

Solid Waste Facility License Application



Metro

600 NE Grand Ave.
Portland, OR 97232
503-797-1835

INSTRUCTIONS

For Metro Use Only	
Date received:	7/25/23
Date deemed complete by Metro	8/14/23

1. Complete all applicable parts of application.
2. Review confidentiality section and sign last page of application.
3. Attach required documents. *(If submitting printed copies, please print double-sided.)*
4. Submit application, attachments and application fee using one of the following methods:
 - a. **Online:**
 - Email the completed application to SWICC@oregonmetro.gov. Contact Joanna Dyer for assistance with large files (contact information below).
 - Call Metro's Accounts Receivable at 503-797-1620 to pay the application fee by credit card.

- b. **By Mail:** Mail the completed application and a check for the application fee to:

Metro
Waste Prevention and Environmental Services
Attn: Joanna Dyer
600 NE Grand Avenue
Portland, OR 97232-2736

Questions? Contact Joanna Dyer, Metro's Solid Waste Authorization Coordinator, at 971-401-0976 or joanna.dyer@oregonmetro.gov.

PART 1 – Standard License Application Information

1. Applicant (Licensee)	
Facility Name:	Grimm's Fuel Company, Inc.
Company Name:	Grimm's Fuel Company, Inc.
Facility Street Address, City, State, Zip:	18850 SW Cipole Rd. Tualatin, OR 97062
Facility Mailing Address, City, State, Zip:	18850 SW Cipole Rd. Tualatin, OR 97062
Contact Person & Title:	Jeff Grimm, General Manager
Phone Number:	503-636-3623
E-mail Address:	jefgfc@teleport.com

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2. Type of Application (please check one)		
<input type="checkbox"/>	New license <i>Date of Pre-Application Conference: _____</i>	
<input checked="" type="checkbox"/>	Renewal of an existing license	Current Metro Solid Waste Facility License Number: L-043-19
<input type="checkbox"/>	Change of authorization to an existing license (other than a renewal) <i>Please describe the proposed change below in Section 4.</i>	
<input type="checkbox"/>	Transfer of ownership or control of an existing license	

3. Type of facility (please check one)	
<input type="checkbox"/>	Non-putrescible (dry) waste material recovery facility
<input type="checkbox"/>	Source-separated recyclable material recovery facility
<input type="checkbox"/>	Source-separated food waste reload facility
<input type="checkbox"/>	Yard debris reload facility
<input checked="" type="checkbox"/>	Yard debris composting facility
<input type="checkbox"/>	Other solid waste reload or processing facility

<p>4. If seeking a change of authorization to an existing license, please explain the proposed change below (attach additional pages if necessary). Complete all remaining sections of this form as they pertain to the request.</p>

5. Applicant's Owner or Parent Company (Provide information for all owners and corporate structure if applicable)	
Company Name:	
Mailing Address, City, State, Zip:	
Contact Person & Title:	
Phone Number:	
E-mail Address:	

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6. Site Operator (if different from Applicant)	
Company Name:	
Mailing Address, City, State, Zip:	
Contact Person & Title:	
Phone Number:	
E-mail Address:	

7. Site Description			
Tax Lot(s):1800 & 1900	Section:25	Township:1W	Range:219

8. Land Use		
Present Land Use Zone:		
Is proposed use permitted outright?	<input type="checkbox"/> Yes If yes, attach a copy of the <i>Land Use Compatibility Statement</i> (See Attachment D).	<input checked="" type="checkbox"/> No
Is a conditional use permit necessary for the facility?	<input checked="" type="checkbox"/> Yes If yes, attach a copy of the <i>Conditional Use Permit</i> (See Attachment F)	<input type="checkbox"/> No
Are there any land use issues presently pending with the site?	<input type="checkbox"/> Yes If yes, please explain the land use issues below.	<input checked="" type="checkbox"/> No
Description of the pending land use issues identified above:		
Are any permits required from the Oregon Department of Environmental Quality (DEQ)?	<input checked="" type="checkbox"/> Yes If yes, please list all DEQ permits below and attach copies with this application (see Attachment F).	<input type="checkbox"/> No
Listing of all required DEQ permits:	1.) NPDES Permit #1200-Z 2.) Solid Waste Disposal Site Permit: Composting Facility #1433 3.) Underground Storage Tank: Certificate #34-3925-2023-OPER	
Are any other local permits or building codes required?	<input type="checkbox"/> Yes If yes, please list all other required permits below and attach copies with this application (see Attachment F).	<input checked="" type="checkbox"/> No

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Listing of other required permits:	
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9. Land Owner		
Is the applicant the sole owner of the property on which the facility is located?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No If no, please complete this section with additional pages if necessary and attach a completed <i>Property Use Consent Form</i> (see Attachment E).
Property Owner:	Grimm Brothers, LLC	
Mailing Address, City, State, Zip:	18850 SW Cipole Rd. Tualatin, Or 97070	
Phone Number:	503-636-3623	
E-mail Address:	jefgfc@teleport.com	

10. Public/Commercial Operations		
Will the facility be open to the public (e.g., non-commercial self-haul customers)?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Will the facility be open to non-affiliated commercial solid waste collectors?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Will the facility accept waste from outside the boundary of Metro?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

11. Operating Hours and Traffic Volume			
	Public (non-commercial self-haul)	Commercial Affiliated	Commercial Non-Affiliated
Operating Hours	7am-5pm	7am-5pm	7am-5pm
Customer Hours (if different)			
Estimated Vehicles Per Day	150	0	0

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12. Inbound Waste/Feedstock by Type

Identify the types of waste/feedstock and annual tonnage amounts that the applicant expects to receive at the facility. Also, identify how the applicant will manage each waste stream, the expected tip fees that the applicant will post at the facility, and the length of time required to process each waste stream (attach additional pages if necessary).

Waste/Feedstock Type	Accepted at Facility	Expected Annual Tonnage Amount	Type of Activity to be Performed on Waste	Expected Tip Fee (per Ton)	Estimate the maximum and typical lengths of time required to process each day's receipt of each waste/feedstock type
Source-Separated Wood:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Source-Separated Yard Debris:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	65,000	Composted	\$35	24 hours
Source-Separated Yard Debris Combined with Residential Food Waste:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Source-Separated Commercial and Other Food Waste:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Inerts (e.g., rock, concrete, etc.):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Non-Putrescible (dry) Waste:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Source-Separated Recyclables:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Special Wastes (please specify):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Petroleum Contaminated Soil:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Putrescible (wet) waste:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Other Waste/Feedstocks (please specify):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Other Waste/Feedstocks (please specify):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				

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13. Inbound Waste/Feedstock by Generator

Identify the generator type and the expected annual tonnage of waste/feedstock that the facility will receive and recover from each type. Add additional rows if necessary.

Generator Type*	Tons Received**	Tons Recovered**	Tons Residual**
Residential	27,625	27,625	0
Landscape Contractor	27,625	27,625	0
Land Clearing	3,250	3,250	0
Stable Bedding	6,500	6,500	0
TOTAL TONS:	65,000	65,000	0

* Example: commercial, residential, self-haul, etc.

** Tons received = tons recovered + tons residual

14. Outbound Waste and Materials

List the expected destination and amount of each type of outbound solid waste and materials that the applicant expects to transport from the facility (attach additional pages if necessary).

Destination Site (Name and address)	Waste/ Material Type	Expected Annual Tonnage	Purpose Of Delivery*
Many	Yard Debris Compost	65,000	Landscape

*Example: disposal, recovery, land reclamation, beneficial use, etc.

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15. Subcontractors

Provide the name, address and function of all subcontractors involved in the facility operations, if applicable (this does not include janitorial staff):

Name	Address	Function

PART 2 – Standard Attachments to License Application

New License, License Renewal and Change of Authorization

- The applicant must provide a current version of all of the following attachments with each application unless otherwise directed by Metro.
- The applicant must clearly label each attachment submitted as part of the application. A description of each attachment is provided in Appendix A.

Check if included	Attachment
<input type="checkbox"/>	Attachment A: Site Plan
<input type="checkbox"/>	Attachment B: Operating Plan
<input type="checkbox"/>	Attachment C: Proof of Insurance
<input type="checkbox"/>	Attachment D: Land Use Compatibility Statement (LUCS)
<input type="checkbox"/>	Attachment E: Property Use Consent Form (This form is not necessary if the property is solely owed by the applicant)
<input type="checkbox"/>	Attachment F: Required Permits
<input type="checkbox"/>	Attachment G: Facility Design Plan (NEW CONSTRUCTION ONLY)

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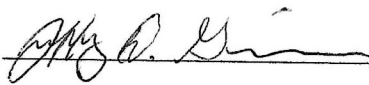
PUBLIC NOTICE AND CONFIDENTIAL INFORMATION

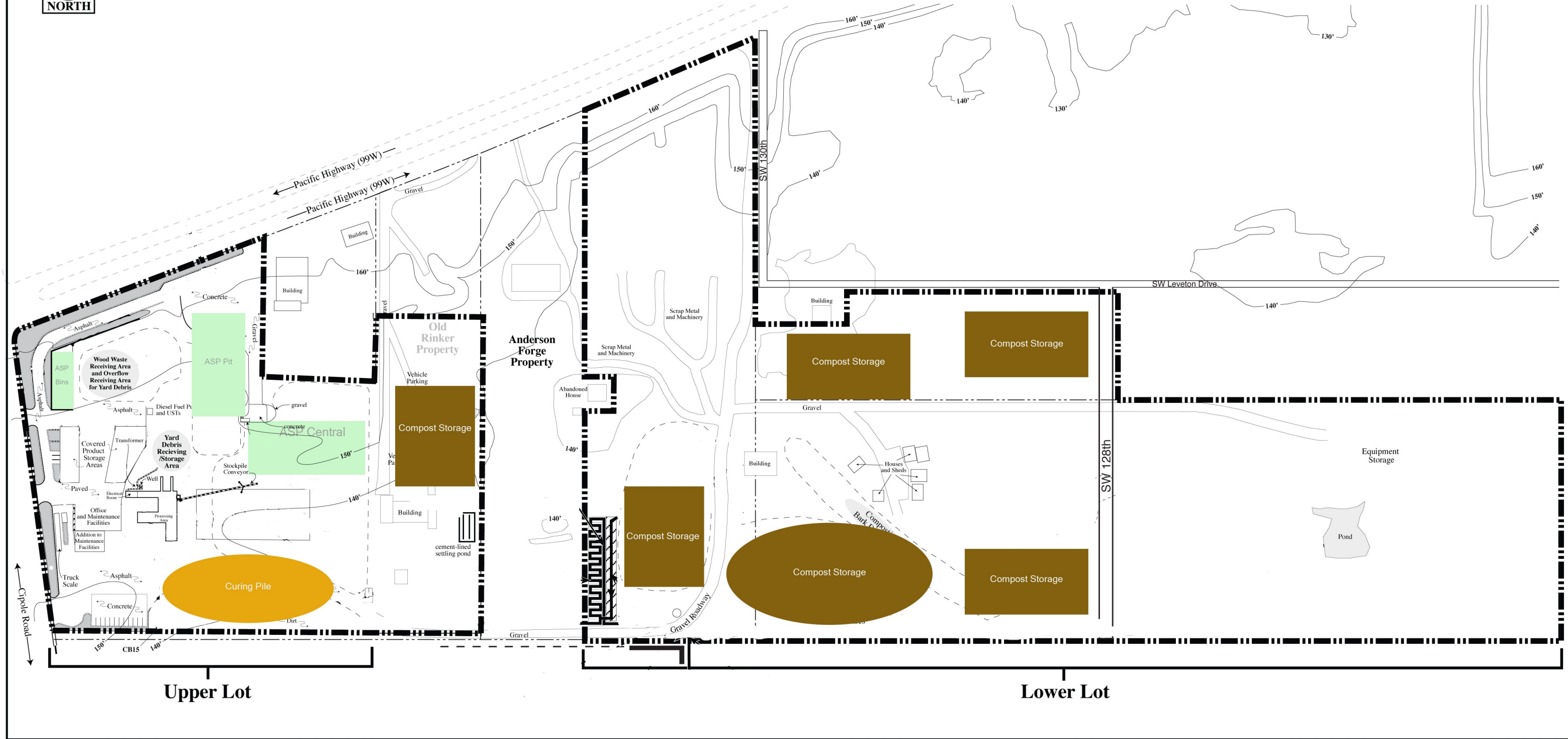
- This application and all of the supporting documentation that the applicant provides is subject to Metro's public notice procedures. Metro will notify and provide the public with an opportunity to review and comment on the proposed application. The public notice may include, but is not limited to, posting the complete application on Metro's website.
- The applicant may identify as confidential any reports, books, records, maps, plans, income tax returns, financial statements, contracts and other similar written materials of the applicant that are directly related to the proposed application and that are submitted to or reviewed by Metro. The applicant must prominently mark any information that it claims confidential with the mark "CONFIDENTIAL" before submitting the information to Metro. Subject to the limitations and requirements of ORS Chapter 192 (public records law) and other applicable laws, Metro will treat as confidential any information so marked and will make a good faith effort to not disclose that information unless Metro's refusal to disclose the information would be contrary to applicable Oregon law.
- These conditions do not limit the use of any information submitted to or reviewed by Metro for regulatory purposes or in any enforcement proceeding. In addition, Metro may share any confidential information with representatives of other governmental agencies provided that, consistent with Oregon law, those representatives agree to continue to treat the information as confidential and make good faith efforts to not disclose the information.

APPLICANT CERTIFICATION

An authorized agent of the applicant must sign this application. Metro will not accept an application without a signature.

I certify that the information contained in this application is true and correct to the best of my knowledge. I agree to notify Metro within 10 days of any change in the information submitted as a part of this application.

Signature of authorized agent  Date 7/26/2023
Print name Jeffrey D. Grimm
Title G.M.
Email jeffgfc@teleport.com Phone 503-636-3623



ROGER N. SMITH ASSOCIATES, INC.
Groundwater and Environmental Consultants



SURFACE COVERAGE	
(Areas are approximate. Adapted from Nicolli Engineering 1995 Site Plan)	
Upper Lot	Lower Lot
Total Site Area.....	Total Area.....37.2 Acres
Total Landscaping.....	Undeveloped Area.....33.6 Acres
Office and Maintenance Building Roofs.....	Materials Storage and Gravel Surfaces.....3.4 Acres
Paved Surfaces.....	Building Roofs.....0.2 Acres
Materials Storage and Gravel Surfaces.....	

LEGEND	
	Property Boundary
	City Street
	Landscaped Area
	Catch Basin
	Sediment Basin
	Areas Important To Stormwater Pollution Control
	Drainage Line With Flow Direction Arrow

Scale: 1 inch = 200'

Site Map of the Grimm's Fuel Co.
18850 SW Cipole Road, Tualatin
(Upper and Lower Lots)

Map Adapted From: Nicolli Engineering; 1995 Site Development Plan, Washington Co. Tax Lot Data and Aerial Photos; 1994 & 2003

Figure 2

Project Number:
96-441

Drawn By:
Steven Dopp

Date Last Modified:
February 20, 2012



The primary product of the Grimm's Fuel Company (GFC) recycling center is organic [compost using the aerated static pile \(ASP\) method of composting](#). The source of raw materials for this product is predominantly yard debris delivered by refuse haulers, landscapers and the public. The facility also takes in incidental quantities of pre-consumer vegetative food waste, stable manure and land clearing debris as well as inert materials such as clean concrete, rock and dirt for processing and reuse.

Purpose:

The purpose of this plan is to outline procedures and provide a general framework for the operation of GFC's Tualatin composting facility.

Plan Compliance:

GFC shall, at all times, operate the facility in accordance within all federal, state, regional or local government law, rule, regulation, ordinance, order or permit and our operating plan. Deviation from the plan shall be reported as soon as reasonably possible.

Plan Maintenance:

This operating plan shall be periodically updated to reflect changes in the operations of the facility. Any substantive revisions in the operating procedures shall be submitted to the appropriate parties prior to implementation.

Access to operating plan:

A copy of the operating plan shall be maintained at the facility and shall be available for reference upon request.

Facility Background Information:

GFC, was founded in 1929. In the 1960s, GFC diversified into the distribution of landscape supplies such as barkdust and rotted sawdust. In 1980, GFC began processing organic wastes such as yard debris, land-clearing debris, manure, and pre-consumer vegetative food waste into high-quality landscape products, such as garden [compost](#), blended soil and other soil amendments. With the "Opportunity to Recycle Act" of 1983, Oregon confirmed that GFC and others were a vital resource in landfill diversion.

Site Information:

The GFC composting facility is located at 18850 SW Cipole Rd. in Tualatin, Oregon. The site lies along the south side of Highway 99W approximately ½ mile south of the Tualatin River within the city limits of Tualatin, Oregon. The facility, covering a total land area of about forty-seven acres, is comprised of six separate parcels, referred to herein as the upper and lower lots. The upper lots (1800,1900) cover approximately twelve acres and are the site of the composting operation. These parcels also contain company offices, parking, mulch, barkdust, rock, soil, firewood storage areas, as well as the facility maintenance shop and underground storage tanks. The lower lots are approximately thirty-five acres (2190, 2100, 2202, 2102) and are mostly unpaved and unimproved. Portions of the lower lots are used for the storage of barkdust and finished compost.

Product End Use:

Compost from the GFC facility is sold to commercial and residential consumers. Compost is also blended with other products, such as soil, bark or manure for other applications.

Adequate vehicle accommodation:

GFC handles many vehicles each day and care is taken to make sure that traffic does not block ingress and egress driveways. At such times that vehicle traffic flow may block our driveways, office staff will create a queuing lane

in our parking lot with cones. We have a typical capacity of 540' of off-street [queuing](#) and can easily expand that to 1,500 ft off-street if it were required, Figure 1, pg 11.

Procedures for inspecting loads:

Signs at the entrance to the facility and on [portable](#) drop boxes notify customers, which materials are acceptable and which materials are unacceptable.

No unauthorized wastes are accepted at the facility. Every load is visually inspected as it enters the facility at the scale house. Scalehouse personnel utilize cameras placed above the scale house to assist in their inspection. In the receiving area, the spotters along with the loader operators, further monitor for unauthorized material and direct traffic during the busy times.

Our facility is currently licensed to accept Type 1 and 2 feedstocks. We are currently accepting the following materials:

- Yard Debris
- Land clearing debris
- Inert material, concrete or rock
- Incidental quantities of manure and pre-consumer vegetative waste

Procedures for managing unauthorized material:

Any loads with hazardous or unauthorized materials discovered at the scalehouse are refused and directed to the appropriate facility. All loads are subsequently inspected by the spotter, loader and plant operators working in the tipping area for unauthorized material. If unauthorized material is discovered in the receiving area it is reloaded onto the customers vehicle. Customers with incidental quantities of non-compostables, such as plastic bags, are instructed to deposit these materials into one of two garbage dumpsters located adjacent to the receiving area. The area's franchise garbage hauler empties the dumpsters weekly.

Storing authorized material and solid waste:

All material is stored in the receiving area prior to processing and material is processed on a regular basis to avoid the accumulation of large amounts of materials or odorous conditions in the receiving area. Shear material, logs and stumps, are stored in the north end of the receiving area and used as a bulking agent to the yard debris when necessary.

Processing authorized material:

Once yard debris has been received, it is moved from the tipping area by front-end loaders or track hoes to the processing plant or portable grinders. Malodorous material will be processed or covered immediately. The goal is to have all yard debris on the tipping floor processed within 24 hours. Grass clippings are aerated and mixed with woody debris. The mix is processed as soon as possible. Once aerated and processed, any odor from grass clippings and other malodorous loads quickly dissipates.

Our primary production grinder ("A" hog) consists of a Jeffery Swing Hammer Hog powered by two 600hp electric motors. The hog is efficient, non-polluting and quiet in operation. We have two mobile grinders that we use for additional grinding capacity, a Peterson 4710 and a Smoracy 3680 [for backup](#).

Material for the composting process is ground by the "A" hog or by the Peterson 4710 and moved to the ASP zones by wheel loaders. Wheel loaders are the primary equipment for the movement of all composting material onsite.

Overview of Aerated Static Pile (ASP) Composting:

The yard debris is initially ground into a coarse consistency (6" minus). Wheel loaders are used to place the prepared material into the ASP composting zones and to position bio-cover of finished compost or "overs" from the screens. The bio-cover is applied with blower trucks or track hoes if required. The material is aerated with either positive or negative pressure and left undisturbed for a minimum of 15 days. It is then turned with wheel loaders and/or track hoes, re-watered and re-covered for an additional 15 days to make sure both the inside and outside of the pile undergoes pathogen reduction.

ASP feedstock will be composted between 30 and 45 days before it is ready for the screening process. Material ready for screening will be moved by wheel loaders and track hoes to the trommel. Finished material goes to the curing piles and "overs" from the screen will be mixed with the green waste or used as bio-cover for the ASP piles.

Performance Requirements – Aerated Static Pile (ASP):

Aerated Composting System:

GFC uses the ASP process of composting utilizing either positive or negative aeration methods, adding moisture, mixing feedstocks, manipulating compost piles and performing procedures to achieve pathogen reduction. The ASP system consists of 19 zones. Three smaller zones (10-15% of total capacity) are positive air process only. The two larger ASP slabs (16 zones) have a reversing aeration system. A bio-filter is integral with the 16 zones to help minimize the processing odors in negative flow. The aeration systems will rely on the WebMACS automated process controllers from Green Mountain Technology.

ASP composting operations:

The ground material for the ASP zones will have a maximum height of 14-feet including the bio-covers. Attention will be paid to maintain a proper bulk density of 800-1,000 lbs/yd³ and moisture content of 40-60% during the construction of a new ASP composting zone. The completed zone may be covered by 4-6 inches of finished compost depending on the time of year and odor potential of the materials. ~~or compost overs as required by the Metro license. An application to use the industry standard of 4-6 inches of finished compost will be made after appropriate testing to allow the new system to reach the designed processing capacity.~~

Temperature and Oxygen regulation:

WebMACS, the ASP control system, has been designed to provide a minimum aeration of 10% percent oxygen content to all of the active composting zones and to maintain temperatures between 120° F to 150° F. The temperature levels will be continuously monitored and recorded by WebMACS temperature probes and oxygen levels in the active zones will be checked from a randomly selected zone on a ~~daily~~ weekly basis. Pathogen reduction will be performed for each composting zone. Records of the temperature and oxygen levels in the active zones will be kept onsite and available upon request.

Moisture regulation:

The aerobic active composting piles require a moisture range of 40-65%. Initial ASP piles will be formulated with a target to be at the higher end of the range to allow for the expected 2% weekly moisture loss. Moisture testing will be performed by the "squeeze test" or a hydrometer calibrated by the thermogravimetric method. Moisture content will be recorded for each zone on Day 1 during construction and deconstruction on Day 15. This applies to the initial zone as well as the secondary zone that is taken to the screening process.

Cover material:

GFC will primarily use finished compost as a bio-cover that will be applied and maintained by our blower trucks. Alternatives would be to use compost overs collected from the screening process and applied with loaders, track hoes or stacking conveyors.

Bulk density:

For best outcomes, the aerobic active composting piles will be maintained within the range of 800-1,000 lbs/ft³. Fresh ground yard debris will be periodically checked for weight across our scale. If weights exceed the range additional bulking agents (woody shear material will be mixed in to achieve a proper bulk density).

Pathogen Reduction: To achieve pathogen reduction, the yard debris must reach a minimum temperature of 131° and must be maintained for a minimum of 3 days. Finished compost is tested for fecal coliform and salmonella at monthly in accordance with the US Composting Council's Seal of Testing Assurance Program guidelines.

Temperature and Oxygen Anomalies:

If for some reason the active composting pile fails to maintain or achieve optimal temperature or oxygen conditions the pile will be re-checked for proper moisture and density. Remedies include a periodic course of short burst air pressurization (puffing) or unloading and remixing of bin material. If we have to remake a pile, a log will be kept the action including date, time, and the reason for the disturbance.

Screening Process:

The composted material goes through the screening process in either the "A" screen or "B" screen where it is screened to a size of 5/8" minus. Material too large to pass through the screen will be conveyed back to the composting pile to inoculate fresh ground material or used as bio-cover. Air over the screens is captured as much as practical and processed through a bio-filter for odor reduction. Compost recovered from the screens is moved to a curing pile for 15 to 30 days and then to the finished goods storage area or sold directly to customers.

Curing Piles:

Freshly screened compost is moved to a nearby area and held between 15 and 30 days before moving to one of the finished goods locations. Maturity is periodically measured using the Solvita Respiration Test System. GFC compost is tested monthly to meet the US Composting Council Seal of Testing Assurance Program specifications.

Finished compost piles:

Finished goods are stored in various locations on the property as indicated on Figure 2, pg 11. Compost is produced 12 months per year, yet most compost sales occur during the 3 month period between April and June. Seasonal market conditions dictate holding times and product sales, most all compost sold is a minimum of 6 to 9 months old.

Managing stock piles:

GFC will follow the Oregon Fire Code requirements of Section 2808 including, but not limited to, site access and pile size requirements. GFC will maintain the Oregon Metro 14' ASP height for ASP composting zones.

Stormwater and leachate control:

Care is taken to separate and manage stormwater runoff and leachate from composting material. GFC maintains an adequate network of drains and control structures to accomplish this task. The vast majority of any leachate produced is returned to the compost piles to balance moisture loss. In the unlikely event that leachate must be discharged from the facility it is directed to the sanitary sewer per agreement with Clean Water Services.

Stormwater from the facility is managed in compliance with GFC's National Pollutant Discharge Elimination System ("NPDES") Storm Water Permit, General Permit 1200-Z. Pursuant to the NPDES permit, the facility has generated a Storm Water Pollution Control Plan ("SWPCP"). The SWPCP requires GFC to maintain Best

Management Practices (“BMPs”) to minimize stormwater discharges from the facility. These BMPs are summarized in bullet points below. The facility has implemented an active stormwater recycling program to reduce its stormwater discharges. The facility generally recycles all of its stormwater from March through October. GFC also incorporates an ongoing employee awareness program to assist with the proper operation and monitoring of stormwater pollution control measures.

Stormwater control measures in place at the GFC facility include twenty-one catch basins, sixteen of which are on the upper portion of the property (Figure 3, pg 12: Stormwater Treatment Map). All of the catch basins on the upper lot drain into a baffled settling tank that consists of two halves of a large underground storage tank modified for this purpose. During low flow periods, generally March through October, water is recycled from this tank and applied to the compost pile. This settling tank is equipped with a baffle system that removes oil residue and floating solids from the water before it flows to the bio-filtration area.

After leaving the primary settling tank, all stormwater from the upper lot flows east through a pipe, under two adjacent property lots, and into a secondary stormwater treatment area (Figure 3, pg 14, Item 2). Here, the water enters a concrete-lined settling pond where it meanders through a series of switchbacks and rock-check dams to remove additional sedimentation. The water is then directed into a serpentine vegetated passage designed to slow flow and remove remaining suspended solids. Stormwater exits this area into a tertiary bio-filtration swale (Figure 3, Item 3) consisting of a wide, shallow ditch heavily vegetated with cattails and other hydrophytic vegetation designed to further filter the water leaving the GFC facility. Finally, the water flows through a culvert under the access road on the southern edge of the property. Here, all water exits the GFC property to the south. The point where the surface water leaves the property is where stormwater discharge samples are collected in accordance with the SWPCP (Figure 3, Item 4).

Stormwater from the lower lot is either captured in the network of five basins and enters the treatment system at the head of the concrete-lined settling pond or flows over a grassy field and through a series of compost berms before entering the ditch along the south side of the property where it flows west to the property discharge point described in the previous paragraph.

Summary of Existing BMPs for Stormwater

- Hard surfaces are swept regularly with an onsite street sweeper to remove fine particulates.
- Stormwater from the northern part of the upper lot is diverted away from materials that could adversely impact runoff, including the fueling area and material storage area.
- The upper lot has a catch-basin/sediment-trap system. There are sixteen catch basins on the upper lot and five on the lower lot. These catch basins and their traps are checked and cleaned regularly (Figure 3).
- Each catch basin has a mesh screen which acts as a filter. Catch basins and their filters are cleaned regularly to remove sediments and debris.
- All sixteen catch basins on the upper lot drain into two primary settling tanks that have a combined capacity of approximately 40,000 gallons (Figure 3, Item 1). These tanks allow suspended solids to settle, and floating hydrocarbons to rise to the surface. These two tanks are large underground storage tanks that have been cut in half and modified for this purpose. The baffles keep the floating solids and hydrocarbons in the upper section of the tanks and allow the heavier suspended solids to settle at the bottom of the tank. A gooseneck at the discharge pipe prevents any remaining floating materials from exiting the tank. The tanks are checked regularly for sedimentation buildup and cleaned as needed.
- All stormwater from the upper lot is recycled during low flow months, typically March through October. A high-volume pump draws stormwater from the above-referenced settling tank and distributes it onto the active compost pile.
- During the rainy season, stormwater flows from the primary settling tank through a secondary concrete-lined settling pond in a serpentine path (Figure 3, Item 2). Rock-check dams are placed throughout the concrete pond to reduce water flow velocity, allowing additional sediments to settle out. This secondary settling pond is cleaned out annually, or as needed.

- Stormwater flows from the secondary settling pond into a tertiary bio-filtration channel (Figure 3, Item 3) consisting of a wide, shallow ditch thickly planted with cattails, grasses and other wetland vegetation designed to further filter out suspended solids and other possible contaminants. The water then flows from the bio-filtration system through a culvert under the access road on the southern edge of the property to the point where it joins water flowing off the lower lot. Here, all water exits the GFC property to the south.
- All water on the lower lot is either captured in a network of five catch basins and enters the treatment system at the head of the secondary concrete-lined settling pond, or flows over a grassy field and through a series of compost filter berms before entering the ditch along the south side of the property, where it flows west to the property discharge point described above.
- Unpaved portions of the site not in use are vegetated with a mixture of native grasses and vegetation that can absorb contaminants and trap sediments.
- Vegetated swales with compost filters are used at various locations throughout the lower lot to slow the migration of water and to help capture sediments and contamination.
- All fuels, lubricants, chemicals and similar items are stored within secondary containment and under cover when appropriate.
- Spills are absorbed with available materials and swept up, immediately, to prevent contaminants from entering the stormwater conveyance system.
- Trucks, loaders and other equipment are maintained regularly to prevent fluid leaks. Vehicle and equipment repair and maintenance are performed inside or under a covered area, whenever possible.
- Compost piles are managed to minimize tracking by loaders and vehicular traffic.
- Paddlewheel style aerators may be deployed at key locations throughout the treatment train to improve dissolved oxygen and reduce iron and phosphorus.

Protection of Groundwater (OAR 340-096-0090(5)(b))

Screening Results: DEQ has screened the GFC facility as a “potential risk to Groundwater” due to insufficient stormwater/leachate data available.

Summary of Existing BMPs for Groundwater

- Ground green waste is placed in ASP piles for composting. The large piles routinely reach temperatures between 135-165° F. Rainfall contacting these piles is absorbed by the pile and dissipated as steam. Any water collected from the ASP piles is directed to our storage tank and recycled onto the composting piles.
- Stormwater from the receiving area is diverted away from the other stormwater and is recycled, whenever possible.
- All parking, loading and drive areas are impervious, thus preventing stormwater in these areas from infiltrating.
- The above BMPs aid in the protection of groundwater.

Spontaneous combustion:

Spontaneous combustion events are not anticipated when composting with the ASP process. This is due to the low height of the ASP zones and the automated temperature control by the WebMACS system. The ASP zones are equipped with a sprinkler system. We have never had a spontaneous combustion event in any of our finished goods stockpiles and fire prevention measures include fire breaks between finished goods. Spontaneous combustion occurring in the finished goods materials would be easily extinguished by breaking up the heat mass using a bulldozer or track hoe. Hot spots would be dug out using track hoes and water applied using our fire truck. Fire hydrants are located along Cipole Rd. and Hwy 99W. During fire season, the facility is patrolled at night by one of two watchmen who live on the premises.

Dust Prevention and Control:

Hard surfacing is the key to dust control. Currently over 4.5 acres of the facility are hard surfaces which includes all of the receiving and processing areas. Other dust control measures include using water trucks for wetting drive areas and sweeping all impervious surfaces on an as need basis. When necessary, water is added at the in-feed conveyor to minimize dust during grinding. We stop processing when it becomes so windy that dust has the potential of blowing off of the premises. Any dust complaints are recorded on the complaint documentation form.

Odor minimization plan:

Odors are minimized through certain material handling techniques and the ASP process which maximize oxygen in the composting zones. The yard debris is aerated as it is received and is processed daily, thus avoiding malodorous materials at the receiving area. The only weather condition which adversely affects our ability to process inbound material are prolonged cold spells with temperatures below 20° F. Typically, during these cold spells very little yard debris is received.

If an odor complaint is received, our operators will promptly investigate the source and cause of the odor and, to the extent feasible, will manage and control the cause of the odor giving rise to the complaint if it is determined the source is from the facility. Operators will also evaluate other actions that may reduce odors from the same or similar causes in the future. Any steps identified to reduce the odor will be noted on the Complaint Documentation Form and registered in the facility complaint log.

Grass clippings are aerated and mixed with woody debris and processed as soon as possible. Manure will be processed or covered immediately. Yard debris is watered and initially ground into a very coarse consistency to promote space in the pile (6 inch minus for the ASP piles). Woody debris and land clearing material provides a readily available source of bulking agent for malodorous loads. Sawdust and shavings are also available on site if needed.

During summer months water is often added as material is processed to control dust and increase moisture to optimize composting conditions. Moisture is added to the ASP zones, as needed using our leachate return system or our fire/water truck.

The ASP process, oxygen, moisture, ~~bio-cover~~ and non-disturbance during the active composting cycles are key to minimizing facility odors.

Noise Disturbances:

GFC does not have any extraordinary sources of noise and any complaints will be investigated promptly.

Vector Control:

Vectors have not been an issue at this facility as there are no major attractants in the accepted waste and the pile temperatures discourage any nesting. Should an unforeseen problem arise we will take corrective action.

Procedures for nuisance complaints:

All complaints are recorded on the Complaint Documentation Form. This form documents all pertinent information including the nature of the complaint, date, weather conditions and the name, address and phone number of the complainant. The form also includes findings from the investigation of the complaint and actions taken. Attempts will be made to respond to that complainant within one business day, or sooner. Metro and DEQ will be notified when complaints are received from five different business and/or individuals for the same odor event within one week, or if an odor event lasts longer than 24 hours without resolution or mitigation. Once the cause has been identified, all possible measures are taken to rectify the problem. Completed forms and/or data will be maintained for a period of not less than five years.

Housekeeping:

Access roads on to and out of the property are watered and swept on a regular basis. Offsite roads are be checked for yard debris from improperly tarped loads.

Oil and Hazardous Material: Any spill of oil or hazardous material will be cleaned up immediately. All drivers and yard employees are trained to follow the Grimm's Hazardous Material Spill Response Directive, attached below. If the spill is of a reportable quantity, DEQ as well as the Oregon Emergency Response System will be notified.

Procedures for emergencies:

In case of a fire, employees shall immediately call for help using their radio or Nextel phone. Managers and office staff are always available for guidance. Under no circumstances shall an employee attempt to fight a fire without assistance. Every employee who receives the call for assistance shall immediately grab a fire extinguisher and proceed to the scene of the fire. All equipment shall be furnished with an operable fire extinguisher. Some machines are equipped with an automatic on-board fire suppression system. The manual override should be engaged in the fire gets out of control.

The acting supervisor shall dispatch the company fire truck to the scene of the fire and begin fire-fighting efforts. Never add water to an electrical fire. The fire truck shall be placed on standby to prevent the spread of the fire. If the fire cannot be contained and extinguished by company personnel, then the acting supervisor shall immediately call 911 for assistance. An employee shall meet the fire department at the entrance to the facility and direct them to the scene of the fire. GFC will notify the DEQ anytime there is a fire that produces visible flames or anytime the fire department responds to a call and makes an effort with water or foam to extinguish the fire.

Qualified operators:

Facility personnel, as relevant to their job duties and responsibilities, must be familiar with the relevant provisions of the license and the relevant procedures contained within the facility's operating plan.

A qualified operator must be an employee of the facility with training and authority to reject prohibited waste that is discovered during load checks and to properly manage prohibited waste that is inadvertently received.

GFC regularly send personnel to US Composting Council training programs and currently has three employees who hold the Certified Compost Operations Manager certificate (CCOM). Training records for all operators are kept on site.

Procedures for unusual occurrences:

Unusual events are handled on a case by case basis. All managers and drivers are available to respond to events via the Nextel phones. Plant and equipment operators at our facility are linked via MURS radios. GFC managers are either onsite or nearby 24 hours of each day.

Recordkeeping:

All records of incoming material, composting performance data, compost quality testing, complaints, unusual occurrences, etc. will be kept either electronic or printed format for a period of not less than five years.

Notifications:

Should GFC receive a notice of violation or non-compliance, citation or other enforcement action from any federal, state, local government or other regulating authority, as related to the composting operation, the notice will be transmitted to Metro or DEQ as soon as practical.

Yard Debris and Material Recovery Closure protocol:

In the unlikely event of a short-term cessation of operations, GFC shall give Metro and DEQ written notice prior to discontinuing the acceptance of waste materials. GFC shall notify the public by placing signage at the entrance to the facility and direct customers to the nearest facility along with a target date for the continuation of normal operations. Notification will also be placed on the company website.

In the event of a long-term cessation of operations, GFC shall give no less than 90 days notice written notice to Metro and no less than 1 year written notice to DEQ prior to discontinuing the acceptance of waste materials. Composting activities shall end within 12 months thereafter.

Finished compost inventory shall be sold as the markets allow. If compost cannot be sold due to contaminants it will be removed to an approved disposal site.

An environmental assessment will be conducted to assess the impacts of site operation closure to soil and groundwater. If the assessment indicates impacts, soil and groundwater samples will be collected for analysis.

Financial assurance:

Waste materials are processed as received and become saleable products – compost, and soil amendments. The facility would continue to produce revenue for a period of time even if closed. Under no circumstances would it cost more than \$10,000 to close the facility.

GRIMM'S FUEL COMPANY

SPILL RESPONSE

Here at GFC, there exists the possibility of spills of hazardous liquids; most notably, diesel fuel and hydraulic fluid. Such spills, if not handled properly, could lead to serious and costly environmental impacts. This outline is intended to be a review of the company's procedures to minimize these impacts and to clean up large spills.

- **STOP THE FLOW:** Shut off your equipment immediately!
This will stop the flow on most pressurized systems. Locate the source of the spill and take any additional necessary steps to stop the flow. Most spills are the result of a broken line or a ruptured tank. Most tanks have a shut off valve on the tank and throughout the system. Know your equipment and the location of these valves.
Ask a mechanic if you need assistance in locating these valves.
- **CALL FOR HELP:** Never attempt to contain a large spill by yourself! Use your radio or telephone to call for assistance at the first sign of a release. A fast response is critical and the more people on the job, the better.
- **CONTAIN THE SPILL BEFORE LIQUIDS REACH THE CATCH BASIN SYSTEM:** Create a dam around the spill area using the appropriate absorbent materials such as floor sweep, sawdust, compost, etc. Loader operators need to respond quickly to large spills by hauling a scoop of sawdust or compost to the affected area to create a dam and contain the spill. Plug the nearest catch basin(s) if necessary.
- **CONTAIN THE SPILL BEFORE IT LEAVES THE PROPERTY:** If a spill reaches the catch basin system, there are several places throughout the system to contain the spill before it leaves the property.
- The design of the 15,000 gallon half tanks located at the south corner of the property should be sufficient to contain even a large spill. All catch basin drains lead to this tank before flowing to the bio-swale area at the lower property.
- In the event that a spill reaches the lower property, it should be contained in the concrete basin area prior to flowing in the constructed wetlands. This can be achieved by building a dam at the outfall to the basin using compost.
- If the spill reaches the bio-swale / wetlands area, it can be contained in this area by placing boards or plates into the slots of the outflow control device.
- **SPILL CLEAN-UP:** The extent of the clean-up is largely dependent on the size of the spill. Most small spills can be cleaned up using floor sweep, a broom, and a shovel. Always check with your shift supervisor regarding the appropriate disposal of clean-up materials.
- **CLEAN-UP MATERIALS:** These are located at strategic locations throughout the facility. Floor sweep is located in several locations around the shop, including near the milk oil tanks and the large door at the southeast corner. Spill containment kits are located in each oil truck, at the oil loading dock, and at the pump shed next to the 15,000 gallon half tanks. Oil absorbent booms are located in the pump shed.

A fast response is essential to minimize the potential environmental impacts!

Time is of the essence!

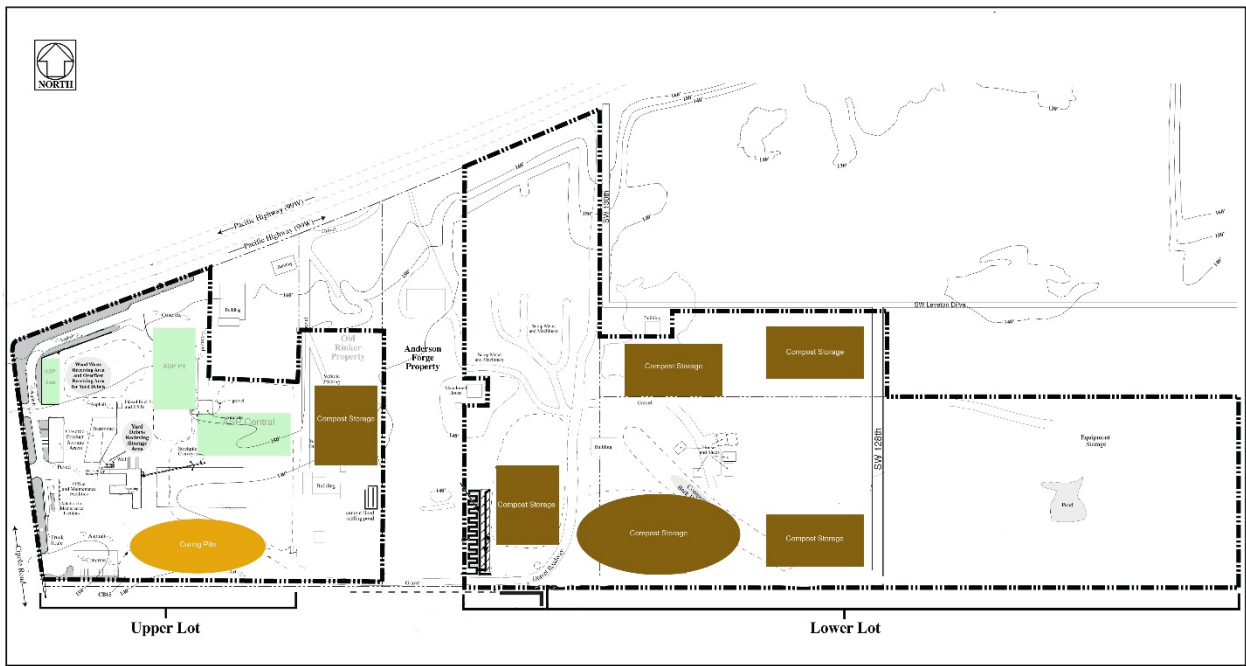
Figure 1 Traffic Flow

Grimm's Fuel Traffic Flow Map

- BLUE LINE: Incoming material haulers follow blue line during normal conditions-To scale house; then to Receiving Area - Trucks / trailers unload and then exit.
- RED LINE: Large municipal trucks travel to the left of the scale, but otherwise follow normal BLUE or ORANGE route.
- GREEN LINE: Customers buying product enter via blue line and then follow the green line to load and then exit.
- ORANGE LINE: During high traffic volumes incoming loads may be directed into holding lines before approaching scale house. Then follow BLUE route as per normal.



Figure 2 Storage Locations



ROGER N. SMITH ASSOCIATES, INC.
Groundwater and Environmental Consultants

SURFACE COVERAGE	
Upper Lot	898 Acres
Lower Lot	27.7 Acres
Total Landscaping	23.6 Acres
Office and Maintenance Building Roofs	3.4 Acres
Final Stockpiles	Acres
Materials Storage and Gravel Surfaces	8.2 Acres

LEGEND	
Property Boundary	Areas Important to Streamwater
City Street	Pollution Coated
Landscaped Area	Drainage Line With Flow Direction Arrow
Catch Basins	
Sediment Basins	
Scale: 1 inch = 200'	

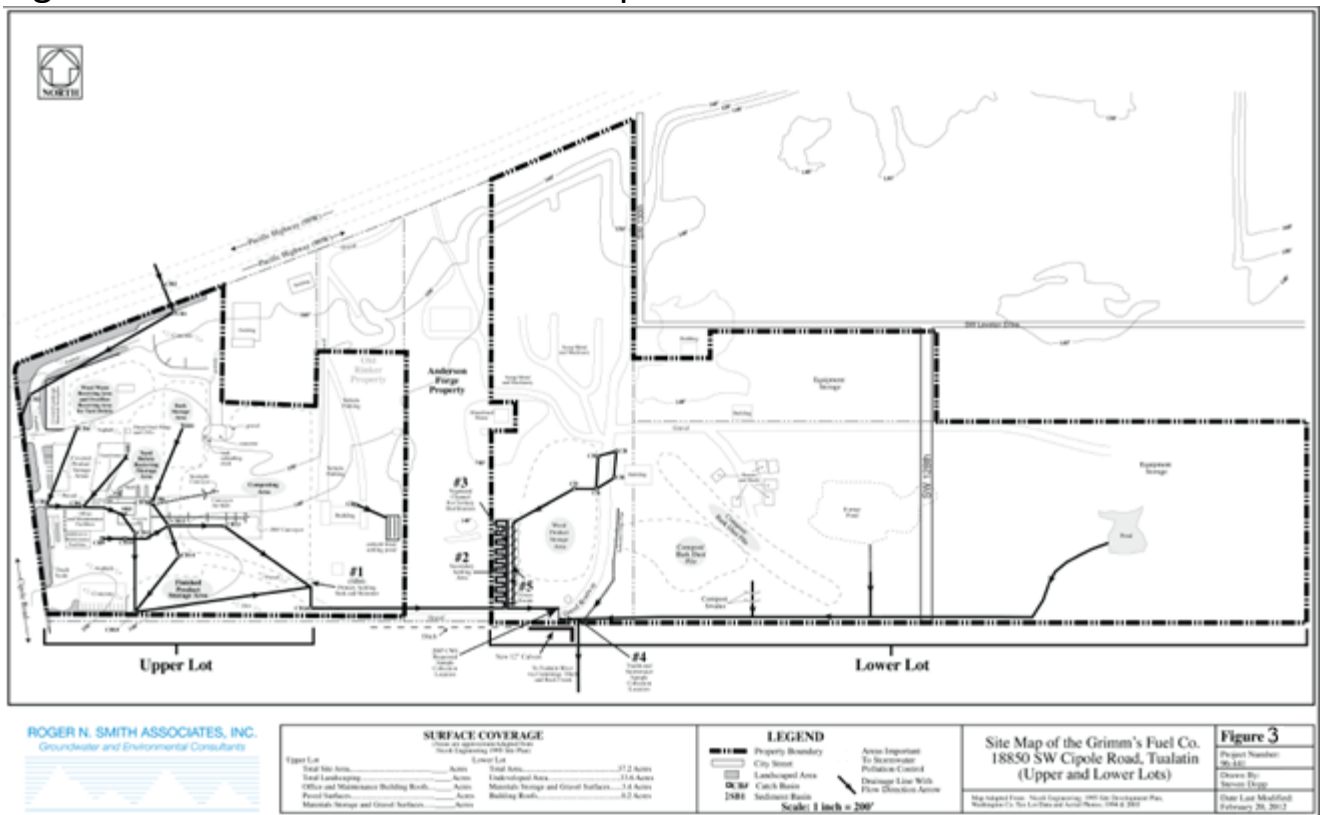
Site Map of the Grimm's Fuel Co.
18850 SW Cipole Road, Tualatin
(Upper and Lower Lots)

Figure 2

Project Number: 20-111
Drawn By: Steven Depp
Date Last Modified: February 20, 2012

Map Prepared from: Aerial Imagery of 2008 and 2009; Google Earth; Surveying Data; Title Deed and Parcel Photos; 1994 & 2001

Figure 3 Stormwater Treatment Map





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/16/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER JD Fulwiler & Co., Insurance 5727 S Macadam Ave Portland OR 97239	CONTACT NAME: Holly Pfister	
	PHONE (A/C. No. Ext): 503-977-5854	FAX (A/C. No): 503-977-5804
E-MAIL ADDRESS: hpfister@jdfulwiler.com		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A: Sentry Insurance		
INSURER B:		
INSURER C:		
INSURER D:		
INSURER E:		
INSURER F:		


COVERAGES **CERTIFICATE NUMBER:** 808038800 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			A0159806002, 3, 4	11/6/2022	11/6/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			A0159806001	11/6/2022	11/6/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			A0159806005	11/6/2022	11/6/2023	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y/N <input checked="" type="checkbox"/> N/A (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Leased/Rented Equipment			A0159806002, 3, 4	11/6/2022	11/6/2023	Limit \$100,000 Deductible \$1000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 Re: Operations of the named insured in respects to policy terms, conditions & exclusions. Metro, its elected official, departments, employees, and agents as additionally insured on Commercial General Liability and Automobile policies per attached endorsements (CG7124 & CA7057)
 License No. L-043-19
 email: swicc@oregonmetro.gov

CERTIFICATE HOLDER**CANCELLATION**

METRO Attn-WPES Compliance 600 NE Grand Avenue Portland OR 97232	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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SPECIAL BROAD FORM AUTO ENDORSEMENT

This endorsement modifies Insurance provided under the following:

BUSINESS AUTO COVERAGE FORM

1. Broadened Who Is An Insured

Under **Section II - Covered Autos Liability Coverage**, the following is added to **Coverage A.1. Who Is An Insured**:

d. Employees As Insureds

Any "employee" of yours is an "insured" while using a covered "auto" you don't own, hire or borrow in your business or personal affairs.

e. Newly Acquired Organizations

Any organization you newly acquire or form, other than a partnership, joint venture or limited liability company, and over which you maintain ownership or majority interest, will qualify as a Named Insured if there is no other similar insurance available to that organization. However:

1. Coverage under this provision is afforded only until the 90th day after you acquire or form the organization or the end of the policy period; whichever is earlier; and
2. Coverage does not apply to "bodily injury", "property damage" or "covered pollution cost or expense" that occurred before you acquired or formed the organization.

f. For Any Covered "Auto":

Who Is An Insured is amended to include as an insured any organization or subsidiary thereof which is a legally incorporated entity of which you own a financial interest of more than 50 percent of the voting stock on the effective date of this endorsement.

This provision applies only if there is no similar insurance available to the entity described above.

2. Additional Insured by Contract, Agreement or Permit

SECTION II - LIABILITY COVERAGE, Paragraph **A.1. Who is An Insured** is amended to include the following as an "insured":

- A.** Any person or organization, where you have agreed by written contract to add as an additional insured, is an insured but only to

the extent that person or organization qualifies as an "insured" under the Who is An Insured provision contained in Paragraph A.1. of Section II - Covered Autos Liability Coverage in the Business Auto Coverage Form.

The insurance afforded under this provision only applies if the "bodily injury" or "property damage" occurs:

1. During the policy period, and
2. After the execution of such written contract, and
3. Prior to the expiration of the period that the written contract requires such insurance to be provided to the additional insured.

- B.** This insurance is primary to and will not seek contribution from any other auto insurance issued to the person or organization in the schedule under your policy provided that:

1. The person or organization is a Named Insured under such other insurance; and
2. Prior to the "accident" you have agreed in writing in a contract or agreement that this insurance would be primary and would not seek contribution from any other insurance available to the person or organization.

3. Waiver of Transfer of Rights of Recovery

The Transfer of Rights of Recovery Against Others to Us Condition does not apply to any person(s) or organization(s) for whom you are required to waive subrogation with the respect to coverage provided under this Coverage Form, but only to the extent that subrogation is waived:

- A.** Under a written contract or agreement with such person(s) or organization(s), and
- B.** Prior to the "accident" or the "loss."

4. Broadened Supplementary Payments

Coverage Extension **2.a. Supplementary Payments** under **Section II - Covered Autos Liability Coverages** is amended as follows:

- A.** Paragraph **2.a.(2)** is amended to pay up to \$3,000 for cost of bail bonds; and

B. Paragraph 2.a.(4) is amended to pay for loss of earnings up to \$500 a day because of time off from work.

5. Fellow Employee Bodily Injury Extension

The Fellow Employee exclusion contained in **Section II - Covered Autos Liability Coverage** does not apply.

6. Accidental Airbag Discharge

The following is added to Exclusion **B.3.a.** under **Section III - PHYSICAL DAMAGE:**

This exclusion does not apply to the accidental discharge of an airbag in a covered auto for a loss that Physical Damage Coverage is shown in the Declarations.

7. Towing

We will pay up to the limit shown in the Declarations for towing and labor costs incurred each time a covered "auto" that is a private passenger type, light truck or medium truck is disabled. However, the labor must be performed at the place of disablement.

8. Physical Damage Coverage Extensions

The following replaces the **Coverage Extensions** under **Section III - PHYSICAL DAMAGE:**

a. Transportation Expenses

We will pay up to \$75 per day to a maximum of \$1,500 for temporary transportation expense incurred by you because of the total theft of a covered "auto" of the private passenger, truck or van type with a Gross Vehicle Weight of less than 10,000 pounds.

We will pay only for those covered "autos" for which you carry either Comprehensive or Specified Causes of Loss Coverage. We will pay for temporary transportation expenses incurred during the period beginning 48 hours after the theft and ending, regardless of the policy's expiration, when the covered "auto" is returned to use or we pay for its "loss".

b. Loss Of Use Expenses

For Hired Auto Physical Damage, we will pay expenses for which an "insured" becomes legally responsible to pay for loss of use of a vehicle rented or hired without a driver under a written rental contract or agreement. We will pay for loss of use expense if caused by:

- (1) Other than collision only if the Declarations indicate that Comprehensive Coverage is provided for any covered "auto";

- (2) Specified Causes Of Loss only if the Declarations indicate that Specified Causes of Loss Coverage is provided for any covered "auto"; or

- (3) Collision only if the Declarations indicate that Collision Coverage is provided for any covered "auto".

However, the most we will pay for any expenses for loss of use is \$50 per day, to a maximum of \$1,500.

9. Rental Reimbursement

A. For any covered "auto" for which Comprehensive and Collision coverages are provided, we will pay for rental reimbursement expenses incurred by you for the rental of an "auto" because of "loss" to a covered "auto".

B. We will pay up to the limit shown in the Declarations for rental reimbursement expenses incurred by you for the rental of an "auto" because of "loss" to a covered "auto". Payment applies in addition to the otherwise applicable amount of each coverage you have on a covered "auto". No deductibles apply to this coverage.

C. We will pay only for those expenses incurred during the policy period beginning 24 hours after the "loss" and ending, regardless of the policy's expiration, with the lesser of the following number of days:

1. The number of days reasonably required to repair or replace the covered "auto". If "loss" is caused by theft, this number of days is added to the number of days it takes to locate the covered "auto" and return it to you.
2. The number of days shown in the Schedule.

D. Our payment is limited to the lesser of the following amounts:

1. Necessary and actual expenses incurred.
2. The maximum payment stated in the Schedule applicable to "any one day" or "any one period".

E. This coverage does not apply while there are spare or reserve "autos" available to you for your operations.

F. If "loss" results from the total theft of a covered "auto" of the private passenger type, we will pay under this coverage only that amount of your rental reimbursement expenses which is not already provided for under the Physical Damage Coverage Extension.

- G. Our payment under this coverage extension is excess over any other rental reimbursement coverage available to you.

10. Hired Auto Physical Damage

- A. If you have Comprehensive or Specified Causes of Loss and Collision Coverages provided on your owned "autos" you may extend Physical Damage Coverage to any "autos" you lease, hire, rent or borrow; provided you have Liability Coverage for hired "autos".
- B. The hired "auto" must be of like kind and used as the "autos" owned and covered under this Coverage Form.
- C. The most we will pay for "loss" to any hired "auto" in any one "accident" is the least of the following amounts:
 - (1) \$75,000
 - (2) The actual cash value of the hired "auto" at the time of the "loss"
 - (3) The cost of repairing or replacing the hired auto with other property of like kind and quality
- D. The following deductible provisions apply:
 - (1) The deductible will be equal to the largest deductible applicable to any owned "auto" for that coverage shown in the Declarations.
- E. Any "auto" that is leased, hired, rented or borrowed with a driver is not a covered "auto" under this coverage extension.

11. Auto Loan And Lease Gap Coverage

Section III - PHYSICAL DAMAGE is amended by the addition of the following:

- A. In the event of a total "loss" to a covered "auto" shown in the Declarations, we will pay any unpaid amount due on the lease or loan for a covered "auto", less:
 - (1) The amount paid under the policy's Physical Damage Coverage; and
 - (2) Any:
 - (a) Overdue or any deferred lease/loan payments at the time of the "loss";
 - (b) Financial penalties imposed under a lease for excessive use, abnormal wear and tear or high mileage;
 - (c) Security deposits not returned by the lessor;
 - (d) Costs for extended warranties, Credit Life Insurance, Health, Accident or Disability Insurance purchased with the loan or lease; and

- (e) Carry-over balances from previous loans or leases.

- B. This coverage extension applies to covered autos that are loaned or leased for a period of six months or longer and which have been provided Physical Damage Coverage. The "loss" must be caused by damage for which coverage is shown in the Declarations.

- C. For the purposes of this clause, the following is added to the Other Insurance Condition in the Business Auto Coverage Form:

The insurance provided by the Auto Loan and Lease Gap Coverage is excess over any other collectible insurance including but not limited to any coverage provided by or purchased from the lessor or any financial institution.

12. Personal Effects

The following is added to **A.4. Coverage Extensions** under **Section III - Physical Damage Coverage**:

- A. We will extend Physical Damage Coverage on a covered "auto" to include personal property owned by you, a relative or an "employee" that is in the covered "auto" at the time of "loss". The "loss" must be caused by damage for which coverage is shown in the Declarations. There must be evidence of forced entry for loss caused by theft.
- B. The exclusion referring to tapes, records, discs or other similar audio, visual or data electronic devices designated for use with audio, visual or data electronic equipment does not apply.
- C. The most we will pay for any one "loss" under this coverage extension is \$2,000. No Physical Damage Coverage deductible applies to this coverage extension.
- D. Coverage provided by this Personal Effects extension is excess over any other collectible insurance.
- E. The coverage extension does not apply to the following property:
 - (1) Any device designed or used to detect speed-measuring equipment such as radar or laser detectors and any jamming apparatus intended to elude or disrupt speed-measurement equipment;
 - (2) Tools;
 - (3) Jewelry, precious metals and loose gems;
 - (4) Money and securities; or

- (5) Property specifically insured or covered under the Business Personal Property Coverage of this policy.

13. Glass Deductible

Under **Section III - PHYSICAL DAMAGE**, the following is added to **A.3. Glass Breakage - Hitting A Bird Or Animal - Falling Objects Or Missiles** Coverage:

The Comprehensive Coverage deductible shown in the Declarations does not apply to glass breakage if such glass is repaired rather than replaced.

14. Broad Knowledge Of Accident, Claim, Suit Or Loss

Under **Section IV - Business Auto Conditions**, the following is added to **Loss Conditions A.2. Duties In The Event Of Accident, Claim, Suit Or Loss**:

Knowledge of an "accident", claim, "suit" or "loss" by an agent or "employee" of an insured or receipt of any demand, notice, summons or other legal paper in connection with a claim or "suit" by any agent or "employee" of any insured shall not in itself constitute knowledge of the named insured or receipt of the named insured, unless a partner, member, manager, executive officer or director shall have such knowledge or shall have received such demand, notice, summons or legal paper.

15. Unintentional Failure To Disclose Hazards

Under **Section IV - Business Auto Conditions**, the following is added to **General Conditions B.2. Concealment, Misrepresentation Or Fraud**:

If in your representations to us you unintentionally failed to disclose all hazards and exposures subject to this insurance, we shall not deny all coverage under this policy because of such oversight.

16. Mental Anguish

A. The definition of "bodily injury" under **Section V - Definitions** is replaced by the following:

"Bodily injury" means bodily injury, sickness or disease sustained by a person, including "mental anguish" or death resulting from any of these at any time.

B. The following definition is added to **Section V - Definitions**:

"Mental anguish" means extreme pain or distress inflicted upon an individual's emotional and intellectual condition with regard to the individual's response to the environment.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

BLANKET ADDITIONAL INSUREDS, PRIMARY & NONCONTRIBUTORY, WAIVER OF SUBROGATION

This endorsement modifies the coverage provided under the following Coverage Form(s):

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Coverage enhancements are listed below. For details of each coverage, please read the corresponding policy provisions in the body of this endorsement.

- 1. Additional Insureds - Automatic Status for 12 Additional Insured Types**
 - A. Automatic Status When Required In Written Contract Or Agreement (for Acts or Omissions In The Performance of Your Operations)
 - B. Lessor of Leased Equipment
 - C. Owners or Other Interests From Whom Land Has Been Leased
 - D. Manager or Lessor of Premise
 - E. Mortgagee, Assignee, or Receiver
 - F. Controlling Interest
 - G. Co-owner Of Insured Premises
 - H. Executors, Administrators, Trustees Or Beneficiaries
 - I. State Or Governmental Agency Or Subdivision Or Political Subdivision - Permits Or Authorizations Relating To Premises
 - J. Any Person Or Organization You Are Performing Work For
 - K. Vendors
 - L. Grantor of Franchise
- 2. Primary and Noncontributory - Other Insurance Condition**
- 3. Waiver Of Transfer Of Rights Of Recovery Against Others To Us (Waiver Of Subrogation) - Automatic**

With respect to the coverage provided by this endorsement, the provisions of the Coverage Form apply unless modified by the endorsement.

1. Additional Insureds - Automatic Status for 12 Additional Insured Types

Section II - Who Is An Insured is amended to include the following as additional insureds when you have agreed to add that person or organization as an Additional Insured on your policy in a written contract or written agreement with that person or organization, or because of a permit issued by a state or political subdivision; provided the injury or damage occurs subsequent to the execution of the contract or agreement or issuance of the permit and while the contract, agreement or permit remains in effect.

A. Automatic Status When Required In Written Contract Or Agreement (for Acts or Omissions In The Performance of Your Operations)

- 1) A person or organization with respect to liability for:
 - a. "Bodily injury" or "property damage" not included in the "products-completed operations hazard"; or
 - b. "Personal and advertising injury";
caused by, in whole or in part, your acts or omissions or the acts or omissions of those acting on your behalf in the performance of your operations.

- 2) With respect to insurance afforded to these additional insureds, the following additional exclusion applies:

This insurance does not apply to "bodily injury", "property damage" or "personal and advertising injury" due to rendering of or failure to render any professional service. This includes but is not limited to:

- a. Legal, accounting or advertising services;
- b. Preparing, approving, or failing to prepare or approve, maps, shop drawings, opinions, reports, surveys, field orders, change orders or drawings or specifications;
- c. Inspection, supervision, quality control, architectural or engineering activities done by or for you on a project on which you serve as construction manager;
- d. Engineering services, including related supervisory or inspection services;
- e. Medical, surgical, dental, X-ray or nursing services treatment, advice or instruction;
- f. Any health or therapeutic service treatment, advice or instruction;
- g. Any service, treatment, advice or instruction for the purpose of appearance or skin enhancement, hair removal or replacement, or personal grooming or therapy;
- h. Any service, treatment, advice or instruction relating to physical fitness, including service, treatment, advice or instruction in connection with diet, cardiovascular fitness, bodybuilding or physical training programs;
- i. Optometry or optical or hearing aid services including the prescribing, preparation, fitting, demonstration or distribution of ophthalmic lenses and similar products or hearing aid devices;
- j. Body piercing services;
- k. Services in the practice of pharmacy;
- l. Law enforcement or firefighting services; and
- m. Handling, embalming, disposal, burial, cremation or disinterment of dead bodies.

This exclusion applies even if the claims against any insured allege negligence or other wrongdoing in the supervision, hiring, employment, training or monitoring of others by that insured, if the "occurrence" which caused the "bodily injury" or "property damage", or the offense which caused the "personal and advertising injury", involved the rendering of or failure to render any professional service.

B. Lessor of Leased Equipment

- 1) Any person(s) or organization(s) with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your maintenance, operation or use of equipment leased to you by such person(s) or organization(s).
- 2) With respect to the insurance afforded to these additional insureds, this insurance does not apply to any "occurrence" which takes place after the equipment lease expires.

C. Owners or Other Interests From Whom Land Has Been Leased

- 1) Any person(s) or organization(s) with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by you or those acting on your behalf in connection with the ownership, maintenance or use of that part of the land leased to you by the additional insured person(s) or organization(s).
- 2) With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:

This insurance does not apply to:

 - a. Any "occurrence" which takes place after you cease to lease that land;
 - b. Structural alterations, new construction or demolition operations performed by or on behalf of the additional insured person(s) or organization(s).

D. Manager or Lessor of Premise

Any person(s) or organization(s) with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by you or those acting on your behalf in connection with the ownership, maintenance or use of that part of the premises leased to you by the additional insured person(s) or organization(s), subject to the following additional exclusions:

This insurance does not apply to:

- 1) Any "occurrence" which takes place after you cease to be a tenant in that premises.
- 2) Structural alterations, new construction or demolition operations performed by or on behalf of the person(s) or organization(s) shown in the Schedule.

E. Mortgagee, Assignee, or Receiver

Any person(s) or organization(s) with respect to their liability as mortgagee, assignee or receiver and arising out of the ownership, maintenance or use of a premises by you.

This insurance does not apply to structural alterations, new construction and demolition operations performed by or for such additional insured person(s) or organization(s).

F. Controlling Interest

- 1) Any person(s) or organization(s) with respect to their liability arising out of:
 - a. Their financial control of you; or
 - b. Premises they own, maintain or control while you lease or occupy these premises.
- 2) This insurance does not apply to structural alterations, new construction and demolition operations performed by or for that person or organization.

G. Co-owner Of Insured Premises

Any person(s) or organization(s) with respect to their liability as co-owner of a premises coowned by you and covered under this insurance.

H. Executors, Administrators, Trustees Or Beneficiaries

Any executor, administrator, trustee or beneficiary of your estate or living trust while acting within the scope of their duties as such.

I. State Or Governmental Agency Or Subdivision Or Political Subdivision - Permits Or Authorizations Relating To Premises

Any state or governmental agency or subdivision or political subdivision, subject to the following additional provision:

This insurance applies only with respect to the following hazards for which the state or governmental agency or subdivision or political subdivision has issued a permit or authorization in connection with premises you own, rent or control and to which this insurance applies:

- 1) The existence, maintenance, repair, construction, erection or removal of advertising signs, awnings, canopies, cellar entrances, coal holes, driveways, manholes, marquees, hoist away openings, sidewalk vaults, street banners or decorations and similar exposures; or
- 2) The construction, erection or removal of elevators; or
- 3) The ownership, maintenance or use of any elevators covered by this insurance.

J. Any Person Or Organization You Are Performing Work For

Any person(s) or organization(s) with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

- 1) In the performance of your ongoing operations; or
- 2) In connection with your premises owned by or rented to you.

K. Vendors

- 1) Any person(s) or organization(s) (referred to throughout this endorsement as vendor), but only with respect to liability for "bodily injury" or "property damage" arising out of "your products" which are distributed or sold in the regular course of the vendor's business.

However:

- a. The insurance afforded to such vendor only applies to the extent permitted by law; and

- b. If coverage provided to the vendor is required by a contract or agreement, the insurance afforded to such vendor will not be broader than that which you are required by the contract or agreement to provide for such vendor.
- 2) With respect to the insurance afforded to these vendors, the following additional exclusions apply:
- a. The insurance afforded the vendor does not apply to:
 - 1) "Bodily injury" or "property damage" for which the vendor is obligated to pay damages by reason of the assumption of liability in a contract or agreement. This exclusion does not apply to liability for damages that the vendor would have in the absence of the contract or agreement;
 - 2) Any express warranty unauthorized by you;
 - 3) Any physical or chemical change in the product made intentionally by the vendor;
 - 4) Repackaging, except when unpacked solely for the purpose of inspection, demonstration, testing, or the substitution of parts under instructions from the manufacturer, and then repackaged in the original container;
 - 5) Any failure to make such inspections, adjustments, tests or servicing as the vendor has agreed to make or normally undertakes to make in the usual course of business, in connection with the distribution or sale of the products;
 - 6) Demonstration, installation, servicing or repair operations, except such operations performed at the vendor's premises in connection with the sale of the product;
 - 7) Products which, after distribution or sale by you, have been labeled or relabeled or used as a container, part or ingredient of any other thing or substance by or for the vendor; or
 - 8) "Bodily injury" or "property damage" arising out of the sole negligence of the vendor for its own acts or omissions or those of its employees or anyone else acting on its behalf. However, this exclusion does not apply to:
 - (1) The exceptions contained in Subparagraphs d. or f.; or
 - (2) Such inspections, adjustments, tests or servicing as the vendor has agreed to make or normally undertakes to make in the usual course of business, in connection with the distribution or sale of the products.
 - b. This insurance does not apply to any insured person or organization, from whom you have acquired such products, or any ingredient, part or container, entering into, accompanying or containing such products.

L. Grantor of Franchise

Any person(s) or organization(s) with respect to their liability as grantor of a franchise to you.

However:

- 1. The insurance afforded to such additional insureds only applies to the extent permitted by law; and
- 2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

With respect to the insurance afforded to these additional insureds, the following is added to **Section III - Limits Of Insurance:**

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

- 1. Required by the contract or agreement; or
 - 2. Available under the applicable limits of insurance;
- whichever is less.

This endorsement shall not increase the applicable limits of insurance.

If there is any difference in coverage afforded to an additional insured in this endorsement and

that provided under another additional insured endorsement attached to this policy, the broader coverage will apply to that additional insured.

2. Primary And Noncontributory Insurance

The following is added to the Other Insurance Condition and supersedes any provision to the contrary:

This insurance is primary to and will not seek contribution from any other insurance available to an additional insured under your policy provided that:

- (1) The additional insured is a Named Insured under such other insurance; and
- (2) You have agreed in writing in a contract or agreement that this insurance would be primary and would not seek contribution from

any other insurance available to the additional insured.

3. Waiver Of Transfer Of Rights Of Recovery Against Others To Us (Waiver Of Subrogation) - Automatic

The following is added to Paragraph **8. Transfer Of Rights Of Recovery Against Others To Us of Section IV - Conditions:**

We waive any right of recovery against any person or organization, because of any payment we make under this Coverage Part, to whom the insured has waived its right of recovery in a written contract or agreement. Such waiver by us applies only to the extent that the insured has waived its right of recovery against such person or organization prior to loss.

**Oregon Department of Environmental Quality
LAND USE COMPATIBILITY STATEMENT (LUCS)**

p. 1 of 2

SECTION 1 - TO BE COMPLETED BY APPLICANT

A. Applicant Name: Grimm's Fuel Company	B. Project Name: Grimm's Fuel Company
Contact Name: Jeff Grimm	Physical Address: 18850 SW Cipole Rd.
Mailing Address: 18850 SW Cipole Rd.	City, State, Zip: Tualatin, Oregon 97062
City, State, Zip: Tualatin, Oregon 97062	Tax Lot #: 1800 & 1900
Telephone: 503-636-3623	Township: 2S Range: 1W Section: 21
Tax Account #: R529379 & R529397	Latitude: 45°23' 00.0" N
	Longitude: 122° 48' 53.00" W

C. Describe the project, include the type of development, business, or facility and services or products provided (attach additional information if necessary):

Storage, processing, distribution of organic materials such as barkdust, compost, topsoil, wood and rock. Composting approximately 200,000 cubic yards per year of yard debris, manure, per-consumer vegetative food waste and residential food scraps material collected at curbside with yard debris by municipal franchise haulers. Other activities include repair shop/office and the bulk storage of petroleum products for home heating.

- D. Check the type of DEQ permit(s) or approval(s) being applied for at this time.**
- | | |
|---|--|
| <input type="checkbox"/> Air Quality Notice of Construction | <input type="checkbox"/> Hazardous Waste Treatment, Storage, or Disposal Permit |
| <input type="checkbox"/> Air Contaminant Discharge Permit (<i>excludes portable facility permits</i>) | <input type="checkbox"/> Clean Water State Revolving Fund Loan Request |
| <input type="checkbox"/> Air Quality Title V Permit | <input type="checkbox"/> Wastewater/Sewer Construction Plan/Specifications (<i>includes review of plan changes that require use of new land</i>) |
| <input type="checkbox"/> Air Quality Indirect Source Permit | <input type="checkbox"/> Water Quality NPDES Individual Permit |
| <input type="checkbox"/> Parking/Traffic Circulation Plan | <input type="checkbox"/> Water Quality WPCF Individual Permit (<i>for onsite construction-installation permits use the DEQ Onsite LUCS form</i>) |
| <input type="checkbox"/> Solid Waste Land Disposal Site Permit | <input type="checkbox"/> Water Quality NPDES Stormwater General Permit (<i>1200-A, 1200-C, 1200-CA, 1200-COLS, and 1200-Z</i>) |
| <input type="checkbox"/> Solid Waste Treatment Facility Permit | <input type="checkbox"/> Water Quality General Permit (<i>all general permits, except 600, 700-PM, 1700-A, and 1700-B when they are mobile.</i>) |
| <input checked="" type="checkbox"/> Solid Waste Compost Facility Registration or Permit | <input type="checkbox"/> Water Quality 401 Certification for federal permit or license |
| <input type="checkbox"/> Solid Waste Letter Authorization Permit | |
| <input type="checkbox"/> Solid Waste Material Recovery Facility Permit | |
| <input type="checkbox"/> Solid Waste Energy Recovery Facility Permit | |
| <input type="checkbox"/> Solid Waste Transfer Station Permit | |
| <input type="checkbox"/> Waste Tire Storage Site Permit | |
| <input type="checkbox"/> Pollution Control Bond Request | |

E. This application is for: Permit Renewal New Permit Permit Modification Other:

SECTION 2 - TO BE COMPLETED BY CITY OR COUNTY PLANNING OFFICIAL

Instructions: Written findings of fact for all local decisions are required; written findings from previous actions are acceptable. For uses allowed outright by the acknowledged comprehensive plan, DEQ will accept written findings in the form of a reference to the specific plan policies, criteria, or standards that were relied upon in rendering the decision with an indication of why the decision is justified based on the plan policies, criteria, or standards.

- A. The project proposal is located:** Inside city limits Inside UGB Outside UGB
- B. Name of the city or county that has land use jurisdiction** (*the legal entity responsible for land use decisions for the subject property or land use*): Tualatin

**Oregon Department of Environmental Quality
LAND USE COMPATIBILITY STATEMENT (LUCS)**

p. 2 of 2

SECTION 2 - TO BE COMPLETED BY CITY OR COUNTY PLANNING OFFICIAL

Applicant Name: GRIMA'S FUEL CO. **Project Name:**

- C. Is the activity or use allowed under Measure 49?** No, Measure 49 is not applicable Yes; if yes, then check one:
- Express; approved by DLCD order #:
 - Conditional; approved by DLCD order #:
 - Vested; approved by local government decision or court judgment docket or order #:

D. Is the activity or use compatible with your acknowledged comprehensive plan as required by OAR 660-031?
Please complete this form to address the activity or use for which the applicant is seeking approval (see 1.C on the previous page). If the activity or use is to occur in multiple phases, please ensure that your approval addresses the phases described in 1.C. For example, if the applicant's project is described in 1.C as a subdivision and the LUCS indicates that only clearing and grading are allowed outright but does not indicate whether the subdivision is approved, DEQ will delay permit issuance until approval for the subdivision is obtained from the local planning official.

- The activity or use is not regulated by the acknowledged comprehensive plan; explain:
- YES, the activity or use is pre-existing nonconforming use allowed outright by (provide reference for local ordinance):
- YES, the activity or use is allowed outright by (provide reference for local ordinance):
- YES, the activity or use received preliminary approval that includes requirements to fully comply with local requirements; findings are attached. CUP 97-03 APPROVED YARD DEBRIS COMPOSTING / CUP 11-03 APPROVED RESIDENTIAL FOOD WASTE COMPOSTING
- YES, the activity or use is allowed; findings are attached.
- NO, see 2.C above, activity or use allowed under Measure 49; findings are attached.
- NO, (complete below or attach findings for noncompliance and identify requirements the applicant must comply with before compatibility can be determined):
 Relevant specific plan policies, criteria, or standards:

 Provide the reasons for the decision:

Additional comments (attach additional information as needed):
 RESOLUTION 5072-11 APPROVED CUP 11-03 FOR GRIMM'S FUEL CO. FOOD WASTE COMPOSTING, WITH CONDITIONS. w/h/r

LUCS-12-08

Planning Official Signature:  **Title:** SENIOR PLANNER

Print Name: William Hooper **Telephone #:** 503 691 3027 **Date:** 5.8.12

If necessary, depending upon city/county agreement on jurisdiction outside city limits but within UGB:

Planning Official Signature: **Title:**

Print Name: **Telephone #:** **Date:**

RESOLUTION NO. 5072-11

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT FOR GRIMM'S FUEL COMPANY MODIFYING AN EXISTING CONDITIONAL USE PERMIT FOR A RESOURCE RECOVERY OPERATION (CUP-97-03) WITHIN THE GENERAL MANUFACTURING PLANNING DISTRICT AT 18850 CIPOLE ROAD (TAX MAP 2S1 21A, TAX LOTS 1800 & 1900) (CUP 11-03).

WHEREAS a quasi-judicial public hearing was held before the City Council of the City of Tualatin on October 10, 2011, upon the application of Grimm's Fuel Company; and

WHEREAS notice of public hearing was given as required by the Tualatin Development Code by mailing a copy of the notice to affected property owners located within 1,00 feet of the property, which is evidenced by the Affidavit of Mailing marked "Exhibit A," attached and incorporated by this reference, and by posting a copy of the notice in two public and conspicuous places within the City, which is evidenced by the Affidavit of Posting marked "Exhibit B," attached and incorporated by this reference; and

WHEREAS the Council heard and considered the testimony and evidence presented on behalf of the applicant, the City staff, and those appearing at the public hearing; and

WHEREAS after the conclusion of the public hearing the Council vote resulted in approval of the application [Vote 6-0] with Councilor Bubenik absent; and

WHEREAS based upon the evidence and testimony heard and considered by the Council, the Council makes, enters, and adopts as its findings of fact the findings and analysis in the City staff report, dated October 10, 2011, marked "Exhibit C," attached and incorporated by reference; and

WHEREAS based upon the foregoing Findings of Fact, the Council finds that the applicant has provided sufficient evidence to demonstrate that all of the requirements of the Tualatin Development Code relative to a conditional use have been satisfied and that granting the conditional use permit is in the best interests of the residents and inhabitants of the City, the applicant, and the public generally.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The City Council agrees with staff recommendations.

Section 2. Grimm's Fuel Company is granted a Conditional Use Permit that would modify an existing conditional use permit for a resource recovery operation (approved in CUP-97-03) to add composting of residential food scrap material collected at curbside with yard debris by municipal franchise haulers at the Grimm's Fuel

Company facility located in the General Manufacturing Planning District at 18850 SW Cipole Road (Tax Map 2S1 21A, Tax Lots 1800 & 1900, subject to the following conditions:

1. The Grimm's Fuel Company resource recovery use for composting food scraps shall be limited to receiving material only from authorized residential food waste program sources from municipalities in the Metro region and collected by the municipalities' authorized franchise waste and recycling haulers.

2. Grimm's Fuel Company shall obtain authorization from Metro and from Oregon Department of Environmental Quality prior to accepting food waste for resource recovery composting at the subject property. If Grimm's Fuel Company loses or defaults on a permit authorization, no residential food scrap materials may be accepted or processed as the subject facility.

3. In response to the applicant's request for a limited exception to restrictions on receiving and composting commercial food waste, after a period of 2 years from the issuance of CUP-11-03 and with notice to the City of Tualatin Community Development Department and neighboring property owners, Grimm's Fuel may participate in a Metro-sponsored "Pilot Project to compost food waste from local commercial sources such as a restaurant or grocery. Beyond the completion of a Pilot Project and if Grimm's Fuel Company seeks to add commercial food waste material to the resource recovery operation approved in CUP-11-03, conditional use permit approval shall be obtained.

4. Grimm's Fuel Company or its successors shall remain in compliance with all conditions of approval of conditional use permit CuP-97-03 and Architectural Reviews for the subject property and all requirements of the Tualatin Development Code Chapter 63, Manufacturing Planning Districts – Environmental Regulations.

5. Applicant shall prepare and submit an odor mitigation program that documents existing efforts and identifies how to mitigate future complaints about odor. If there are unresolved odor complaints as verified by City staff, then the City Council may hold a hearing to determine whether the CUP should be allowed to remain as is, be modified with additional conditions, or revoked.

INTRODUCED AND ADOPTED this 24th day of October, 2011.

CITY OF TUALATIN, Oregon

By


Mayor

APPROVED AS TO LEGAL FORM


CITY ATTORNEY

ATTEST:

By


City Recorder



State of Oregon
Department of
Environmental
Quality

Permit Number: 1433
Expiration Date: Nov. 1, 2023
Page 1 of 16

**SOLID WASTE DISPOSAL SITE PERMIT:
COMPOSTING FACILITY**

**Oregon Department of Environmental Quality
700 NE Multnomah St, Suite 600
Portland, OR 97232**

Telephone (Information): 503-229-5353.
Email: DEQNWR.SolidWastePermitCoordinator@deq.state.or.us

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

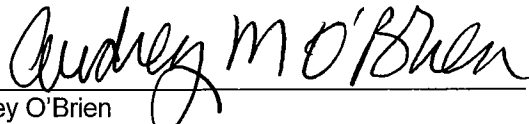
ISSUED TO:	FACILITY NAME AND LOCATION:
Grimm's Fuel Company 18850 SW Cipole Road Tualatin, OR 97062	Grimm's Fuel Company Composting Facility 18850 SW Cipole Road Tualatin, OR 97062 T2S, R1W, S21; Tax Lots 1800-2100 Latitude: 45.3832; Longitude: -122.8145
PROPERTY OWNER:	OPERATOR:
Grimm Brothers, LLC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

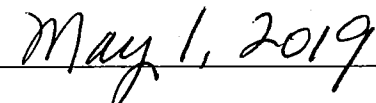
ISSUED IN RESPONSE TO:

- DEQ initiated permit modification.
- A Land Use Compatibility Statement from the City of Tualatin dated February 12, 2010 and May 8, 2012.

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

ISSUED BY THE OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY


Audrey O'Brien
Solid Waste Manager, Northwest Region


Date

Permitted Activities

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

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

TABLE OF CONTENTS

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

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

In this document. This document contains the following sections:

Topic	Page
Allowable Activities	
1.0 Authorizations	3
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Operations and Design	
3.0 Operating Conditions	6
4.0 Operations Plan	7
5.0 Recordkeeping and Reporting	9
6.0 Engineered Structures Design and Management	11
General Conditions	
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9.0 Site Operations	13
Compliance Schedule	
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11.0 When to Notify DEQ Staff	16

ALLOWABLE ACTIVITIES

1.0 AUTHORIZATIONS

- 1.1 Authorization to receive feedstocks.** This permit authorizes the facility to accept the following feedstocks in conformance with the terms and conditions of this permit (Note: a detailed list of authorized feedstocks is listed in the DEQ-approved Operations Plan for this site.):
- A. Types 1 and 2 feedstocks.
- 1.2 Authorization to receive other feedstocks or amendments.** Feedstocks or amendments excluded from the above authorization may not be accepted unless DEQ has approved in writing an updated site Operations Plan which describes the new feedstocks or amendments. Acceptance of additional feedstocks may require public notice.
- 1.3 Authorization of other activities.** All facility activities must be conducted in accordance with the provisions of this permit. All reports and plans required by this permit become part of the permit by reference once approved by DEQ. Any conditions of report and plan approvals are also incorporated into this permit unless contested by the permittee within 30 days of the receipt of a conditional approval.
- 1.4 Water quality activities.** The permittee is allowed to construct, install, modify, operate and maintain a compost leachate and/or stormwater collection and/or treatment system provided these activities are done in accordance with plans and specifications approved in writing by DEQ. No activities are to be conducted that could adversely impact groundwater quality. If adverse impacts to groundwater are suspected from a facility covered by this permit, DEQ may require the permittee to perform a groundwater investigation.

2.0 PROHIBITIONS

- 2.1 Prohibited feedstocks or wastes.** The permittee is prohibited from accepting materials for composting that are not specifically authorized by section 1.1 of this permit, unless the materials have been approved in accordance with the requirements of section 1.2 of this permit.

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

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

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

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

- 2.2 Discovery of prohibited wastes.** In the event that the permittee discovers prohibited feedstocks or wastes at the composting facility, the permittee must, **within 48 hours** of discovery, notify DEQ and initiate procedures to isolate or remove the prohibited feedstocks or waste.

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

The permittee must remove putrescible, non-hazardous, prohibited wastes **within 48 hours** of

discovery, unless otherwise approved or restricted in writing by DEQ.

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

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

- 2.3 Open burning.** The permittee must not conduct any open burning at this site. Reference: OAR 340-264-0030 (defines open burning).
- 2.4 Sewage sludge (biosolids).** The permittee must not accept any sewage sludge for composting at this facility. If the permittee wishes to accept sewage sludge, then the permittee must request a permit modification of this solid waste permit and obtain the applicable water quality permit, as required under ORS 468B and OAR 340-050.

OPERATIONS AND DESIGN

3.0 OPERATING CONDITIONS

- 3.1 Performance Standards.** The permittee must operate the compost facility in conformance with the performance standards identified in OAR 340-096-0070:
1. All composting facilities must be designed, constructed, and operated in a manner that does not cause a discharge of leachate, liquid digestate, or stormwater from the facility to surface water, except when such discharge is in compliance with a discharge permit issued by DEQ.
 2. All composting facilities that collect and dispose of leachate, liquid digestate, or stormwater in engineered structures must comply with the applicable requirements of OAR 340-096-0130: Special Rules Pertaining to Composting: Biogas, Liquid Digestate and Leachate Collection Design and Management Requirements.
 3. All composting facilities must be designed, constructed, and operated in a manner that does not cause a likely adverse impact to groundwater under OAR 340 Division 40. All composting facilities proposing to use infiltration in soil as a method for managing leachate, liquid digestate, or stormwater must comply with OAR 340-096-0120: Groundwater Protection.
 4. All composting facilities must be designed, constructed, and operated in a manner that, to the greatest extent practicable, consistent with proper facility design and operation, controls and minimizes odors that are likely to cause adverse impacts outside the boundaries of the facility.
 5. All composting facilities must be designed, constructed, and operated in a manner that achieves human pathogen reduction as required by OAR 340-096-0140: Pathogen Reduction.
 6. All composting facilities must be designed, constructed, and operated in a manner that controls or prevents propagation, harborage, or attraction of vectors, including but not limited to rats, birds, and flies.
 7. All composting facilities that produce, collect or store biogas must be designed, constructed, and operated to meet state and local fire regulations to address the potential for fire and explosions.
 8. All composting facilities that collect, store and manage liquid digestate must demonstrate adequate capacity to store or remove the digestate. For facilities that land-apply, storage must be provided for periods when the production of liquid digestate exceeds the capacity of the soil to use the digestate

at agronomic rates including during wet winter months.

9. All composting facilities must comply with all other applicable laws and regulations.

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

1. Process parameters:

- a) Using the static aerated pile composting method, the temperature of the active composting piles must be maintained at 131 degrees Fahrenheit or higher for three consecutive days.
- b) The permittee must monitor temperature daily at locations that are representative of the active piles.
- c) The permittee must maintain sample results and must make the results available upon request.

2. Analytical limits for composted material:

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

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

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

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

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

4.0 OPERATIONS PLAN

4.1 Plan compliance. The permittee must conduct all operations at the facility in accordance with the approved Operations Plan dated July 2017, including any amendments. The DEQ approved Operations Plan is incorporated into the permit by reference. Failure to implement any of the control measures, performance standards, or practices described in the Operations Plan is a violation of this permit.

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

4.2 Updated Operations Plan. Within 60 days of permit issuance, the permittee must submit to DEQ an updated Operations Plan that includes facility infrastructure changes and process parameter monitoring described in section 9 of the permit.

4.3 Odor Minimization Plan. As part of the updated Operations Plan required in section 4.2, the permittee must prepare a revised Odor Minimization Plan that identifies how the permittee will modify operations to control and minimize adverse impacts of odors outside the boundaries of the facility. The Odor Minimization Plan must include:

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

Reference: OAR 340-096-0150(5),

4.4 Odor Minimization Plan implementation. The permittee must implement the Odor Minimization Plan upon DEQ approval.

4.5 Updated Odor Minimization Plan. The permittee must review and update the Odor Minimization Plan as needed to reflect changing conditions, or upon DEQ request. The updated plan must be submitted to DEQ for review and approval.

- 4.6 Operations Plan maintenance.** The permittee must revise the Operations Plan as necessary to keep it up to date and reflective of current facility conditions and procedures.

The permittee must submit revisions of the Operations Plan to DEQ for review and written approval prior to commencing any change in operations including changes made to comply with permit conditions 9.17, 9.18, and 9.20 of this permit.

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

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

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

Phone: (503) 229-5353

5.0 RECORDKEEPING, REPORTING AND FEE PAYMENT

- 5.1 Non-compliance reporting.** In the event that any condition of this permit or DEQ rules are violated, the permittee must immediately take action to correct the violation and notify DEQ **within 24 hours** at email: DEQNWR.SolidWastePermitCoordinator@deq.state.or.us or call DEQ's Northwest Region Solid Waste Permit Coordinator at (503) 229-5353.

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

- 5.2 Leachate releases.** Within 24 hours of discovery, the permittee must report to DEQ, all unauthorized leachate releases to waters of the state.
- 5.3 Access to records.** Upon request, the permittee must make all records and reports related to the permitted facility available to DEQ.
- 5.4 Oil and hazardous material spill response and reporting**

The permittee must immediately clean up any spill of oil or hazardous material as described in the Operations Plan. If the spill is of a reportable quantity the permittee must immediately report the spill to the Oregon Emergency Response System at 1-800-452-0311 and DEQ.

Reportable quantities include:

- Any amount of oil spilled to waters of the state;
- Oil spills on land in excess of 42 gallons;
- 200 pounds (25 gallons) of pesticide residue;
- Hazardous materials that are equal to, or greater than, the quantity listed in the 40 CFR Part 302 (List of Hazardous Substances and Reportable Quantities), and amendments adopted before July 1, 2002. For a complete list of hazardous materials required to be reported, please refer to OAR 340-142-0050.

- 5.5 Record-keeping procedures.** The permittee must keep records and submit reports according to OAR 340-096-0090(5)(i) and the following table:

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

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

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

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

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

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

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

Phone: (503) 229-5353

6.0 ENGINEERED STRUCTURE DESIGN AND MANAGEMENT

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

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

The permittee must contact DEQ prior to any site modification affecting these structures. DEQ may require the permittee to prepare and submit a modified Facility Design and Construction Plan, stamped by a registered professional engineer. The permittee must receive written approval of the modified Facility Design and Construction Plan from DEQ **prior to commencing construction**.

6.2 Construction requirements. The permittee must perform all construction in accordance with the approved plans and specifications, including all conditions of approval. Any amendments to those plans and specifications must be approved in writing by DEQ.

6.3 Construction documents. Prior to initiating construction, the permittee must submit and receive written DEQ approval of complete construction documents for the project to be constructed. The construction documents submitted must:

- Define the construction project team;
- Include construction contract documents specifying material and workmanship, and requirements to guide how the constructor is to furnish products and execute work; and
- Include a Construction Quality Assurance (CQA) plan describing the measures that will be taken to monitor and ensure that the quality of materials and the work performed by the constructor complies with project specifications and contract requirements.

6.4 Construction report submittal. Within **90 days** of completing construction, the permittee must submit to DEQ a Construction Certification Report, prepared by a qualified independent party, to document and certify that all required components and structures have been constructed in compliance with the permit

requirements and DEQ approved design specifications. This submittal must include "as constructed" facility plans which note any changes from the original approved plans.

- 6.5 Approval to use.** The permittee must not accept feedstocks for storage, processing or composting in newly constructed facilities or areas until DEQ has accepted the Construction Certification Report. If DEQ does not respond in writing to the Construction Certification Report within 30 days of its receipt, the permittee may accept feedstock at the facility in the newly constructed facilities or areas.
- 6.6 Submittal address.** All submittals to DEQ under this section must be sent to:

**Oregon Department of Environmental Quality
Manager, Northwest Region Environmental Partnerships Section
700 NE Multnomah St, Suite 600
Portland, OR 97232**

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

Phone: (503) 229-5353

COMPOSTING FACILITY GENERAL CONDITIONS

7.0 ADMINISTRATION

- 7.1 Definitions.** Unless otherwise specified, all terms are as defined in OAR 340-093-0030.
- 7.2 Property rights.** The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights.
- 7.3 DEQ liability.** DEQ, its officers, agents, or employees do not sustain any liability on account of the issuance of this permit or on account of the construction, maintenance, or operation of facilities pursuant to this permit.
- 7.4 Permit term.** The effective date of this permit is the date this document is signed by DEQ. The expiration date of the permit is indicated at the top right of this document. The authorization to accept solid waste at the facility will end when this permit expires, is terminated, or revoked; after that time the permittee cannot accept solid waste at the facility.
- 7.5 Permit renewal.** The permittee must submit an application for permit renewal if the permittee intends to continue operation beyond the expiration date of this permit. A complete solid waste disposal site permit renewal application must be submitted to DEQ **at least 180 days** before the existing permit expires. All permit conditions will remain in effect until such time as a new permit is issued by DEQ. Failure by a permittee to abide by the terms of any permit conditions will be a violation.
- 7.6 Permittee initiated termination of permit.** After facility closure, the permittee must request, in writing, to DEQ that the permit be terminated. Permittee must demonstrate to DEQ that the facility no longer requires a permit under OAR 340-093-0050 before DEQ will terminate the permit.
- 7.7 Documents superseded.** This document is the primary composting permit for the facility, superseding all other solid waste permits issued for this facility by DEQ.

- 7.8 Permittee responsibility and liability.** Conditions of this permit are binding upon the permittee. The permittee must conduct all facility activities in compliance with the provisions of this permit. The permittee is liable for all acts and omissions of the permittee's contractors and agents in carrying out the operations and other responsibilities pursuant to this permit.
- 7.9 Access to disposal site.** The permittee must allow representatives of DEQ access to the facility at all reasonable times for the purpose of performing inspections, surveys, collecting samples, obtaining data and carrying out other necessary functions related to this permit.
- 7.10 Other compliance.** Issuance of this permit does not relieve the permittee from the responsibility to comply with any applicable federal, state, or local laws or regulations.
- 7.11 Penalties.** Violation of any condition of this permit or any incorporated plan may subject the permittee to civil penalties up to \$25,000 for each day of each violation (ORS 468.140).

8.0 PERMIT MODIFICATION

- 8.1 Mid-term review.** At the mid-point of the life of the permit, DEQ may review the permit and determine whether or not the permit should be amended. While not an exclusive list, the following factors will be used in making that determination:
- Compliance history of the facility;
 - Changes in volume and/or composition of feedstock(s);
 - Changes in operations at the facility;
 - Changes in state or federal rules which should be incorporated into the permit;
 - Release of leachate to the environment from the facility; or
 - Significant changes to the DEQ-approved Design Plan or Operations Plan.
- 8.2 Modification.** At any time in the life of the permit, DEQ or the permittee may propose changes to the permit.
- 8.3 Modification and revocation by DEQ.** The director of DEQ may, at any time before the expiration date, modify, suspend, or revoke this permit in whole or in part in accordance with Oregon Revised Statute 459.255 for reasons including, but not limited to, the following:
- Violation of any terms or conditions of this permit or any applicable statute, rule, standard or order of the Environmental Quality Commission;
 - Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts;
 - A significant change in the quantity or character of feedstocks received;
 - Non-compliant operation of the composting site; or
 - A significant change in the composting process.
- 8.4 Modification by permittee.** The permittee must apply for a modification to this permit if a significant change in facility operations is planned or there is a deviation from activities described in this document. The permittee must not implement any change in operations that requires a permit modification prior to receiving approval from DEQ.
- 8.5 Public participation.** Significant changes to the permit will be made public by the issuance of a public notice as required by DEQ rules.
- 8.6 Changes in ownership or address.** The permittee must report to DEQ in writing any changes in either ownership of the composting site property or of the name and address of the permittee or operator within ten (10) days of the change.

9.0 SITE OPERATIONS

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

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

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

Reportable quantities include:

- Any amount of oil spilled to waters of the state;
 - Oil spills on land in excess of 42 gallons;
 - 200 pounds (25 gallons) of pesticide residue; or
 - Hazardous materials that are equal to, or greater than, the quantity listed in the Code of Federal Regulations, 40 CFR Part 302 (List of Hazardous Substances and Reportable Quantities), and amendments adopted before July 1, 2002. For a complete list of hazardous materials required to be reported, please refer to OAR 340-142-0050.
- 9.8 Public unloading area.** The area(s) used by the public for unloading of feedstocks must be clearly defined by signs, fences, barriers, or other devices.
- 9.9 Public Access.** Public access to the facility must be controlled, as necessary, to prevent unauthorized entry and dumping.
- 9.10 Legal control of property.** The permittee must maintain legal control of the composting site property, including maintaining a current permit, contract or agreement that allows the operation of the facility if the site is not owned by the permittee.
- 9.11 Fire protection.** Arrangements must be made with the local fire control agency to immediately acquire

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

- 9.12 Signs.** The permittee must post signs at the facility which are clearly visible and legible, providing the following information: Name of composting facility, emergency telephone number, days and hours of operation, authorized and prohibited wastes, solid waste permit number, and operator's address.
- 9.13 Vector Control.** The permittee must provide rodent and insect control measures, as necessary, to prevent propagation, harborage or attraction of vectors including rodents, insects and birds.
- 9.14 Truck Covers.** The permittee must notify all incoming feedstock haulers that trucks must be covered or suitably cross-tied to prevent any load loss during transport, in conformance with OAR 340-093-0220.
- 9.15 Complaints.** The permittee must attempt to resolve all complaints it receives regarding facility operations by doing the following:
- Contact the complainant within 24 hours to discuss the problem;
 - Keep a record of the complaint, name and phone number of the complainant (when possible), date complaint was received and date and description of facility response; and
 - Immediately initiate procedures at the facility, when possible, to resolve the problem identified by the complainant.

For odor, litter or dust complaints, the permittee must report to DEQ as soon as complaints are received at the facility from five (5) different businesses and/or individuals about a given event or if an odor event lasts longer than 24 hours without resolution or mitigation.

- 9.16 Permit display.** The permittee must display this permit, or a copy thereof, where operating personnel can readily refer to it.
- 9.17 Material pile height reduction.** The permittee must reduce and maintain all piles of yard debris feedstock, active compost, hog fuel and finished compost to a maximum height of 40 feet by December 31, 2018 and to a maximum height of 25 feet by April 30, 2019. The facility must submit a plan for DEQ approval to achieve a maximum pile height of 14 feet for active compost piles within 60 days of permit issuance. Once the plan is approved by DEQ, the permittee must reduce and maintain a pile height of 14 feet or less for active compost piles by June 30, 2020. The permittee is additionally required to meet all other applicable Oregon Fire Code requirements.
- 9.18 Cover for active compost piles.** Within 60 days of permit issuance, the permittee must apply a cover, such as porous overs and composted material, on all active compost piles for at least the first 15 days of composting. The permittee must describe in its operation plan how it will adequately maintain the cover. During the transition from static pile to ASP, the permittee will top all active compost piles with bio-cover.
- 9.19 Capture and treatment of odors form screening and transfer process.** The permittee must maintain an enclosure of the screening and conveyance system to capture the odors from the processing equipment. Captured air will be directed to a properly sized bio-filter with an irrigation system that is maintained to provide optimum filtering capability.
- 9.20 Aerated system.** The permittee must build and operate a continuous aeration system that provides adequate aeration to maintain a minimum oxygen level of 10% in the active compost pile by June 30, 2020. Exhaust from the aerated system will be directed through a bio-filter or bio-cover system to ensure that, to the greatest extent possible, odors that are likely to cause adverse impacts outside of the facility boundaries are minimized.
- 9.21 Process Controls.** Monitor and record the following processing parameters referenced in OAR 340-096-0090(6) at the frequency and location described below. Permittee must ensure that parameters are

within the range listed herein.

- 1) Prior to conversion to ASP system on June 30, 2020, the permittee must ensure that parameters are within the range listed herein:
 - a) Oxygen level: Monitor at locations that are representative of the active piles weekly. Oxygen level within the active pile must be between 5% - 21% to ensure aerobic decomposition of feedstocks is occurring. Record of oxygen levels within the active piles shall be kept onsite and available to DEQ upon request.
 - b) Temperature: Monitor at locations that are representative of the active piles weekly. Temperature within the active piles must maintain a temperature range between 120 F to 180 F. Record of temperature within the active pile shall be kept onsite and available to DEQ upon request.
 - c) Moisture content: Monitor at locations that are representative of the active piles weekly. Moisture content within the active piles must be between 40% - 60% to ensure aerobic decomposition of feedstocks is occurring. Record of moisture content within the active piles shall be kept onsite and available to DEQ upon request.
 - d) Retention time: Record active composting time for each compost batch. Record of compost times shall be kept onsite and available to DEQ upon request.

- 2) After conversion to ASP system on June 30, 2020, the permittee must ensure that parameters are within the range listed herein:
 - a) Oxygen level: Monitor at locations that are representative of the active piles daily. Oxygen level within the active pile must be between 10% - 21% to ensure aerobic decomposition of feedstocks is occurring. Record of oxygen levels within the active piles shall be kept onsite and available to DEQ upon request.
 - b) Temperature: Monitor at locations that are representative of the active piles daily. Temperature within the active piles must maintain a minimum temperature of 131 F for three days to achieve adequate human pathogen reduction. Record of temperature within the active pile shall be kept onsite and available to DEQ upon request.
 - c) Moisture content: For each batch of material, monitor at locations that are representative of the active pile 4 times during the active composting phase. Permittee to take a moisture content measurement during the construction of the ASP (Day 1 and Day 15) and again during the deconstruction or flipping of the pile (Day 15 and Day 30).
 - d) Retention time: Record active composting time for each compost batch. Record of compost times shall be kept onsite and available to DEQ upon request.

COMPLIANCE SCHEDULE

10.0 SUMMARY OF DUE DATES

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

DUE DATE	ACTIVITY	SECTION IN THIS PERMIT
Prior to accepting any new waste type.	Submit an updated operations plan and obtain DEQ written approval.	Permit section 1.2
60 days after issuance of the permit.	Submit an updated Operations Plan and Odor Minimization Plan	Permit section 4.2
Six months prior to initiating any new construction for leachate or stormwater collection systems or groundwater protective surfaces.	Submit design and construction plans and receive written DEQ approval of plans.	Permit section 6.1
Prior to initiating construction.	Submit construction documents, including a Construction Quality Assurance Plan and receive written DEQ approval.	Permit section 6.3
Within 90 days after completion of any major construction and prior to accepting feedstock in new construction.	Submit Construction Certification Report for acceptance. Receive written DEQ approval of Report.	Permit section 6.4
One year prior to closure.	Notify DEQ in writing.	
By July 31 of each year.	Submit 1200-Z NPDES stormwater permit sampling results.	Permit section 5.5
April 30, 2019	Reduce and maintain all piles of yard debris feedstock, active compost, hog fuel and finished compost to a maximum height of 25 feet.	Permit section 9.17
60 days after issuance of the permit	Submit a plan for DEQ approval to achieve a maximum pile height of 14 feet	Permit section 9.17
June 30, 2020	Reduce and maintain all active compost piles to a maximum height of 14 feet	Permit section 9.17
60 days after issuance of the permit	Apply and maintain a cover of active compost piles	Permit section 9.18
June 30, 2020	Build and operate a continuous aeration system that provides adequate aeration to maintain a minimum oxygen level of 10% in the active compost pile	Permit section 9.20

11.0 WHEN TO NOTIFY DEQ STAFF

Note: Contact DEQ staff at phone number listed in section 5.1, "Non-compliance reporting."

TOPIC	NOTIFICATION REQUIREMENTS	SECTION IN THIS PERMIT
Facility not able to meet requirements of this permit.	Contact DEQ for assessment.	All
Prohibited or hazardous waste discovered at facility.	Notify DEQ within 48 hours.	2.2
Conditions of permit violated.	Notify DEQ within 24 hours.	5.1
Leachate released from facility.	Notify DEQ within 24 hours.	5.2
Change in ownership of facility.	Notify DEQ in writing within 10 days.	8.6
Change in name or address of facility, name or address of permittee or name or address of operator.	Notify DEQ in writing within 10 days.	8.6
Odor complaints.	Notify DEQ after 5 complaints are received for same odor event or if odor persists unresolved after 24 hours.	9.15
Litter or dust complaints.	Notify DEQ after 5 complaints are received for an event.	9.15



Oregon

Kate Brown, Governor

Department of Environmental Quality
Northwest Region Portland Office/Water Quality
700 NE Multnomah Street, Suite 600
Portland, OR 97232
(503) 229-5263
FAX (503) 229-6957
TTY 711

March 31, 2021

JEFF GRIMM
GRIMM'S FUEL CO.
18850 SW CIPOLE RD
TUALATIN, OR 97062-6935

Re: NPDES 1200-Z Industrial Stormwater Discharge General Permit Coverage
File Number: 109185 EPA Number: : ORR232181
Facility: GRIMM'S FUEL CO., 18850 SW CIPOLE RD, TUALATIN
WASHINGTON County
Primary SIC Code: 2875

Continue to operate and monitor under the 2018 permit until July 1, 2021

Dear JEFF GRIMM:

On March 25, 2021, the Oregon Environmental Quality Commission adopted a revised National Pollutant Discharge Elimination System Industrial Stormwater Discharge General Permit No. 1200-Z. Coverage under the renewed 2021 permit will become effective on **July 1, 2021**; at such time, all existing facilities must comply with the renewed permit conditions. The 2018 permit will no longer be in effect as of July 1, 2021. **All existing permit registrants with approved monitoring waivers must reinstate monitoring on July 1, 2021.** DEQ or agent will identify and communicate monitoring requirements under the 2021 permit.

Please bookmark or print a copy of the permit located on DEQ's Industrial Stormwater Permits webpage and read it carefully as there are new conditions and requirements. It is the responsibility of the permit registrant to comply with conditions established in the permit to help protect Oregon's waterways. The following are some of the key permit requirements.

New Permit Requirements

- A revised stormwater pollution control plan must be submitted to DEQ or agent by **August 31, 2021**.
- Monitoring changes include:
 - Expanded georegions for benchmarks;
 - Decreased impairment monitoring;
 - Concentration updates of sector-specific benchmarks;
 - Water-quality effluent limits for discharges on the 303(d) list;
 - Revised monitoring waiver qualifications; and
 - Expansion of visual observations requirements.
- Impairment monitoring is required for discharges into a Category 5: 303(d) listed receiving streams for pH, copper, lead, zinc, iron and E. coli. Exceedance of impairment sampling may lead to numeric or narrative water-quality effluent limits. Effluent limit exceedances are violations.

- If stormwater does not discharge into a Category 5: 303(d) impaired water for one or more of the pollutants listed above, no impairment monitoring is required and the permit registrant will not be subject to escalating water quality-based effluent limits.
- **By Dec. 31, 2021**, submit a professional engineer or certified engineering geologist stamped recertification for discharges from mass reduction measures (infiltration devices) reducing the mass of pollutants at or above DEQ-approved design storm criteria.
- DEQ is transitioning to electronic reporting soon.

DEQ developed tools to assist with implementing the new permit requirements. This includes an interactive map for identification of georegion, impaired waters status, and basin, as well as a comparison between current and renewed permit conditions. The tools, in addition to other information such as technical assistance on best management practices, can be found on the Industrial Stormwater Permits webpage: <https://www.oregon.gov/deq/wq/wqpermits/Pages/Stormwater-Industrial.aspx>

If you have any questions about this permit, please contact Krista Ratliff at krista.ratliff@deq.state.or.us or 503-893-0669.

Sincerely,



Christine Svetkovich
Water Quality Manager

GENERAL PERMIT
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
INDUSTRIAL STORMWATER DISCHARGE PERMIT No. 1200-Z
Department of Environmental Quality
700 NE Multnomah St., Suite #600 Portland, OR 97232
Telephone: (503) 229-5630 or 1-800-452-4011 toll free in Oregon
Issued pursuant to ORS 468B.050 and the Federal Clean Water Act

REGISTERED TO:

SOURCES COVERED UNDER THIS PERMIT:

A facility that may discharge industrial stormwater to surface waters or to conveyance systems that discharge to surface waters of the state and,

1. The stormwater is associated with an industrial activity identified in Table 1: Sources Covered or listed in Table 2: Additional Industrial Activities Covered; or
2. The facility is notified in writing the Director determines coverage under this permit is required for its stormwater discharges pursuant to 40 CFR 122.26(a)(9)(i)(D).

Note:

1. Facilities may apply for conditional exclusion from the requirement to obtain coverage under this permit if there is no exposure of industrial activities and materials to stormwater pursuant to 40 CFR §122.26(g); see Permit Coverage and Exclusion from Coverage.
2. The following are not eligible to obtain coverage under this permit:
 - i. Construction activities. This activity is covered under a separate general permit.
 - ii. Any source with primary Standard Industrial Classification codes 2951 and 3273, including mobile asphalt and concrete batch plants; and Standard Industrial Classification code 14, Mining and Quarrying of Nonmetallic Minerals, Except Fuels. These activities are covered under a separate general permit.
 - iii. Any source that has obtained an individual NPDES permit for the discharge, unless the source is otherwise eligible for coverage under this permit and DEQ has approved the source's application for coverage under this general permit.
 - iv. Any source that discharges to a sanitary sewer system and the discharge is approved by the sanitary sewer operator.

Issuance Date: March 25, 2021

Justin Green, Administrator
Water Quality Division

PERMITTED ACTIVITIES

Until this permit expires, is modified, or revoked, the permit registrant is authorized to construct, install, modify, or operate stormwater treatment or control facilities, and to discharge stormwater and non-stormwater discharges specifically authorized by the permit to surface waters of the state in conformance with all the requirements, limitations, and conditions set forth in the following:

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Unless specifically authorized by this permit, by regulation issued by EPA, by another NPDES permit, or by Oregon Administrative Rule or Oregon Revised Statute, any other direct or indirect discharge to waters of the state is prohibited, including non-stormwater discharges to an underground injection control system.

Schedule E contains sector-specific federal requirements. Schedule F contains General Conditions that are included in all general permits issued by DEQ. If conflicts arise between Schedule E or Schedule F and any other schedule of the permit, the requirements in Schedule E or Schedule F may not apply.



State of Oregon
Department of
Environmental
Quality

CERTIFICATE TO OPERATE UNDERGROUND STORAGE TANKS REGISTRATION CERTIFICATE NUMBER

34-3925-2023-OPER

FACILITY NAME AND LOCATION

GRIMM'S FUEL COMPANY
18850 SW CIPOLE RD
TUALATIN, OR 97062

PERMITTEE

Jeffery D. Grimm
Grimm's Fuel Company
1631 Southshore Blvd
Lake Oswego, OR 97034

TANK PERMIT:

BFKHG
BFKHH

TANK ID NO:

1A
2A

TANK SIZE:

15,000 GALLONS
15,000 GALLONS

TANK CONTENTS:

DIESEL
DIESEL

CERTIFICATE EXPIRES: June 30, 2024

ISSUE DATE: 06/02/2023

David L. Livengood
Hazardous Waste & Tanks Manager

Post this certificate where it is visible to the person delivering fuel.

Property Use Consent

Solid waste application supplemental form



SUBMIT THIS FORM TO:
Metro
Solid Waste Compliance and Cleanup
600 NE Grand Avenue
Portland, OR 97232-2736
Tel: (503) 797-1835
Fax: (503)813-7544
SWCC@oregonmetro.gov

Metro use only
DATE RECEIVED: 08/12/23
DATE DEEMED COMPLETE BY METRO:

Property Use Consent

1. Property Owner.	
Name:	Grimm Brothers, LLC
Mailing Address:	18850 SW Cipole Rd.
City/State/Zip:	Tualatin, Oregon 97062
Phone Number:	503-636-3623

2. Site Description.			
Tax Lot(s):1800-2100	Section:21	Township:2S	Range:1W
Address:18850 SW Cipole Rd. Tualatin, Oregon 97062			

3. Describe the applicant's proposed use of this property.
Composting facility, landscape products storage and distribution, shop and maintenance facility.

4. Describe the property interest held by the prospective Licensee or Franchisee (Applicant).
Self. The applicant and property are owned by the same individuals.

5. Describe the duration of the interest.
10-year lease.

Property Use Consent

Solid waste application supplemental form



APPLICANT CERTIFICATION:

An authorized agent of the applicant must sign this form. Metro will not accept a form without a signature.

I certify that the information contained in this form is true and correct to the best of my knowledge. I agree to notify Metro within 10 days of any change in the information submitted as a part of this application.

SIGNATURE OF AUTHORIZED AGENT *Jeffery D. Grimm*
TITLE G.M.
PRINT NAME Jeffery D. Grimm
DATE 8/11/2023 PHONE 503-636-3623

PROPERTY OWNER(S): This form cannot be processed without a signature.

"I consent to the applicant's proposed use of this property as described on this form. I have also read and agree to be bound by the provisions of Section 5.01 of the Metro Code if the applicant is granted a franchise or license and that franchise or license is subsequently revoked or if renewal of that franchise or license is refused." Metro Code Section 5.01 states: "Upon revocation or refusal to renew the Franchise or License, all rights of the Franchisee or Licensee in the Franchise or License shall immediately be divested."

I certify that the information contained in this form is true and correct to the best of my knowledge. I agree to notify Metro within 10 days of any change in the information submitted as a part of this application.

SIGNATURE *Jeffery D. Grimm*
PRINT NAME Jeffery D. Grimm
DATE 8/11/2023 PHONE 503-636-3623
SIGNATURE _____
PRINT NAME _____
DATE _____ PHONE _____