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SOLID WASTE FRANCHISE APPLICATION

Food Waste Composting Facility



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METRO SOLID WASTE FACILITY FRANCHISE APPLICATION PACKET

Issued:
December 2009

This packet contains an application for a Metro Solid Waste Facility Franchise. You may also want to review the relevant sections of the Metro Code. The Metro Code can be accessed via the Metro web site at www.oregonmetro.gov. Solid waste facilities within the Metro boundary generally may operate only under the authorization of a License or Franchise.

Application for a new Solid Waste Facility Franchise

Those wishing to apply for a new Metro Solid Waste Facility Franchise must schedule a pre-application conference prior to submitting a final application form. Applicants should prepare for the pre-application conference by reviewing the application forms and drafting answers prior to the conference with Metro. To schedule the pre-application conference, contact Metro Solid Waste Compliance & Cleanup at (503) 797-1835. The purpose of the pre-application conference is to determine what parts of the Metro Solid Waste Facility Franchise Application you will need to submit, and to identify any potential issues specific to your proposal. Applications for new Franchises are granted or denied within 120 days of the filing of a complete application. (See Metro Code section 5.01.060.) The fee for filing a Franchise application is \$500.

Renewal of an Existing Franchise

Those wishing to renew an existing authorization without substantive changes to the current authorization must submit a completed *Renewal Application Form*, unless otherwise directed by Metro staff. Franchise renewal applications must be submitted not less than 120 days prior to expiration of the existing Franchise. Failure to submit applications in a timely fashion may result in a lapse of authority to operate. (See Metro Code section 5.01.087.) The fee for filing a Franchise renewal application is \$500.

Change of Authorization to an Existing Franchise

A change in authorization of an existing Franchise requires an application for a formal Franchise amendment. The applicant cannot implement the change of authorization until it has been approved by Metro. (See Metro Code section 5.01.095.) The fee for filing an application for a change of authorization is \$100.

Change of Ownership or Control of an Existing License

To transfer ownership or control of an existing Franchise, an application for a formal Franchise amendment is required. The applicant cannot transfer ownership or control of an existing Franchise until it has been approved by Metro. (See Metro Code section 5.01.090.)



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MAIL THIS APPLICATION TO:

DATE RECEIVED BY METRO:

Metro Finance and Regulatory Services
Solid Waste Compliance and Cleanup
600 NE Grand Avenue
Portland, OR 97232-2736
(503) 797-1835

Date of Pre-Application Conference: _____

METRO SOLID WASTE FRANCHISE APPLICATION FOOD WASTE COMPOSTING FACILITY

PART 1 – Standard Franchise Application Information

Applicants applying to receive food waste and other organic material for composting must provide the following information:

1. Applicant (Proposed Franchisee)	
Facility Name:	
Company Name:	
Street Address:	
Mailing Address:	
City/State/Zip:	
Registered Agent:	
Contact Person:	
Phone Number:	
Fax Number:	
E-mail Address:	

2. Proposed Franchisee's Owner or Parent Company (provide information for all owners)	
Name:	
Address:	
City/State/Zip:	
Phone Number:	
Fax Number:	
E-mail Address:	

3. Site Operator (if different from Proposed Franchisee)

Company Name:	
Contact Person:	
Street Address:	
Mailing Address:	
City/State/Zip:	
Phone Number:	
Fax Number and E-mail Address:	

4. Site Description

Tax Lot(s):	Section:	Township:	Range:
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5. Land Use

Present Land Use Zone:	
Is proposed use permitted outright?	
<input type="checkbox"/> If yes, attach a copy of a completed Metro or DEQ Land Use Compatibility Statement. (See also, Attachment F requirements)	
Is a conditional use permit (CUP) necessary for the facility?	
<input type="checkbox"/> If yes, attach a copy of the CUP.	
Are there any land use issues presently pending?	
If yes, explain:	
Are any DEQ permits required?	
<input type="checkbox"/> If yes, list them and attach copies with this application. (See also, Attachment G requirements)	
Are any other local permits required? If yes, list them (see Attachment H requirements).	

6. Land Owner

Is the applicant the sole owner of the property on which the facility is located?	<input type="checkbox"/> YES	<input type="checkbox"/> NO (If you answer "NO", complete the rest of the information requested in this section and attach a copy of the Property Use Consent Form, signed by the owner(s) of the property. See Attachment J)
Name of Property Owner:		
Mailing Address:		
City/State/Zip:		
Phone Number:		

7. Public/Commercial Operations

Will the facility be open to the public?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
Will the facility be open to non-affiliated commercial solid waste collectors?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
Will the facility be open to solid waste collection companies that collect waste from outside the boundary of Metro?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
Operating Hours and Traffic Volume:	PUBLIC	COMMERCIAL AFFILIATED	COMMERCIAL NON-AFFILIATED
Operating Hours			
Estimated Vehicles Per Day			

8. Solid Waste To Be Accepted and Activities Conducted

For each material type accepted at the facility, list the expected posted tip fee: (attach additional pages if necessary)

WASTES / MATERIALS TO BE ACCEPTED	EXPECTED TIP FEE

Describe the purpose (activities to be performed and waste types to be received) of the proposed facility, include an estimate of the quantity of waste to be received annually.

WASTE TYPE	PURPOSE	QUANTITY

Solid Waste, and/or Solid Waste Residual from processing of Solid Waste, delivered to this facility will be reloaded for transport to the following facility or facilities: (Please list all facilities and include additional pages if necessary.)

FACILITY NAME	WASTE TYPE	WASTE QUANTITY	PURPOSE *

* For example: Disposal, Inert Fill, or Useful Material

List the anticipated quantity of wastes to be accepted both monthly and annually.

BY GENERATOR TYPE:

	Tons Received Monthly	Tons Received Annually	Tons Residual
• Commercial:			
• Industrial:			
• Residential:			
TOTAL			

BY WASTE TYPE:

Will you compost or recover materials from this waste?

	Tons per month	YES	NO	Estimate of the maximum and typical lengths of time required to process each day's receipt of each waste / material type:
• Source-Separated Yard Debris:				
• Source-Separated Pre-Consumer Vegetative Food Waste:				
• Source-Separated Pre-and Post-Consumer Mixed Food Waste:				
• Source-Separated Clean Wood Waste (non-painted or treated wood):				
• Source-separated wood waste:				
• Land Clearing Debris:				
• Source-Separated Recyclables:				
• Non-Putrescible Wastes:				
• Special Wastes:				
• Inerts:				
• Other:				

9. Provide the name, address and function of all subcontractors involved in the facility operations:

NAME	ADDRESS	FUNCTION

PART 2 – Required Attachments to Franchise Application (Franchise application form continued)

- ❑ All of the following attachments (Attachments A – J) are required and must be submitted in order for a franchise application to be considered complete. Each attachment must be clearly labeled.
- ❑ Application submittals such as facility design, building plans, site plans and specifications must be prepared, as appropriate, by persons licensed in engineering, architecture, landscape design, traffic engineering, air quality control, design of structures or other qualified professionals.
- ❑ Applicants who have previously submitted copies of permits, site plans, facility design plans, or other attachments required herein, are not required to re-submit such documents if the documents on file at Metro are current.

ATTACHMENT A: SITE PLAN

The applicant must submit a facility site plan that includes scaled maps, aerial photographs and drawings showing the location of the facility at an appropriate scale, and no smaller than one inch equals 30 feet. The following information must be provided:

- (1) The location of the facility on a tax lot map.
- (2) The location of all commercial and residential structures within a one mile radius of the composting facility, identified on a map or aerial photograph.
- (3) The prevailing wind direction, by season, identified on a map or aerial photograph.
- (4) Boundaries of the facility and property.
- (5) Location of all buildings on the property (existing and proposed) and other pertinent information with respect to the operation of the facility, to include:
 - a) scale and scale house location
 - b) fencing and gates
 - c) access roads
 - d) paved areas
 - e) vegetative buffer zones and berms
- (6) Identify water sources for fire suppression.
- (7) Identify where the sign(s) will be located on the facility site plan.

Signs must be posted at all public entrances to the facility, and in conformity with local government signage regulations. These signs shall be easily and readily visible, and legible from off-site during all hours and shall contain at least the following information:

 - a) General facility information
 - (1) Name of the facility,
 - (2) Address of the facility,
 - (3) Emergency telephone number for the facility,
 - (4) Operating hours during which the facility is open for the receipt of authorized

waste,

- (5) Fees and charges for public customers
 - (6) A list of authorized and prohibited wastes, and;
 - (7) Metro's name and telephone number (503) 234-3000.
- b) Vehicle / traffic flow information or diagram.
 - c) Covered load requirements.

ATTACHMENT B: FACILITY DESIGN PLAN AND REPORT

The applicant shall submit a facility design plan and report that address the following:

(1) Odor, dust, airborne debris and litter.

- a) Submit a facility design plan that identifies:
 - (1) The location of all areas for load checking, receiving/tipping, mixing, processing, curing, and storage areas for solid waste, feedstocks, recovered materials, waste residuals, hazardous waste, contaminated waste and other materials.
 - (2) The location and layout of compost piles or windrows and aeration systems including any proposed biofilters or enclosed structures to prevent nuisance odors from being detected off-site. Identify all impervious surfaces (e.g. asphalt, concrete) for the tipping and processing areas.
 - (3) Any exterior stockpile footprints, the type of materials and the maximum height of each exterior material stockpile.
 - (4) The location for the storage of prohibited wastes or waste too contaminated for processing that are removed during the load checking process that is separately secured or isolated. Identify containment areas to prevent leaking and contamination.
 - (5) On-site traffic flow patterns.
- b) Submit a facility design report that describes all facility control measures to prevent odors, fugitive dust, airborne debris and litter. Describe how the facility design will provide for odor and dust prevention for the receiving area, processing area, storage area, reload area, and all waste processing equipment and all conveyor transfer points where odor or dust is generated.
- c) In the report, describe any additional facility design measures and procedures for the control of odor in the case of major processing facility breakdown.

(2) Facility capacity.

- a) Provide plans, reports and specifications to document that the size and configuration of the facility grounds and major processing systems, equipment and storage areas are of sufficient capacity to accommodate seasonal throughput of all materials that will be delivered and processed at the facility.
- b) Provide the estimated capacity (cubic yards and tons) of the facility intake, processing (composting), curing and feedstocks storage area(s).

(3) Adequate vehicle accommodation.

Provide documentation to demonstrate that adequate on-site area at the facility's entrance, scales, loading and unloading points and exit points shall be provided to allow the number and types of vehicles expected to use the facility during peak times to safely queue off the public roads and right-of-way.

(4) Water contaminated by solid waste and solid waste leachate.

Submit a DEQ (or equivalent) approved plan with pollution control measures to protect surface and ground waters, including leachate management, stormwater management and discharge and equipment cleaning and washdown water (this information may be submitted in Attachment G or Attachment H, as appropriate).

ATTACHMENT C: APPLICANT QUALIFICATIONS AND EXPERIENCE.

Provide a description of the composting experience and qualifications of the compost facility owner and operator. Include direct experience with composting food waste and odor management.

ATTACHMENT D: OPERATING PLAN

The applicant is required to develop and submit an operating plan for review and approval by the Director of Metro's Finance and Regulatory Services. This section lists the procedures that must be included in the required facility operating plan. A proposed facility operating plan must be submitted with the completed franchise application subject to any additional elements as required in the franchise - if one is approved and issued. The operating plan shall describe at a minimum:

- (1) The types of solid wastes to be accepted and handled at the facility.
- (2) A description of the methods you will use for measuring and keeping records of materials received, processed, transferred and/or disposed.
- (3) A detailed description of how you will distinguish and manage loads of incoming source-separated food waste from other materials.
- (4) Procedures for inspecting loads. The operating plan shall establish:
 - a) Procedures for inspecting incoming loads for the presence of prohibited or unauthorized wastes.
 - b) A set of objective criteria for accepting and rejecting loads.
- (5) Procedures for processing and storage of loads. The operating plan shall establish detailed descriptions of the procedures for:
 - a) The intake and mixing procedures and proportions of different feedstocks that will be used to obtain an appropriate mix to begin composting.
 - b) The methods you will use to monitor crucial process parameters to ensure an optimal moisture levels, c:n ratio, porosity, pH levels, oxygen levels, and temperatures.
 - c) The construction and dimensions of the windrows or specifications of the aeration or in-vessel processing system to be used at the facility.

- d) A description of how the windrows will be managed and the type of equipment that will be used and how feedstocks will be incorporated into active compost windrows.
- e) Managing stockpiles.
- f) Minimizing storage times, and avoiding delay in processing and managing of all authorized solid wastes and recovered materials.

(6) Procedures for rejecting or managing prohibited wastes. The operating plan shall describe procedures for rejecting, managing reloading and transporting to appropriate facilities or disposal sites any prohibited or unauthorized wastes discovered at the facility.

The plan shall include procedures for managing:

- a) Hazardous wastes.
- b) Other prohibited solid wastes.
- c) Procedures and methods for notifying generators not to place hazardous wastes or other prohibited wastes in collection containers destined for the facility.
- d) Procedures and methods for notifying generators not to place plastics and other non-compostables with source-separated food waste in drop boxes or other collection containers destined for the facility.

(7) Procedures for rejecting or managing loads of food waste that are contaminated with plastic or other non-compostable wastes. The operating plan shall describe procedures for rejecting, and managing, reloading and transporting to appropriate facilities or disposal sites:

- a) Loads contaminated with plastic and other non-compostable waste.
- b) Composted material that due to concentrations of contaminants, cannot be further processed or marketed and must be disposed.

- (8) Procedures for odor prevention. The operating plan shall describe procedures for preventing all objectionable odors from being detected off the premises of the facility. The plan must include:
- a) A management plan that will be used to monitor and manage all objectionable odors of any derivation including malodorous loads delivered to the facility.
 - b) Methods for minimizing and controlling odors from loads at the receiving and mixing area of the facility.
 - c) Odor minimizing measures which may include:
 - (1) How to avoid anaerobic conditions in the composting material.
 - (2) Use of mixing for favorable composting conditions.
 - (3) Formation of windrow or other piles into a size and shape favorable to minimizing odors.
 - (4) Use of end-product compost as a cover to act as an odor filter.
 - (5) Use of biofilters, Provide technical design criteria and specifications.
 - (6) Specification of available supply of bulking agents, additives or odor control agents and application procedures.
 - (7) Procedures for avoiding delay in processing and managing feedstocks and compost during severe weather conditions.
 - d) Methods for taking into consideration the following factors prior to turning or moving composting material.
 - (1) Time of day.
 - (2) Wind direction
 - (3) Percent moisture.
 - (4) Porosity.
 - (5) Carbon / nitrogen ratio.
 - (6) Estimated odor potential.
 - (7) Degree of maturity.
 - e) Procedures for cleaning areas and equipment that comes into contact with feedstocks and composting materials.
 - f) Procedures for receiving and recording odor complaints, immediately investigating any odor complaints to determine the cause of odor emissions, and remedying promptly any odor problem at the facility.

(9) Procedures for pathogen reduction and pathogen testing. A facility accepting any amount of pre-or post-consumer food waste that includes meat and dairy products, the operating plan must include a detailed description of you will assure adherence to the following requirements that are based on the US Environmental Protection Agency's "Process to Further Reduce Pathogens":

- a) The density of fecal coliform in finished compost shall be less than 1,000 Most Probable Number per gram of total solids (dry weight basis), or the density of Salmonella sp. Bacteria in finished compost shall be less than three (3) Most Probable Number per four (4) grams of total solids (dry weight basis).
 - (1) For enclosed or within-vessel composting process operations and facilities, active compost shall be maintained at a temperature of 55 degrees Celsius (131 degrees Fahrenheit) or higher for a pathogen reduction period of 3 days.
 - (2) If the facility uses a windrow composting process, active compost shall be maintained under aerobic conditions at a temperature of 55 degrees Celsius (131 degrees Fahrenheit) or higher for a pathogen reduction period of 15 days or longer. During the period when the compost is maintained at 55 degrees Celsius or higher, there shall be a minimum of five (5) turnings of the windrows.
 - (3) If the facility uses an aerated static pile composting process, all active compost shall be covered with 6 to 12 inches of insulating material or other functionally equivalent product, and the active compost shall be maintained at a temperature of 55 degrees Celsius (131 degrees Fahrenheit) or higher for a pathogen reduction period of 3 days.
 - (4) Alternative methods that can be demonstrated by the owner or operator to achieve an equivalent reduction of human pathogens must be described in detail and are subject to approval by Metro.
- b) How the operator will maintain daily operating records that include temperatures, the number and depth of temperature readings, and number of compost pile turnings.

- c) How the operator will provide verification that compost meets the specified pathogen reduction requirements and verify that the pathogen reduction requirements will occur at the point where the compost is sold and removed from the site, bagged for sale, given away for beneficial use and removed from the site or otherwise beneficially used.
- d) Describe how the facility will handle feedstocks and composted material to prevent pathogen regrowth and cross contamination of piles, equipment and processing areas
- e) How the operator will prevent compost that has undergone pathogen reduction from being contaminated with feedstocks, compost, or leachate that has not undergone pathogen reduction, and from being contaminated by contaminated equipment, or by run-off containing pathogens.

(10) A description of how storm water and leachate will be managed at areas of feedstock receiving, mixing, processing (active composting) curing and storage.

(11) Procedures for preventing and controlling nuisances, including noise, vectors, dust, and litter.

(12) A plan for utilization of the finished product.

(13) Procedures for emergencies. The operating plan shall describe procedures to be followed in case of fire or other emergency.

(14) Procedures for fire prevention, protection, and control measures used at the facility.

ATTACHMENT E: INSURANCE

Include proof of the following types of insurance, covering the applicant, its employees, and agents:

- (1) Broad form comprehensive general liability insurance covering bodily injury and property damage, with automatic coverage for premises, operations, and product liability. The policy must be endorsed with contractual liability coverage.
- (2) Automobile bodily injury and property damage liability insurance.
- (3) Insurance coverage shall be a minimum of \$500,000 per occurrence. If coverage is written with an annual aggregate limit, the aggregate limit shall not be less than \$1,000,000.
- (4) Metro, its elected officials, departments, employees, and agents must be named as ADDITIONAL INSUREDS.

ATTACHMENT F: LAND USE COMPATIBILITY STATEMENT (LUCS)

The following information must be provided:

A copy of a completed Metro LUCS or DEQ LUCS.

ATTACHMENT G: DEQ PERMIT APPLICATIONS AND INFORMATION

The following information must be provided:

A duplicate copy of all applications for necessary DEQ permits and any other information required by or submitted to DEQ, including closure plans, financial assurance for the costs of closure of the facility, and conditional use permit or land use compatibility statement, if applicable

ATTACHMENT H: OTHER REQUIRED PERMITS

The following information must be provided:

A copy of any required federal, state, county, city or other permits, licenses, or franchises that have been granted or issued, not including materials required by Attachment G, or a copy of any applications for such other permits, licenses, or franchises. Copies of correspondence pertaining to such permits, licenses or franchises may be requested.

ATTACHMENT I: CLOSURE PLAN AND FINANCIAL ASSURANCE

The following information must be provided

- (1) If a closure plan and financial assurance are required by DEQ, copies of these documents should be included with the application per Attachment G.

(2) If DEQ does **not** require a closure plan for the facility, attach a closure document describing closure protocol and associated costs. Closure means those activities associated with restoring the site to its condition prior to engaging in the licensable activity. Closure may include, but is not limited to removal of all on-site solid waste stockpiles accumulated after being issued a Metro Solid Waste Facility Franchise. The Closure protocol is the written protocol that specifies the activities required to properly close the facility and cease further solid waste activities.

(3) If DEQ does **not** require any financial assurance for the costs of closure of the facility, attach proof of financial assurance for the costs of closure of the facility. Cost of closure means the costs associated with restoring the site to its condition prior to engaging in the licensable activity.

These costs may include but are not limited to:

- a) the cost to load and transport accumulated solid waste stockpiles to an authorized disposal site or recycling facility;
- b) the cost to deliver (“tip”) the waste at an authorized landfill or recycling facility; and
- c) other related costs such as site grading or additional disposal costs associated with restoring the site.

Examples of acceptable forms of financial assurance include, but are not limited to the following: surety bond, irrevocable letter of credit, closure insurance.

ATTACHMENT J: PROPERTY USE CONSENT FORM

If required by Section 6 of Part 1 of this application.

Applicant Certification

This form cannot be processed without a signature

I certify under penalty of law 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 _____

TITLE _____

PRINT NAME _____

DATE _____ PHONE _____

BM:bjl

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