



600 NE Grand Ave.
Portland, OR 97232-2736
oregonmetro.gov

NOTICE OF VIOLATION

NOV-445-22

To: Cynthia Rueda
Wood Waste Management, LLC
PO Box 56180
Portland, OR 97238

Violator: Wood Waste Management, LLC
7315 NE 47th Ave.
Portland, OR 97218

Operating Instrument: Metro Code Section 5.01.100(b) and Solid Waste Facility License (License) No. L-118-20

Date of Violation: June 17, 2022

Code Violation: Wood Waste Management (WWM) failed to notify Metro and submit copies of the Notice of Civil Penalty Assessment and Order Case No. WQ/SW-NWR-2021-518, that was issued to WWM by the Oregon Department of Environmental Quality (DEQ) on June 14, 2022.

License Section 8.4 states, in part, that:

"The licensee must provide Metro with a copy of any notice of violation or non-compliance, citation or any other similar enforcement action issued to the licensee by any federal, state or local government (other than Metro) related to the operation of the facility within two business days of receipt."

Metro Code Section 5.01.100(b) also requires that licensees must provide copies of any government correspondence related to the regulation of the facility to Metro.

Details of Violation: The License requires WWM to notify Metro of any enforcement actions issued to the licensee by any Federal, State or local government other than Metro and related to the operation of the facility. In July 2022, Metro learned that WWM was issued a [Notice of Civil Penalty Assessment and Order by the DEQ Water Quality Program](#). WWM did not inform Metro of the violation. Metro learned about this violation through DEQ's Office of Compliance and Enforcement website. On August 12, 2022, Metro inspector Chris Papinsick informed WWM via email that it

did not notify Metro of the violation within two business days of receipt as required by its license.

This is not the first instance that WWM has failed to inform Metro of enforcement actions in the past several years. On August 12, 2021, Metro issued Noncompliance Advisory Letter No. NAL-435-21 to WWM for failure to submit copies of two enforcement actions issued by DEQ to Metro:

- DEQ Pre-Enforcement Notice: 2021-PEN-6370 issued June 18, 2021; and
- BES Notice of Violation: NOV-21-102-39 through NOV-21-106-39 issued July 8, 2021.

On November 18, 2019, Metro issued Notice of Violation No. NOV-420-19 to WWM for failure to submit a copy of an enforcement action issued by DEQ to Metro:

- DEQ Pre-Enforcement Notice: 2019-PEN-4303 issued March 29, 2019.

Metro will continue to monitor the facility and conduct inspections to determine compliance with Metro's requirements. If WWM continues to fail to notify and submit copies to Metro, then it will be subject to additional penalties up to \$500 per violation for each day that the violation occurs. For additional information about this matter or other Metro requirements, contact Hila Ritter, Solid Waste Compliance Coordinator at hila.ritter@oregonmetro.gov.


Civil Penalty:

There is no penalty assessed at this time. Additional violations may subject WWM to escalating enforcement actions and penalties of up to \$500 for each occurrence and may result in the revision, suspension or termination of the license.

WWM must comply with all license and Metro Code requirements. The Licensee is also responsible for knowing and understanding the terms and conditions of its License.

October 18, 2022

Date

DocuSigned by:

2BC1AAFC53A7496...

Pamela C. Peck
Policy and Compliance Program Director

NOV-445-22
Wood Waste Management
Page 3 of 3

CONTESTED CASE NOTICE

Under Metro Code Chapter 2.05, you have the right to request a contested case hearing regarding this Notice of Violation. You must make this request in writing to the attention of Hila Ritter, Solid Waste Compliance Coordinator at hila.ritter@oregonmetro.gov, and ensure that Metro receives the request within 30 days of the date this Notice was mailed. You may retain legal counsel to represent you at the hearing. Article XI, Section 14 of the Oregon Constitution, the Metro Charter, ORS Chapter 268, and Metro Code Chapter 2.05 and 5.05 provide Metro's authority and jurisdiction for the hearing.

cc: Warren Johnson, Hila Ritter & Chris Papinsick, Metro
Audrey O'Brien, Oregon DEQ
