



METRO

SOLID WASTE FACILITY LICENSE No. L-130-15

LICENSEE: RB Recycling, Inc. 9945 N. Burgard Way Portland, OR 97203 Tel. 503-283-2261 Fax. 503-289-7150	FACILITY NAME AND LOCATION: RB Recycling, Inc. 9945 N. Burgard Way Portland, OR 97203 Tel. 503-283-2261 Fax. 503-289-7150
OPERATOR: RB Recycling, Inc. 9945 N. Burgard Way Portland, OR 97203 Tel. 503-283-2261 Fax. 503-289-7150	PROPERTY OWNER: Accella Performance Materials 2500 Adie Road Maryland Heights, MO 63043 Tel. 314-432-3200 Fax. 314-432-3210

This license replaces and supersedes the provisions of Metro Solid Waste Facility License No. L-130-10A. Metro grants this license to the Licensee named above. The Licensee is authorized to operate and maintain a solid waste facility and to accept the solid waste and perform the activities authorized by and subject to the conditions stated in this license.

ISSUED BY METRO:



Roy W. Brower, Solid Waste Compliance & Cleanup Manager

5/27/15

Date



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1.0		ISSUANCE
1.1	Licensee	RB Recycling, Inc. 9945 N. Burgard Way Portland, OR 97203 Tel. 503-283-2261 Fax. 503-289-7150
1.2	Contact	Pete Daly Tel: 503-283-2261 Fax: 503-289-7150 email: peted@rbrubber.com
1.3	License number	When referring to this license, please cite: Metro Solid Waste Facility License No. L-130-15.
1.4	Term	The term of this license will commence on July 1, 2015 and expire at midnight on June 30, 2020, unless terminated sooner under Section 11.0 of this license.
1.5	Renewal	The Licensee may apply for a license renewal as provided in Metro Code Section 5.01.055.
1.6	Facility name and mailing address	RB Recycling, Inc. 9945 N. Burgard Way Portland, OR 97203
1.7	Operator	RB Recycling, Inc. 9945 N. Burgard Way Portland, OR 97203 Tel. 503-283-2261 Fax. 503-289-7150
1.8	Facility premises description	Tax Lot Identification No. 2N1W35B-02000, City of Portland, Multnomah County, State of Oregon.
1.9	Property owner	Accella Performance Materials 2500 Adie Road Maryland Heights, M O 63043 Tel. 314-432-3200 Fax. 314-432-3210
1.10	Permission to operate	The parent company of the Licensee is the property owner.



2.0		CONDITIONS AND DISCLAIMERS
2.1	Guarantees	This license shall not vest any right or privilege in the Licensee to receive specific quantities of solid waste at the direction of Metro during the term of the license.
2.2	Non-exclusive license	This license shall not in any way limit Metro from granting other solid waste licenses within Metro's boundaries.
2.3	Property rights	This license does not convey any property rights in either real or personal property.
2.4	No recourse	The Licensee shall have no recourse whatsoever against Metro or its officials, agents or employees for any loss, costs, expense or damage arising out of any provision or requirement of this license or because of the enforcement of the license or in the event Metro determines that the license or any part thereof is invalid.
2.5	Indemnification	The Licensee shall indemnify Metro, the Council, the Chief Operating Officer (the "COO"), and any of their employees or agents and save them harmless from any and all loss, damage, claim, expense including attorney's fees, or liability related to or arising out of the granting of this license or the Licensee's performance of or failure to perform any of its obligations under the License or Metro Code Chapter 5.01, including without limitation patent infringement and any claims or disputes involving subcontractors.
2.6	Binding nature	This license is binding on the Licensee. The Licensee is liable for all acts and omissions of the Licensee's contractors and agents.
2.7	Waivers	To be effective, a waiver of any terms or conditions of this license must conform to Section 11.0 and be in writing and signed by the COO.
2.8	Effect of waiver	Waiver of a term or condition of this license shall not waive nor prejudice Metro's right otherwise to require subsequent performance of the same term or condition or any other term or condition.
2.9	Choice of law	The license shall be construed, applied, and enforced in accordance with the laws of the State of Oregon.
2.10	Enforceability	If a court of competent jurisdiction determines that any provision of this license is invalid, illegal or unenforceable in any respect, the validity of the remaining provisions contained in this license shall not be affected.



2.11	License not a waiver	This license does not relieve any owner, operator, or the Licensee from the obligation to obtain all required permits, licenses, or other clearances and to comply with all orders, laws, regulations, reports or other requirements of other regulatory agencies.
2.12	License not limiting	This license does not limit the power of a federal, state, or local agency to enforce any provision of law relating to the facility.
2.13	Definitions	Unless otherwise specified, all other terms are as defined in Metro Code Chapter 5.00.

3.0	AUTHORIZATIONS	
3.1	Purpose	This section of the license describes the wastes that the Licensee is authorized to accept at the facility, and the waste-related activities the Licensee is authorized to perform at the facility.
3.2	General conditions on solid waste	The Licensee is authorized to accept at the facility only the solid wastes described in Section 3.0 of this license. The Licensee is prohibited from knowingly receiving any solid waste not authorized in this section.
3.3	General conditions on activities	The Licensee is authorized to perform at the facility only those waste-related activities that are described in Section 3.0 of this license.
3.4	Acceptance and management of tires	The Licensee is authorized to accept tires from automobiles, trucks, heavy equipment, and other vehicle tires for the purpose of conducting material recovery.
3.5	Material recovery	The Licensee is authorized to process tires for the recovery of rubber and production of manufacturing feedstock, fuel, or other useful purposes as described in an operating plan and approved in writing by the COO. Steel derived from processing of tires shall be recovered to the extent that it is technologically and economically feasible.

4.0	LIMITATIONS AND PROHIBITIONS	
4.1	Purpose	This section of the license describes limitations and prohibitions on the wastes handled at the facility and activities performed at the facility.



4.2	Prohibited waste	The Licensee shall not knowingly receive, process, reload or dispose of any solid waste not authorized in this license. The Licensee shall not knowingly accept or retain any material amounts of the following types of wastes: non-putrescible waste other than that specifically allowed in Section 3.0 of this license, putrescible waste, special wastes as defined in Chapter 5.01 of the Metro Code, materials contaminated with or containing friable asbestos; lead acid batteries; liquid waste for disposal; vehicles; infectious, biological or pathological waste; radioactive waste; hazardous waste; any waste prohibited by the Oregon Department of Environmental Quality (DEQ).
4.3	Prohibition on mixing	The Licensee shall not mix any source-separated recyclable materials brought to the facility with any other solid wastes.
4.4	Limits not exclusive	This License shall not be construed to limit, restrict, curtail, or abrogate any limitation or prohibition contained elsewhere in this license document, in Metro Code, or in any federal, state, regional or local government law, rule, regulation, ordinance, order or permit.

5.0	OPERATING CONDITIONS	
5.1	Purpose and general performance goals	<p>This section of the license describes criteria and standards for the operation of the facility. The Licensee shall operate in a manner that meets the following general performance goals:</p> <ul style="list-style-type: none">a) Environment. The Licensee shall design and operate the facility to preclude the creation of undue threats to the environment including, but not limited to, stormwater or groundwater contamination, air pollution, and improper acceptance and management of hazardous waste asbestos and other prohibited wastes.b) Health and safety. The Licensee shall design and operate the facility to preclude the creation of conditions that may degrade public health and safety including, but not limited to, fires, vectors, pathogens and airborne debris.c) Nuisances. The Licensee shall design and operate the facility to preclude the creation of nuisance conditions including, but not limited to, litter, dust, odors, and noise.



5.2	Qualified operator	<ol style="list-style-type: none">1. The Licensee shall, during all hours of operation, provide an operating staff employed by the facility, and qualified and competent to carry out the functions required by this license and to otherwise ensure compliance with Metro Code Chapter 5.01.2. Facility personnel, as relevant to their job duties and responsibilities, shall be familiar with the relevant provisions of this license and the relevant procedures contained within the facility's operating plan.3. A qualified operator must be an employee of the facility with training and authority to reject prohibited waste that is discovered during load checks and to properly manage prohibited waste that is unknowingly received.
5.3	Fire prevention	The Licensee shall provide fire prevention, protection, and control measures, including but not limited to, adequate water supply for fire suppression, and the isolation of potential heat sources and/or flammables from the processing area.
5.4	Adequate vehicle accommodation	The Licensee shall: <ol style="list-style-type: none">a) Provide access roads of sufficient capacity to adequately accommodate all on-site vehicular traffic. Access roads shall be maintained to allow the orderly egress and ingress of vehicular traffic when the facility is in operation, including during inclement weather.b) Take reasonable steps to notify and remind persons delivering solid waste to the facility that vehicles shall not park or queue on public streets or roads except under emergency conditions or as provided by local traffic ordinances.c) Provide adequate off-street parking and queuing for vehicles, including adequate space for on-site tarping and untarping of loads.
5.5	Managing prohibited wastes	<ol style="list-style-type: none">1. The Licensee shall reject prohibited waste upon discovery and shall properly manage and dispose of prohibited waste when unknowingly received.2. The Licensee shall implement a load-checking program to prevent the acceptance of waste that is prohibited by the license. This program must include at a minimum:<ol style="list-style-type: none">a) Visual inspection. As each load is tipped, a qualified operator shall visibly inspect the load to prevent the acceptance of waste that is prohibited by the license.



		<p>b) Containment area. A secured or isolated containment area for the storage of prohibited wastes that are inadvertently received. Containment areas shall be covered and enclosed to prevent leaking and contamination.</p> <p>c) Record maintenance. Records of the training of personnel in the recognition, proper handling, and disposition of prohibited waste shall be maintained in the operating record and be available for review by Metro.</p> <p>3. Upon discovery, the Licensee shall remove all prohibited or unauthorized wastes or manage the waste in accordance with DEQ requirements and procedures established in the operating plan. All such wastes the Licensee unknowingly receives shall be removed from the site and transported to an appropriate destination within 90 days of receipt, unless required to be removed earlier by DEQ or local government.</p>
5.6	Storage and exterior stockpiles	<p>The Licensee shall:</p> <p>a) Manage, contain, and remove at sufficient frequency stored materials and solid wastes to avoid creating nuisance conditions, vector or bird attraction or harborage, or safety hazards;</p> <p>b) Maintain storage areas in an orderly manner and keep the areas free of litter;</p> <p>c) Position exterior stockpiles within footprints identified on the facility site plan or operating plan; and,</p> <p>d) Not stockpile recovered materials for longer than 180-days (6 months) or for longer than allowed by DEQ's waste tire storage standards.</p>
5.7	Dust, airborne debris and litter	<p>The Licensee shall operate the facility in a manner that minimizes and mitigates the generation of dust, airborne debris and litter, and shall prevent its migration beyond property boundaries. The Licensee shall:</p> <p>a) Take reasonable steps to notify and remind persons delivering solid waste to the facility that all loads must be suitably secured to prevent any material from blowing off the load during transit;</p> <p>b) Maintain and operate all vehicles and devices transferring or transporting solid waste from the facility to prevent leaking, spilling or blowing of solid</p>



		<p>waste on-site or while in transit;</p> <ul style="list-style-type: none">c) Maintain and operate all access roads and receiving, processing, storage, and reload areas in such a manner as to minimize dust and debris generated on-site and prevent such dust and debris from blowing or settling off-site;d) Keep all areas within the site and all vehicle access roads within ¼ mile of the site free of litter and debris generated directly or indirectly as a result of the facility's operation;e) Maintain on-site facility access roads to prevent or control dust and to prevent or control the tracking of mud off-site; andf) Provide access to the facility for the purpose of uncovered load enforcement. During all times that solid waste or recyclable materials are being accepted, authorized representatives of Metro, including law enforcement personnel on contract to Metro, shall be permitted access to the premises of the facility for the purpose of making contact with individuals they have observed transporting uncovered loads of solid waste or recyclable materials on a public road right-of-way in violation of Section 5.09.040 of the Metro Code.
5.8	Odor	<ul style="list-style-type: none">1. The Licensee shall operate the facility in a manner that prevents the generation of odors that are detectable off-site.2. The Licensee shall establish and follow procedures in the operating plan for minimizing odor at the facility.
5.9	Vectors (e.g. birds, rodents, insects)	<ul style="list-style-type: none">1. The Licensee shall operate the facility in a manner that is not conducive to the harborage of rodents, birds, insects, or other vectors capable of transmitting, directly or indirectly, infectious diseases to humans or from one person or animal to another.2. If vectors are present or detected at the facility, the Licensee shall implement vector control measures.
5.10	Noise	<p>The Licensee shall operate the facility in a manner that prevents the creation of noise sufficient to cause adverse off-site impacts and to the extent necessary to meet applicable regulatory standards and land-use regulations.</p>