

[ZOOM005_TrLR begins]

0:02:29 Wow. What an evening. What a [indistinct] in Sherwood. Thank you, Sherwood. I wish we had something like that in Tualatin! Tualatin doesn't have even a city hall, and so [indistinct]. I was wondering if Sherwood could annex Tualatin and we could say "we have this."

[laughter]

0:02:56 I'm going to take Metro. Welcome, everybody. My name is [indistinct], a Tualatin resident and close neighbor of Grimm's for past 20 years. I'm the president of the CASE Organization.

[applause]

0:03:22 CASE stands for Clean Air in a Safe Environment. We are a grassroots organization that advocates for community livability. CASE was created out of necessity due to frequent offsite emission of odor and [indistinct]. As you know, tonight's gathering has been initiated and organized by Metro. Thank you, Metro.

[applause]

0:04:00 Here we have representatives of the additional government agencies who are also responsive to regulate composting operations. These agencies include, DEQ, Tualatin Valley Fire and Rescue, City of Portland, and Washington County Health Department. They will be introducing themselves and the part they play in the licensing and permit process. Thank you to all of these agencies and the community members that are here tonight.

[applause]

0:04:44 They want to hear from all of us as to what we have been experiencing regarding odor and dust from the Grimm's facility. To my experience, the problem has gradually worsened in the past five years. We are optimistic that these agencies, collectively, find solutions. CASE would like everyone to know that our position has been consistent since 2011.

0:05:21 We want Grimm's Fuel Co to modernize its operation and so, eliminating dust and odor beyond the proper amounts. We support the Grimm's stay in business, but we expect and deserve for Grimm's to become a good neighbor.

[applause]

0:05:51 CASE supports Metro's regional composting role and we hope to work as a community partner to achieve those goals. The odor and dust -- which we have had to endure over the years -- must stop. Our neighborhood deserves a standard of livability for all to enjoy. Now, I'm going to introduce Brett Hamilton, a CASE member.

0:06:25 Brett Hamilton: Good evening, my name is Brett Hamilton. I'm a Tualatin resident and a board member on CASE. Some people may think that the conversation tonight represents a conflict between composting and clean air. For some reason, people think that we can't have both. We've been told that composting always smells bad and that we must choose whether

we want to compost, or have clean air. The truth is, if the composting is done right, we can have both. And here's how.

0:06:54 Compost contains good bacteria that need oxygen to survive. But oxygen cannot reach the center of Grimm's big compost piles. Without oxygen, these good bacteria die off and the decomposition slows by as much as 90%. Anaerobic bacteria -- those are bacteria that live without oxygen -- they take over and they start producing volatile organic compounds and other stinky things that, together, form that signature smell that has become all too familiar in our neighborhoods over the past two years. So what's the solution?

0:07:31 Forced air composting, which uses air blowers to move oxygen-rich air through the compost material, eliminating the conditions that cause the bad odors. This method produces compost at a much faster rate than the passive static pile method currently in use at Grimm's. Forced air composting maintains a high temperature long enough to kill pathogens and it produces a very high quality compost. Many facilities in our region have already switched to forced air. It's fast, it's cost effective, and it's better for the environment.

0:08:13 CASE is asking Grimm's to make the switch. There are three questions I would like to answer right now. The first is: are you trying to put Grimm's Fuel out of business? No. We want Grimm's to stay in business and we want them to be a good neighbor. In the past few years, the odors from Grimm's have increased in frequency, duration, and intensity. The smell impacts Sherwood, Tualatin, Tigard, King City, Beaverton, and parts of Portland.

0:08:41 Man: Wilsonville.

Brett Hamilton: And Wilsonville. Thank you.

Woman: [indistinct]

Brett Hamilton: That too. In the last 16 months, there have been 438 odor complaints reported to Metro. We believe that now is the time for Grimm's to modernize their operation. Second question: are you opposed to composting? No. We support composting done right. We believe the method that Grimm's is using -- the passive static pile -- is responsible for dust and odor impacts on the surrounding community.

0:09:17 We are asking relief from this dust and odor. Third question: does all compost have odor? Yes. There's no such thing as 100% odor-free compost. However, there are two different kinds of compost odors -- with oxygen and without. With oxygen, compost has a mild, earthy smell. Without oxygen, compost has a putrid stench. We are opposed to that odor.

0:09:46 Forced air composting eliminates the anaerobic conditions that cause that odor, and that's why we are so excited about forced air composting. To learn more, please visit our website: caseoregon.org. That's caseoregon.org. Thank you very much.

[applause]

0:10:13 Rob Nathan: Thanks, everyone, for coming today. My name is Rob Nathan. I'm a community engagement specialist here at Metro. My role at metro is actually to engage community so that it helps inform our policies and plans and services that we provide the public. So that's actually what we're -- this is a part of that process, that we're committed to doing today. I

really appreciate CASE setting a tone for the evening and sharing with us what some of our priorities are. And we just heard that a priority, I think, for our agency in managing solid waste and a priority for all of you in this room, is understanding the importance of compost.

0:10:57 But, regardless of the importance of compost, we're also required to support the residents in the region. And so as public service staff here in this room, we're all committed to serving both business and residents. And you're going to here from different folks that have different responsibilities -- whether it's for public health, whether it's solid waste -- and I just want to remind everyone in this room that we are committed to our residents. We're also committed to business.

0:11:35 And so our goal is to share with you some of the solutions that are going to be rolling out, and some that have already happened that follow up on our commitment to serving the residents of this room. I also want to remind everyone that we're here to be really transparent with you. I think this is a space where we have an opportunity to address any elephant in the room. This is also a space that we have an opportunity to provide clarity about misinformation.

0:12:11 And so we're really hoping to do that today, and I hope that you all feel that intent at the end. I know I'm the one who said it at the beginning so feel free to come up to me and engage with me after this event if you feel like your voice wasn't heard or if we made a mistake in some way.

0:12:30 I'm just going to quickly go through the agenda. Mainly, most of the day, most of this event, is going to be an opportunity to hear from you and get some questions and hopefully answers. If we don't have an answer to your question, we'll be committed to following up with you. As you all came in and signed in, we asked folks to sign in so that we can follow back up with you about the meeting we're going to have on July 19. We'll tell you a little bit more about that. We want to make sure that folks have an opportunity to come back if they like to.

0:13:07 We also had some question and comment cards at the front desk. Please feel free to bring those up -- especially if you're going to come up on the mic and ask some questions. So, we're going to get started. You get to meet everyone here on the panel. We're going to get started after that, and give everyone an opportunity to come to either mic -- and you can bring your question card with you, because we want to record it in writing even if you're in [indistinct]. And then we're going to have a time check at 7:30. We hope that there's enough time for everyone to get their questions answered. Also, don't forget, we do have Q&A prescribed questions and answers already -- things that we expected you might want to know about.

0:13:58 You can also access that at the front desk. We'll do a time check at 7:30, and then the final question will be offered at 7:40. You'll hear next steps from our different public agencies here in the room. And then some closing statements from our gracious host, CASE, that you just heard from. If anyone needs to go to the restroom, please make sure [indistinct] taken care of. You can go out these double doors and to the right and back around the other way behind this wall, and there's restrooms that way.

- 0:14:29 Of course, there are emergency exits on both sides of the room. And I just want to remind everyone that we're going to be audio recording. We're going to be taking photos. Joshua's here taking photos, representing Metro. If you have any concerns with getting your picture taken, you might not want to come up to the mic because we're going to try to document everyone. Just want to be clear. There's also the media here, as well -- so we are being recorded. So without further ado, I'm going to pass it over to our panelists who will start introducing themselves so you know who's in the room here to answer your questions.
- 0:15:10 Hila Ritter: Hi everybody. Welcome. My name is Hila Ritter. I'm the Solid Waste Operation Coordinator with Metro and I want to start off by just saying thank you for coming. We're so grateful that you're all here. I think I've probably talked to a lot of you either on the phone or by email and I'm just really glad that we're all in the same room and we can talk face to face. So thank you for being here. I'm excited. I just want to reiterate that I expect that there are going to be questions that we can address here tonight. That's our goal and our purpose but, realistically, there probably will be questions that we can't address tonight.
- 0:15:48 So we are committed to following up. We'll have information on our website with the questions asked and answered, for folks that weren't available to come -- and then also just to document the conversation. So that will be made available publicly on the website. Just to zoom out a little bit -- Metro's role is to manage the solid waste system for the Portland Metro area. Kendall, could you please pull up the solid waste facility map? You may have seen it when you came in. Kendall will be pulling it up here in a sec. And you can see this is the solid waste system. The first one is the solid waste system and as you can see it's a pretty complex system. Keeps us pretty busy.
- 0:16:32 Part of our goal -- part of Metro's responsibility -- is to balance the needs of businesses and residences while at the same time preserving yard debris composting capacity in the region. Grimm's operates a [sounds like] ATR degree composting facility under authority of a Metro license. That license was up for renewal last year, and as part of our public engagement process for the renewal of the license it became clear to us that the status quo is just no longer sustainable.
- 0:17:11 And so in order to enact change within our sphere of influence -- within Metro's sphere of influence, which is our license, and also in order to be responsive to the folks that have been communicating to us -- we hired a contractor. And that contractor was selected with several of the people that are on our panel here today, and also with Grimm's management, as part of the evaluation team. And we unanimously selected Green Mountain Technologies.
- 0:17:41 And Green Mountain Technologies job is to do an assessment of the operations at Grimm's and see how things are running, and how they can run better, and to give us recommendations for improvement, with a specific emphasis on odor minimization and control. And so that report is in process now. We hired Green Mountain Technology -- Metro hired Green Mountain Technology in January.
- 0:18:09 They were on site and in the community for the February conversion event which I'm sure you all remember. And since that time, they're currently developing their report for us with the recommendations. We expect to get it in mid-June and then we're going to come out in July, on July 19. We're going to come back out with our contractor and they're going to present their findings and their recommendations publicly to all of you.

0:18:30 And so I can give you more information on that if you want. I just wanted to give that snapshot of where we've been and where we're going and in closing I just want to say that Metro and all of our government partners that are here today are here to listen to you. We're here to be responsive to you. So thank you for being here and thank you for sharing your comments and your questions with us. And I'm going to hand it over to Mr. Warren Johnson.

[applause]

0:19:05 Warren Johnson: Good evening, my name is Warren Johnson. I am a solid waste [indistinct] manager at Metro. I manage the team that's responsible for licensing and inspections of solid waste facilities in our region, so I'm here to answer questions about some of that. Hila just told you what we're doing right now but I'll pass it on to [indistinct] but if you have questions about licensing and inspections on Metro's role in those types of facilities [indistinct].

0:19:31 Jeremy Fleming: Hi, I'm Jeremy Fleming, Oregon DEQ Northwest Region, Solid Waste Inspector. So I work with Grimm's facility. I'm the point man for DEQ for -- as a compliance manager [indistinct].

0:19:44 Audrey O'Brien: Hello. I'm Audrey O'Brien. I'm the manager for Oregon DEQ's materials management section that has oversight for the DEQ permit for Grimm's. I recognize many of you from coming to our hearings when we were issuing the permit, the DEQ permit for Grimm's. And I'm really thankful that Mitch has invited DEQ to participate in this community meeting with you so that we can hear your concerns as well, and make sure that we can tighten up the permit and requirements based on the consultants recommendation, and then also the requirements that the fire department has put in place. I'm looking very much forward to hearing your comments, and being more responsive to you than perhaps we have been in the past.

0:20:33 Aquilla Hurd-Ravich: Hello, my name's Aquilla Hurd-Ravich. I'm the Community Development [indistinct] for City of Tualatin, and I'm happy to see some faces tonight that I haven't seen in a while, so that's been a fun thing for me. Tualatin is responsible for the land use, so I can answer questions about zoning and land use and if you have questions of those nature. Thank you.

0:20:59 Stephen Forster: Hello. My name's Steve Forster. I'm the Fire Marshall with Tualatin Fire and Rescue. Our role is obviously in emergency response to the facility as well as fire code compliance and fire code inspections of the facility. As part of that is regulation of the pile sizes, which I'm sure will be discussed more as we carry on. I'm happy to answer questions on any of those topics.

0:21:24 Dr. Christina Baumann: Hi, everyone. My name is Dr. Christina Baumann. I'm the Health Officer for Washington County and I work within the Public Health Division. Within Public Health, we have the environmental health program and that program works primarily to improve air quality through our partnerships with regulatory agencies such as DEQ.

- 0:21:45 Our activities include education, raising awareness, and also partnering with agencies to decrease exposure to pollution. So my role here today is to answer any questions related to health. That's a role that public health often fill, which is interpreting data or interpreting scientific literature and trying to make it more understandable.
- 0:21:45 Kendall Martin: Good evening. My name is Kendall Martin. I work in communications at Metro. Thank you very much for coming this evening. We're so glad to have you here. First and foremost, my role tonight is I am your host. I'm a facilitator. I'm here to help you get your questions answered by this very great panel. The way that we're going to be doing that -- if you filled out a question card, if you have those question cards -- I'm going to ask that we start forming two lines here at the microphones at the front of the room.
- 0:22:46 You can start coming down if you have your questions. It's okay. So we're essentially going to have two lines form here. We're going to do this in a manner of having everybody ask their question. You can give me your question card when you done. This way ensures that we get your question catalogued. We're also having a audio recording as well. But it helps us, as staff taking notes, to make sure that we are hearing 100% of what you are saying. So if you haven't had a chance to grab a question card, raise your hand if you need one and my teammates will come around and be able to pass around extra copies of it.
- 0:23:31 So essentially we're going to start just one by one, asking your question. Please identify who your question is targeted to. I have this microphone, which means we keep that one up here on this side. I'm going to pass this other wireless microphone to my teammates up here as well. So the folks on the panel are here to answer questions directly, but there are also people in the audience that support the work that we do either at our agencies -- or people that work directly with us in partnership that can also answer questions.
- 0:24:02 So depending on what the response is, those folks might raise their hand and on occasion I'll run over and give them a wireless microphone as well. This is our format. We've established it this way so I'm going to ask the gentleman to introduce yourself and your question and then we'll start that process. We'll just go back and forth to get all your questions answered. Okay? Thank you. Take over.
- 0:24:26 Chad Garvey: Okay. My name is -- is that on? My name is Chad Garvey. I have two questions, do you want me to get to the back of the line for the second one, then? Or --
- Kendall Martin: One question per, and then come back --
- 0:24:37 Chad Garvey: Yeah, okay, I just want to make sure. So my first question is really to DEQ Solid Waste. I feel like the odor issues that we had during the last conversion was tragic and probably could have been avoided, or at least significantly lessened. So I've been involved since those public meetings that you have in Tualatin. I heard at that point a presentation that said the human health risk assessment had been done. In fact, one had not been done and one could not be provided to me.
- 0:25:09 So I was very disappointed with that. But at any rate, one of the positive things that came out of those meetings was that when the draft permit came up for Grimm's it established a pile height restriction of 30 feet. My understanding is that somewhere between the draft permit and the final permit DEQ met with Grimm's and I noticed in the final permit --

without any additional public discussion -- the pile height restriction was gone. We highlighted at that meeting that the pile height was a very important parameter for that, because of the anaerobic conditions at Grimm's.

0:25:46 Their pile was so high that they literally have to drive over it with Caterpillars, in order to move it around. The state of Washington highlights that the last thing you want to do at composting facility is drive over your compost because you'll further cause anaerobic conditions as a result of the compaction of the pile. So there's a lot of problems associated with the pile height that lead to the odor issues. And given the issues we had during the inversion I would just like to ask what happened with that pile height restriction? Why was it taken out between the draft and the final?

0:26:27 Woman: Thank you very much for your question. There's a couple of things that you said that I'd like to try to address. DEQ has never done a human health risk assessment and I apologize if there was any indication that stated otherwise during our permitting process -- but that is not something that DEQ has done for compost facilities. DEQ did put a pile height restriction in and DEQ issued the permit with the pile height restriction in the issued permit. Grimm's contested the permit.

0:26:55 And after evaluation of how Grimm's was contesting the permit, DEQ determined that we would try a different way to try to address the odor conditions and instead put in monitoring parameters into a new draft permit that DEQ put out for public comment. And so I know you were at that second public hearing to provide those comments to us again. So DEQ withdrew the permit when it was contested and put a new draft out for public comment and what we were trying to do instead of the pile height restriction is use monitored parameters for oxygen and moisture as a representative way of looking at were the conditions aerobic enough to keep odors down.

0:27:41 And what we've determined in response -- especially in light of the inversion and recent inspection that we did -- is that Grimm's is not doing enough and needs to do more. So DEQ completely supports the fire department's pile height restriction of 25 feet and is going to modify the DEQ permit to include that pile height restriction in the DEQ permit for Grimm's.

[0:27:41 Chad Garvey: Thank you. I do just want to say one thing about the monitoring. As I recall in the permit, they were required to use a six-foot probe to measure temperature and oxygen. The pile is like 90 feet high and about 120 feet across. The anaerobic conditions are going to be near the center of the pile and I don't -- I still don't -- I'll just leave that rhetorical. I don't understand how that was meant to do any good.

0:28:31 Man: Thank you. Can we have our next question -- unless there are any follow-ups from the panelists. Seeing none, we'll ask the next question. Thank you.

0:28:39 Anthony Miller: Anthony Miller, with the -- next to Hazel Brook Middle School in Tualatin. And really just a good follow-up question to what the last questionnaire had goes to DEQ as well as you, Warren, as far as inspection. And really what it kind of comes down to is it seems from a standpoint of I guess the public -- is what is actually being done to enforce what you guys are finding on site? And is it a slap on the hand or is it actually something that is being enforced.

- 0:29:13 As a resident if I'm breaking the law by speeding or, God forbid, robbing a bank -- I'm going to get a ticket for it. And, you know, for frankly -- I would think that Grimm should probably be responsible, penalized, or some such to actually get them moving in the direction that we all talk about and that we like to see this going.
- 0:29:39 Man: Thank you. So DEQ has gone out several times in the last few months and performed inspections and noted violations. We have recently issued Grimm's pre-enforcement notice for three violations of the permit. And we're working with them to make improvements toward their operations, plan, and process to address these issues. As far as speaking to potential fines, there's a process through our enforcement that's formed by our office of compliance enforcement, our attorneys, and there's potentially could be civil penalties associated with this most recent violation as noted during inspection.
- 0:30:34 Anthony Miller: So as a follow-up to that, you say "Civil penalties" and "penalties" or the pre-enforcement committee. To me that just seems again like a slap on the hand. We're not really moving a penalty to a direction that is actually causing reform or getting an answer to solving the problem. It's just "Hey you guys did bad. Maybe we can try to make it better next time, huh?"
- 0:30:58 Man: Well, it's an ongoing enforcement action. And with that, like I said, we noted three violations but in this process and with the additional oversight that we've done in the last few months since the inversion, we've recognized other areas in their operations plans that they will be required to make revisions and changes to. Some of the performance standards can be strengthened. Conditions such as turning the pile, augmenting the feedstock, balancing the feed stock. We are working with Grimm's to strengthen the operations plan and to make sure that, within the current permit, we'll make as many changes as we can.
- 0:31:49 Anthony Miller: I appreciate it, thank you.
- Man: Thank you. Can have the next question at this point. Oh, sorry.
- Man: I just want to follow up from Metro's perspective. I appreciate that question. So Metro and DEQ -- we both have authority over that facility. That facility doesn't operate unless they have a DEQ permit and a Metro license. What we try to do is we try to coordinate and think about the best approach from an enforcement standpoint if we're doing some enforcement action. In this case, Metro is -- we hire a contractor, which we expect to get conditions, recommendations on how that facility should operate. And once Metro gets that information, that's going to inform what conditions we put on their license.
- 0:32:26 So the idea would be once that facility is conditioned -- the license sets the operating conditions, it sets the conditions in which they can take in managed material. Once those conditions are in there, then they have to comply with those -- otherwise there's an enforcement process. Enforcement can range from just a notice of violation to penalties to changing conditions to suspending authorities.
- 0:32:50 So there's a lot of avenues we can pursue. And we generally try to coordinate with DEQ and figure out what the most effective approach is. But from Metro's standpoint we're waiting for that information that we're going to get back next month. That's going to inform how we take action at this facility. How we change the conditions or set the conditions for that facility.

0:33:09 Woman: Can I highlight?

Man: Absolutely.

Woman: And then DEQ will rely on the results of the consultant study. A compost facility has to be in compliance with all the local and regional requirements as well as state requirements -- so the fire department height restriction, together with whatever requirements Metro puts into place in the license would also be enforced through the DEQ permit as well.

0:33:35 Man: Thank you [indistinct]. And now we can have our next question.

Emily Gonzalez: My name is Emily Gonzalez. I live here in Sherwood. I used to live in Pony Bridge, across from Grimm's. We moved out of Pony Ridge because the smell was so bad I had to hold my four year old's hair back while she threw up in our yard. So I've been coming to these meetings for almost five years now. I kind of want to piggyback on Chad's question.

0:33:59 At the last meeting I went to for the Grimm's permit renewal, DEQ informed us that there was no commercially available probe that could accurately measure the pile at Grimm's. Clearly, it's because nobody composts like this anymore. It's not best practices. Why in the world did DEQ agree to these testing parameters that they knew would be so woefully inaccurate to measure the condition of the pile?

[applause]

0:34:33 Woman: Having the pile height restriction contested, DEQ looked at what would be available for us to try to look at, ways that we could evaluate composting to see if it was being done accurately. The monitoring parameters were something that we had noticed were used in other places and were things that we thought we might be able to use to verify compliance at this facility. And of course, if they aren't in compliance with those -- which is what we determined -- then we would be able to take enforcement action.

0:35:05 Emily Gonzalez: Just as a follow up. From your answer, to me it's like saying "The police are trying to use blow dryers for speed traps and they thought that would be sufficient." And you guys clearly knew there's no way you can measure a pile that size with a six-foot probe, so it just really feels like you guys knew it wasn't going to work and it sounds like all Grimm's has to do is contest it and they're running the show. So it just doesn't feel like anybody's out there really trying to do anything. Honestly, this meeting just feels a lot like Groundhog Day for me.

0:35:40 Man: Thank you. Thank you for your comment.

[applause]

Man: [indistinct] So just drop your cards in the back for us as you are done with your question. Thank you very much. Sir, you have the mic.

- 0:35:56 Brian Craker: Thank you very much. My name is Brian Craker and I am a resident in Pony Ridge neighborhood, right across the street from Grimm's -- where my family has lived for the last 15 years. First off, I want to say we live in a day and age where we like to really put down government and talk about how government's not working. I appreciate the fact that this forum is happening, that you all have taken time away from your families to come and listen to us in our community.
- 0:36:20 And I especially want to say thank you to Metro because I have never in my wildest dreams thought that I could send an email to a government official and then get a phone call the next day to say "We're listening, and I want some more information about what you had to say." And that just absolutely blew my mind. So I do know that you all are listening. Thank you very much. That being said, when we moved in 15 years ago -- wonderful neighborhood, we absolutely love being there. It's a secret little pocket to Tualatin and we have regularly had our windows open and having kids playing outside and just having absolutely a wonderful time.
- 0:36:57 And we've also used Grimm's for getting bark dust and considered them a great facility to have across the street. It wasn't until a few years ago that all of a sudden we started having issues and we noticed that it was in correlation with the pile height. And when the pile height started to go above the level of the trees, and above the level of the buildings, we began having problems where we had more noticeable odor -- which we would only smell once or twice a year when we moved in 15 years ago. Now it's multiple times a week. But the other problem has been the dust and debris.
- 0:37:32 I have to park my car outside and there are days where I will go out the next morning and my car will be completely covered with dust like it's been sitting there a month. I have to clean it off and clean the windshield off before I can drive. And we also are not able to keep our windows open because otherwise I have to replace the air filter once or twice a month instead of every couple of months like manufacturer recommendation. So my question to you all is -- what changed? We used to not see the pile. And we used to not have these issues.
- 0:38:03 And now all of a sudden we are and we're seeing the impact it's having not only on our communities. Has something changed to cause this so that the pile heights did get to this height? Was there a change in the permit or a change in the law that caused this current situation? Because, frankly, as a community member I hate feeling like I'm in conflict with a very legitimate, wonderful family business that is across the street but yet is impacting my family's health. So I just want to know -- did something change to cause this or has this been something that just happened naturally? Thank you very much.
- 0:38:40 Woman: I can take the first crack and then you can probably get back to it. I do know that other compost facilities have shut down or moved and so Grimm's may be receiving feed stocks that would have gone to one of the other facilities.
- Woman: And I would also add that it's just grown. They haven't changed their method over time, and the amount of incoming material has grown over time. With the infill of housing there is less burning of yard debris and so I think all of those things are contributing to an increased amount of material.
- 0:39:25 Brian Craker: Thank you.

Man: The floor may continue. Raise your hand if you need a question card or if you want to come to the mic. My teammates in the room will be circulating extra question cards. So as we progress for the evening just go to the front desk to pick up a question card there, or I'll do this periodically just to make sure [indistinct]. Sir, you have the mic.

0:39:51 Drew Mandahay: Thank you. My name is Drew Mandahay and I'd like to reiterate what she just said. A lot of places have shut down. Consequently, there's more things going to Grimm's. If it shuts down, we're going to go somewhere else. But it's going to be further and further for all of us. Anyway, my statement would be I think this is playing against a stacked deck. Everybody's here except for somebody from Grimm's. And the question is, this is a lot like people who move in next to an airport and complain about the noise.

0:40:24 I keep seeing all the restrictions being placed on businesses, but yet there's no other way to do this. So if you're gonna play against a stacked deck you either have to own the deck or you need to just quit. And my question is how can you just keep applying more and more restrictions. And that could be for either Metro or DEQ.

0:40:49 Woman: How we're going to try and improve things moving forward is we've hired this consultant to inform what next practices should be. And so we have these independent experts that are doing the evaluation.

Drew Mandahay: And my question would be are there really independent? Or is Grimm's included in picking them or was it just you two?

0:41:10 Woman: Grimm's was included in picking them so there was on the evaluation team for -- it's called a Request for Proposals, that Metro put out. So for that request, we had three folks, three businesses that applied for it and on the evaluation team we had a representative from the CASE community, we had a City of Tualatin person, a DEQ person, a couple of Metro people, and a person from Grimm's was there as well. Grimm's management was represented on that.

0:41:44 Drew Mandahay: And so what was the vote?

Woman: It was a unanimous vote for Green Mountain Technology.

Drew Mandahay: Good. Thanks.

[applause]

Man: Thank you. Sir, you have the mic.

0:41:57 Ron Abraham: My name is Ron Abraham, a Tualatin resident -- excuse me, a Tigard resident. Been in the area for about three years and I'm impressed with what Metro is trying to do for us. Been in contact through my wife's called you to thank you for your help. I had called Grimm's myself and talked to I believe it was Dan Grimm. He explained the situation that other facilities had closed and he was taking on their material and his system was somewhat overwhelmed with the extra material.

- 0:42:36 He stated to me that his hands were tied because he's waiting for the people in this panel -- waiting for DEQ and Metro to get off their duff to do something to give him direction on where to go. I honestly find that hard to believe. I've worked most of my adult life in heavy industry. I've handled coal, ash from coal, human waste, wood by the millions of tons in California, Pennsylvania, and Ohio. I've handled a lot of material and I've been to his facility and I have seen what they're doing wrong.
- 0:43:22 It's pathetic. My question is this: if all these other facilities have closed -- and I've experienced some of the hardship of other companies closing because I was delivering wood to them from my past employer -- why does Grimm have to take it and overwhelm his system? His system is designed to have a throughput of X amount of tons. He's way way beyond that -- as we all know. How can he get away with that? And another part to that question is, I'm familiar with MSHA and OSHA governing people like him, companies like his.
- 0:44:12 What he is doing is above-ground mining. He, in my eye, should be governed by MSHA. If he was governed by MSHA or OSHA, they would come in and very decently close the door. There would be no fines -- excuse me, no threats of fines. They close the door. I've been in facilities around the country and when those people come in, everything stops and you do what they tell you. If they came into Grimm's -- I like Grimm's being here, I really do -- they would not be able to operate if they were under MSHA or OSHA. So are they under MSHA or OSHA?
- 0:45:03 Woman: I don't know what MSHA is.
- Ron Abraham: Mining. It's OSHA, with an attitude. And I'm serious, you don't mess with them.
- 0:45:14 Woman: I don't know the answers to those questions. Before I pass it over to Audrey to address that can I just speak to one of your other points in that you were talking about [indistinct] that the Grimm's management is waiting for Metro and DEQ to tell them what to do. While that is partially true, I just want to add to that and say that the management at Grimm's has been proactive in working with the consultant that we've hired -- that Metro has hired -- especially during and immediately following the February inversion event.
- 0:45:44 They recognized how catastrophic that was for everyone, and they asked for help independently. They didn't [indistinct] Metro into that conversation at all. They worked closely with the contractor and said "We know that you are going to be coming at us in several months time but we need help now." And so they've done two things on site that were recommended to them from the contractor, just in conversation, that were voluntary and that were outside of the scope of what Metro's hired.
- 0:46:18 One of the things that they did was to put the cedar chips over the pile and so the intention behind that and the thought behind that was that when they had turned the pile at the beginning of February the pile was then off gassing for several weeks, which is part of the reason why it was so painful for such a long time. And in order to -- they weren't continuing to have a turning event -- but in order to put a filter or put a cap over those gassing emissions -- that's when they installed the cedar chips. And I think that even if Grimm's management were here I think they would recognize that yes that was just a Band Aid fix.

- 0:46:58 That was not a long-term fix. But they needed something and that was the best option available to them. So that was a voluntary step that they took that was a pretty significant cost, because they had to purchase all of those and apply them. A second thing that they are currently working on is their installing a bio filter vacuum system, which is essentially they're installing a 100-foot conveyor. And so they're changing around how they move things on site. They're installing a 100-foot conveyor, where they'll be processing on that conveyor.
- 0:47:34 It's going to be completely enclosed and inside of there, there is going to be tubes that are essentially a vacuum -- that are sucking the gasses and the airs out and they're bringing them down through tubes and they're bringing them down into a bunker that has air on the bottom and tubing on the bottom. And it's going to be blowing air through it and they're going to put about 5 feet, maybe 6 feet of bark chips. So they're essentially vacuuming off the gas, piping it down into the bunker and then blowing it up through these cedar chips that act as a filter.
- 0:48:09 So they're going to be having that system on their incoming feedstock and then they're also going to be having that system on their screens for the finished products. So all of it is going to be enclosed, all of it is going to have the gasses being sucked out and then filtered through --whereas now, it's all just open air, essentially. So that's another step that Grimm's has taken voluntarily in advance of the Metro regulations because they are doing what they can to be proactive. I hope that answers your questions, then.
- Ron Abraham: How long is that going to take?
- 0:48:44 Woman: The cedar chips is done and they're just composting the remains of that. The bio filter -- every project always takes longer than you think it's going to -- they are almost finished. They've got all the equipment on site. I was there on Friday of last week, with DEQ. The next step is to put in the 100-foot conveyor. They already have things covered. They already have the bi filter system in place. The piping and stuff is all in place. They're just going to slide the conveyor in and finish enclosing everything, so they expect to have it done by the end of this month. But they also, you know, don't quote me on that. I don't know when it will be finished, but that's when they expect it to be done.
- 0:48:44 Woman: The only thing I was going to add is that they are subject to Oregon OSHA because they have employees in there in the state of Oregon and DEQ has talked to Oregon OSHA about going out there.
- Ron Abraham: But OSHA has not been there.
- Woman: Are they going to?
- Woman: I actually don't know if they have been there in the past. We referred most recently to Oregon OSHA and asked to take a look at Grimm's. But I can't answer on what their response has been.
- Woman: Or we could get about 50 of us to call on the same day.
- Man: If I can have you step to the mic and speak into the mic. Thank you.

- 0:50:13 Woman: Sure. I was just -- I'm allergic to petroleum. As you hear, I'm just coughing and wheezing and gasping. I have a polyp in my nose. I had one out of beauty college. I had to quit beauty college because the polyp was this big. It was benign. I have another one over the years. Emissions in this town are very bad. I've noticed the air quality has gotten triple bad in the last three years from Grimm's. It used to be sort of tolerable but I can't breathe. When that -- what's that word when you get no oxygen in the air and the odor -- it starts with an "a." [indistinct] or something.
- 0:50:51 I kept saying I feel like there's no oxygen in the air. There is none. I have to go in the house and hope for fresh air. Then all of a sudden I look up this word. I'm looking up something else about the quality and that word came up and I said "Oh my gosh, there is a word for this?" Because there is no oxygen for me in the air when it comes around. That's it. Question I have was how deep are the bunkers? Is the soil being tested for mercuries, arsenics? Does it get in the water supply, the ground supply? [indistinct] Basically, that's it.
- 0:51:29 I [indistinct] because every windy day if it's a north wind anywhere from four to six miles an hour -- I live in Wilsonville. I can tell you the minute the north winds hits. Some people claim "You're crazy." I'm like "No. It's the north wind." [indistinct] If it's the north wind. It was a continuous north wind like we had a couple of weeks ago, it stays in that area until anywhere from 10:30 in the morning to about 2 o'clock in the afternoon. By then it's [indistinct] way down and you don't smell it any more until another windy day. I have a daughter who is acutely ill for 2 ½ years and I don't have the time for this.
- 0:52:09 I have to stay alive and healthy for her and my family. So this is just really an added burden for myself. And I was calling Jeremy, I was thinking if something doesn't happen soon and I get cancer -- who is going to pay for my health? I'm going to be rich. So, I even have my allergy thing over there. These are allergies, the [indistinct] allergies, which are anywhere from day to three weeks of air, that it stays in my system. So I can't get a good voice unless I go to the beach, and I can't do that with my daughter. That's it. That's it. I just wanted to know about the wastewater management, how deep they're going and all that. Any chemical in the soils, arsenic, mercury -- anything from this.
- 0:52:55 Woman: I don't know that I can answer your question specifically because we haven't asked them to
- [audio disruption]
- [ZOOM0007_TrLR begins]
- 0:00:00 Man: We've kind of figured out a way to kind of control it kind of a little bit more and it doesn't affect as many people. So, first question -- why are we waiting so long? Second question -- what can we do to speed that up?
- 0:00:24 Stephen Forster: Thank you for your question. So, TVF&R has essentially recently become involved in this particular issue. We were asked to analyze the applicability of specific Oregon fire codes to this operation. We were contacted by DEQ and Metro and asked to analyze that in regards to not just this composting facility -- but any composting facility

that's up for license. And through that we did determine that there are some requirements that apply specifically to pile size.

0:00:58 And so we looked at that, analyzed it, we received an interpretation from the state Fire Marshall as well and essentially, within a matter of a few weeks we made a formal determination that pile size restrictions do apply. We have notified the facility of that. Because of the magnitude of the piles and the challenge of reducing those pile sizes, we required essentially two phase for compliance to give them time to do it -- and do it in a way where they can hopefully manage some of the odor disruption, some of the debris, some of the things you're talking about in accomplishing it.

0:01:48 So they are very significant reductions for the facility requiring in the final compliance that pile sizes are not more than 25 feet in height. It's allowed to be up to 150 feet wide, 250 feet long. But, really, the pile height is the primary factor on the fireside. So we have required that. The first phase is due at the end of this year, December 31st -- it's to lower it to 40 feet - - and then by May of 2019, to reduce it the remainder to the 25 feet. As far as compliance -- so on our end, we have set out the deadlines, the timeline.

0:02:31 We've spoken with the facility and we will ensure compliance on our end. If compliance isn't obtained within the requirements that we've specified then the fire district takes legal action against the facility. So for us it's relatively straightforward in that sense. We don't have different citations or fines or fees or that sort of thing. It really is enforcing people into compliance with the requirement. Now, we do want to see the business be successful. I think that's important for the community, for the business, for the employees, and for composting goals in the region.

0:03:08 And so we're doing our part to try and make sure we coordinate those requirements in that Metro DEQ, the other licensing agencies can adjust their permits their requirements accordingly. And I say again, also, to make sure that through this significant change what we'd hate to see is that this change causing more impact of more disruptions as they have to reduce and change process. That is under way and we should see results of that. I believe that will be incorporated into some of the other permits as well, that maybe they can speak to.

0:03:47 Man: So you being obviously -- thank you for your service as a [indistinct] -- but also as a medical professional, are you working at all with the county to understand the impact of health the lack of oxygen causes in the environment that's affected right there? Pony Ridge and Angel Haven? The nauseousness, the vomiting, and all the impact that occurs to the families there? That we have to deal with for the next year and a half? Year and a month.

0:04:18 Stephen Forster: So, great question. From the fire department standpoint we do have a very narrow and specific statutory authority and it doesn't extend to odors, health, some of the dust and contaminants, that sort of thing you were talking about.

Man: The dust is the least of our worries.

0:04:37 Stephen Forster: Understood. No, the short answer is -- while certainly I understand and I appreciate the concern, it's not sort of within the scope or the statutory authority of the fire

districts, specifically. So that's where it really is kind of multiple agencies that you see here involved so --

0:04:55 Man: You mean the one agency that has the authority to do something with more expeditious action -- the one authority that can do something, do you take into consideration any of the impact or any of the other reports from the other agencies when making your determination -- not just the pile height?

0:05:12 Stephen Forster: I'm not saying that we aren't concerned or don't care but this fire code requirements that apply -- so really we're limited in nature specifically to the fire code requirements that apply, that are the basis for them really is on the fire hazard --not on the health hazard. So all of those are important things. They're not necessarily embedded into what we have the authority and responsibility to apply.

0:05:44 But with that said, I think some of the fire code requirements, from my understanding, is that those will actually go a long way to address many of the other concerns that I've heard tonight and that I've heard previously which are related to pile height and pile size.

Man: We just have to deal with it the next year.

Man: Thank you. Thank you. Are there any other follow-ups from our panelists on that question?

0:06:11 Christina Baumann: Yeah, I can follow up from a public health perspective, and a health perspective. Public health does not also have regulatory authority over such things as odors. That is where our partners in DEQ and Metro can play a role, in helping control odors. As far as the health concerns -- we understand that odors are a concern because they can cause people symptoms and make them feel sick. And some people are more sensitive to it than others. And so in that public health absolutely shares your concerns because that's a quality of life issue.

0:06:53 And we're here to listen to you as well and also to help work with our partners here who are trying to address this issue from other avenues as well, and be supportive. And also help look at the data -- as little as there is out there that's documented, with respect to other health effects of compost facilities besides the odors. But we're involved in that process as well. We just don't have any regulatory authority over it. We can certainly be listeners and advocates.

Man: Thank you.

0:07:28 Woman: I just want to add one other thing. I just want to point out that for the consultant's report that is coming out in the next month -- a no-action alternative is not an option. That's not going to be part of their report, so that was based both on observations at the site as well as the input that they got from their survey. So a no-action is not an option.

Man: Thank you. I want to give it to folks that haven't had a chance --

Woman: I waited in line again. You told me to do that.

Man: I want to make sure that --

Woman: She can go ahead, that's fine. Yeah, absolutely.

0:08:08 Emily Gonzalez: Hi, me again. Emily Gonzalez [indistinct]. Before my question I just want to say there are some in the community who are giving Grimm's this victim status. They're not a victim. Nobody at any of the meetings I've ever been to has ever said they want to put Grimm's out of business. So I would say it again. I don't want to put Grimm's out of business. That's not my goal. My goal is for them to be held to the same regulatory standards as all the other compost facilities, and to simply be good neighbors. At the last DEQ permit meeting, Audrey, you had explained to us that DEQ identified potential risks to groundwater soil and air.

0:08:48 Will this contractor's report include any sort of study on the impact to the soil and the groundwater? When you came to us and said "You guys hadn't done any kind of health risk assessment," my husband and I did our own research and found a scientific paper -- behind a paywall, unfortunately -- that identified Legionnaire's Disease inside of compost piles that were poorly regulated. So clearly there is a risk and it seems like nobody on the panel is saying that their department is responsible for identifying risk to human health. So will this contractor's report be that thorough? Will it identify if there is a risk to human health?

0:09:30 Woman: I am actually going to take that question even though you are asking Audrey because --

Emily Gonzalez: I'm asking anybody, really. I know Audrey.

Woman: OK. Metro hired the contractor and so -- a human health assessment is outside the scope of this assessment.

Emily Gonzalez: Whose scope is this in? Is this like an Erin Brockovich thing? Do we have to find a lawyer? What in the world --

[applause]

0:09:55 Who's responsible for finding out if there is a risk and then doing something about it?

Woman: I can tell you that I too have looked at the scientific literature. When it comes to -- I want to break this out a little bit because I think it helps with having a conversation and understanding. There's odors. That is a sense of ours. We smell things and we have emotional and physical reactions to what we smell. Some of them can be good reactions -- things that we like smelling. They can make us happy, they can make us feel well. And then there are odors that can make us feel really nauseated, sick, can affect our sleep, can affect our mood. So in that way odors and what we're smelling can absolutely affect health. The next question is -- what about the other things that compost facilities are putting out into the air.

0:10:49 We're talking about dust. Yes, dust can affect health; the small particles -- especially in people that are susceptible because they have asthma or they have allergies. Yes, that can absolutely affect health and if you live close to a facility that's putting dust into the air you

can have health impacts from that. Then, specifically, to compost facilities, they're doing something that not other businesses or other things are doing. They're causing things to biodegrade. They're decomposing things. So they have organisms in them -- they have bacteria, they have fungi. So that's kind of a very specialized set of literature.

0:11:32 Do those other living organisms affect human health? And there are individual studies like the one that you came across that will look at specific bacteria, and may be able to tie an exposure -- because Legionella is out in the environment, everywhere in the environment. They may have been able to tie that Legionella bacteria to some people getting sick.

0:11:58 So there are maybe isolated cases on that -- but as a whole there are not very many studies that look at the residences nearby composting facilities and actually get to a diagnosis, or that actually document that there are infections that can be tied to a compost facility. Most of those studies are asking the residents "Do you have any symptoms?" And people will say "Yes, I felt sick. I have headaches." -- all those things that could maybe be tied to odor as well.

0:12:37 I will say that there are studies that have tried to sample the air and get bacteria and get fungi -- and from those it does seem possible that if you have a weakened immune system that potentially you could be at risk from getting an infection that could be a significant infection -- if you live close to a facility. Those studies have really been looking at distances that are less than $\frac{1}{4}$ of a mile, as far as an exposure risk. But there are so many different varieties of compost facilities, different sizes of operations. On the whole, I don't think we can say conclusively that there's an infectious risk from being near a compost facility.

0:13:20 Emily Gonzalez: But you can't say that there isn't either. And $\frac{1}{4}$ of a mile from that facility is a mobile home facility that's for the elderly, and there's an entire neighborhood full of children. Thank you for your input, but it doesn't answer my question about who is going to test for groundwater contamination and soil contamination -- because that is testable. And the study I mentioned found Legionella in the compost pile. So this wasn't somebody got sick with Legionella down the road and they thought it was from the pile. It was found and verified in it. So, again, I ask: who is going to do a study to identify that there is a risk? So who's going to do that? Whose responsibility is that, to make sure that that pile is not a health hazard?

0:14:05 Woman: I will turn it over to the panelist but I will say that a lot of these organisms are out in our environment, and from public health we know that. Every day.

Emily Gonzalez: But they're concentrated. We know there are anaerobic conditions. We know that [indistinct] -- which is a really unfortunate mold that can grow in your lungs -- exists in static compost piles that are poorly regulated, like the one we're talking about. And again, all I want to know is whose responsibility is it, to conduct a study like that? And if it's none of yours, then just be straight with us and say "We're not going to do that."

Man: [indistinct]

Emily Gonzalez: Any takers?

- 0:14:42 Audrey O'Brien: So I will tell you that what DEQ did is called an environmental screening. It is not a health risk evaluation at all. And what we were looking at is, is there potential for groundwater impact surface water [indistinct] and use that information to determine what type of DEQ permit was issued. It was never meant to be a human health assessment and that's not something that we would do.
- 0:15:08 Emily Gonzalez: I understand, it wasn't meant to be that. My question is whose responsibility is that? Nobody, it's just like -- really? Is this like and EPA thing? Who do we need to talk to?
- Hila Ritter: I can just answer from Metro's perspective is that Metro relies on the information that we get from our government partners, so the information that we've gotten from Oregon Health Authority and Washington County Health Department is what you're hearing here, that there is no evidence that composting is adverse to public health. So that's the information that we --
- 0:15:49 Emily Gonzalez: I can send you to scientific studies that say the contrary. And she's already said that they have no regulatory control. What I'm getting from all of this -- and I hope everybody else hears this -- is that there is nobody. Nobody is going to check into this for us. Nobody is going to look into this for us. They just get to keep doing what they're doing and everyone's just going to put their hands over their eyes and pretend that they're not watching.
- 0:16:08 Hila Ritter: Well, again, I'll just say that from Metro's perspective we rely on our government partners with the Health Authority to inform our license conditions and inform our process. And so we could ask -- you're privy to the best information that we have. And so if we get informed otherwise then we can take action with that information.
- Emily Gonzalez: So you're saying an organization that has zero studies into this, that has nothing hard to prove to you that "no it's fine" or "yes it's bad." That's the best that you can give us right now.
- 0:16:43 Woman: Well, I'd like to repeat what I heard Dr. Baumann say which is that they did a Legionella review -- both Washington County and the Oregon Health Authority have done a literature review -- and the science that they're able to -- and I can let you speak to this specifically -- but my understanding from them is there is not scientific evidence that it is adverse to human health.
- Emily Gonzalez: One, that's not true. And she agreed when I said "there's no evidence that it's not." And I believe we said "Have you reviewed it?" Not Oregon state health --
- 0:17:13 Woman: No, it was the Oregon Health Authority as well who looked at this in partnership with us. So I think what you're asking is -- it doesn't fit into the structure of how we are and how we answer questions. You are asking who is responsible for testing ground water, who is responsible for testing air and environmental samplings. That's one thing. There are certain agencies that are responsible for monitoring things. But there has to be an indication for it -- if that makes sense --

0:17:51 Emily Gonzalez: If we showed you scientific studies that there is a hazard would that have any effect, and would you guys do that and alter your approach if we also proved science that said there is a real risk to this pile or --

Woman: So, yes, absolutely, we're happy to take a look at anything that you are reading and use that to inform our opinions.

Emily Gonzalez: And in that scenario, where you do agree that there is a risk -- who is responsible for doing an environmental study to make sure that those conditions are not happening at the compost site?

Woman: I would probably turn it over to DEQ with respect to environmental monitoring.

Emily Gonzalez: I'm just looking for like a one sentence answer.

0:18:41 Woman: You're not satisfied with the answers that you're hearing is all, and I'm not going to provide you with an answer that says "Yes, DEQ is going to go study Grimm's and look at ground water and surface water. What we are committed to doing is making the compost process more aerobic so that we can see them reduce their odor and offsite dust impacts -- because that, we are aware of, is a concern. And that's the information we do have. And we're committed to working with Metro and Metro's consultants to make sure that Grimm's changes the process so that they do a better job.

0:19:18 Emily Gonzalez: Okay, so I'm just going to go because it's clear that nobody has an answer to my actual question, which is if we provide studies that show that it is a risk then who is responsible? And the answer I'm still getting is apparently nobody.

[applause]

0:19:39 Man: Consequent to Emily's question, I would suggest that Washington County Health Department would go and come up with a response so let everybody know because it seems like we didn't get answers. We don't have time at this point and [indistinct]. I'm sorry. But somebody says "Okay, I'm going to research and I come up with the answer." So, would your department be willing to do that?

0:20:16 Woman: I'm not sure that I fully understand exactly what you're asking so I can't necessarily commit to doing something. What I can say is that -- from a public health standpoint, from a medical standpoint -- it is sometimes -- especially when it comes to environmental health, air quality -- really hard to tie an exposure to proving human illness, especially when it comes to things like fungi and bacteria that are everywhere around us. We are probably breathing fungi right now.

0:20:50 And I completely understand your concerns that if they're concentrated in one location that must mean that that leads to more risk of infections. I completely understand that logic. But that's not necessarily how it works. If there are more fungi in an area, you have to breathe them in in a concentration that's enough to get sick and you have to be susceptible to getting sick from an infection.

- 0:21:23 I live in this community and I also have had health concerns as well. And we want locally specific information and I understand that. And we have a lot of health concerns that we want locally specific information too. I get that. I get that ask entirely and I get why you're trying to put us on the spot to say "Yes we will monitor or get you measurements or get you answers specifically for this location. I understand that.
- 0:22:00 What I can say is that we have to look also at the scientific literature and other studies that have been done. When we do that, we can't look at them in isolation as one study that is there for proof of concept. When we're in science we look at the whole picture and add that together to say that there's proof. Especially when it comes to try to tie an exposure to something to disease or illness. So that's why I'm standing here and saying that we've looked at a lot of studies and on the whole, a lot of them say it's inconclusive.
- 0:22:43 Some of them say one thing and another one contradicts them. And honestly there are not a lot of good studies out there. There are studies that have looked at people who work in a compost facility. So if you think of that -- I mean, that's kind of worst case scenario, right? Here you're actually in the midst of big piles, you're working with that on a day-to-day basis and what they find is those workers tend to have more problems than other people with irritative type things -- with allergy, with skin problems.
- 0:23:18 They've seen that. But as far as other infectious illnesses, they have not seen that that happens more often in compost workers than in other workers or in compost workers that are really in the facility and working with the dust versus others. Then kind of the next step is well, what about studies that have gone out into the community and looked at health facts there? And there are not many studies of those, I can tell you that.
- 0:23:50 And those have primarily asked people for symptoms. And what we can say is yes, people that have been asked if they have noticed the odors or have been bothered by the odors -- they have also said "Yes, I have symptoms of headache or dizziness or allergies." It seems that people who live really close to compost facilities have those symptoms more often than people that live further away. So that's sort of the lay of the land. And I want to be --
- [cross talk]
- [applause]
- 0:24:31 Man: [indistinct] 7:20. We want to get through as many questions as possible. So we want to keep, ideally keep our questions succinct. And we definitely will be as responsive as possible in this next 20-minute period.
- 0:24:45 Julie: I've totally forgotten my question. My name's Julie. I live in Tualatin and I have Tualatin for over 20 years. And for the first time just this year I now smell the odor at my workplace [indistinct] Elementary. I'm like "Oh dear God I can't escape it!" So I go to work and I smell it and I come home and I smell it and you've heard all those other stories...but I'm going to throw another cedar chip on top of the pile. Or some wrench in the pile or whatever it is I have to do.
- 0:25:15 This is the second elephant in the room and I believe it might be for Tualatin Valley Fire and Rescue and maybe the city. Probably DOT -- Department of Transportation -- and they're not

here. It is treacherous to drive on Cipole -- absolutely treacherous. And I have to go across 99 to get to work. Regardless if I go on Cipole or I take a left and go down 124th, it's still pretty treacherous -- to the point where there are semi trucks parked just off Cipole. Right there on the side in the mud, in the dirt.

0:25:49 And then there are trailers that are going in to pick up compost or drop off compost or doing whatever they do. And they're sitting on Cipole waiting to get in because the line has gotten so long. And just about two weeks ago, a ginormous -- that's a real word in first grade -- dump truck pulled out of Grimm's and crossed both lanes of Cipole, to make a left towards Tualatin-Sherwood Road. I went "Oh dear God!" I lay on my horn and slammed on my brakes. He almost took me out. Whatever.

0:26:24 It was so dangerous. And it's just scary. And I know there's a lot of people that have to leave Pony Ridge and go to work some way or another. That's my big second elephant in the room, although -- please, if you can do anything with the odor that's number one. That is number one. But it is extremely dangerous and I just wonder what can be done. I just voted myself on a \$150 increase in taxes for the roads. I did that. I did that.

0:26:51 I don't know if I'm going to live -- if the odor kills me or a dump truck is going to kill me. I don't know what's going to happen here. [applause] It's truly, it's scary. It's so scary. I'm not sure I did direct my question the right way. What can we do about safety?

0:27:16 Woman: Okay, thank you for the question. So, Cipole -- I'm not sure, I have to go back and look and see if there's any planned improvements for Cipole. A lot of our roads in Tualatin -- some of our major thoroughfares are not actually city facilities. So Cipole is a county facility, so I'd have to ask them do they have plans in the future to improve it. And that's kind of why it's the way it is. Because it's a county road, it's not up to our urban standards yet.

0:27:43 So I'd have to go back and look and see. Usually the way that we get roads improved is through development. So you might be driving along Cipole and you'll see an area where it gets wider. Well it's a development there, they dedicated some land or maybe they improved it a little bit -- so it's kind of an incremental change. And then in terms of the traffic coming from Grimm's onto the public right of way -- that's something I can look into some more. I actually haven't heard that before, surprisingly.

0:28:14 Julie: the very first entry next to 99W -- that's probably four car lanes from 99. So there's not a lot of space for them to get out. And then there's another one just about another maybe 6 car lanes. And then going in is -- when those trailers are in line and they just sit on Cipole and somebody tries to go around the trailer and I'm like "Oh dear God!" I pray a lot! I pray a lot.

0:28:40 Woman: So I'm happy to go back and talk to Washington County, talk to our other partners and see if there are plans for improvement -- I'm not sure if there are plans.

Man: That's also a 45-mile an hour stretch [indistinct]

Julie: Yeah, it's 45 miles per hour and that's pretty fast for --

Man: Just in the interest of time, I just want to make sure unless -- is that something you'll be following up on? And you're contacted? All of our panelists contact information is up on screen, so if you want to follow up please do. But we want to make sure in the interest of time that we get through all the questions that we can.

0:29:12 Julie: Thank you.

Man: Sir, you have the mic.

Ronny [indistinct]: Ronny [indistinct] again. I've heard a lot of this stuff and it's all about the pile. Everybody is talking about the pile. Why don't we just reduce the pile? Now. Why can't they reduce their intake? Why does Grimm have to take it? Is it money in his pocket? Why do we have to suffer so he can fatten his pocket?

Man: Because all the other places to dump it are twice expensive.

Man: Too bad.

0:29:50 Ronny [indistinct]: Okay, here's something I ran into with my work. I had to get rid of wooden pallets. Couldn't get rid of them. So we had other miscellaneous wood and for a lack -- can't remember what company was going to take -- I was forced to landfill it. Truckloads of wood. And I wanted to know how they were going to do it. So what they did, they capped the garbage at the landfill. And they used that as a buffer to help decay the material that was going into the earth. Why couldn't they do that with this compost, instead of overwhelming Grimm's facility? Because the bottom line is, his facility isn't big enough to do what he's doing. That's the bottom line.

Man: Thank you.

[applause]

0:30:41 Ronny [indistinct]: If we can just landfill it -- and there's nothing wrong with landfilling this material, because that's where the hell it came from.

Woman: So, to address the first part of your question of when. The fire department spoke to this a little bit. They've enacted their requirements that it has to go down to 40 feet by the end of this year and 25 feet in height -- and then there's width and length requirements as well. Metro and DEQ's licenses and permits both require the facility to comply with all the rules and regulations so that is also a requirement of our licensing permits.

0:31:17 We're going to be amending them to have more specific language to support that. So that is going to be happening in the coming months. Additionally, we've got the contractor that's coming out that we've talked about. That they're going to be making recommendations to help us figure out how to do all of this moving and not continue to negatively impact folks. And then to address your question about the incoming feed stock is that we -- as I said at the top -- Metro has the responsibility for balancing the needs of the businesses and residents of the community and being responsive to those, while maintaining yard debris composting capacity within the region.

- 0:31:58 It's being picked up at the curb every week and it needs somewhere to go. We can go into more depth about the pros and cons of the landfilling. To our degree, it's a pretty in-depth conversation and I want to be able to go through some more questions and be able to address those. But I'll make sure to make a note of that, to address the pros and cons of landfilling yard debris and the other alternatives to managing yard debris in one place. In our follow up it will be on the website.
- 0:32:31 Man: Thank you. Thank you, sir. Sir, you have the mic.
- Kurt Stooder: Thank you. My name is Kurt Stooder. My question to Metro and DEQ is do we have a capacity issue with yard debris?
- Man: Regionally?
- Woman: What do you mean by that? Do you mean like, places that will accept it?
- 0:32:58 Kurt Stooder: That's correct. It sounds like there's been several facilities have closed down and so with the thousands of people that are moving to this region monthly. Able to absorb that capacity, I'm sure it has to be considered. So I'm asking -- first of all, is there a capacity issue? And if there is, what are we doing about it?
- Man: Keep going.
- 0:33:37 Audrey O'Brien: So, DEQ doesn't control flow of materials. Metro does have some full control and I don't know if looking at yard debris in feed stocks is part of that. What we would do is look at -- what we're looking forward to is the consultant results to identify improvements to make and with that impact what Grimm's is taking in. DEQ doesn't normally tell a facility how much they can take. What we try to do is make sure what they're taking they can manage appropriately. And that is something that we know we need to do more of at this facility.
- 0:34:19 Kurt Stooder: Okay. I'm thinking that could be a bit shortsighted. Again, with the thousands of people that are moving to this region-- monthly -- that capacity for compost needs to be considered so that the folks here are not being overwhelmed.
- 0:34:39 Audrey O'Brien: Right. So DEQ does absolutely support composting and we want to work with anyone who wants to initiate a new facility and start a new compost operation, and then work with the existing compost operations to make sure they can do a good job. And then we are always looking for more opportunities to work with the local governments, with Metro and other local governments -- on how they collect and manage yard debris, food waste, and other organic materials.
- 0:35:11 Woman: And I'm going to walk this direction and hand the microphone over to Matt Perott, who is the Director of Resource, Conservation, and Recycling for Metro and who can address that question a little bit in more detail.
- 0:35:23 Matt Perott: I think there was some good insights in your question. I think what we're facing, with the growing region, is a decreasing likelihood of composting capacity in the

region. So as the region grows, the population increases, we'll necessarily start to see that yard debris go to facilities that are farther away. We have some adequate capacity right now, in or right near the region, to compost the yard debris that we produce. But quite honestly I think as the region grows we won't be able to manage it in our own back yard, if you will, and we'll be sending it farther.

0:36:02 Chad Garvey: This is Chad Garvey again. I was told that there would be representatives from DEQ Air Quality tonight and I see them over there. I don't know if there's anybody else -- all right, so this is going to be directed at you and it will address the human health aspects that we've discussed or heard from tonight. So, I dug up my notes. And when I first got involved with the founders of CASE -- almost five years ago -- I prepared some information for David Monroe, who was the air quality manager at that time.

0:36:43 I pointed out that I was concerned about air quality because within ¼ mile there is a senior care facility, a senior assisted living residence, and the largest subsidized housing facility in southwest Metro area -- all within ¼ mile. And I felt that, with the inaction we were seeing with regard to air quality on the solid waster permitting side, that an air permit would really help. And so I pointed out to David at that point that there are three mechanisms by which I feel DEQ is required to issue an air permit to this facility. One is -- and this is from OAR 216 - - if facility is a -- well, if DEQ determines an air quality concern exists or whether there's a significant malodorous issue, DEQ -- if they decide that -- must issue an ACDP.

0:37:45 But more objectively, if there's ten or more tons per year of any single criteria pollutants then DEQ's required to issue an ACDP, provided that they [indistinct] that point with research I have done with states all over the U.S. where they invest in composting facilities. I took the very lowest emission factor I could find -- I didn't pad the numbers, [indistinct] is average, but at the volumes that Grimm's passes through its facility even the lowest emission factors up to about 15 tons of DOC's per year -- which is 50% higher than the level at which DEQ is required to issue an air permit.

0:38:22 If DEQ issues an air permit, Grimm's would have to look at highest and best control technology and that would significantly help. But also, with the Cleaner Air Oregon Air [indistinct] program coming, DEQ's air division is the one authority which will require all permitted facilities to do a human health risk assessment.

[applause]

Man: [indistinct] want to make sure we get to other questions --

0:38:51 Chad Garvey: So my question is, would somebody get back to me finally? I have tried David several times, never got a response from DEQ. Would somebody get back to me and explain to me the criteria by which DEQ does not issue an air permit to this facility. And if it doesn't, how it would do human health risk assessment because that program is slated to only apply to regulated facilities.

[applause]

0:39:17 Woman: [indistinct] see me with DEQ [indistinct]. Thank you very much for the question. I think the simple answer -- I'd be happy to look at the information just as you described it

and make that determination. I think many of you know we're in the midst of a rule-making called Cleaner Air Oregon, that will take into account the localized impacts of facilities that currently -- it's a much broader based impact for air permits. So my commitment to you is that we'll be happy to look at it but at this moment I can't go into all the details. So thank you.

0:39:54 Man: By my calculation, it was 25 tons.

Woman: Okay, thank you.

Man: Thank you. Ma'am, you have the mic.

Woman: I moved here from Hawaii about three years ago -- the big island -- and we all know what's happening on the big island right now. I am well aware of the problems. The toxicity there, I've nagged the DEQ a couple of times -- they were nice enough to call me back and soothe my feathers. I do have some respiratory issues since I have moved here. One word I haven't heard here tonight -- and I'm just curious -- is the word "recycle."

0:40:35 And I'm curious to know if you guys have any programs in your back pocket about recycle and what can be done with the compost. In Hawaii we compost every day. It's a way of life. We usually use the compost for gardens and we'll put it in the forest, we'll do a lot of things with it. We don't have big piles that accumulate and give off these toxins that people are struggling with right now.

0:41:09 Instead of the pile just accumulating, are there any ideas about what can be re-done -- or what can be done -- with this material, and wouldn't it be a great high school project to throw out to the kids, to say "What would you do with all this stuff?"

Woman: Thank you. I love the high school idea. So the finished products -- are you talking about the finished products?

Woman: Yeah, if it's something that has to be sold for money or can people just kind of get it and say "Well, I need to fill this or I need to do that" -- just to get rid of it?

0:41:44 Woman: It's a commodity. The business sells. They also have a very robust donation program so they do donate to quite a few schools, community gardens, Boy Scout troops, all kinds of things. Both donations, both being incoming yard debris that they'll accept those kinds of things for free from lots of groups and then also donate their finished products to a lot of groups. I know they have additional ideas for that, to as you say move them some of their finished products.

0:42:19 But I'm not sure I'm the right person to share that information yet. I think they're still developing that program and thinking about what all their options are. But they definitely do have a donation program in place and it would be great if they [indistinct].

Woman: I would just like to remind you that it is green waste and recycle is a really great word.

Man: Thank you. Sir, you are next and then you are the last. Do you want to ask your question?

0:42:52 Dan Harvey: My name is Dan Harvey. I'm a 20 year resident of the City of Tualatin and a neighbor of Grimm's. My question is to Tualatin Valley Fire & Rescue. My question is, why in 2016 did TVF&R have a secret agreement with Grimm's to have piles of 60 feet or higher? And then just recently, as of this month, make the 25 change?

0:43:21 Stephen Forster: Thank you for the question. TVF&R, we generally -- we have limited staff resources in our Fire Marshall's office and programs and so we generally don't inspect outdoor facilities, outdoor piles, that sort of thing. So we have been at Grimm's, looking at the buildings. Recently, questions came up about the piles and at that time -- I don't have the dates in front of me, my apologies. We were asked to take a look at and [indistinct] one of the fire companies that was out there on -- we've been out on several fire calls at the facility.

0:44:10 And, generally speaking, what we do is we look at buildings. And the way codes apply in buildings, for the most part is once you build your building the requirements aren't retroactive. If you build this building today, we're not going to walk in next year and make you tear down your building and redesign it to the new code. So for the most part what we experience, what we deal with are our sort of pre-existing, non-conforming rules or "grandfathering," as it's commonly called.

0:44:42 And so when staff looked at this facility that's what they essentially looked at it as. The facility had been there for a very long time, before any of the codes applies to the facility and so they essentially looked at it as sort of a grandfathering situation, similar to how we would look at it as if it were a building. That's the vast majority of what we do. That's kind of what we know. And so that was initially what we did. But then it was really only a matter of -- I believe it was a very short period of time.

0:45:15 I believe it was actually less than a few months. We were contacted by DEQ and Metro and asked if we would revisit that question -- which we promptly did. In a matter of a couple of weeks we went back. We did the regulatory review and we actually determined that that was an area that we should be applying it retroactively to the existing facility. So we corrected that. We've issued a correction notice to the facility. What we think -- from my experience of the size and the scope of the change -- is an aggressive but fair timeline to do it.

0:45:49 And so that was corrected and fixed, I think, in a very short period of time. So, thank you.

Man: Thank you. Final question from you, then.

0:46:03 Woman: Final question. Cool. Thanks, everybody. I have a really simple question. I think. I've been reading a little bit about anaerobic composting and several -- although not all of the sources that I have read -- have mentioned the fact that anaerobic composting produces VOC's and also sulfur dioxide. Do you know whether that's true or false? It's a pretty straightforward question. I think that we know how anaerobic composting works. We can look at the chemistry.

0:46:34 Woman: We're going to defer to an expert.

Man: Can you say that again? I couldn't hear it.

Woman: Thank you. I'm wondering whether anaerobic composting produces VOC's or sulfur dioxide. I've read several places that it does.

0:46:52 Bob Arrowson: I'm Bob Arrowson with the DEQ. I'm the composting program lead. Yeah. Anaerobic and aerobic composting will produce -- yeah, both of them will. VOC's can go up in the air and it's how you -- they can be mitigated through different methods. But yes, they will.

Woman: So as a follow up question it seems that we understand that VOC's and sulfur dioxide -- that you haven't mentioned -- are toxic. Is that true? Do we understand that the VOC's, that if I breathe VOC's it may be bad [indistinct] would it be bad for me?

0:47:30 Bob Arrowson: I can't answer that. I'm not an expert in that.

Woman: We don't know that they're toxic but we know that there are air pollutants that our air quality program regulates.

Woman: So, then, if we've understood this at least for the five years that everybody's talking about -- I'm not understanding why it's okay.

Woman: As Nina mentioned before, we will respond to Chad's questions about the need for an air quality permit.

Woman: So the air quality permit may be the method that can be used to sort of grab ahold of this particular aspect of things.

0:48:08 Woman: So if composting is done correctly, then that's where we would look to see that any pollutants or contaminants that are created are done so in a way that don't cause offsite impacts. So we're sort of back around to getting them to do that.

Woman: Right.

Woman: And do we all agree that that's going to happen? That we're not going to have another situation where Grimm's gets to say "I'm appealing this" and everybody goes "Oh, okay."

0:48:36 Woman: What you heard us say tonight is that we intend to work very closely together as the regulatory agencies working with the consultant to make sure Grimm's does more to address the impacts that they're having.

Woman: To the point where it's mitigating?

Woman: I'm sorry?

Woman: To the point where it is mitigated?

Woman: That's the goal.

0:48:55 Woman: We will address it to do "more" -- which is a very fuzzy word -- as opposed to we will address it to "mitigate" it. And I'm wondering whether maybe that's the word that we would all like to hear tonight. Thank you.

Man: thank you.

[applause]

0:49:18 Man: I have a quick question. According to DEQ and Metro's ruling and codes. If odor goes beyond the boundary of the facility it's a violation. Is that true? Do you believe that Grimm's is violating that rules and violations? Go ahead.

0:49:46 Woman: So Ted, that's part of the elephant in the room, I think. The performance standards that DEQ has in place minimizes off-site odors. It doesn't say that it will completely eliminate off-site odors and as Fred mentioned when we started today, you will smell some off-site odors associated with compost. The goal is to make sure that those odors are indicative of good composting and not causing unacceptable impacts.

0:50:18 Man: So would you call the whole mountain is a surrounding? I mean, we've talked about [indistinct]. Do you think that they are violating that code? Because it's not just vicinity, it's miles away. And if Grimm's is violating that rules, is it [indistinct]?

0:50:45 Woman: The violations that DEQ has identified and referred to our office for compliance and enforcement for follow up penalty calculation are not related to the offsite odors. They're related to other parts of the permit. DEQ recognizes that they need, that Grimm's needs to do more to address off-site odors. Whether that's a violation or not, we think they need to do more. We think that the operations plan and the [indistinct] utilization plan is not specifically enough to make sure that they are minimizing off-site odors.

0:51:19 So we haven't cited them for a violation. But we agree that they need to do much more and we're very excited to see what the consultant is going to recommend as well.

Man: Thank you.

Man: Thank you, everyone, tonight. We still have an update. I think Hila's going to kick us off with some of our next steps for what's coming.

0:51:44 Hila Ritter: Thank you everyone. I just want to let you know what's coming up next for Metro. I've alluded to it a little bit. We talked about it, we've got the contractor that's working on their report. They are going to be getting it to us the middle of next month and we will make it publicly available before the meeting so that you can check it out. You can read what they have to say. And then we will have the meeting again on July 19, that's going to be here in the same space.

0:52:15 The consultants will be here to present their findings and their recommendations and share them with you. I've also mentioned that the Metro license that is in place today requires compliance with all local rules and regulations. So that includes the requirements of the fire

department and we'll also be amending the Metro license to have more specific language about that going forward. So those are some of the next steps that are going to be happening very soon, from Metro's perspective. And I'll hand it over to DEQ to talk about DEQ next steps.

0:52:56 Audrey O'Brien: So I think this was mentioned earlier. DEQ intends to proceed with a modification of the Grimm's solid waste permit. We will issue a public notice and request comment and hold a hearing on that and that will be to limit the pile height as the fire department has identified down to the 25 feet, with a goal of getting to the 40 feet by the end of the year.

0:53:27 One of the things that DEQ has asked Grimm's to provide is a plan for DEQ and Metro's consultant to look at to see how Grimm's can do that in a way to keep odors down as they're making progress in reducing their piles. And then we'll participate with Metro in reviewing the report and providing feedback to Metro as well. Thank you.

0:53:53 Man: Thanks folks -- just a quick reminder for everyone. We've been diligently taking, jotting down your questions. I know you also submitted them here. But we've been taking notes of things -- some panelists said they didn't have an answer at this time, and we're committed to putting that [indistinct] some answers on the website. And all these folks are committed to following [indistinct]. And please make sure to sign in at the front desk on your way out, if you didn't sign in.

0:54:25 That way, we can follow back up with you, making the announcement when any new communications are released as well as let you all know about the July 19 event where we'll be presenting some of the findings of the study we were talking about. So I wanted to give CASE an opportunity to come back up and close us out for the evening. We appreciate being hosted in this space in your community. I want to hand it back over to our host.

0:54:54 Jeanine Wilson: I promise only to take only 3, 3½ minutes of your time. Hi, I'm Jeanine Wilson, a Tualatin resident and a member of the CASE committee. In the past month I have also served on the Metro committee to examine the future of garbage and recycling -- which includes composting -- a part of the 2030 regional plan. This was a stakeholders group and the process has additional opportunities for public input. Our subcommittee identified 50 draft actions to accomplish six goals in the Metro's plan. Tonight I want to summarize five of those actions, each of which the community scored high and they relate to a resolution of the Grimm's issue.

0:55:39 First, extend rules to require best practices that further reduce health and safety impacts of solid waste facilities on neighboring communities -- for example, in order to reduce odors. Second, research into health and safety impacts on employees, customers, and neighboring communities. Third, licensing to include input limits. To control intensity of use so as not to overwhelm the processing ability of regulated facilities. Next, environmental justice -- which points to a standard of livability for all of us to enjoy.

0:56:24 And lastly, require all solid waste facilities to have good neighbor agreements. Neighbors for Clean Air -- that's an Oregon non-profit -- they define these agreements as a process that relies on an open and transparent evaluation of emissions, rather than a more common refrain from businesses that they're doing "everything that they can." CASE looks forward to

the report on the evaluation of Grimm's Fuel and the recommendations from Green Mountain Technologies.

0:57:00 Hopefully, this will open a path for Grimm's and the community to become good neighbors. Verifiable measurements and conformance of all conditions of permits and licenses should be included in the actions of our regulatory agencies. On behalf of CASE, I want to thank Metro for hosting this public meeting and partnering with DEQ, Tualatin Valley Fire and Rescue, the County Health Department, and the City of Tualatin. Thanks to all participants for attending and sharing your concerns and ideas.

0:57:35 It is important that garbage, recycling, and composting be considered in a regional manner - not in isolation. The impacts of these important activities on our residential neighborhoods and businesses must be fairly and justly considered. Thank you.

[applause]

Man: Thanks, everyone.

[end of file]