



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


METRO SOLID WASTE FACILITY NON-SYSTEM LICENSE

No. N-192-21A

LICENSEE:
Chemical Waste Management of the Northwest, Inc. 17629 Cedar Springs Lane Arlington, OR 97812
CONTACT PERSON:
James L. Denson Jr. Phone: 602-757-3352 Email: jdenson@wm.com
MAILING ADDRESS:
Chemical Waste Management of the Northwest, Inc. 17629 Cedar Springs Lane Arlington, OR 97812

This non-system license supersedes the provisions of Metro Non-System License No. N-192-21.

ISSUED BY METRO:

DocuSigned by:

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Pamela C. Peck, Policy and Compliance Program Director

June 6, 2022

Date



1	NATURE OF WASTE COVERED BY LICENSE
	<p>The following waste streams are authorized to be transported to the non-system facility listed in Section 3:</p> <ol style="list-style-type: none"> 1. Oregon Department of Energy-approved industrial wastes that exceed the Oregon limits for certain isotopes (aka Pathway wastes) and have been demonstrated to be safe for disposal in Oregon landfills; 2. Portland Harbor Superfund Site contaminants removed by dredging and upland remediation; 3. Landfill remediation wastes generated from federal, state or municipal cleanup projects for historic landfills in the Metro region area; and 4. Emerging contaminants generated from remediation of federal, state or municipal projects with historic use of persistent chemicals including Aqueous Film Forming Foam (AFFF) and per-and polyfluoroalkyl substances (PFAS).
2	CALENDAR YEAR TONNAGE LIMITATION
	The licensee is authorized to receive the non-system facility listed in Section 3, up to 2,500,000 tons for the duration of this license, of the wastes described in Section 1.
3	NON-SYSTEM FACILITY
	<ol style="list-style-type: none"> 1. The licensee is authorized to transport the waste described in Section 1 to the following non-system facility: <ul style="list-style-type: none"> Chemical Waste Management of the Northwest, Inc. 17629 Cedar Springs Lane Arlington, Oregon 97812 2. This license is issued on condition that the non-system facility named in this section is authorized to accept the type of waste described in Section 1. If Metro receives notice from the Oregon Department of Environmental Quality (DEQ) or Gilliam County that this non-system facility is not authorized to accept such waste, Metro may immediately terminate this license pursuant to Section 9.
4	TERM OF LICENSE
	The term of this license originally commenced on November 19, 2021 with a termination date of June 30, 2022. This license is now extended until December 31, 2022, unless amended, suspended, revoked, or terminated as provided in this license.
5	COVERED LOADS
	The licensee must instruct all persons that transport the waste authorized by this license to suitably contain and cover, on all sides, all loads of the waste transported to the non-system facility listed in Section 3 to prevent spillage of waste while in transit.



6	REPORTING OF ACCIDENTS AND CITATIONS
	The licensee must report to Metro any significant incidents (such as fires), accidents, and citations involving vehicles transporting the solid waste authorized by this license.
7	REGIONAL SYSTEM FEE AND EXCISE TAX
	<ol style="list-style-type: none"> 1. The solid waste that the licensee receives under authority of this license at the non-system facility listed in Section 3 is subject to the regional system fee and excise tax in accordance with Metro Code and Section 8 of this license. 2. The licensee may remit a reduced regional system fee and excise tax or claim an exemption for certain waste received under authority of this license as provided in Metro Code Chapters 5.02 and 7.01 and if approved in writing by Metro.
8	RECORD KEEPING AND REPORTING
	<ol style="list-style-type: none"> 1. The licensee must keep and maintain accurate records of the amount of all waste that the licensee transports to the non-system facility listed in Section 3. These records include the information specified in Metro's reporting instructions document titled, <i>Reporting Requirements and Data Standards for Metro Solid Waste Licensees, Franchisees, and parties to Designated Facility Agreements</i>. This reporting requirement document is subject to revision by Metro at any time and the facility must comply with all revised reporting requirements upon being notified in writing by Metro. 2. In addition, the licensee must maintain record of all Special Waste Permit Numbers for all special waste transported to the non-system facility listed in Section 3 as described in the above referenced document. 3. The licensee must: <ol style="list-style-type: none"> (a) Submit to Metro the records required under Section 8.1 and 8.2, including the Regional System Fee and Excise Tax Report that covers the preceding month, in an electronic format prescribed by Metro, no later than 15 days following the end of each month; and (b) Remit to Metro the requisite regional system fee and excise tax by the last day of the month for waste disposed of in the preceding month, in accordance with this license and Metro Code provisions applicable to the collection, payment and accounting of those fees and taxes. 4. The licensee must notify Metro regarding all permits relating to operations at the landfill, including without limitation, land use applications, appeals, or modifications. The licensee must provide copies of revisions to existing permits and newly issued permits to Metro within seven business days of Metro's request. The licensee also must provide, within seven business days of issuance, a copy of any official enforcement action regarding the licensee's landfill or its operation, including without limitation, a notice of violation or noncompliance with a statute, regulation, or permit condition. 5. Upon request, the licensee must provide Metro with copies of each quarterly Solid Waste Disposal Report/Fee Calculation form within two working days of providing the information to the Oregon Department of Environmental Quality. 6. The licensee must make available to Metro (or Metro's designated agent) all records from which Section 8.1, 8.2 and 8.3 are derived for its inspection or copying or both, as long as Metro



	provides at least three business days written notice of an intent to inspect or copy documents. The licensee must also sign or otherwise provide to Metro any consent or waiver necessary for Metro to obtain information or data from a third party, including the non-system facilities listed in Section 3.
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9	ADDITIONAL LICENSE CONDITIONS
	<p>This non-system license is subject to the following conditions:</p> <ol style="list-style-type: none"> 1. The transport of solid waste to the non-system facility, listed in Section 3, authorized by this license, is subordinate to any subsequent decision by Metro to direct the solid waste described in this license to any other facility. 2. This license is subject to amendment, suspension, revocation or termination by Metro in the event that Metro determines that: <ol style="list-style-type: none"> (a) There has been sufficient change in any circumstances under which Metro issued this license; or (b) Metro's solid waste system or the public will benefit from, and will be better served by, transporting the waste described in Section 1 to a facility other than those listed in Section 3. 3. In addition to subsections 9.2(a) and (b), Metro may amend, suspend, revoke or terminate this license pursuant to the Metro Code. 4. The licensee cannot transfer or assign any right or interest in this license without Metro's prior written approval. 5. This license is subject to amendment or termination by Metro upon the execution of a designated facility agreement with a facility listed in Section 3 that authorizes the facility to accept the waste described in Section 1. 6. This license authorizes transport of solid waste only to the facility listed in Section 3. Transfer of waste generated from within the Metro boundary to any non-system facility other than that specified in this license is prohibited unless authorized in writing by Metro. 7. If the licensee exceeds the calendar year authorization set forth in Section 2, each ton or portion thereof by which the licensee exceeds the limitation constitutes a separate violation subject to a penalty of up to \$500, in accordance with Metro Code Chapter 5.05.

10	COMPLIANCE WITH LAW
	<p>The licensee must fully comply with all applicable local, regional, state and federal laws, rules, regulations, ordinances, orders, and permits pertaining in any manner to this license, including all applicable Metro Code provisions and administrative rules adopted pursuant to Metro Code Chapter 5.05 whether or not those provisions have been specifically mentioned or cited in this license. All conditions imposed on the collection and hauling of the licensee's solid waste by federal, state, regional or local governments or agencies having jurisdiction over solid waste generated by the licensee shall be deemed part of this license as if specifically set forth.</p>



11	INDEMNIFICATION
	<p>The licensee must defend, indemnify and hold harmless Metro, its elected officials, officers, employees, agents and representatives from any and all claims, demands, damages, causes of action, or losses and expenses arising out of or related in any way to the issuance or administration of this non-system license. Expenses include, but are not limited to, all attorneys' fees, whether incurred before litigation is commenced, during litigation or on appeal.</p>