1996 at 9:00 a.m., at which time an oral decision was announced approving the application, subject to certain conditions.

Speaking in Support of Request:

1. Steve Donovan, 8625 SW Cascade Blvd., Suite 220, Beaverton, OR 97005
2. Brian Copeland, 921 SW Washington, Suite 612, Portland, OR 97205
3. Peter Coffey, 921 SW Washington, Suite 612, Portland, OR 97205
4. Mark Greenfield, Attorney at Law, 111 SW Columbia, Suite 1080, Portland, OR 97201
5. Robert Guttridge, P.O. Box 550, Canby, OR 97013
6. Richard Bloom, 820 7th Street, Oregon City, OR 97045

Community Planning Organization Response: The Clackamas CPO was timely notified of this application, but did not respond.

EX. 11, 20174-96-C

Speaking in Opposition to Request:

1. Frank Crow, 402 Beaverbrook Road, Suite 105, Oregon City, OR 97045

FINDINGS:A. Subject Property:

1. Legal Description: Tax Lots 101, 200, 300, 301 & 302, Section 9DB, T2S, R2E, W.M.; Tax Lot 1701, Section 9DA, T2S, R2E, W.M., Clackamas County, Oregon

2. Location: On the south side of Clackamas Road, between 98th Avenue and the Southern Pacific Railroad line, Clackamas area.

3. Zone: I-2, Light Industrial

4. Comprehensive Plan Designation: Light Industrial

5. Site Description: The subject property is approximately 12.18 acres. It is relatively level, except for man-made cuts. Most of this property is a field, but there are areas of brush and small hardwoods. There are also a number of shallow basins and ditches which are wetlands. These wetlands have been inventoried by Clackamas County and designated as "insignificant wetlands". This property appears to have been long abused, and is presently abandoned. There are scattered areas of unauthorized dumping, as well as several foundations, paved areas and rocky areas on the property.

B. Vicinity Information: The subject property is located within an area of mixed zoning and land uses. To the south it is bordered by State Highway 212/224 and the Lumberman's warehouse facility. The Southern Pacific Railroad line abuts the property on the west, with Commercial zoning further to the west. Land to the north, across Clackamas Road, is zoned I-3, General Industrial, and is developed with the Milwaukie Transfer Industrial facility and Camp Withycomb. To the east, across 98th Avenue is a pocket of R-7 single family residential development.

C. Service Considerations: Public sanitary sewer is provided by Clackamas County Service District No. 1; public water is provided by Clackamas River Water District; fire protection is provided by Clackamas County Fire District #1.

D. Land Use Ordinance Considerations:

1. Section 602 of the Clackamas County Zoning and Development Ordinance (ZDO) controls land use in the I-2 zoning district. Subsection 602.05(A) provides that certain uses may be approved as a conditional use where the application satisfies the applicable standards under Section 800 of the ZDO, satisfies the criteria

under Section 1203 of the ZDO and satisfies each of the three additional approval criteria set forth therein.

The Hearings Officer has reviewed the entire record made as a part of this proceeding, and Findings based on that record with regard to the criteria above described will be discussed below.

2. Subsection 801.03 of the ZDO lists the information which must be submitted for a complete conditional use application. This application contains a description of the proposed use and specific reasons for the request, a vicinity map, a site plan of the property, including existing and proposed improvements, a building profile, and information addressing the criteria under Section 1203 of the ZDO.

This provision is satisfied.

3. Section 819 of the ZDO sets forth development and mitigation for recycling centers and transfer stations. The proposed use constitutes a recycling center, as defined by Section 202 of the ZDO. Those standards relate to potential impacts resulting from a recycling center, including traffic, odor, dust, noise, storage, materials salvage, sewage disposal, processing wastewater and storm water management, signing, building and site design, hazardous waste handling, safety, protection of identified environmental concerns, economic impacts and litter. This application, with the conditions of approval, will satisfy each of the listed development and mitigation standards, as follows:

a. 819.02(A)(1): Traffic. The road access system to the facility shall be adequate to handle traffic generated by the use. The County shall require the necessary traffic measures to insure the facility use is consistent with the County transportation system. The facility shall have access to major roadways and truck routes. The facility shall have an operational plan that assures those travelling to the facility, particularly trucks, travel primarily on truck routes identified by the County.

The first requirement of this standard is that the transportation system be adequate to handle traffic generated by this use. To address this standard the applicant has submitted transportation impact studies prepared by DKS Associates and the testimony of Brian Campbell of that office. The traffic impact studies have been reviewed by the County Traffic Engineering and Transportation Planning Sections, which concur with approach, factual data and analysis of the study. In accordance with the access plan initially developed by the applicant and County staff, regional access to this facility would be provided by the I-205 freeway, with traffic then travelling east on State Highway 212/224 to 102nd Avenue, then north to Clackamas Road, and west on Clackamas Road to the site. Intersections studied along this route include Highway 212/I-205 southbound ramps, Highway 212/I-205 northbound ramps, Highway 212/82nd Drive, Highway 212/98th Avenue and Highway 212/102nd Avenue. Of these intersections, all but the Highway 212/98th Avenue intersection are signalized. The traffic

impact study analyses establish that each of the studied intersections, except for the Highway 212/102nd Avenue intersection, currently operates at Level of Service (LOS) "F" during an extended PM peak traffic hour, with the Highway 212/98th Avenue also operating at LOS "F" during the AM peak traffic hour for traffic movements on 98th Avenue. The Highway 212/102nd Avenue intersection operates at LOS "C" and "D" during the AM and PM peak traffic hours. LOS "F" is defined within the traffic impact study for both signalized and unsignalized intersections. That LOS denotes an intersection which does not have the capacity to accommodate existing traffic flows, and is considered to be unacceptable.

As a result of the Hearings Officer's initial decision on this application, the applicant has presented more site specific usage data and has presented a revised access plan, designed to avoid all LOS "F" intersections during the PM peak hour and to not include 98th Avenue traffic. The access plan now provides for all hauler traffic to completely avoid failing Highway 212 intersections during the extended PM peak traffic hour. This will be required by conditions of approval, and can be easily satisfied, as all hauler traffic can be completed prior to the beginning of the extended PM peak hour.

In addition to hauler traffic, this facility is expected to generate public buy-back trips and public drop-off trips. The substantial evidence in this record establishes that only approximately one vehicle trip per day would travel the affected LOS "F" intersections during the extended PM peak traffic hour. Because of the necessity to avoid even this low level of traffic, a condition of approval will require the applicant to post highly visible signage that the facility is closed to public buy-back during the extended PM peak traffic hours of 3:30 p.m. to 6:00 p.m., Monday through Friday. The substantial evidence in this record establishes that, given current experience from the applicant's existing similar facility, there will be some public drop-off trips during the extended PM peak traffic hour. To avoid this traffic, the applicant will be required to post highly visible signs that the facility is closed to public drop-off activity between the hours of 3:30 p.m. to 6:00 p.m., Monday through Friday. Although this signage will not prevent all public drop-off activity during the extended PM peak traffic hour, it will assuredly be significantly reduced over time. The Hearings Officer finds, based on all the substantial evidence in this record, that the very limited continuing public drop-off traffic will be offset by the public drop-off traffic currently traveling the congested portion of Highway 212, resulting in no additional traffic impact on those failing intersections.

The applicant's current shift hours are such that employee traffic will not impact the affected intersections during the extended PM peak hour. A condition of approval will require that the applicant continue to utilize employee shift hours which avoid the PM peak traffic hour.

All of the above discussed evidence establishes that,

with the conditions of approval, the transportation system which will provide access to this will have the capacity to accommodate the additional traffic generated by this use.

This standard is satisfied.

b. 819.02(A)(2) through 819.02(A)(13): With the conditions of approval, these performance and mitigation standards will be satisfied, for the reasons discussed in the Planning Division Staff Report/Recommendation to the Hearings Officer herein, dated April 9, 1996, incorporated herein by this reference, and specifically adopted by the Hearings Officer.

This criterion is satisfied.

4. This application satisfies each of the criteria under Section 1203 of the ZDO, as follows:

a. 1203.01(A): The use must be listed as a conditional use in the underlying zoning district.

Subsection 602.05(B)(11) of the ZDO identifies recycling centers as a conditional use in the I-2 zoning district.

This criterion is satisfied.

b. 1203.01(B): The characteristics of the site must be suitable for the proposed use considering size, shape, location, topography, existence of improvements and natural features.

The subject property is suitable for development as proposed. The 12.42 acre subject property is large enough to accommodate the proposed facility, meet applicable setbacks, provide for required off-street parking and storage, provide for internal traffic circulation, meet landscaping requirements and accommodate stormwater and/or wetlands mitigation features, as demonstrated by the site plan in the record. The shape of the subject property does not interfere with the proper functioning of the use, and appears to be very suitable for the layout of the proposed development and stormwater/wetland mitigation. The subject property is appropriately located within a predominately industrial area, with convenient access to the arterial road system serving the County. The location of this property immediate to a railroad siding is a particularly suitable characteristic. The topography of the property does not limit development as proposed. The relatively flat topography is a suitable construction characteristic. There are no improvements on the subject property. This record identifies one significant natural feature on the subject property, the presence of scattered wetlands. These wetlands have been declared to be insignificant by the County in its Goal 5 review process, but they may be an asset if transformed into a stormwater detention facility.

This criterion is satisfied.

c. 1203.01(C): The site and proposed development must be timely, considering the adequacy of transportation systems and

with the conditions of approval, the transportation system which will provide access to this will have the capacity to accommodate the additional traffic generated by this use.

This standard is satisfied.

b. 819.02(A)(2) through 819.02(A)(13): With the conditions of approval, these performance and mitigation standards will be satisfied, for the reasons discussed in the Planning Division staff Report/Recommendation to the Hearings Officer herein, dated April 9, 1996, incorporated herein by this reference, and specifically adopted by the Hearings Officer.

This criterion is satisfied.

4. This application satisfies each of the criteria under Section 1203 of the ZDO, as follows:

a. 1203.01(A): The use must be listed as a conditional use in the underlying zoning district.

Subsection 602.05(B)(1) of the ZDO identifies recycling centers as a conditional use in the I-2 zoning district.

This criterion is satisfied.

b. 1203.01(B): The characteristics of the site must be suitable for the proposed use considering size, shape, location, topography, existence of improvements and natural features.

The subject property is suitable for development as proposed. The 12.42 acre subject property is large enough to accommodate the proposed facility, meet applicable setbacks, provide for required off-street parking and storage, provide for internal traffic circulation, meet landscaping requirements and accommodate stormwater and/or wetlands mitigation features, as demonstrated by the site plan in the record. The shape of the subject property does not interfere with the proper functioning of the use, and appears to be very suitable for the layout of the proposed development and stormwater/wetland mitigation. The subject property is appropriately located within a predominately industrial area, with convenient access to the arterial road system serving the County. The location of this property immediate to a railroad siding is a particularly suitable characteristic. The topography of the property does not limit development as proposed. The relatively flat topography is a suitable construction characteristic. There are no improvements on the subject property. This record identifies one significant natural feature on the subject property, the presence of scattered wetlands. These wetlands have been declared to be insignificant by the County in its Goal 5 review process, but they may be an asset if transformed into a stormwater detention facility.

This criterion is satisfied.

c. 1203.01(C): The site and proposed development must be timely, considering the adequacy of transportation systems and

public facilities and services existing or planned for the area affected by the use.

Regarding the transportation system, for the reasons discussed in Finding D(3)(a) above, the Hearings Officer finds that the existing transportation system which will serve development as proposed is adequate to accommodate additional traffic reasonably expected to be generated by this use.

The subject property is currently provided with necessary public services. All service providers were provided notice of this application, and each has responded indicating its ability to serve the proposed facility with existing facilities.

This criterion is satisfied.

d. 1203.01(D): The proposed use must not alter the character of the surrounding area in a manner which substantially limits, impairs or precludes the use of surrounding properties for the primary uses listed in the underlying zoning district.

The subject property is located within the confines of a Light Industrial, I-2, zoning district, as stated above, there is a pocket of single family residential uses to the east, across 98th Avenue. The primary uses for the I-2 district are set forth in subsection 602.03 of the ZDO, and are included herein by this reference. They are light industrial uses. The nature of existing surrounding uses is described above.

The nature of this use is such that it will generate impacts which have the potential to create adverse impacts to the detriment of surrounding uses. This use will generate noise, but the extent of noise impacts will be lessened by the fact that all recycling and processing activities will be conducted within an enclosed structure. The substantial evidence in this record establishes that this use can and will meet DEQ noise degradation standards. A condition of approval will require that the use meet these standards at all times. The Hearings Officer deems DEQ's standards as a level of additional noise which does not unreasonably impact surrounding uses. The visual impact of this facility will be mitigated through required perimeter fencing and landscaping, and will be similar in character to other industrial uses. The limited nature of traffic impacts has been discussed above, and will be at a level of traffic lower than other potential I-2 uses which might be established on the property. Conditions of approval require the control of dust and other emissions (odors) to at least the level required by DEQ regulations, minimizing the potential for adverse impacts from these sources. No other potential adverse impacts to surrounding industrial or residential uses are identified in this record.

This criterion is satisfied.

e. 1203.01(E): The proposed use must satisfy, on balance, the Goals and Policies of the Comprehensive Plan which apply to the proposed use.

As stated above, the Plan designated the subject property Light Industrial. No provisions of the Industrial and Light

Industrial Sections of the Land Use Chapter of the Plan are identified as applicable to this application. The proposal is specifically consistent with the Goal of the Natural Resources and Energy Chapter of the Plan to conserve energy and promote energy efficiency through source development and recycling, and with Policy 2.0 of that Chapter of the Plan, in that the record establishes that this recycling center is a needed component of the County's efforts establish effective solid waste recycling programs.

This criterion is satisfied.

5. This application, with the conditions of approval, satisfies each of the three criteria under subsection 602.05(A) of the ZDO, as follows:

a. 602.05(A)(1): The use must have minimal adverse impact on the appropriate development of primary uses on abutting properties and the surrounding area, considering location, size, design, visual appearance and operating characteristics of the use.

The zoning of abutting and surrounding properties, with the primary uses for those zoning districts has been listed above. Also discussed above is the fact that this use will have minimal adverse impact on existing and potential uses on abutting and surrounding lands. The requirement of the I-2 zoning district, and the conditions of approval herein, that this development be subject to Design Review, with provisions for extensive landscaping, will further assure that the use is compatible with surrounding development.

This criterion is satisfied.

b. 602.05(A)(2): The use must not create hazardous, or potentially hazardous, conditions which cannot be contained within the premises in the event of an accident involving hazardous materials or processes.

The use proposed will not involve the use of hazardous materials or processes. Conditions of approval require that this facility not accept hazardous waste or bio-medical waste. Furthermore, the applicant will be required to implement an incidental hazardous waste containment and clean-up plan approved by the County and DEQ, assuring that any hazardous waste which inadvertently is on the property is contained within the premises.

This criterion is satisfied.

c. 602.05(A)(3): The use must comply with all standards under subsection 602.03 of the ZDO, except those which prompt the application for a conditional use.

None of the standards under subsection 602.03 prompt the application for a conditional use permit. This use will comply with those standards under subsection 602.03 which are applicable, as follows:

1. 602.03(B): This standard relates to site plan and

design, and provides that structures, circulation, parking, loading and landscaping shall be designed to accomplish the factors listed.

A review of the site plan submitted by the applicant indicates that the proposed facility is consistent with these factors. Design Review of this facility will specifically address and assure compliance with these factors.

This standard will be satisfied.

2. 602.03(C): This standard relates to design standards for certain types of buildings, including office buildings, multi-use and multi-tenant buildings, and warehouse or manufacturing buildings.

The proposed structure is similar to a warehouse or manufacturing structure, one of the building types regulated under this standard. The Design Review of this development will assure compliance with this standard.

This standard will be satisfied.

3. 602.03(D): This standard relates to outside storage and process areas, and provides that outdoor processes are prohibited, with limited outdoor storage permitted in accordance with the standards set forth therein.

This use proposes limited outdoor storage of a type necessary and inherent to a facility which received recyclable material for processing. Conditions of approval will specifically limit outdoor storage to recyclable materials which do not require post-consumer processing which may be stored in drop boxes outside of the processing building within an area enclosed by a sight-obscuring fence, as required by this subsection. These drop boxes will be closed except during times of loading or unloading. Also permitted is the unloading by haulers into a bunker system, with temporary storage only in the bunker prior to removal of the material into the processing building.

This standard is satisfied.

4. 602.03(E): This standard relates to display areas, and provides that all display of products shall be located within an enclosed building, unless approved as a conditional use.

No display area is proposed as a part of this use. This standard is not applicable.

5. 602.03(F): This standard relates to transportation requirements, and provides standards for loading areas and permitted vehicle traffic.

This use will utilize loading areas. The design and suitability for large truck traffic will be reviewed through the Design Review process. The small amount of non-employee traffic which will be generated by this facility is within the traffic generation limitations established.

This standard is satisfied.

6. 602.03(G): This standard relates to parking, and

provides that the use shall satisfy the parking requirements of subsection 1007.07 of the ZDO, and parking area landscaping shall satisfy the standards of subsection 1009.04 of the ZDO.

This standard will be satisfied through Design Review of this development. The site plan demonstrates that parking and parking area landscaping requirements can be met, and Design Review will assure compliance with those standards.

This standard will be satisfied.

7. 602.03(H): This standard relates to landscaping, and provides that at least 15 percent of the developed site shall be landscaping satisfying the requirements under subsection 602.07(D)(3) and Section 1009 of the ZDO, and the standards set forth in this subsection.

Again, this standard will be satisfied through Design Review of this development.

This standard will be satisfied.

8. 602.03(I): This standard relates to operational impacts of the use, and provides as follows:

(a). 602.03(I)(1): The operation of the use shall not produce noise, odors, fumes or gases, or vibration which exceed the standards of the Department of Environmental Quality (DEQ).

(b). 602.03(I)(2): No hazardous materials in quantities classified under Group H, Division 1 or Division 2 Occupancies under the Uniform Building Code shall be stored or used on the premises, except as specifically approved as a conditional use.

The limited nature of noise, odors, fumes, gases or vibration which can be expected to be produced by this use has been discussed above. This use is not expected to generate any of these items at a level which approaches that authorized under DEQ standards. A condition of approval will specifically require that the use at all times be in compliance with applicable DEQ standards. Also discussed above is the fact that no hazardous materials are proposed to be stored or used on the subject property in conjunction with this use.

This standard will be satisfied.

This approval criterion is satisfied.

6. No other provisions of the ZDO or the Plan have been identified as applicable to this application, and no other provisions of the ZDO or the Plan are found to be applicable.

7. The Hearings Officer specifically finds that the applicant can satisfy each of the conditions of approval.

DECISION: Approval, subject to the following conditions:

1. Conditions 1 through 42, as set forth in the April 9, 1996 Planning Staff Report/Recommendation to the Hearings Officer, herein, except as follows:

a. Condition #18 is modified by adding at the end thereof the following language: "Also permitted is the unloading by haulers into a bunker system, with temporary storage only permitted in the bunker prior to removal of the material into the processing building."

2. Compliance with the requirements of Clackamas County Service District No. 1, as set forth in the August 15, 1996 Memorandum to this file from the Department of Utilities, Exhibit #20.

3. The applicant shall not allow activities which will result in any vehicle trip generation to/from this facility between the hours of 3:30 p.m. to 6:00 p.m., Monday through Friday. The applicant shall require all commercial haulers to complete on-site activity prior to 3:30 p.m., Monday through Friday. The applicant shall erect highly visible signs informing the public that this facility is closed to public buy-back and drop-off activity between the hours of 3:30 p.m. to 6:00 p.m., Monday through Friday. The applicant shall keep records of public vehicle arrivals between the hours of 3:30 p.m. to 6:00 p.m., Monday through Friday.

4. The applicant shall arrange all employee shift changes so that no employee traffic will occur between the hours of 3:30 p.m. to 6:00 p.m., Monday through Friday.

Dated and Filed this 6th day of January, 1997.

/s/ Richard F. Crist
Richard F. Crist
Hearings Officer

bio-medical waste. Further, the applicant will be required to implement an incidental hazardous waste containment and clean up plan approved by the County and Dept. of Environmental Quality. The second criterion can be met.

3. The third criterion requires the use will comply with all standards under 602.03, except those which prompt the application for a Conditional Use. It is apparent the proposed use will be able to comply with the many standards under 602.03. This third criterion can be met.

In conclusion, it is the staff's judgment the proposed use can meet the criteria for establishing this Conditional Use in a Light Industrial District.

Conditions of Approval:

1. A Design Review application shall be submitted to the Planning Division for approval by the Design Review Committee prior to any development on the subject property associated with this Conditional Use. Design Review considerations shall include the signing, building and site design requirements under Subsection 819.02A8 and the standards under Subsection 602.03.
2. This materials recovery facility shall accept only dry construction and demolition debris and clean source separated recyclables. It shall not accept petrisable solid waste or yard debris.
3. The truck route to this facility shall be from State Hwy 212-224 to 102nd Avenue to Clackamas Road. The operator shall post identification signs along this truck route subject to the regulations of Clackamas County and Oregon Dept. of Transportation. The driveway entrance onto the subject property shall be from Clackamas Road. There shall be no driveway access permitted onto 98th Avenue.
4. The applicant shall dedicate additional right-of-way along that portion of the property frontage with Clackamas Road designated a minor arterial to ultimately achieve a 70 ft. right-of-way. This will require a dedication of at least 5 ft. The dedication will also include an industrial standard radius at the corner of 98th Avenue and Clackamas Road. To achieve proper curb alignment and construct a sidewalk along Clackamas Road west of Industrial Way where it is a local street, the applicant may have to dedicate additional right-of-way.
5. Up to a one-half street improvement will be designed and constructed on the property frontage with Clackamas Road and 98th Avenue. The frontage on 98th Avenue shall be improved with curb, surfacing, storm sewer, five ft. sidewalk and pavement tapers. The curb off-set shall be at least 21 ft. from centerline for an ultimate curb width of 42 ft. The improvements shall be tapered to match the existing improvement to the south which appears to be 24 ft. from centerline.

Staff Condition 8
20174-96-C

Some of the existing road surface is in poor condition and has poor drainage and it may be necessary to make additional improvements to ensure proper drainage and a vital driving surface.

6. The property frontage improvements on Clackamas Road shall consist of curb, surfacing, storm sewer, and sidewalk. Due to the functional classification difference, the segment between Industrial way and 98th Avenue shall have a centerline offset of 24 ft. and a six ft. sidewalk. West of Industrial way, the centerline offset may be reduced to 21 ft. to correspond to the functional class and the sidewalks shall be five ft. There must be a satisfactory radius or taper to transition traffic and stormwater between the two road segments.
7. A grading permit shall be obtained from the County Dept. of Transportation and Development for the proposed development.
8. The applicant shall obtain a Street Construction and Encroachment Permit for construction of the required street improvements. The applicant shall submit plans prepared and stamped by an engineer registered in the State of Oregon, a performance guaranty and an inspection fee for this permit.
9. Parking of all vehicles associated with this business shall occur only on this site.
10. Sanitary sewers shall be provided for this development subject to the rules and regulations for Clackamas County Service District #1.
11. The storm drainage shall be in conformance with the rules and regulations for Clackamas County Service District #1 and Section 1008 of the Clackamas County Zoning and Development Ordinance.
12. The cost of the storm and sanitary sewer systems shall be borne entirely by the developer.
13. The applicant's engineer shall submit two copies of an Erosion Control Plan and two copies of the storm drainage and detention system along with one copy of the detention calculations to the County Dept. of Utilities.
14. The applicant shall furnish the wetland mitigation plan approved by the Army Corps of Engineers and/or Division of State Lands to the County Dept. of Utilities along with the plan for on-site storm detention and water quality facility.
15. Emissions (odors) from this facility shall not exceed the standards in OAR Chapter 340, Division 21, Section 050. An odor control plan shall be submitted to Metro and Department of Environmental Quality. A copy of the approved plan shall be submitted to Clackamas County prior to operation of this facility.

26. The applicant shall acquire a Metro processing franchise and comply with the terms and conditions of that franchise. A copy of this franchise shall be submitted to Clackamas County prior to operation of this facility.
27. The applicant shall acquire a Dept. of Environmental Quality Disposal Permit and comply with the terms and conditions of that permit. A copy of this permit shall be submitted to Clackamas County prior to Operation of this facility.
28. The applicant shall acquire a Clackamas County Recycling License and comply with the terms and conditions of that license.
29. The applicant shall use only Metro or Metro-designated or approved facilities for disposal of residual solid waste.
30. The applicant shall have a litter control plan approved by Clackamas County, and Metro if required, to keep the site clean of litter and other debris.
31. The applicant shall provide and maintain fire department access, grades, and turnarounds per County, Fire District, and UFC Standards and Requirements.
32. The applicant shall provide approved address numbering, fully visible from the street, which clearly identifies the site location.
33. The applicant shall provide fire extinguishers in all work, storage and areas accessible to the public, with each extinguisher to have a minimum rating of 3A:40BC.
34. All flammable, combustible and hazardous materials shall be stored, used and handled per UFC requirements.
35. All working operations shall comply with UFC requirements.
36. The applicant shall provide fire hydrants as required to meet the fire flow ordinance requirements with location subject to joint water and fire district approval.
37. Any signing within the State right-of-way will require a permit from the Oregon Dept. of Transportation.
38. The applicant shall have signing to keep trucks from using 98th Avenue to access this facility. The signing shall be approved by the County Traffic Engineering Section.
39. The applicant shall have a Certificate of Occupancy prior to operation of this facility.

16. The applicant shall submit a dust control plan to the Dept. of Environmental Quality for approval. A copy of the approved plan shall be submitted to Clackamas County prior to operation of this facility.
17. The operation of this facility shall be in compliance with the Dept. of Environmental Quality Noise Standards. A copy of the Dept. of Environmental Quality approval shall be submitted to Clackamas County prior to issuance of a building permit.
18. Storage of materials shall occur only in a totally enclosed building with proper air quality controls except recyclable materials that do not require post-consumer processing may be stored in drop boxes outside of the processing building within an area enclosed by a fence. These drop boxes shall be completely enclosed containers except during times of loading and unloading.
19. The applicant shall have a Metro approved operating plan for the salvaging of any recyclable materials.
20. The applicant shall have a County Recycling License or permit for any salvaging of materials if applicable.
21. The applicant shall have a stormwater management plan for the stormwater collection and disposal system which shall include emergency spill containment and clean up measures and water quality mitigation measures approved by the County Dept. of Utilities.
22. This facility shall not accept hazardous waste or bio-medical waste. Any incidental hazardous waste such as household hazardous materials shall be confined within the processing building. The applicant shall have an incidental hazardous waste containment and clean up plan approved by Clackamas County and Dept. of Environmental Quality.
23. The applicant shall have a hazardous spill response plan approved by the County Dept. of Utilities and Clackamas County Fire District #1.
24. The Army Corp of Engineers and/or Division of State Lands shall approve a wetlands mitigation plan prior to any disturbance of the wetland areas on the subject property. A copy of the approved plan shall be submitted to Clackamas County.
25. The applicant shall pay a Community Enhancement Fee and/or recycling fee to Metro if required.

40. This Conditional Use permit is granted for the specific materials recovery facility identified in this application to the extent it is consistent with the conditions of approval.
41. This Conditional Use permit is approved subject to the conditions of approval. Noncompliance with any of these conditions constitutes a violation of this permit and shall be cause for revoking this permit.
42. This Conditional Use permit shall expire in the event the approval is not implemented within two (2) years from the date of the final written decision. This Conditional Use approval is implemented when all necessary permits for development have been secured and are maintained.

FINDINGS

ZONING ORDINANCE CONSIDERATIONS

Section 602, Subsection 801.03, Subsection 819.02 and Section 1203 of the Zoning and Development Ordinance are applicable to this request.

PLAN CONSIDERATIONS

The Industrial and Public Facilities Sections of the Comprehensive Plan are applicable to this request.

SITE DESCRIPTION

The subject property is approximately 12.42 acres. It is relatively level except for scattered man-made cuts. Most of the property is a field, but there are areas of brush and small hardwoods. There are a number of shallow basins and several ditches on the subject property that are wetlands. There are also scattered areas of unauthorized dumping as well as several foundations, paved areas and rocky areas on the property. The subject property appears to have been long abused and is presently abandoned. There are no street frontage improvements.

VICINITY DATA

Surrounding Conditions:

The subject property is bordered by State Hwy 212-224 and the Lumbermen's warehouse facility on the south. It is bordered by the Southern Pacific Railroad lines on the west. It is bordered by Milwaukee Transfers Industrial Facility and Camp Withercomb on the north. It is bordered by an island of single family residential development on the east.

Service Considerations:



DEQ
State of Oregon
Department of
Environmental
Quality

SOLID WASTE DISPOSAL SITE PERMIT: Transfer Station

Oregon Department of Environmental Quality
700 NE Multnomah St., Suite 600
Portland, OR 97232-4100
503-229-5353
Email: DEQNWR.SolidWastePermitCoordinator@deq.state.or.us

Issued as authorized by ORS 459.245 and in accordance with the provisions of Oregon Revised Statutes Chapter 459, 459A, Oregon Administrative Rules 340 Divisions 64, 90, 93, 95, 96 and 97 and subject to the Land Use Compatibility Statement referenced below.

Permittee:

K.B. Recycling, Inc.
P.O. Box 550
Canby, OR 97013

Facility name and location:

K.B. Recycling, Inc.
9602 SE Clackamas Road
Clackamas, OR 97015
NW ¼ SE ¼ Section 9 T2S R2E WM

Property Owner:

Fred Kahut
P.O. Box 550
Canby, OR 97013

Operator:


Andy Kahut
K.B. Recycling, Inc.
P.O. Box 550
Canby, OR 97013

ISSUED IN RESPONSE TO:

- A solid waste disposal site permit renewal application received January 21, 2019.
- A Land Use Compatibility Statement from Clackamas County and dated September 18, 2019.

The determination to issue this permit is based on findings and technical information included in the solid waste disposal site permit renewal application and permit record.

ISSUED BY THE OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY



Audrey O'Brien, Manager
Environmental Partnerships
Northwest Region



Date

Permitted Activities

Until this permit expires or is modified or revoked, the permittee is authorized to operate and maintain a solid waste disposal site in conformance with the requirements, limitations and conditions set forth in this document, including all attachments.

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ALLOWABLE ACTIVITIES

1 Waste Receipt and Disposal Authorizations

1.1 Waste Authorized for Receipt

This permit authorizes the permittee to accept solid waste, as defined in ORS 459.005, for transfer, except waste specifically prohibited in Section 2 (Prohibitions) at the disposal site named KB Recycling (facility).

A DEQ-approved Special Waste Management Plan is required for acceptance of certain waste that requires special management due to the threat posed to human health or the environment. The following special wastes have received approval from DEQ:

1.2 Waste Tire Management

This permit authorizes the permittee to accept up to 100 whole tires for storage and removal. This permit authorizes the permittee to accept fewer than 2,000 whole tires for storage and removal if the permittee maintains a continuous contract with a DEQ permitted waste tire carrier to remove the tires from the site.

Reference: OAR 340-064-0050

1.3 Authorization to Receive Other Waste

The permittee must not accept any waste excluded from the above authorization at the facility without first submitting the necessary information to DEQ for review, and obtaining DEQ approval in writing.

Reference: OAR 340-095-0020

1.4 Authorization of Activities

The permittee must conduct all facility activities in accordance with the provisions of this permit until permit termination. Once approved by DEQ, any permit-required plans become part of the permit by reference.

Reference: OAR 340-093-0110 and OAR 340-093-0113

1.5 Duration of Authorization

The authorization for the permittee to accept solid waste will end at the time of site closure or if the permit expires and DEQ has not received a timely permit renewal application. After that time, no solid waste may be accepted without written authorization by DEQ.

Reference: OAR 340-093-0115

2 Prohibitions

2.1 Prohibited Waste

The waste listed in this section is prohibited from being disposed with municipal solid waste or transferred to a landfill or other disposal site for disposal, and the permittee cannot accept this waste unless otherwise approved in writing by DEQ:

- Hazardous waste – Reference: 40 CFR 258.20(b), OAR 340-101 and OAR 340-093-0040;
- Liquid waste – Reference: 40 CFR 258.28;
- Radioactive waste – Reference: ORS 469.525 and OAR 345-050-0006;
- PCB or PCB Items regulated for disposal under 40 CFR 761.60(a) through (c), 40 CFR 761.61, 40 CFR 761.63, 40 CFR 761.64, or OAR 340-110-0060.

2.2 Special Waste

The permittee is prohibited from accepting certain waste materials that, because of their nature, pose potential hazards to human health or the environment and require careful handling at transfer facilities without first obtaining a Special Waste Management Plan approval in writing from DEQ. These waste include, but are not limited to:

- Infectious Wastes as defined in ORS 459.386;
- Asbestos-containing materials as defined in OAR 340-248-0010.
- Sewage sludges and grit;
- Septage;
- Covered Electronic Devices (CEDs) as defined in ORS 459A.305;
- Industrial solid wastes and other materials which may be hazardous or difficult to manage by virtue of their character or large volume, unless special provisions for such disposal are otherwise approved by the DEQ.

Reference: OAR 340-093-0190 and OAR 340-095-0020

2.3 Waste Banned from Disposal

The permittee may collect the following waste for storage, management and recycling only; the permittee must not knowingly accept or mix this waste with solid waste or transfer it to a landfill for disposal:

- Discarded or abandoned vehicles;
- Large home or industrial appliances;
- Used oil;
- Whole Tires;
- Lead-acid batteries;
- Computer monitors having a viewable area greater than four inches diagonally;
- Televisions having a viewable area greater than four inches diagonally;
- Desktop computers;
- Portable computers;
- Source separated recyclable material as defined in OAR 340-090-0010.

Reference: ORS 459.247, OAR 340-093-0040, ORS 459A.080, and OAR 340-090-0090

2.4 Open Burning

The permittee must not conduct any open burning at the facility.

Reference: OAR 340-264-0030 (defines open burning)

3 Recycling

3.1 Recyclable Materials

The permittee must provide a place for receiving the following recyclable materials:

- | | |
|--|---|
| <input checked="" type="checkbox"/> newspaper | <input checked="" type="checkbox"/> aluminum |
| <input checked="" type="checkbox"/> ferrous scrap metal | <input checked="" type="checkbox"/> container glass |
| <input checked="" type="checkbox"/> non-ferrous scrap metal | <input checked="" type="checkbox"/> hi-grade office paper |
| <input checked="" type="checkbox"/> used motor oil | <input checked="" type="checkbox"/> tin cans |
| <input checked="" type="checkbox"/> corrugated cardboard and craft paper
(brown paper bags) | <input type="checkbox"/> yard debris |

Reference: OAR 340-093-0160

3.2 Recycling Depot Location

The place for receiving recyclable materials must be located at the facility or at another location more convenient to the population served by the facility. The recycling depot must be available to every person whose solid waste enters the facility.

Reference: OAR 340-093-0160

3.3 Recyclable Material Use

All properly prepared, source separated recyclable materials must be reused or recycled, except for used oil and wood waste which may be collected and burned for energy recovery. The permittee cannot dispose of any source separated recyclable material, as defined under ORS 459.005(19).

Reference: OAR 340-090-0090

3.4 Recycling Information

The permittee must provide, or have available upon request, recycling information for facility users which includes the following:

- The location of the recycling depot at the disposal site or another location;
- The hours of operation of the recycling depot;
- Instructions for correct preparation of accepted source separated recyclable material;
- The material accepted for recycling;
- Reasons why people should recycle.

Reference: OAR 340-093-0160 and OAR 340-090-0030

3.5 Recycling Information Signs

A sign must be prominently displayed which indicates:

- The availability of recycling at the facility;
- The materials accepted at the recycling depot;
- The hours of operation of the recycling depot (if different than facility hours).

3.6 Salvaging of Materials

Salvaging of materials is authorized if conducted in a controlled and orderly manner and included in the permittee's DEQ-approved operations plan.

Reference: OAR 340-096-0040(4)

OPERATIONS AND DESIGN

4 Operations Plan

4.1 Plan Compliance

The permittee must conduct all operations at the facility in accordance with the approved Operations Plan, including any DEQ-approved amendments. The DEQ-approved Operations Plan is incorporated into the permit by reference.

Reference: OAR 340-095-0020

4.2 Plan Content

The Operations Plan must describe the method of operation of the facility in accordance with all regulatory and permit requirements.

Reference: ORS 459.235 and OAR 340-096-0040

4.3 Plan Maintenance

Prior to commencing any change in operations, the permittee must submit revisions of the Operations Plan to DEQ for review and approval. Additionally, the permittee must revise the Operations Plan as necessary so that it reflects current facility conditions and procedures.

4.4 Special Waste Management Plan

After consultation with DEQ, and prior to accepting wastes listed in Section 2.2, the permittee must submit a SWMP for DEQ review and approval. DEQ approved SWMPs will be incorporated into the approved Operations Plan. The SWMP must address procedures for receipt, handling, storage, spill clean-up and transport for reuse, recovery or disposal at an appropriately permitted facility.

Reference: OAR 340-093-0190

5 Site Design and Construction

5.1 Facility Design and Construction Plan

The facility, including any modifications or additions, must be designed and constructed in accordance with plans and specifications approved by DEQ and any amendments approved in writing by DEQ. The permittee must consult with DEQ prior to any site modification. DEQ may require the permittee to prepare and submit a modified Facility Design and Construction Plan, stamped by a registered professional engineer. If a new Plan is required, the permittee must receive written approval of the modified Facility Design and Construction Plan from DEQ prior to commencing construction.

Reference: ORS 459.235, OAR 340-093-0140, and OAR 340-096-0040

5.2 Construction Requirements

The permittee must perform construction in accordance with DEQ-approved plans and specifications, including all conditions of approval by DEQ. Any significant amendments to those plans and specifications must be approved prior to construction in writing by DEQ.

Reference: OAR 340-093-0140

5.3 Construction Documents

Prior to initiating construction, the permittee must submit and receive written DEQ approval of complete construction documents for the project to be constructed. The construction documents submitted must include a Construction Quality Assurance plan describing the measures that will be taken to monitor and ensure that the quality of materials and the work performed complies with project specifications and contract requirements.

Reference: OAR 340-093-0150

5.4 Construction Certification Report Submittal

DEQ may require, upon completion of major or critical construction at the facility, that the permittee submit to DEQ a final project report signed by the project engineer or manager as appropriate. The report must certify that construction has been completed in accordance with the approved plans including any approved amendments thereto.

Reference: OAR 340-093-0150

5.5 Approval to Use

The permittee cannot accept waste in newly constructed facilities or areas until DEQ has approved the Construction Certification Report. If DEQ does not respond in writing to the Construction Certification Report within 30 days of its receipt, the permittee may accept waste at the facility in the newly constructed facilities or areas.

Reference: OAR 340-093-0150

6 Site Operations

6.1 General Site Operations

The permittee must at all times maintain and properly operate all waste collection and disposal facilities to prevent discharges, health hazards, and nuisance conditions and in accordance with the provisions of this permit.

6.2 Waste Removal

The permittee must remove all waste from the facility at least as often as necessary to prevent malodors, unsightliness, and attraction of vectors or other environmental concerns.

Reference: OAR 340-093-0210 and OAR 340-096-0040

6.3 Containers

The permittee must clean all containers on-site, as needed, to maintain a sanitary operating environment and to prevent malodors, unsightliness and attraction of vectors.

Reference: OAR 340-093-0210 and OAR 340-096-0040

6.4 Equipment

The permittee must have readily available equipment of adequate size, and design, to properly operate the facility at all times and to maintain compliance with all permit conditions.

6.5 Roads

The permittee must construct and maintain all weather roads from the public highways or roads, to and within the facility. The roads must be constructed and maintained to prevent traffic congestion, traffic hazards, dust, mud, trackout and noise pollution.

Reference: OAR 340-096-0040

6.6 Vehicles and Truck Covers

All vehicles and equipment operated by the permittee and using public roads, must be constructed, maintained and operated so as to prevent leaking, shifting or spilling of loads while in transit. The permittee must notify all incoming waste haulers that trucks containing loads must be covered or suitably cross-tied to prevent any load loss during shipment.

Reference: OAR 340-093-0220.

6.7 Litter Control

The permittee must at all times minimize litter and collect it quickly and effectively such that the entire facility and adjacent lands are maintained virtually free of litter at all times. The permittee must retrieve and properly dispose of any debris from the facility as soon as possible the same operational day.

Reference: OAR 340-096-0040

6.8 Air Quality

The permittee must control dust and malodors resulting from facility construction, operation and other facility activities.

Reference: OAR 340-096-0040

6.9 Drainage

The permittee must divert surface and storm water drainage around or away from waste handling and storage areas. The permittee must maintain surface water diversion ditches or structures in a serviceable condition and free of obstructions and debris at all times.

Reference: OAR 340-096-0040

6.10 Waste Water Prevention and Management

The permittee must operate the facility in a manner that minimizes waste water production to the maximum extent practicable; including providing roofs and covers over operating and recycling collection areas. The permittee must collect, remove and manage waste water in a manner approved by DEQ to prevent malodors, public health hazards and discharge to public waters. Any waste water or stormwater discharges must be conducted in accordance with applicable WPCF and/or NPDES permits.

Reference: OAR 340-093-0210

6.11 Unloading Area

The permittee must clearly identify the area(s) for unloading of solid waste by signs, fences, barriers or other devices.

Reference: OAR 340-095-0020

6.12 Public Access

The permittee must control public access to the facility, as necessary, to prevent unauthorized entry and dumping.

Reference: OAR 340-096-0040

6.13 Legal Control of Property

The permittee must maintain legal control of the property, including maintaining a current permit and contract, or agreement that allows the operation of the facility if the property is not owned by the permittee.

Reference: OAR 340-093-0050 and OAR 340-093-0070

6.14 Fire Protection

Fire protection must be provided in accordance with operations plans approved in writing by DEQ and in compliance with pertinent state and local fire regulations. The permittee must make arrangements with the local fire control agency to ensure the fire control services will be provided immediately when needed. Fires must be immediately and thoroughly extinguished and reported to DEQ within 24 hours.

Reference: OAR 340-096-0040

6.15 Signs

The permittee must post signs at the facility, which are clearly visible and legible, providing the following information:

- Facility name;
- Emergency telephone number;
- Days and hours of operation;
- Authorized and prohibited wastes;
- Solid waste disposal site permit number;
- Operator's address.

6.16 Vector Control

The permittee must provide rodent, insect, bird, and other vector control measures, as necessary, to prevent vector harborage.

Reference: OAR 340-096-0040

6.17 Complaints

The permittee must investigate and attempt to resolve all complaints it receives regarding facility operations by doing the following:

- Contact the complainant within 24 hours to discuss the problem;
- Keep a record of the complaint, name and contact information (when possible), date complaint was received, date of facility response, description of facility response;
- Immediately initiate procedures at the facility, when possible, to resolve the problem identified by the complainant;
- For odor, litter or dust complaints, the permittee must report to DEQ as soon as complaints are received from five different businesses and/or individuals within one week, or if an odor event lasts longer than 24 hours without resolution or mitigation.

6.18 Permit Display

The permittee must display this permit, or a photocopy of it, where operating personnel can readily refer to it.

GENERAL CONDITIONS

7 Recordkeeping, Reporting and Fee Payment

7.1 Records

The permittee must keep copies of all records and reports for a minimum of five years from date initially placed in the facility operating record.

Reference: OAR 340-096-0040 and OAR 340-095-0020

7.2 Access to Records

Upon request, the permittee must make all records and reports related to the permitted facility available to DEQ.

Reference: OAR 340-096-0040 and OAR 340-093-0050

7.3 Disposal and Recycling Data Collection

- Solid waste disposal - The permittee must collect information on a monthly basis on the number of tons or cubic yards of solid waste received from compactor, drop box and private vehicles. Data collected will represent a calendar year.
- Recycling - The permittee must collect information about the amount of each material recovered for composting, recycling or other beneficial purpose each quarter for each year.

7.4 Data Reporting

- Solid waste disposal – Information collected on solid waste accepted for transfer to a disposal site must be recorded annually on the DEQ form titled: Solid Waste Transfer Report. This completed form must be submitted to DEQ at the address on the form each year.

- Material recovery/ recycling – Recovery/ recycling information collected must be submitted to the address on the survey form provided by DEQ each year for the prior calendar year.
Reference: OAR 340-090-0100

7.5 Non-Compliance Reporting

In the event the permittee violates any condition of this permit or of DEQ's rules or statute, the permittee must immediately take action to correct the violation and notify DEQ within 24 hours at: DEQ's Choose Region Region Materials Management Program Office at Choose Telephone No..

7.6 Oil and Hazardous Material Spill Response and Reporting

The permittee must immediately clean up any spill of oil or hazardous material as described in the Operations Plan. If the spill is of a reportable quantity the permittee must immediately report the spill to the Oregon Emergency Response System at 1-800-452-0311 and DEQ.

Reportable quantities include:

- Any amount of oil spilled to waters of the state;
- Oil spills on land in excess of 42 gallons;
- 200 pounds (25 gallons) of pesticide residue;
- Hazardous materials that are equal to, or greater than, the quantity listed in the 40 CFR Part 302 (List of Hazardous Substances and Reportable Quantities), and amendments adopted before July 1, 2002. For a complete list of hazardous materials required to be reported, please refer to OAR 340-142-0050.

7.7 Fee Payment

The permittee must pay the solid waste permit compliance fee each year this permit is in effect. DEQ will send an invoice to the permittee indicating the amount of the fee and the due date for fee payment. Fees are based on the tons of solid waste received and transferred for disposal.

Reference: OAR 340-097-0110 and OAR 340-097-0120

8 Permit Modification

8.1 Modification

At any time during the life of the permit, DEQ or the permittee may propose changes to the permit.

Reference: OAR 340-093-0070 and OAR 340-093-0113

8.2 Modification and Revocation by DEQ

DEQ may, at any time before the expiration date, modify, suspend or revoke this permit in whole or in part in accordance with ORS 459.255 for reasons including, but not limited to the following:

- Violation of any terms or conditions of this permit or any applicable statute, rule, standard or order of the Environmental Quality Commission;
- Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts;
- A significant change in the quantity or character of solid waste received or in the operation of the facility.

Reference: OAR 340-093-0113 and OAR 340-093-0115

8.3 Modification by Permittee

The permittee must apply for a modification to this permit if a significant change in facility operations is planned, there is a deviation from activities described in this permit, or there is a sale or exchange of the facility. The permittee cannot implement any change in operations that requires a permit modification prior to receiving approval from DEQ.

Reference: OAR 340-093-0070

8.4 Change in Name or Address

The permittee must report to DEQ in writing any name or address change of the owner or operator of the facility or property **within 10 days** of the change.

Reference: OAR 340-095-0020

8.5 Transfer, Sale or Exchange of Permit or Facility

The permittee must submit a permit modification application for any transfer, sale, or exchange of the permit or facility prior to completing the transaction.

All permit conditions will remain in effect until such time as a new or modified permit is issued by DEQ. The permittee will remain responsible for the failure by the new owner to abide by the terms of any permit conditions resulting in a violation until a new permit is issued by DEQ.

Reference: OAR 340-093-0070

8.6 Public Participation

Significant changes in the permit may be subject to the issuance of a public notice as set forth in DEQ rules for public notification.

Reference: OAR 340-093-0100

9 Administration

9.1 Definitions

Unless otherwise specified, all terms are as defined in OAR 340-090-0010 and OAR 340-093-0030.

9.2 Submittals

Unless otherwise specified on the forms provided by DEQ, all submittals required under this permit must be sent to:

Environmental Partnerships Manager
Oregon Department of Environmental Quality
700 NE Multnomah St., Suite 600
Portland, OR 97232-4100
503-229-5353
Email: DEQNWR.SolidWastePermitCoordinator@deq.state.or.us

9.3 Permit Term

The effective date of this permit is the date this document is signed by DEQ. The expiration date of the permit is indicated at the top right of this document. The authorization to accept solid waste at the facility will end when this permit expires, is terminated, or revoked; after that time the permittee cannot accept solid waste at the facility.

Reference: OAR 340-093-0070 and OAR 340-093-0115

9.4 Permit Renewal

The permittee must submit an application for permit renewal if the permittee intends to continue operation beyond the expiration date of this permit. A complete solid waste disposal site permit renewal application must be submitted to DEQ **at least 180 days** before the existing permit expires. All permit conditions will remain in effect until such time as a new permit is issued by DEQ. Failure by a permittee to abide by the terms of any permit conditions will be a violation.

Reference: OAR 340-093-0070 and OAR 340-093-0115

9.5 Permittee Initiated Termination of Permit

After facility closure, the permittee must request, in writing, to DEQ that the permit be terminated. Permittee must demonstrate to DEQ that the facility no longer requires a permit under OAR 340-093-0050 before DEQ will terminate the permit.

Reference: OAR 340-093-0050 and OAR 340-093-0115

9.6 Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights.

9.7 DEQ Liability

DEQ, its officers, agents, or employees do not sustain any liability on account of the issuance of this permit or on account of the construction, maintenance, or operation of facilities pursuant to this permit.

9.8 Documents Superseded

This document is the primary solid waste permit for the facility, superseding all other solid waste disposal site permits issued for this facility by DEQ.

Reference: OAR 340-093-0115

9.9 Binding Nature

Conditions of this permit are binding upon the permittee. The permittee is liable for all acts and omissions of the permittee's contractors and agents.

Reference: OAR 340-093-0050

9.10 Access to Facility

The permittee must allow representatives of DEQ access to the facility at all reasonable times, for the purpose of:

- Performing inspections;
- Surveys;
- Collecting samples;
- Obtaining data;
- Reviewing records;
- Carrying out other necessary functions related to this permit.

Reference: OAR 340-093-0050

9.11 Other Compliance

Issuance of this permit does not relieve the permittee from the responsibility to comply with any other applicable federal, state or local laws or regulations.

9.12 Penalties

Violation of any condition of this permit or any incorporated plan may subject the permittee to civil penalties for each day of each violation.

Reference: OAR 340-093-0050, OAR 340-012-0160 and ORS 459.995.

END PERMIT CONDITIONS

To: KB Recycling Inc., Clackamas County **Date:** January 22, 2020 and
Updated March 20, 2020

From: Chris Papinsick, Solid Waste Inspector
Oregon Department of Environmental Quality

Subject: Solid Waste Permit Evaluation Report for Permit Renewal
KB Recycling, Inc.
Solid Waste Disposal Permit #480
Transfer Station and Material Recovery Facility

Background

KB Recycling, Inc. (KB) has been operating as a permitted material recovery facility (MRF) at 9602 SE Clackamas Rd in Clackamas since 1998. Prior to this location KB operated under SWDP# 389 at 8277 SE Deer Creek Rd in Milwaukie.

KB Recycling Inc., renewed their DEQ solid waste permit in 1998, 2008, and applied on January 21, 2019 to renew the current permit. DEQ asked KB Recycling to resubmit permit application materials, and it was received within the requested timeframe.

Clackamas County staff signed a Land Use Compatibility Statement (LUCS) on September 18, 2019. The LUCS identifies and explains KB's Conditional Use Permit issued in 1998. The property is zoned as Light Industrial which allows for consideration of a Conditional Use Permit for recycling and waste transfer facilities. The Conditional Use Permit includes conditions pertaining to authorized wastes, stormwater treatment, drainage improvements and required pollution control plans among other conditions.

The Site

The Facility is located at 9602 SE Clackamas Rd in Clackamas, Oregon. (Section 9DB and 9DA, Township 2 South, Range 2 East. The LUCS covers Tax lots 101,200,3000,301,302,1701 WM).

The site is zoned Light Industrial. Adjacent uses include General Industrial along Clackamas Rd to the north, single family residences and 98th Ave. to the east, a warehouse operation and Hwy 212/224 to the south, and a Southern Pacific Railroad line and commercial zoning to the west.

The site is approximately 12 acres, of which approximately 7 acres is used for MRF operations. The MRF area of the site is completely paved. Stormwater is collected from a series of catch basins, and constructed ditches and piped to two pretreatment biofiltration swales. Treated stormwater ultimately drains into an unnamed tributary of the Clackamas River.

Buildings on site consist of one large (60,000 square feet) MRF building, two scales, and an office.



Operations

KB accepts recoverable dry waste materials from commercial and residential sources. Source separated recyclable materials arrive directly from the public or from a variety of curbside and commercial recyclables hauler. KB only accepts mixed dry waste loads with a minimum of 25% recoverable material. Additionally, KB accepts used oil from curbside hauler routes. Electronics waste such as computers and televisions and household appliances are also accepted, stored inside of the MRF building and transferred whole for further processing. Household garbage and other putrescible wastes are not accepted at the facility. If putrescible waste is discovered in a load, it is removed and hauled to a permitted solid waste disposal site within 24 hours of discovery.

Curbside recyclables enter a sort line where KB staff and mechanical methods sort the materials into material types. Once segregated, materials are baled and shipped to recycling and manufacturing facilities. Baled material pending shipment is stored inside the MRF building. Glass, which is not baled, is stored in bunkers outside of the MRF building.

Dry waste such as construction and demolition waste are tipped on the floor of the MRF building and are sorted using heavy equipment and staff sorters.

Used oil arrives in small (less than 2 gallons) containers and is consolidated in KB's used oil storage tank. The 500 gallon tank is covered to prevent exposure to stormwater and has a catchment pan in place in case of accidental overflow. Waste oil haulers remove oil from the site regularly.

Other DEQ Permits

National Pollutant Discharge Elimination System (NPDES) storm water 1200-Z general permit, which expires 07/31/2022.

Compliance History

The Permittee is not undergoing any enforcement actions at this time. The following summarizes significant enforcement actions and recent inspections:

Unannounced Inspection, August 8, 2019

Compliance Inspection, no violations

Unannounced Inspection, August 6, 2018

Compliance Inspection, corrective actions required

Inspection, December 3, 2015

Compliance Inspection, no violations

Inspection, February 3, 2010

Compliance Inspection, no violations

Solid Waste Permitting History

September 18, 2019

Land Use Compatibility Statement signed by Clackamas County Staff

February 16, 2017

Operations plan submitted and approved

March 2, 2009

Permit Evaluation Report Recommends SWDP #480 permit renewal

Note: SWDP #389 was terminated when KB Recycling closed their Milwaukie site and opened their facility at the current location.

Proposed Changes to the DEQ solid waste permit

No significant changes are proposed to the draft permit renewal.

Public Notice

DEQ issued a public notice on February 6, 2020 requesting comment on the draft permit renewal. The comment period closed on March 12, 2020. DEQ did not receive any comments on the draft renewal permit.

Recommendation

DEQ will issue the renewal permit. The Facility will be inspected regularly by DEQ staff to assess compliance with the permit.

GENERAL PERMIT
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
INDUSTRIAL STORMWATER DISCHARGE PERMIT No. 1200-Z
Department of Environmental Quality
700 NE Multnomah St., Suite #600 Portland, OR 97232
Telephone: (503) 229-5630 or 1-800-452-4011 toll free in Oregon
Issued pursuant to ORS 468B.050 and the Federal Clean Water Act

REGISTERED TO:

SOURCES COVERED UNDER THIS PERMIT:

A facility that may discharge industrial stormwater to surface waters or to conveyance systems that discharge to surface waters of the state and,

1. The stormwater is associated with an industrial activity identified in Table 1: Sources Covered or listed in Table 2: Additional Industrial Activities Covered; or
2. The facility is notified in writing the Director determines coverage under this permit is required for its stormwater discharges pursuant to 40 CFR 122.26(a)(9)(i)(D).

Note:

1. Facilities may apply for conditional exclusion from the requirement to obtain coverage under this permit if there is no exposure of industrial activities and materials to stormwater pursuant to 40 CFR §122.26(g); see Permit Coverage and Exclusion from Coverage.
2. The following are not eligible to obtain coverage under this permit:
 - i. Construction activities. This activity is covered under a separate general permit.
 - ii. Any source with primary Standard Industrial Classification codes 2951 and 3273, including mobile asphalt and concrete batch plants; and Standard Industrial Classification code 14, Mining and Quarrying of Nonmetallic Minerals, Except Fuels. These activities are covered under a separate general permit.
 - iii. Any source that has obtained an individual NPDES permit for the discharge, unless the source is otherwise eligible for coverage under this permit and DEQ has approved the source's application for coverage under this general permit.
 - iv. Any source that discharges to a sanitary sewer system and the discharge is approved by the sanitary sewer operator.

Issuance Date: March 25, 2021

Justin Green, Administrator
Water Quality Division

PERMITTED ACTIVITIES
