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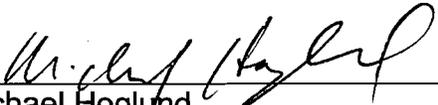
SOLID WASTE FACILITY LICENSE

No. L-124-08

LICENSEE:	FACILITY NAME AND LOCATION:
Fuel Processors, Inc. 4150 North Suttle Road Portland, OR 97217 Phone: (503) 286-8352 Fax: (503) 286-5027 Contact: Ame LeCocq E-mail: amel@orrcobiz	Fuel Processors, Inc. 4150 North Suttle Road Portland, OR 97217 Phone: (503) 286-8352 Fax: (503) 286-5027 Contact: Ame LeCocq E-mail: amel@orrcobiz
OPERATOR:	PROPERTY OWNER:
Fuel Processors, Inc. 4150 North Suttle Road Portland, OR 97217 Phone: (503) 286-8352 Fax: (503) 286-5027 Contact: Ame LeCocq E-mail: amel@orrcobiz	Fuel Processors, Inc. 4150 North Suttle Road Portland, OR 97217 Phone: (503) 286-8352 Fax: (503) 286-5027 Contact: Ame LeCocq E-mail: amel@orrcobiz

This license is granted to the Licensee named above and is not transferable. Subject to the conditions stated in this license document, the Licensee is authorized to operate and maintain a solid waste facility, and to accept the solid wastes and perform the activities authorized herein.

ISSUED BY METRO



Michael Hoglund,
Solid Waste & Recycling Department Director

5/1/2008

Date



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1.0	ISSUANCE	
1.1	Licensee	Fuel Processors, Inc. 4150 North Suttle Road Portland, OR 97217 Phone: (503) 286-8352 Fax: (503) 286-5027
1.2	Contact	Ame LeCocq, Compliance Manager E-mail: amel@orrcobiz
1.3	Registered Agent	Wilmer L. Briggs 4150 North Suttle Road Portland, OR 97217
1.4	License number	When referring to this license, please cite: Metro Solid Waste Facility License No. L-124-08.
1.5	Term	The term commences from the date this license is signed by Metro and shall remain in force until May 1, 2013, unless modified, suspended, or revoked under the provisions of Section 12 of this license.
1.6	Renewal	The Licensee may apply for a license renewal, provided that the Licensee files a completed application for renewal accompanied by payment of the required application fee not less than 120 days prior to the expiration of the license term and as provided in Metro Code Sections 5.01.060, 5.01.067 and 5.01.087.
1.7	Facility name and mailing address	Fuel Processors, Inc. 4150 North Suttle Road Portland, OR 97217
1.8	Operator	Fuel Processors, Inc. 4150 North Suttle Road Portland, OR 97217 Phone: (503) 286-8352 Fax: (503) 286-5027
1.9	Facility legal description	Tax lots 1100, 1200, 1300, 1400, & 1700, Section 32, Township 2N, Range 1E, City of Portland, Multnomah County, State of Oregon
1.10	Property owner	Fuel Processors, Inc. 4150 North Suttle Road Portland, OR 97217 Phone: (503) 286-8352 Fax: (503) 286-5027



1.11	Permission to operate	The Licensee owns the property on which the facility is located.
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2.0	CONDITIONS AND DISCLAIMERS	
2.1	Guarantees	The granting of 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	The granting of this license shall not in any way limit Metro from granting other solid waste licenses within Metro's boundaries.
2.3	Property rights	The granting of this license does not convey any property rights in either real or personal property, nor does it authorize any injury to private property or invasion of property rights.
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 the license or any part thereof is determined to be invalid.
2.5	Release of liability	Metro, its elected officials, employees, or agents do not sustain any liability on account of the granting of this license or on account of the construction, maintenance, or operation of the facility pursuant to this license.
2.6	Binding nature	The conditions of this license are 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 be in writing and signed by the Metro Chief Operating Officer.
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 any provision of this license is determined by a court of competent jurisdiction to be 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	Nothing in this license shall be construed as relieving any owner, operator, or Licensee from the obligation of obtaining all required permits, licenses, or other clearances and complying with all orders, laws, regulations, reports or other requirements of other regulatory agencies.
2.12	License not limiting	Nothing in this license is intended to limit the power of a federal, state, or local agency to enforce any provision of law relating to the solid waste facility that it is authorized or required to enforce or administer.
2.13	Definitions	Unless otherwise specified, all other terms are as defined in Metro Code Chapter 5.01.

3.0	AUTHORIZATIONS	
3.1	Purpose	<p>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. This license is not intended to regulate the acceptance and management of hazardous wastes, used oil, or universal wastes that are otherwise regulated at the facility by the Oregon Department of Environmental Quality (DEQ) nor is it intended to regulate non-waste-related activities.</p> <p>This license does not regulate or prohibit the acceptance and processing of non-hazardous sludge wastes from septic tanks, food service, grease traps, or wastewater from commercial laundries, Laundromats or car washes. In the event that Metro determines, at any time during the term of this license, that a Metro license shall be required to accept and process such non-hazardous sludge wastes, then the Licensee shall cease accepting and processing such wastes or shall apply for a change of authorization to permit it to accept and process such wastes. If such application is denied, Licensee shall cease accepting and processing such wastes.</p>
3.2	General conditions on acceptable materials	The Licensee is authorized to accept at the facility only the solid wastes described in Section 3.0 of this license. The Director of the Solid Waste and Recycling Department may authorize the Licensee to accept solid wastes not otherwise described in Section 3.0, provided that the acceptance of such wastes would not require a Metro Solid Waste Facility Franchise under Metro Code Chapter 5.01. Any such authorization must specifically describe the additional type of acceptable solid waste and must be in writing. 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 cleanup material and petroleum-contaminated solids	<p>The Licensee is authorized by this license to accept Cleanup Material Contaminated by Hazardous Substances, as defined in Metro Code Chapter 5.01, and petroleum-contaminated solids for processing, consolidation, reloading, and transfer to authorized disposal facilities. Such wastes include, but are not limited to, spill cleanup material such as absorbent, used motor oil filters, petroleum-contaminated soil, petroleum grease, non-putrescible sludges, empty drums, and other containers.</p> <p>All receiving, processing, consolidation, storage, and transfer of such waste must occur on an impervious surface (e.g. asphalt or concrete) and inside a roofed structure.</p>
3.5	Thermal processing of petroleum-contaminated soils	<p>The Licensee is authorized to accept petroleum-contaminated soils and other petroleum-contaminated solids for thermal processing and solidification.</p> <p>All receiving, processing, consolidation, storage, and transfer of such waste must occur on an impervious surface (e.g. asphalt or concrete) and inside a roofed structure.</p>
3.6	Management of processing residual	<p>All waste processing residual shall be stored on an impervious surface (e.g. asphalt or concrete) and inside a roofed structure or alternatively, inside watertight covered or tarped containers or within covered or tarped transport trailers.</p> <p>All waste processing residual shall at all times be kept physically separated from, and shall not be mixed or allowed to commingle at any time with source-separated recyclable materials.</p>

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 is prohibited from receiving, processing, reloading or disposing of any solid waste not authorized in this license or otherwise regulated and authorized in writing by the DEQ. The Licensee shall not knowingly accept or retain any material amounts of prohibited wastes including: putrescible waste, creosote-treated wood waste, materials contaminated with or containing friable asbestos; infectious,



		biological or pathological waste; radioactive waste; and any waste prohibited by the DEQ.
4.3	Limits not exclusive	Nothing in this section of the license shall 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	This section of the license describes criteria and standards for the operation of the facility.
5.2	Qualified operator	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. 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 (see Section 6.0). A qualified operator must be an employee of the facility with training and authority to reject prohibited waste that is discovered during load checks and to properly manage prohibited waste that is inadvertently received.
5.3	Fire prevention	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	<p>The Licensee shall 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.</p> <p>The Licensee shall provide adequate off-street parking and queuing for vehicles delivering solid waste to the facility.</p> <p>The Licensee shall 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.</p> <p>The Licensee shall post signs at all public entrances to the facility to inform customers not to queue on public roadways.</p>



5.5	Managing prohibited wastes	<p>The Licensee is prohibited from receiving, processing, reloading or disposing of any solid waste not authorized in this license or otherwise regulated and authorized in writing by the DEQ. Prohibited waste must be rejected upon discovery. Prohibited waste shall be properly managed and disposed when inadvertently received.</p> <p>The facility 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:</p> <ul style="list-style-type: none">a. Visual inspection. Ensure that as each load is delivered, it is visually inspected by a qualified operator to prevent the acceptance of waste that is prohibited by the license; andb. 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>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>Upon discovery, all prohibited or unauthorized wastes shall be removed or managed in accordance with procedures established in the operating plan (see Section 6.7 of this license) and DEQ requirements.</p>
5.6	Storage	<p>Stored materials and solid wastes shall be suitably managed, contained and removed at sufficient frequency to avoid creating environmental impacts, nuisance conditions, or safety hazards. Storage areas must be maintained in an orderly manner and kept free of litter.</p>
5.7	Dust, litter and other airborne debris	<p>The Licensee shall operate in a manner that minimizes and mitigates the generation of dust, litter, and other airborne debris, and shall prevent its migration beyond property boundaries. The Licensee shall:</p> <ul style="list-style-type: none">a. Take reasonable steps, including signage, to notify and remind persons delivering solid waste to the facility that all loads must be suitably secured to prevent any material from blowing off the load during transit.b. Maintain and operate all vehicles and devices transferring or transporting solid waste from the facility to prevent leaking, spilling or blowing of solid waste on-site or while in transit.c. Maintain and operate all access roads and receiving, processing, storage, and reload areas in such a manner



		<p>as to minimize dust and debris generated on-site and prevent such dust and debris from blowing or settling off-site.</p> <p>d. Keep all areas within the site and all vehicle access roads within ¼ mile of the site free of litter and debris generated directly or indirectly as a result of the facility's operation.</p> <p>e. Maintain on-site facility access roads in such a manner as to prevent or control the tracking of mud off-site.</p> <p>f. 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.</p>
5.8	Odor	<p>The Licensee shall operate the facility in a manner that prevents the generation of objectionable odors that are detectable off-site.</p> <p>The Licensee shall establish and follow procedures in the operating plan for minimizing odor at the facility (see Section 6.8 of this license).</p>
5.9	Vectors (e.g. birds, rodents, insects)	<p>The Licensee shall operate the facility in a manner that prevents the harborage and infestation 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.</p> <p>If vectors are present or detected at the facility, vector control measures shall be implemented.</p>
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>
5.11	Water quality	<p>The Licensee shall operate the facility in a manner that is consistent with an approved DEQ stormwater management plan (or equivalent), and shall:</p> <p>Operate and maintain the facility to prevent contact of solid wastes with storm water runoff and precipitation; and</p> <p>Dispose of or treat water contaminated by solid waste generated onsite in a manner complying with local, state, and federal laws and regulations.</p>



5.12	Access control	<p>Access to the facility shall be controlled as necessary to prevent unauthorized entry and dumping.</p> <p>A gate or other suitable barrier shall be maintained at potential vehicular access points to prevent unauthorized access to the site when an attendant is not on duty.</p>
5.13	Signage	<p>The Licensee shall post signs 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:</p> <ol style="list-style-type: none"> a. Name of the facility b. Address of the facility; c. Emergency telephone number for the facility; d. Metro's name and telephone number (503) 234-3000; e. Covered load requirements; and f. Directions not to queue on public roadways.
5.14	Nuisance complaints	<p>The facility operator shall respond to all nuisance complaints in a timely manner (including, but not limited to, blowing debris, fugitive dust or odors, noise, traffic, and vectors), and shall keep a record of such complaints and any action taken to respond to the complaints, including actions to remedy the conditions that caused the complaint.</p> <p>If the facility receives a complaint, the operator shall:</p> <ol style="list-style-type: none"> a. Attempt to respond to that complaint within one business day, or sooner as circumstances may require, and retain documentation of its attempts (whether successful or unsuccessful); and b. Log all such complaints as provided by the recordkeeping and reporting standards (Section 6.11). Each log entry shall be retained for one year and shall be available for inspection by Metro.
5.15	Access to license document	<p>The Licensee shall maintain a copy of this Metro Solid Waste Facility License on the facility's premises, and in a location where facility personnel and Metro representatives have ready access to it.</p>

6.0	OPERATING PLAN	
6.1	Purpose	This section lists the requirements associated with preparing and implementing a facility operating plan, and



		lists the procedures that must be included in the required facility operating plan.
6.2	Plan compliance	The Licensee must operate the facility in accordance with an operating plan approved by the Regulatory Affairs Division Manager of the Solid Waste and Recycling Department (the "Manager"). The operating plan must include sufficient detail to demonstrate that the facility will be operated in compliance with this license. The facility's operating plan may be amended from time to time, subject to written approval by the Manager.
6.3	Plan maintenance	The Licensee must revise the operating plan as necessary to keep it current with facility conditions, procedures, and requirements. The Licensee must submit revisions of the operating plan to the Manager for written approval prior to implementation at the facility.
6.4	Access to operating plan	The Licensee shall maintain a copy of the operating plan on the facility premises and in a location where facility personnel and Metro representatives have ready access to it.
6.5	Procedures for inspecting loads	The operating plan shall establish: a. Procedures for inspecting incoming loads for the presence of prohibited or unauthorized wastes; and b. A set of objective criteria for accepting and rejecting loads.
6.6	Procedures for processing and storage of loads	The operating plan shall establish procedures for: a. Processing authorized solid wastes; b. Reloading and transfer of authorized solid wastes; c. Storing authorized solid wastes; and d. Minimizing storage times and avoiding delay in processing of authorized solid wastes.
6.7	Procedures for managing prohibited wastes	The operating plan shall establish procedures for managing, reloading, and transporting to appropriate facilities any prohibited or unauthorized wastes discovered at the facility.
6.8	Procedures for odor prevention	The operating plan shall establish procedures for preventing all objectionable odors generated at the facility from being detected off the premises of the facility. The plan must include:



		<ul style="list-style-type: none">a. A management plan that will be used to monitor and manage all odors of any derivation including malodorous loads delivered to the facility; andb. Procedures for receiving and recording odor complaints, immediately investigating any odor complaints to determine the cause of odor emissions, and promptly remedying any odor problem at the facility.
6.9	Procedures for dust prevention	<p>The operating plan shall establish procedures for preventing dust from blowing off the premises of the facility. The plan must include:</p> <ul style="list-style-type: none">a. A management plan that will be used to monitor and manage dust of any derivation; andb. Procedures for receiving and recording dust complaints, immediately investigating any dust complaints to determine the cause of dust emissions, and promptly remedying any dust problem at the facility.
6.10	Procedures for emergencies	<p>The operating plan shall establish procedures to be followed in case of fire or other emergency.</p>
6.11	Procedures for nuisance complaints	<p>For every nuisance complaint (e.g. odor, dust, litter, etc.) received, the Licensee shall record:</p> <ul style="list-style-type: none">a. The nature of the complaint;b. The date the complaint was received;c. The name, address and telephone number of the person or persons making the complaint; andd. Any actions taken by the Licensee in response to the complaint (whether successful or unsuccessful). <p>Records of such information shall be made available to Metro upon request. The Licensee shall retain each complaint record for a period of not less than one year.</p>
6.12	Closure protocol	<p>The Licensee shall establish protocol for closure and restoration of the site in the event of a long-term cessation of operations as provided in Metro Code Section 5.01.060.</p>
6.13	Financial assurance	<p>The Licensee has certified that the cost to implement a closure plan will be less than \$10,000; therefore, the financial assurance requirement for this license is waived as provided in Metro Code Section 5.01.060(c)(4).</p>



7.0 FEES AND RATE SETTING		
7.1	Purpose	This section of the license specifies fees payable by the Licensee, and describes rate regulation by Metro.
7.2	Annual fee	The Licensee shall pay an annual license fee, as established in Metro Code Chapter 5.01. Metro reserves the right to change the license fee at any time by action of the Metro Council.
7.3	Rates not regulated	The tipping fees and other rates charged at the facility are exempt from rate regulation by Metro.
7.4	Metro fee and tax imposed on disposal	The Licensee is liable for payment of the Metro Regional System Fee and Metro Excise Tax on all solid wastes delivered to a disposal site, unless these solid wastes are exempted by Metro Code Chapter 5.01.

8.0 RECORD KEEPING AND REPORTING		
8.1	Purpose	This section of the license describes record keeping and reporting requirements. The Licensee shall effectively monitor facility operation and maintain accurate records of the information described in this section.
8.2	Reporting requirements of material received	For all solid waste and materials the Licensee is authorized to receive under Section 3.0 of this license, the Licensee shall keep and maintain accurate records of the amount of such materials the Licensee receives and disposes. This information shall be reported to Metro on a monthly basis. Each monthly report shall be provided no later than the fifteen (15) day following the end of each month. The report shall be signed and certified as accurate by an authorized representative of the Licensee.
8.3	DEQ submittals	Licensee shall provide Metro with copies of all correspondence, exhibits, or documents submitted to the DEQ relating to the terms or conditions of the DEQ solid waste permit or this license within two business days of providing such information to DEQ.



8.4	Copies of enforcement actions provided to Metro	Licensee shall send to Metro, upon receipt, copies of any notice of violation or noncompliance, citation, or any other similar enforcement actions issued to the Licensee by any federal, state, or local government other than Metro, and related to the operation of the facility.
8.5	Unusual occurrences	The Licensee shall keep and maintain accurate records of any unusual occurrences (such as fires or any other significant disruption) encountered during operation, and methods used to resolve problems arising from these events, including details of all incidents that required implementing emergency procedures. If a breakdown of the Licensee equipment occurs that will substantially impact the ability of the facility to remain in compliance, or create off-site impacts, the Licensee shall notify Metro within 24-hours. The Licensee shall report any facility fires, accidents, emergencies, and other significant incidents to Metro at (503) 234-3000 within 12 hours of the discovery of their occurrence.
8.6	Changes in ownership	The Licensee must, in accordance with Metro Code Section 5.01.090, submit a new license application to Metro if the Licensee proposes to transfer ownership or control of (1) the license or (2) the facility property.

9.0	INSURANCE REQUIREMENTS	
9.1	Purpose	The section describes the types of insurance that the Licensee shall purchase and maintain at the Licensee's expense, covering the Licensee, its employees, and agents.
9.2	General liability	The Licensee shall carry broad form comprehensive general liability insurance covering bodily injury and property damage, with automatic coverage for premises, operations, and product liability. The policy shall be endorsed with contractual liability coverage.
9.3	Automobile	The Licensee shall carry automobile bodily injury and property damage liability insurance.
9.4	Coverage	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.
9.5	Additional insureds	Metro, its elected officials, departments, employees, and agents shall be named as ADDITIONAL INSURED.



9.6	Worker's Compensation Insurance	The Licensee, its subcontractors, if any, and all employers working under this license, are subject employers under the Oregon Workers' Compensation Law shall comply with ORS 656.017, which requires them to provide Workers' Compensation coverage for all their subject workers. Licensee shall provide Metro with certification of Workers' Compensation insurance including employer's liability. If Licensee has no employees and will perform the work without the assistance of others, a certificate to that effect may be attached in lieu of the certificate showing current Workers' Compensation.
9.7	Notification	The Licensee shall give at least 30 days written notice to the Director of the Solid Waste and Recycling Department of any lapse or proposed cancellation of insurance coverage.

10.0	ENFORCEMENT	
10.1	Generally	Enforcement of this license shall be as specified in Metro Code.
10.2	Authority vested in Metro	The power and right to regulate, in the public interest, the exercise of the privileges granted by this license shall at all times be vested in Metro. Metro reserves the right to establish or amend rules, regulations or standards regarding matters within Metro's authority, and to enforce all such requirements against Licensee.
10.3	No Enforcement Limitations	Nothing in this license shall be construed to limit, restrict, curtail, or abrogate any enforcement provision contained in Metro Code or administrative procedures adopted pursuant to Metro Code Chapter 5.01, nor shall this license be construed or interpreted so as to limit or preclude Metro from adopting ordinances that regulate the health, safety, or welfare of any person or persons within the District, notwithstanding any incidental impact that such ordinances may have upon the terms of this license or the Licensee's operation of the facility.
10.4	Fines	Each violation of a license condition shall be punishable by fines as established in Metro Code Chapter 5.01. Each day a violation continues constitutes a separate violation. Metro reserves the right to change fines at any time by action of the Metro Council.



11.0 MODIFICATIONS	
11.1	Modification <p>At any time during the term of the license, either the Chief Operating Officer or the Licensee may propose amendments or modifications to this license. The Chief Operating Officer has the authority to approve or deny any such amendments or modifications provided that the activities authorized in the amended or modified license do not require a Metro Solid Waste Facility Franchise under Metro Code Chapter 5.01. No amendment or modification pursuant to this section shall be effective unless in writing and executed by the Chief Operating Officer.</p>
11.2	Modification, suspension or revocation by Metro <p>The Chief Operating Officer may, at any time before the expiration date, modify, suspend, or revoke this license in whole or in part, in accordance with Metro Code Chapter 5.01, for reasons including but not limited to:</p> <ul style="list-style-type: none">a. Violation of the terms or conditions of this license, Metro Code, or any applicable statute, rule, or standard;b. Changes in local, regional, state, or federal laws or regulations that should be specifically incorporated into this license;c. Failure to disclose fully all relevant facts;d. A significant release into the environment from the facility;e. Significant change in the character of solid waste received or in the operation of the facility;f. Any change in ownership or control, excluding transfers among subsidiaries of the Licensee or Licensee's parent corporation;g. A request from the local government stemming from impacts resulting from facility operations.h. Compliance history of the Licensee.

12.0 GENERAL OBLIGATIONS	
12.1	Compliance with law <p>Licensee shall 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 procedures adopted pursuant to Chapter 5.01 whether or not those provisions</p>



		have been specifically mentioned or cited herein. All conditions imposed on the operation of the facility by federal, state, regional or local governments or agencies having jurisdiction over the facility shall be deemed part of this license as if specifically set forth herein. Such conditions and permits include those cited within or attached as exhibits to the license document, as well as any existing at the time of the issuance of the license but not cited or attached, and permits or conditions issued or modified during the term of the license.
12.2	Indemnification	The Licensee shall indemnify and hold Metro, its employees, agents and elected officials harmless from any and all claims, damages, actions, losses and expenses including attorney's fees, or liability related to or arising out of or in any way connected with the Licensee's performance or failure to perform under this license, including patent infringement and any claims or disputes involving subcontractors.
12.3	Deliver waste to appropriate destinations	The Licensee shall ensure that solid waste transferred from the facility goes to the appropriate destinations under Metro Code Chapters 5.01 and 5.05, and under applicable local, state and federal laws, rules, regulations, ordinances, orders and permits.
12.4	Right of inspection and audit	Authorized representatives of Metro may take photographs, collect samples of materials, and perform such inspection or audit as the Chief Operating Officer deems appropriate, and shall be permitted access to the premises of the facility at all reasonable times during business hours with or without notice or at such other times upon giving reasonable advance notice (not less than 24 hours). Metro inspection reports, including site photographs, are public records subject to disclosure under Oregon Public Records Law. Subject to the confidentiality provisions in Section 12.5 of this license, Metro's right to inspect shall include the right to review all information from which all required reports are derived including all books, maps, plans, income tax returns, financial statements, contracts, and other similar written materials of Licensee that are directly related to the operation of the Facility.
12.5	Confidential information	Licensee may identify as confidential any reports, books, records, maps, plans, income tax returns, financial statements, contracts and other similar written materials of the Licensee that are directly related to the operation of the facility and that are submitted to or reviewed by Metro.



		<p>Licensee shall prominently mark any information that it claims confidential with the mark "CONFIDENTIAL" prior to submittal to or review by Metro. Metro shall treat as confidential any information so marked and will make a good faith effort not to disclose such information unless Metro's refusal to disclose such information would be contrary to applicable Oregon law, including, without limitation, ORS Chapter 192. Within five (5) days of Metro's receipt of a request for disclosure of information identified by Licensee as confidential, Metro shall provide Licensee written notice of the request. Licensee shall have three (3) days within which time to respond in writing to the request before Metro determines, at its sole discretion, whether to disclose any requested information. Licensee shall pay any costs incurred by Metro as a result of Metro's efforts to remove or redact any such confidential information from documents that Metro produces in response to a public records request. Nothing in this Section 12.0 shall 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, such representatives agree to continue to treat such information as confidential and make good faith efforts not to disclose such information</p>
12.6	Compliance by agents	<p>The Licensee shall be responsible for ensuring that its agents and contractors operate in compliance with this license.</p>