

DEQ USE ONLY	
File #:	
Application #:	
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River Mile:	
Legal Name Confirmed:	☐
Notes:	

**DEPARTMENT OF ENVIRONMENTAL QUALITY
APPLICATION FOR NEW
NPDES GENERAL PERMIT 1200-C**

For stormwater discharges to surface waters from construction activities disturbing one acre or more that do not meet automatic coverage requirements.



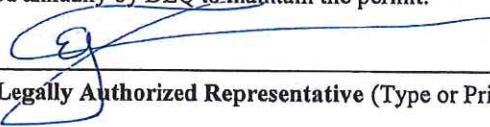
DEQ USE ONLY	
Date Received:	
Amount: \$	
Check #:	
Check Name:	
Deposit #:	
Receipt #:	
Notes:	

*A project *may* be eligible for "automatic coverage" under NPDES general permit 1200-CN if stormwater *does not* discharge to a water body with a TMDL or 303(d) listing for sediment or turbidity *and* it meets one of the following criteria (see 1200-CN at <http://www.deq.state.or.us/wq/wqpermit/docs/general/npdes1200cn/1200CNPermit.pdf>):

- 1) Disturbs less than one acre and is located in Gresham, Troutdale, or Wood Village.
- 2) Disturbs less than five acres and is located in Albany, Corvallis, Eugene, Milwaukie, Multnomah Co. (unincorporated areas), Springfield, West Linn, or Wilsonville.
- 3) Disturbs less than five acres and is within the jurisdictions of Clackamas Co. Water Environment Services [Gladstone, areas within Clackamas Co. Service Dist. #1 (excluding Happy Valley), and areas within the Surface Water Management Agency of Clackamas Co. (including Rivergrove)], Clean Water Services (Banks, Beaverton, Cornelius, Durham, Forest Grove, Hillsboro, King City, North Plains, Sherwood, Tigard, Tualatin, and Washington Co. within Urban Growth Boundary), or Rogue Valley Sewer Services (Central Point, Phoenix, Talent, and portions of Jackson Co. in NPDES MS4 permit area).

Please answer all questions.

A. PROJECT INFORMATION			
1. Cascade Kelly Holdings, LLC dba Columbia Pacific Bio-Refinery Applicant (entity legally responsible for permit) Brandon Gimper Contact Name (if different from applicant) 81200 Kallunki Rd Address Clatskanie OR 97016 City State Zip 503 728-7022 bgimper@globalp.com Telephone E-Mail Address		2. Invoicing information (person or entity legally responsible for payment of annual fee invoice; not a third party independent of the applicant) Cascade Kelly Holdings LLC dba Columbia Pacific Bio-Refinery Invoice Contact Name (if different from applicant) 81200 Kallunki Rd Address Clatskanie OR 97016 City State Zip 503 728-7004 Accounting ap.or@globalp.com Telephone E-Mail Address	
3. SoundEarth Strategies, Inc. Architect/Engineering Firm (Erosion & Sediment Control Plan) Ayn Generes, PE, CPSWQ, CESCL Project Manager 503-715-7987 ageneres@soundearthinc.com Telephone E-Mail Address		4. Ayn Generes Applicant's Designated Erosion and Sediment Control Inspector SoundEarth Strategies, Inc. Company Name 503-715-7987 ageneres@soundearthinc.com Telephone E-Mail Address	

5. Columbia Pacific Bio-Refinery Transload Expansion Name of Project 81200 Kallunki Road Address or Cross Street Clastskanie Oregon 97018 City State Zip Columbia County	6. Nature of Construction Activity ☐ Single Family (SIC Code 1521) ☐ Multi-Family Residential (SIC Code 1522) ☐ Commercial (SIC Code 1542) ☐ Industrial (SIC Code 1541) ☐ Highway (SIC Code 1611) ☐ Utilities (SIC Code 1623): _____ ☒ Other (include SIC Code): <u>2869, 5171</u>
7. Approximate location of center of site: Latitude: <u>46.172</u> Longitude: <u>-123.164</u> <i>**For assistance: DEQ Location Tool at http://degisweb.deq.state.or.us/lid/lid.html**</i>	8. Project Size: Total Site Acreage (acres): <u>43.62</u> Total Disturbed Area (acres): <u>7</u> Total Number of Lots (if applicable): <u>n/a</u>
9. Stormwater runoff during construction will flow to: ☐ Infiltration device(s) ☒ Creek/Stream (provide name): Columbia River ☐ Ditch (provide name of receiving stream for ditch): ☐ Municipal storm sewer or drainage system (provide name of receiving stream for system): ☐ Other:	
10. Stormwater runoff during construction discharges directly to or through a storm sewer or drainage system that discharges to a water body with a Total Maximum Daily Load (TMDL) or 303(d) listing for turbidity or sedimentation? ☐ YES ☒ NO <i>• **For assistance: DEQ Lookup Tool at http://www.deq.state.or.us/WQ/TMDLs/basinmap.htm or DEQ Map/Table at http://deg12.deq.state.or.us/tmdl/default.aspx**</i>	
B. LAND USE COMPATIBILITY STATEMENT	
Submit a DEQ Land Use Compatibility Statement (LUCS) form that has been completed by the local land use authority with this application. Attach the <i>original</i> LUCS and, if applicable, written findings by the local authority. DEQ will not process the application unless the local land use authority indicates on the LUCS form that the project is compatible with the local acknowledged comprehensive plan and land use regulations. <i>**A copy of this form may be found at http://www.deq.state.or.us/pubs/permithandbook/lucs.htm**</i>	
C. SIGNATURE OF LEGALLY AUTHORIZED REPRESENTATIVE	
The legally authorized representative <i>must</i> sign the application. I hereby certify that the information contained in this application is true and correct to the best of my knowledge and belief. In addition, I agree to pay all permit fees required by Oregon Administrative Rules 340-045. This includes a compliance determination fee invoiced annually by DEQ to maintain the permit.	
 _____ Name of Legally Authorized Representative (Type or Print)	<u>Executive Vice President & General Counsel</u> _____ Title
<u>Edward J. Faneuil</u> _____ Signature of Legally Authorized Representative	<u>02/13/2015</u> _____ Date

APPLICATION AND FEE SUBMITTAL

To authorize permit registration, the following must be completed and submitted to the appropriate DEQ regional office or DEQ Agent (see list of offices in application instructions, pp. 3-4):

- ☐ DEQ application form signed by the Legally Authorized Representative and meeting the signature requirements below.
- ☐ DEQ LUCS by local land use authority indicating the activity is compatible with local acknowledged comprehensive plan and land use regulations. Include the Findings if so stated on the LUCS.
- ☐ Stormwater Erosion and Sediment Control Plan Narrative, if applicable.
- ☐ Stormwater Erosion and Sediment Control Plan Drawings; full-sized hard copy and electronic PDF files.
- ☐ Effective 11/1/13, the fee for a new application is \$1,676 payable to Oregon DEQ and you must submit it with this application. Please note that DEQ will also invoice you for an annual fee of \$850 if your project needs permit coverage for more than a year. These fees are subject to change; please visit <http://www.deq.state.or.us/wq/wqpermit/stminfo.htm> for current fees. If you are sending your application to a DEQ Agent, check with the DEQ Agent for appropriate fees and make check payable to the DEQ Agent.

Application Instructions

A. PROJECT INFORMATION

1. Enter the legal name of the applicant. Permit coverage will be issued to this entity. This is the person, business, public organization, or other entity responsible for ensuring that erosion and sediment controls are in place and in working order through the life of the project.
 - The name must be a legal, active name registered with the Oregon Department of Commerce, Corporation Division in Salem at 503-378-4752 or http://egov.sos.state.or.us/br/pkg_web_name_srch_inq_login, unless otherwise exempted by their rules. If the name of the applicant is not registered with the Corporation Division and the applicant is a business entity, attach legal documents that verify the entity's existence with the application. The applicant may not use an assumed business name.
 - Permit coverage may be transferred from one party to another. For example, a developer may apply for a permit and then transfer the permit to a contractor. Transfer forms are available from DEQ or at <http://www.deq.state.or.us/wq/stormwater/constappl.htm>.
2. Provide invoice contact information for billing of DEQ annual permit fee if different from the applicant in #1 above. This is the person or entity legally responsible for payment of the annual fee invoice, not a third party independent of the applicant.
3. Provide contact information for the Architect or Consulting Engineer who designed the Erosion and Sediment Control Plan (ESCP).
4. Provide information on the Erosion and Sediment Control Inspector. This is not a DEQ or DEQ Agent inspector; this is an inspector employed by the applicant. If the inspector has not been selected yet, please provide the name of consultant who prepared the ESCP and their ESC certification. When the inspector is selected, submit to DEQ or to the DEQ Agent, the name, contact information, training and experience (see condition A.12.b.iii of the 1200-C).
5. Provide the common name of the project (for example, the name of the subdivision), the location of the site with respect to crossroads in the area, and, if available, a street address.
6. Check the box that best describes the nature of the construction activity. If "other" is selected, describe the use and include a Standard Industrial Classification Code (visit <http://www.osha.gov/pls/imis/sicsearch.html> for codes).
7. Enter latitude and longitude for the approximate center of the site (DEQ Location Tool at <http://deqgisweb.deq.state.or.us/llid/llid.html> or at <http://deqapp1/website/lit/data.asp>).
8. Provide information on the project size as indicated (based on the total project and not just a single phase).
9. Indicate where stormwater runoff during construction will flow. Use your best judgment to determine the name of the receiving water body.
10. Indicate whether stormwater runoff during construction will discharge directly to or through a storm sewer or drainage system that discharges to a Total Maximum Daily Load (TMDL) or 303(d) listed water body for turbidity or sedimentation. To make this determination, the following tools are available on DEQ's website:
 - Map and table: <http://www.deq.state.or.us/WQ/TMDLs/basinmap.htm>
 - Lookup tool: <http://deq12.deq.state.or.us/tmdl/default.aspx>

B. LAND USE COMPATIBILITY STATEMENT

Complete as indicated.

C. SIGNATURE OF LEGALLY AUTHORIZED REPRESENTATIVE

DEFINITION OF LEGALLY AUTHORIZED REPRESENTATIVE:

Please also provide the information requested in brackets []

- **Corporation** - president, secretary, treasurer, vice-president, or any person who performs principal business functions; or a manager of one or more facilities that is authorized in accordance to corporate procedure to sign such documents.
- **Partnership** - General partner *[list of general partners, their addresses, and telephone numbers]*.
- **Sole Proprietorship** - Owner(s) *[each owner must sign the application]*.
- **City, County, State, Federal, or other Public Facility** - Principal executive officer or ranking elected official.
- **Limited Liability Company** - Member *[articles of organization]*.
- **Trusts** – Acting trustee *[list of trustees, their addresses, and telephone numbers]*.

(please see 40 CFR §122.22 for more detail, if needed)

APPLICATION AND FEE SUBMITTAL

Submit this application, Narrative Parts I, II & III (if applicable), LUCS, Erosion and Sediment Control Plan(2 full-sized hard copies and 1 PDF copy), and the applicable fee to the appropriate DEQ regional office or DEQ Agent listed below. Contact the appropriate DEQ regional office or DEQ Agent for the best way to submit the electronic version of the ESCP.

- If you are in an area serviced by a DEQ Agent, check with the DEQ Agent for appropriate fees and make check payable to the DEQ Agent.
- If you are sending your application to DEQ, the fee for a new application is \$1,676 payable to the Oregon DEQ. Please note that DEQ will also invoice you for an annual fee of \$850 if your project needs permit coverage for more than a year. These fees are subject to change; visit <http://www.deq.state.or.us/wq/wqpermit/stminfo.htm> for current fees.

City of Eugene 99 W. 10th Avenue Eugene, OR 97401 541-682-5297	City of Hermiston 215 Gladys Avenue Hermiston, OR 97838 541-667-5025		City of Troutdale 342 SW 4th Street Troutdale, OR 97060 503-674-3300		
Clean Water Services 2550 SW Hillsboro Highway Hillsboro, OR 97123 503-681-5101 <i>Includes Banks, Beaverton, Cornelius, Durham, Forest Grove, Gaston, Hillsboro, King City, North Plains, Sherwood, Tigard, Tualatin, and portions of Washington Co.</i>	Rogue Valley Sewer Services 138 West Vilas Road, PO Box 3130 Central Point, OR 97502 541-664-6300 <i>Includes Central Point, Phoenix, Talent, White City and portions of Jackson Co.</i>		Clackamas Co. Water Environmental Services 150 Beavercreek Road, Suite 430 Oregon City, OR 97045 503-742-4567 <i>Unincorporated Clackamas County and areas within the Cities of Rivergrove and Gladstone</i>		
DEQ Northwest Region			DEQ Western Region		
DEQ Northwest Region 2020 SW 4th Avenue, Suite 400 Portland, OR 97201-4987 503-229-5263 or 1-800-452-4011	DEQ Western Region 165 East 7th Avenue, Suite 100 Eugene, OR 97401 541-687-7326 or 1-800-844-8467		DEQ Eastern Region 800 SE Emigrant Avenue, Suite 330 Pendleton, OR 97801 541-278-4605 or 1-800-304-3513		
Clackamas	Benton	Lane	Baker	Hood River	Sherman
Clatsop	Coos	Lincoln	Crook	Jefferson	Umatilla
Columbia	Curry	Linn	Deschutes	Klamath	Union
Multnomah	Douglas	Marion	Gilliam	Lake	Wallowa
Tillamook	Jackson	Polk	Grant	Malheur	Wasco
Washington	Josephine	Yamhill	Harney	Marrow	Wheeler

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

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5415-W-00200
LUCS 15-17

SECTION 1 - TO BE COMPLETED BY APPLICANT

1A. Applicant Name: Cascade Kelly Holdings, LLC	1B. Project Name: Columbia Pacific Bio-Refinery Expansion
Contact Name: Brandon Gimper	Physical Address: 81200 Kallunki Road
Mailing Address: 81200 Kallunki Road	City, State, Zip: Clatskanie, OR, 97018
City, State, Zip: Clatskanie, Oregon, 97018	Tax Lot #: 200
Telephone: 503-728-7022	Township: 8N Range: 4W Section: 1500
Tax Account #: 31250	Latitude: 46.172
	Longitude: -123.164

1C. Describe the project, include the type of development, business, or facility and services or products provided (attach additional information if necessary):

Columbia Pacific Bio-Refinery (CPBR) is an existing industrial facility, that is designed to operate as both a fuel ethanol production facility and a bulk liquid commodity terminal. CPBR operates under Standard Industrial Classification (SIC) code 2869 (Industrial Organic Chemicals) when producing ethanol and SIC code 5171 (Petroleum Bulk Stations and Terminals) when serving as a bulk liquid commodity terminal.

The facility is proposing an expansion project that will have a total land disturbance area of approximately 7 acres within the existing 43.62-acre property boundary. The expansion consists of three components. An existing 4,000 square foot warehouse will be moved from the west side to the east side of the property, which will include converting 0.65 acres of pervious grass to impervious asphalt. The second component is to construct a 5-acre secondary containment pad to house six 4.5 million gallon crude oil storage tanks. The final component is modifications to the rail spur area that includes the addition of a rail spur, installation of a 40 feet long by 50 feet wide by 8 feet deep containment structure near the rail spurs to house a pump station, and approximately 1,500 linear feet of pipeline to connect the rail spur storage tanks to the larger oil storage tanks.

1D. Check the type of DEQ permit(s) or approval(s) being applied for at this time.

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

1E. 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.

2A. The project proposal is located: ☐ Inside city limits ☐ Inside UGB ☒ Outside UGB

2B. 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):
Columbia County

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

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SECTION 2 - TO BE COMPLETED BY CITY OR COUNTY PLANNING OFFICIAL		
Applicant Name: <u>Cascade Kelly Holdings</u>	Project Name: <u>COY Pacific Bio-Refinery Expansion</u>	
2C. Is the activity allowed under Measure 49 (2007)? ☒ 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 #:		
2D. Is the activity a composting facility? ☒ No ☐ Yes; Senate Bill 462 (2013) notification requirements have been met.		
2E. Is the activity or use compatible with your acknowledged comprehensive plan as required by OAR 660-031? <i>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.</i>		
☐ The activity or use is specifically exempt 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): <u>will require an engineered stormwater erosion control plan submitted to Columbia County</u>		
☐ YES, the activity or use received preliminary approval that includes requirements to fully comply with local requirements; findings are attached.		
☐ 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): <u>Applicant will need to update their existing SDC plan approved in 2010. This update will need to show that new changes can be incorporated into the existing facilities without any adverse impacts on adjoining properties.</u>		
Planning Official Signature: <u>Debbie Jacobs</u>		Title: <u>Planner II</u>
Print Name: <u>Debbie Jacobs</u>	Telephone #: <u>503-397-7260</u>	Date: <u>4/20/15</u>
<i>If necessary, depending upon city/county agreement on jurisdiction outside city limits but within UGB:</i>		
Planning Official Signature:		Title:
Print Name:	Telephone #:	Date:

