



State of Oregon
Department of
Environmental
Quality

Permit Number: 1433
Expiration Date: Nov. 1, 2023
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**SOLID WASTE DISPOSAL SITE PERMIT:
COMPOSTING FACILITY**

**Oregon Department of Environmental Quality
700 NE Multnomah St, Suite 600
Portland, OR 97232
Telephone (Information): (503) 229-5263**

Issued in accordance with the provisions of Oregon Revised Statutes (ORS) Chapter 459, Oregon Administrative Rules (OAR) 340 Divisions 93, 95, 96 and 97 and ORS Chapter 468B and subject to the land use compatibility statement referenced below.

ISSUED TO:	FACILITY NAME AND LOCATION:
Grimm's Fuel Company 18850 SW Cipole Road Tualatin, OR 97062	Grimm's Fuel Company Composting Facility 18850 SW Cipole Road Tualatin, OR 97062 T2S, R1W, S21; Tax Lots 1800-2100 Latitude: 45.3832; Longitude: -122.8145
PROPERTY OWNER:	OPERATOR:
Grimm Brothers, LLC 18850 SW Cipole Road Tualatin, OR 97062	Jeff Grimm Phone: 503-636-3623 Fax: 503-692-2015

ISSUED IN RESPONSE TO:

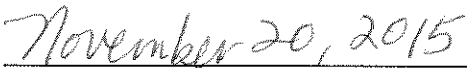
- A solid waste disposal site composting permit application and associated documents, received on March 3, 2010.
- A Land Use Compatibility Statement from the City of Tualatin dated February 12, 2010 and May 8, 2012.

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

ISSUED BY THE OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY



Audrey O'Brien
Solid Waste Manager, Northwest Region



Date

Permitted Activities

Until such time as this permit expires or is modified or revoked, the permittee is authorized to establish, operate, and maintain a solid waste disposal site for composting activities and to construct, install, modify or operate stormwater and process water treatment and/or control facilities in conformance with the requirements, limitations, and conditions set forth in this document, including all attachments.

Unless specifically authorized by this permit, by another National Pollutant Discharge Elimination System (NPDES) or Water Pollution Control Facilities (WPCF) permit, or by Oregon Administrative Rule, any other direct or indirect discharge to waters of the state is prohibited.

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Introduction. This document is a solid waste permit issued by the Oregon Department of Environmental Quality in accordance with Oregon Revised Statutes (ORS) 459, ORS 468B.050 and Oregon Administrative Rules (OAR), Chapter 340. This individual permit is issued to owners and operators of composting facilities handling greater than 100 tons per year of Types 1, or 2 feedstocks or greater than 20 tons of Type 3 feedstocks, or greater than 40 tons of Type 3 feedstocks when composting in containers designed to prohibit vector attraction and prevent nuisance and odor generation.

Rules relating specifically to composting facilities may be found in OAR Chapter 340, Divisions 93, 95, 96 and 97.

In this document. This document contains the following sections:

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ALLOWABLE ACTIVITIES

1.0 AUTHORIZATIONS

1.1 **In this section.** This section describes the activities the permittee is authorized to conduct, including:

- Types of feedstocks authorized to be received;
- Criteria for residential food waste authorization;
- Residential food waste demonstration project;
- Authorization to receive other feedstocks or amendments;
- Authorization of other activities; and
- Water quality activities.

1.2 **Authorization to receive feedstocks.** This permit authorizes the facility to accept the following feedstocks in conformance with the terms and conditions of this permit (Note: a detailed list of authorized feedstocks is listed in the DEQ-approved Operations Plan for this site.):

- A. Types 1 and 2 feedstocks.
- B. Type 3 feedstock that are curbside collected residential food waste mixed with yard debris after completing the requirements of section 1.3 through 1.4 below. No other Type 3 Feedstocks can be accepted unless Grimm's receives prior written approval from DEQ.

Reference: Permit sections 1.3, 1.4 and 2.2

1.3 **Criteria for residential food waste authorization.** The permittee must complete the following prior to receiving DEQ written approval to accept any residential food waste under section 1.2.B above.

- A. Obtain DEQ concurrence that facility compost operations are in compliance with the permit conditions and applicable compost regulations;
- B. Submit an updated operations plan for DEQ review and approval. The updated plan must address the demonstration project requirements in permit section 1.4 and the following:
 - i. Accepting, managing and processing residential food waste;
 - ii. Incorporating incoming residential food waste in a timely manner into compost piles to control and minimize odors and prevent vectors;
 - iii. Implementing additional odor control measures to control and minimize odors from the acceptance and management of residential food waste;
 - iv. Monitoring compost piles for oxygen, temperature, moisture content, and other necessary composting parameters;
 - v. Formation of compost piles to prevent anaerobic conditions;
 - vi. Leachate management including preventing formation of leachate puddles, reducing leachate generation, leachate collection and odor controls for leachate collection and spray system;
 - vii. Monitoring pile and weather conditions prior to turning piles to control and minimize odors and dust; and
 - viii. Recordkeeping to track and monitor incoming residential food waste tonnage.
- C. Submit facility complaint and response records for the last six months to DEQ for review; and
- D. Submit documentation to DEQ indicating the permittee has written approval from Metro to accept residential food waste.

Reference: Permit sections 1.2, 1.4 and 4.3

- 1.4 Residential food waste demonstration project.** The permittee must demonstrate an effective and efficient compost operation for residential food wastes that complies with the conditions of this permit and applicable DEQ regulations by conducting a demonstration project with DEQ approval.
- A. Prior to initiating the demonstration project of the residential curbside collected composting program, the permittee must prepare an updated Operations Plan explaining how residential food waste mixed with yard debris will be accepted, incorporated into the composting process, and how the composting process will be conducted and evaluated to ensure compliance with the Performance Standards under OAR 340-096-0070.
 - B. The permittee may accept up to **200 tons per month** of residential food waste at the facility during the demonstration project unless DEQ otherwise approves or restricts the quantity to be accepted in writing.
 - C. Prior to increasing the amount of residential food waste that may be accepted, the permittee must submit to DEQ for review and approval a written report evaluating the demonstration project. The permittee may submit the written report after accepting and composting residential food waste for at least 90 days.
 - D. The written evaluation report must include, at a minimum:
 - i. A summary of the residential food waste compost operations;
 - ii. A summary of the wastes accepted for the compost operations;
 - iii. A summary of how the incoming wastes are incorporated in a timely manner to control and minimize odors;
 - iv. An evaluation of the effectiveness of the composting method for properly managing residential food wastes including but not limited to odors, anaerobic conditions, leachate prevention and management, dust control and vectors;
 - v. A description of any problems encountered and measures taken to address and resolve the problems;
 - vi. Verification that acceptance, sorting, grinding, storage and transport to and from the site are conducted in a manner to prevent offsite dust, odors or runoff problems. Verification may include submittals of daily logs verifying that the site has been swept and watered, all complaints addressed, and photo documentation of operations;
 - vii. Recommended changes to the Operations Plan or composting method to address operations problems encountered; and
 - viii. A detailed request documenting effective and sufficient operations to allow for an increase in residential food waste tonnage.
 - E. DEQ will evaluate the written report and facility operations to determine if operations are conducted in a manner to successfully demonstrate compliance with DEQ rules and permit requirements including meeting the Performance Standards, dust control, odors, runoff or other water pollution concerns. If DEQ determines compliance with the Performance Standards, DEQ may authorize, in writing, an increase in the amount of residential food waste allowed for acceptance. DEQ may require that the demonstration project continue with this increased amount of residential food waste and require a new written evaluation per 1.4.D. above.
 - F. The demonstration project timeframe is a minimum of 180 days unless DEQ requires a continued demonstration project phase, determines that residential food waste cannot be accepted, or approves acceptance of food waste on an ongoing basis.
 - G. The permittee may not expand the residential food waste operations beyond the demonstration project without written DEQ approval.

Reference: Permit sections 1.2, 1.3, 2.2 and 3.2

- 1.5 Authorization to receive other feedstocks or amendments.** Feedstocks or amendments excluded from the above authorization may not be accepted unless DEQ has approved in writing an updated site Operations Plan which describes the new feedstocks or amendments. DEQ may require a demonstration project similar to that identified in sections 1.3 and 1.4 above prior to allowing acceptance of additional feedstocks.
- 1.6 Authorization of other activities.** All facility activities must be conducted in accordance with the provisions of this permit. All reports and plans required by this permit become part of the permit by reference once approved by DEQ. Any conditions of report and plan approvals are also incorporated into this permit unless contested by the permittee within 30 days of the receipt of a conditional approval.
- 1.7 Water quality activities.** The permittee is allowed to construct, install, modify, operate and maintain a compost leachate and/or stormwater collection and/or treatment system provided these activities are done in accordance with plans and specifications approved in writing by DEQ. No activities are to be conducted that could adversely impact groundwater quality. If adverse impacts to groundwater are suspected from a facility covered by this permit, DEQ may require the permittee to perform a groundwater investigation.

2.0 PROHIBITIONS

- 2.1 In this section.** This section describes specific feedstocks or wastes the permittee is prohibited from accepting and specific activities the permittee is required to carry out if these prohibited feedstocks or wastes are discovered. These include:

- Prohibited feedstocks or wastes;
- Discovery of prohibited wastes;
- Open burning; and
- Sewage sludge (biosolids).

- 2.2 Prohibited feedstocks or wastes.** The permittee is prohibited from accepting materials for composting that are not specifically authorized by section 1.2 of this permit, unless the materials have been approved in accordance with the requirements of section 1.5 of this permit.

The permittee must not accept dead animals as a composting feedstock.

The permittee must not accept any wood that does not meet the definition of wood waste in OAR 340-093-0030. The permittee may accept only clean untreated and unpainted wood.

The permittee must not accept unsorted, mixed domestic solid waste as a feedstock or for disposal at the composting facility.

The permittee must not accept any materials that are listed in OAR 340-093-0040, as prohibited from disposal at solid waste disposal sites, including but not limited to hazardous waste as defined in ORS 466.005 and OAR 340, Division 101.

- 2.3 Discovery of prohibited wastes.** In the event that the permittee discovers prohibited feedstocks or wastes at the composting facility, the permittee must, within 24 hours of discovery, notify DEQ and initiate procedures to isolate or remove the prohibited feedstocks or waste.

The permittee must transport non-putrescible, non-hazardous, prohibited waste to a disposal or recycling facility authorized to accept such waste **within 90 days** of discovery, unless otherwise approved or restricted in writing by DEQ.

The permittee must remove putrescible, non-hazardous, prohibited wastes within 48 hours of discovery, unless otherwise approved or restricted in writing by DEQ.

In the event the permittee discovers wastes that are hazardous or suspected to be hazardous, the permittee must, within 48 hours of discovery, notify DEQ.

Hazardous wastes must be removed **within 90 days** of discovery, unless otherwise approved or restricted in writing by DEQ. Temporary storage and transportation must be carried out in accordance with DEQ rules.

2.4 Open burning. The permittee must not conduct any open burning at this site.

2.5 Sewage sludge (biosolids). The permittee must not accept any sewage sludge for composting at this facility. If the permittee wishes to accept sewage sludge, then the permittee must request a permit modification of this solid waste permit and obtain the applicable water quality permit, as required under ORS 468B and OAR 340-050.

OPERATIONS AND DESIGN

3.0 OPERATING CONDITIONS

3.1 In this section. This section describes specific operating conditions to which the facility must conform, including:

- Performance standards; and
- Pathogen reduction.

3.2 Performance Standards. The permittee must operate the compost facility in conformance with the performance standards identified in OAR 340-096-0070:

1. All composting facilities must be designed, constructed, and operated in a manner that does not cause a discharge of leachate, liquid digestate, or stormwater from the facility to surface water, except when such discharge is in compliance with a discharge permit issued by DEQ.
2. All composting facilities that collect and dispose of leachate, liquid digestate, or stormwater in engineered structures must comply with the applicable requirements of OAR 340-096-0130: Special Rules Pertaining to Composting: Biogas, Liquid Digestate and Leachate Collection Design and Management Requirements.
3. All composting facilities must be designed, constructed, and operated in a manner that does not cause a likely adverse impact to groundwater under OAR 340 Division 40. All composting facilities proposing to use infiltration in soil as a method for managing leachate, liquid digestate, or stormwater must comply with OAR 340-096-0120: Groundwater Protection.
4. All composting facilities must be designed, constructed, and operated in a manner that, to the greatest extent practicable, consistent with proper facility design and operation, controls and minimizes odors that are likely to cause adverse impacts outside the boundaries of the facility.
5. All composting facilities must be designed, constructed, and operated in a manner that achieves human pathogen reduction as required by OAR 340-096-0140: Pathogen Reduction.
6. All composting facilities must be designed, constructed, and operated in a manner that controls or prevents propagation, harborage, or attraction of vectors, including but not limited to rats, birds, and flies.
7. All composting facilities that produce, collect or store biogas must be designed, constructed, and operated to meet state and local fire regulations to address the potential for fire and explosions.

8. All composting facilities that collect, store and manage liquid digestate must demonstrate adequate capacity to store or remove the digestate. For facilities that land-apply, storage must be provided for periods when the production of liquid digestate exceeds the capacity of the soil to use the digestate at agronomic rates including during wet winter months.
9. All composting facilities must comply with all other applicable laws and regulations.

3.3 Pathogen reduction. The permittee must operate the compost facility in conformance with OAR 340-096-0140, **Special Rules Pertaining to Composting: Pathogen Reduction**, including the following:

1. Analytical limits for composted material:

- a) Routine analysis must be performed for fecal coliform if Type 2 feedstocks are greater than 50% of incoming feedstocks. Analysis must be performed for either fecal coliform or salmonella if the incoming feedstocks contain less than 50% Type 2 feedstocks:

Parameter	Limitations
Fecal Coliform	Less than 1,000 Most Probable Number (MPN) per gram of total solids (dry weight).
Salmonella	Less than 3 Most Probable Number per 4 grams of total solids (dry weight).

- b) The permittee must maintain analysis results and must make the analysis results available to DEQ upon request.

2. Testing frequency for composted material to determine pathogen reduction success:

Amount and Type of Compost Produced Annually	Minimum Frequency	Type of Sample
Greater than 2,500 tons of composted material from Type 1 and 2 feedstock are produced per year.	Testing must be conducted every 5,000 tons of feedstock used or a maximum of once every three months.	Composite from finished compost
Greater than 2,500 tons of composted material from Type 3 feedstock are produced per year.	Testing must be conducted every 5,000 tons of feedstock used, or at least monthly.	Composite from finished compost

4.0 OPERATIONS PLAN

4.1 In this section. This section describes the requirements associated with the composting facility Operations Plan, including:

- Plan compliance;
- Updated Operations Plan;
- Process Controls;
- Odor Minimization Plan;
- Odor Minimization Plan implementation;
- Updated Odor Minimization Plan;
- Plan maintenance; and
- Submittal address.

4.2 Plan compliance. The permittee must conduct all operations at the facility in accordance with the approved Operations Plan dated March 1, 2013, including any amendments. The DEQ approved Operations Plan is incorporated into the permit by reference. Failure to implement any of the control measures, performance standards, or practices described in the Operations Plan is a violation of this permit.

Note: The operations plan must include the basic elements of an operations plan outlined in OAR 340-096-0090(5).

4.3 Updated Operations Plan. Within 60 days of permit issuance, the permittee must update the Operations Plan to include processing parameter monitoring procedures that specifically identify all process controls in section 4.4 as well as frequency and location of monitoring, and a revised Odor Minimization Plan. The permittee must submit the updated plans for DEQ review and approval.

Reference: Permit section 4.5

4.4 Process Controls. Monitor and record the following processing parameters referenced in OAR 340-096-0090(6) at the frequency and locations to be specified in the operations plan. Maintain parameters within ranges specified in the operations plan.

- Oxygen level: Monitor at locations and frequency representative of active pile composting using a minimum 72" probe.
- Temperature: Monitor at locations and frequency representative of active pile composting using minimum 72" probe (maintain a minimum temperature of 55°C for 3 days throughout active piles to achieve adequate human pathogen reduction).
- Moisture content: Monitor at locations and frequency representative of active pile composting using a probe, squeeze estimation, or lab oven.
- Retention time: Report active composting time, curing time, and storage time separately.

4.5 Odor Minimization Plan. As part of the updated Operations Plan required in section 4.3, the permittee must prepare a revised Odor Minimization Plan that identifies how the permittee will modify operations to control and minimize adverse impacts of odors outside the boundaries of the facility. The Odor Minimization Plan must include:

- A. A management plan for how malodorous feedstocks will be accepted, ground and incorporated into the composting piles as soon as practicable within the same day received;
- B. Procedures for receiving and recording odor complaints, immediately investigating any odor complaints to determine the cause of odor emissions, and promptly remedying any odor at the facility resulting from failure to meet performance standards under OAR 340-096-0070(4);
- C. Procedures to avoid anaerobic conditions in the composting process.
- D. Blending and mixing feedstocks for favorable carbon to nitrogen ratio and composting conditions;
- E. Forming windrows or other composting piles into a size and shape favorable to minimizing odors;
- F. Specification of a readily available supply of bulking agents, additives or odor control agents;
- G. Quickly processing and managing feedstocks during weather conditions such as inversions that increase the likelihood of offsite odor impacts;
- H. Methods for taking into consideration the following factors prior to turning or moving composting material:
 - i. Time of day;

- ii. Wind direction;
- iii. Percent moisture;
- iv. Estimated odor potential; and
- v. Degree of maturity.

Reference: OAR 340-096-0150(5), Permit section 5.5

- 4.6 Odor Minimization Plan Implementation.** The permittee must implement the Odor Minimization Plan upon DEQ approval.
- 4.7 Updated Odor Minimization Plan.** The permittee must review and update the Odor Minimization Plan as needed to reflect changing conditions, or upon DEQ request. The updated plan must be submitted to DEQ for review and approval.
- 4.8 Plan maintenance.** The permittee must revise the Operations Plan as necessary to keep it up to date and reflective of current facility conditions and procedures.

The permittee must submit revisions of the Operations Plan to DEQ for review and written approval prior to commencing any change in operations.

- 4.9 Submittal address.** All submittals to the DEQ under this section must be sent to:

**Oregon Department of Environmental Quality
Manager, Materials Management and Solid Waste Program
700 NE Multnomah St, Suite 600
Portland, OR 97232**

Or email to: DEQNWR.SolidWastePermitCoordinator@deq.state.or.us

Phone: (503) 229-5353

5.0 RECORDKEEPING AND REPORTING

- 5.1 In this section.** This section describes recordkeeping of operational information for the composting facility, including:

- Non-compliance;
- Leachate releases;
- Access to records;
- Recordkeeping procedures; and
- Submittal address.

- 5.2 Non-compliance reporting.** In the event that any condition of this permit or DEQ rules are violated, the permittee must immediately take action to correct the violation and notify DEQ **within 24 hours** at: DEQ's Northwest Region Solid Waste Program Office at (503) 229-5263.

Response: In response to a notification, DEQ may conduct an investigation to evaluate the nature and extent of the problem, and may require additional corrective actions, as necessary.

- 5.3 Leachate releases.** Within 24 hours of discovery, the permittee must report to DEQ, all unauthorized leachate releases to waters of the state.
- 5.4 Access to records.** Upon request, the permittee must make all records and reports related to the permitted facility available to DEQ.
- 5.5 Record-keeping procedures.** The permittee must keep records and submit reports according to OAR

340-096-0090(5)(i) and the following table:

Step	Action
1	Establish a location for document retention at the facility, or at another location mutually agreed to with DEQ.
2	<p>Collect information during facility operations on the amount of each type of feedstock received, recording "0" if none is received.</p> <ul style="list-style-type: none"> • At a minimum, the following types of feedstocks must be: 1) separately identified; and 2) categorized as originating from either in or out-of-state: • Type 1, 2 and 3 feedstocks or amendments; <ul style="list-style-type: none"> ○ Leaves ○ Yard debris – compacted and uncompact ○ Vegetative food waste and non-vegetative food waste ○ Agricultural crop residue ○ Wood chips – dry ○ Wood chips – green ○ Clean wood waste ○ Sawdust, wet ○ Sawdust, dry ○ Manure ○ Bedding • Other authorized feedstocks or amendments. <p>Submit the information on the Composting Facility Report form provided by DEQ. Date Due: January 31 of each year for the previous calendar year.</p> <p>Pay the Annual Permit Compliance Fee required by OAR 340-097. Invoice will be sent out by DEQ. Date Due: July 31 of each year.</p>
3	<p>Permittees accepting non-agricultural, post-consumer recyclable materials generated in Oregon must complete a Material Recovery Survey on a form provided by DEQ.</p> <p>Information necessary to complete this survey includes: amounts and types of recyclable materials; county of origin of the material; and, names of companies providing the material(s). The survey also asks for information about what was done with the recyclable material, such as: made compost; shipped wood waste for hogged fuel; etc. The permittee must submit this survey to the local Wasteshed Representative. The survey is then forwarded by that person to DEQ. Date Due: January 31 of each year for the previous calendar year.</p>
4	Keep a log of processing parameter data required in Permit Section 4.4.
5	Permittee must submit to DEQ Northwest region solid waste staff a copy of their 1200-Z NPDES stormwater permit sampling results by July 31 of each year. DEQ will review this information to determine if the facility's best management practices are effective for the protection of groundwater and surface water.
6	Retain copies of all records and reports for five years from the date created.
7	Update all records such that they reflect current conditions at the composting facility.

5.6 Submittal address. Submittals for step 2 (Composting Facility Report and the Annual Permit Compliance Fee) above must be sent to DEQ at:

**Oregon Department of Environmental Quality
Materials Management Section
Environmental Solutions Division
811 SW Sixth Ave.
Portland, OR 97204**

Phone: (503) 229-5913

After November 2016, please submit to:

**Oregon Department of Environmental Quality
Materials Management Section
Environmental Solutions Division
700 NE Multnomah Street, Suite 600
Portland, OR 97232**

Submittals for step 3 (Material Recovery Survey) must be sent to the local Wasteshed Representative.

Submittals for step 5 (Stormwater sampling results) must be sent to:

**Oregon Department of Environmental Quality
Manager, Materials Management and Solid Waste Program
700 NE Multnomah St, Suite 600
Portland, OR 97232**

Or email to: DEQNWR.SolidWastePermitCoordinator@deq.state.or.us

Phone: (503) 229-5353

6.0 ENGINEERED STRUCTURE DESIGN AND MANAGEMENT

6.1 In this section. This section describes site design and construction requirements for engineered structures designed to collect leachate or stormwater, including:

- Facility Design and Construction Plan;
- Construction requirements;
- Construction documents;
- Construction report submittal;
- Approval to use; and
- Submittal address.

6.2 Facility Design and Construction Plan. Composting facilities that collect leachate or stormwater in engineered structures must comply with the requirements of OAR 340-096-0130 *Special Rules Pertaining to Composting: Leachate Collection Design and Management Requirements*. Structures subject to this Rule include, but are not limited to:

- Leachate collection and storage facilities;
- Stormwater collection and storage facilities;
- Constructed surfaces designed to protect groundwater

The permittee must contact DEQ prior to any site modification affecting these structures. DEQ may require the permittee to prepare and submit a modified Facility Design and Construction Plan, stamped by a

registered professional engineer. The permittee must receive written approval of the modified Facility Design and Construction Plan from DEQ **prior to commencing construction**.

- 6.3 Construction requirements.** The permittee must perform all construction in accordance with the approved plans and specifications, including all conditions of approval. Any amendments to those plans and specifications must be approved in writing by DEQ.
- 6.4 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:
- Define the construction project team;
 - Include construction contract documents specifying material and workmanship, and requirements to guide how the constructor is to furnish products and execute work; and
 - Include a Construction Quality Assurance (CQA) plan describing the measures that will be taken to monitor and ensure that the quality of materials and the work performed by the constructor complies with project specifications and contract requirements.
- 6.5 Construction report submittal.** **Within 90 days** of completing construction, the permittee must submit to DEQ a Construction Certification Report, prepared by a qualified independent party, to document and certify that all required components and structures have been constructed in compliance with the permit requirements and DEQ approved design specifications. This submittal must include "as constructed" facility plans which note any changes from the original approved plans.
- 6.6 Approval to use.** The permittee must not accept feedstocks for storage, processing or composting in newly constructed facilities or areas until DEQ has accepted 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 feedstock at the facility in the newly constructed facilities or areas.
- 6.7 Submittal address.** All submittals to DEQ under this section must be sent to:

**Oregon Department of Environmental Quality
Manager, Materials Management and Solid Waste Program
700 NE Multnomah St, Suite 600
Portland, OR 97232**

Or email to: DEQNWR.SolidWastePermitCoordinator@deq.state.or.us

Phone: (503) 229-5353

COMPOSTING FACILITY GENERAL CONDITIONS

7.0 ADMINISTRATION

- 7.1 Definitions.** Unless otherwise specified, all terms are as defined in OAR 340-093-0030.
- 7.2 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.
- 7.3 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.
- 7.4 Documents superseded.** This document is the primary composting permit for the facility, superseding all other solid waste permits issued for this facility by DEQ.

- 7.5 Permittee responsibility and liability.** Conditions of this permit are binding upon the permittee. The permittee must conduct all facility activities in compliance with the provisions of this permit. The permittee is liable for all acts and omissions of the permittee's contractors and agents in carrying out the operations and other responsibilities pursuant to this permit.
- 7.6 Access to disposal site.** 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 and carrying out other necessary functions related to this permit.
- 7.7 Other compliance.** Issuance of this permit does not relieve the permittee from the responsibility to comply with any applicable federal, state, or local laws or regulations.
- 7.8 Penalties.** Violation of any condition of this permit or any incorporated plan may subject the permittee to civil penalties up to \$25,000 for each day of each violation (ORS 468.140).
- 8.0 PERMIT MODIFICATION**
- 8.1 Mid-term review.** At the mid-point of the life of the permit, DEQ may review the permit and determine whether or not the permit should be amended. While not an exclusive list, the following factors will be used in making that determination:
- Compliance history of the facility;
 - Changes in volume and/or composition of feedstock(s);
 - Changes in operations at the facility;
 - Changes in state or federal rules which should be incorporated into the permit;
 - Release of leachate to the environment from the facility; or
 - Significant changes to the DEQ-approved Design Plan or Operations Plan.
- 8.2 Modification.** At any time in the life of the permit, DEQ or the permittee may propose changes to the permit.
- 8.3 Modification and revocation by DEQ.** The director of DEQ may, at any time before the expiration date, modify, suspend, or revoke this permit in whole or in part in accordance with Oregon Revised Statute 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 feedstocks received;
 - Non-compliant operation of the composting site; or
 - A significant change in the composting process.
- 8.4 Modification by permittee.** The permittee must apply for a modification to this permit if a significant change in facility operations is planned or there is a deviation from activities described in this document. The permittee must not implement any change in operations that requires a permit modification prior to receiving approval from DEQ.
- 8.5 Public participation.** Significant changes to the permit will be made public by the issuance of a public notice as required by DEQ rules.
- 8.6 Changes in ownership or address.** The permittee must report to DEQ in writing any changes in either ownership of the composting site property or of the name and address of the permittee or operator within ten (10) days of the change.

9.0 SITE OPERATIONS

- 9.1 **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 including insects.
- 9.2 **Vehicles.** All composting vehicles and devices operated by the permittee, and using public roads, must be constructed, maintained, and operated so as to prevent leaking, shifting, or spilling of feedstocks and finished compost while in transit.
- 9.3 **Litter control.** Litter that results from the composting facility operation must be controlled such that the entire composting facility and adjacent lands are maintained virtually free of litter at all times. Any debris from the facility must be retrieved and properly disposed of as soon as possible during the same operational day.
- 9.4 **Air quality.** Dust and malodors must be controlled in accordance with the DEQ rules on air pollution.

According to OAR 340-208-0450 no person may cause or permit the emission of particulate matter larger than 250 microns in size at sufficient duration or quantity as to create an observable deposition upon the real property of another person when notified by DEQ that the deposition exists and must be controlled.

- 9.5 **Drainage.** The permittee must divert surface drainage around or away from feedstock handling and grinding areas and active composting areas. The permittee must maintain surface water diversion ditches or structures in a serviceable condition and free of obstructions and debris at all times. Any significant damage must be reported to DEQ and repairs made as soon as possible.
- 9.6 **Leachate prevention/ management.** The permittee must operate the facility in a manner that deters leachate production to the maximum extent practicable. Leachate must be collected, removed and managed in a manner approved by DEQ.
- 9.7 **Oil & Hazardous Material Spill Response.** Any spill of oil or hazardous material must be cleaned up immediately as described in the facility Operations Plan. In addition to notifying the appropriate DEQ office, if the spill is of a reportable quantity the permittee must immediately report the spill to the Oregon Emergency Response System (OERS), at 1-800-452-0311.

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; or
 - 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. For a complete list of hazardous materials required to be reported, please refer to OAR 340-142-0050.
- 9.8 **Public unloading area.** The area(s) used by the public for unloading of feedstocks must be clearly defined by signs, fences, barriers, or other devices.
- 9.9 **Public Access.** Public access to the facility must be controlled, as necessary, to prevent unauthorized entry and dumping.
- 9.10 **Legal control of property.** The permittee must maintain legal control of the composting site property, including maintaining a current permit, contract or agreement that allows the operation of the facility if the site is not owned by the permittee.
- 9.11 **Fire protection.** Arrangements must be made with the local fire control agency to immediately acquire

their services when needed and adequate on-site fire control protection, as determined through the local fire control agency, must be provided. Fires must be immediately extinguished and reported to DEQ within 24 hours.

- 9.12 Signs.** The permittee must post signs at the facility which are clearly visible and legible, providing the following information: Name of composting facility, emergency telephone number, days and hours of operation, authorized and prohibited wastes, solid waste permit number, and operator's address.
- 9.13 Vector Control.** The permittee must provide rodent and insect control measures, as necessary, to prevent propagation, harborage or attraction of vectors including rodents, insects and birds.
- 9.14 Truck Covers.** The permittee must notify all incoming feedstock haulers that trucks must be covered or suitably cross-tied to prevent any load loss during transport, in conformance with OAR 340-093-0220.
- 9.15 Complaints.** The permittee must 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 phone number of the complainant (when possible), date complaint was received and date and description of facility response; and
 - 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 at the facility from five (5) different businesses and/or individuals about a given event or if an odor event lasts longer than 24 hours without resolution or mitigation.

- 9.16 Permit display.** The permittee must display this permit, or a copy thereof, where operating personnel can readily refer to it.

COMPLIANCE SCHEDULE

10.0 SUMMARY OF DUE DATES

10.1 Summary. The following is a summary of event-driven reporting required by this permit. This section does not include routine reporting and submittals required by this permit.

DUE DATE	ACTIVITY	RULE CITATION/ SECTION IN THIS PERMIT
Prior to accepting residential curbside collected food waste.	Submit plans for residential curbside collected food waste composting demonstration project and obtain DEQ written approval.	Permit section 1.2
Prior to accepting any new waste type.	Submit an updated operations plan and obtain DEQ written approval.	Permit section 1.5
60 days after issuance of the permit.	Submit an updated Operations Plan and Odor Minimization Plan	OAR 340-096-0090 Permit section 4.3 and 4.5
Six months prior to initiating any new construction for leachate or stormwater collection systems or groundwater protective surfaces.	Submit design and construction plans and receive written DEQ approval of plans.	OAR 340-096-0130 Permit section 6.2

Prior to initiating construction.	Submit construction documents, including a Construction Quality Assurance Plan and receive written DEQ approval.	OAR 340-096-0130 Permit section 6.4
Within 90 days after completion of any major construction and prior to accepting feedstock in new construction.	Submit Construction Certification Report for acceptance. Receive written DEQ approval of Report.	OAR 340-096-0130 Permit section 6.5
One year prior to closure.	Notify DEQ in writing.	
By July 31 of each year.	Submit 1200-Z NPDES stormwater permit sampling results.	Permit section 5.5

11.0 WHEN TO NOTIFY DEQ STAFF

Note: Contact DEQ staff at phone number listed in section 5.2, "Non-compliance reporting."

TOPIC	NOTIFICATION REQUIREMENTS	SECTION IN THIS PERMIT
Facility not able to meet requirements of this permit.	Contact DEQ for assessment.	All
Prohibited or hazardous waste discovered at facility.	Notify DEQ within 48 hours.	2.3
Conditions of permit violated.	Notify DEQ within 24 hours.	5.2
Leachate released from facility.	Notify DEQ within 24 hours.	5.3
Change in ownership of facility.	Notify DEQ in writing within 10 days.	8.6
Change in name or address of facility, name or address of permittee or name or address of operator.	Notify DEQ in writing within 10 days.	8.6
Odor complaints.	Notify DEQ after 5 complaints are received for same odor event or if odor persists unresolved after 24 hours.	9.15
Litter or dust complaints.	Notify DEQ after 5 complaints are received for an event.	9.15

