

Public Notice

Proposed New Solid Waste Material Recovery Facility Permit for Thermo Fluids, Inc.

Comments due: 5 p.m., Monday Oct. 2, 2017

Project location: Thermo Fluids, Inc, 12533 SE Carpenter Drive, Clackamas, OR 97015.

Proposal: DEQ proposes to issue a DEQ material recovery facility solid waste permit for the acceptance, crushing and cubing of used oil filters for recovery of the metal and used oil, the accumulation of oily debris prior to final disposal, and the accumulation of used antifreeze and used oil prior to transfer to a recycling center.

Highlights:

The site is within an industrial zone in Clackamas County and is located approximately ½ mile north of the Clackamas River. The site is approximately 3.5 acres and is zoned light industrial.

The majority of the site is covered with asphalt, concrete, tanks or buildings. There is a rail spur on the northern boundary of the property that is used by Thermo Fluids to transport the used oil and spent antifreeze for recycling. There is one approximately 25,000 square foot warehouse onsite that provides office and storage space. There is also an oil storage area with secondary containment, antifreeze storage area with secondary containment, and a used oil filter crusher onsite.

Thermo Fluids primarily collects used oil, used oil filters and oily debris and spent antifreeze for offsite recycling. Thermo Fluids collects drums of used oil filters at the point of generation from clients. Waste is characterized and profiled prior to pick up. Thermo Fluids verifies that the waste conforms to the generator's profile before processing the waste. Any unacceptable drums that have been accepted onsite are separated, the generator is contacted, and the site determines if the material will be returned to the generator or shipped to an appropriate third party facility. The screened filters are then transferred to the filter cuber/crusher. The cubes are then transported to a metal recycler. The used oil collected from the filters is shipped offsite for recycling.

Oily debris

Oily debris includes used absorbent fabrics such as oily rags, and granular absorbents such as sawdust or wood chips. The solids are collected in drums at the point of generation and transferred to the facility via truck. The oily debris is stored in a covered bin until it is transferred to the final disposal location.

Oily wastewater

Thermo Fluids gravity separates the oily wastewater into an oil fraction, a wastewater fraction, and a sludge fraction. The sludge fraction is sent to Wasco Landfill for solidification and disposal. The oil fraction is sent to a Safety Kleen re-refiner and the wastewater fraction is sent out of state for treatment and disposal.

Used antifreeze

Used antifreeze is collected in tanks onsite prior to being sent offsite for processing.

Used Oil

Used oil is collected in tanks onsite prior to being sent offsite for processing.

DEQ has drafted a solid waste material recovery facility permit for the Thermo Fluids facility and is seeking public comment on the draft permit.



State of Oregon
Department of
Environmental
Quality

**Materials Management
Program
Northwest Region
Portland**
700 NE Multnomah, Suite 600
Portland, OR 97232-4100

For general questions

Phone: 503-229-5072
Fax: 503-229-6957
Contact: Audrey O'Brien
Email:

[DEQNWR.SolidWastePermit
Coordinator@deq.state.or.us](mailto:DEQNWR.SolidWastePermitCoordinator@deq.state.or.us)

For technical assistance

Contact: Heather
Kuoppamaki
Phone: 503-229-5125

www.oregon.gov/DEQ

If you received a hard copy of this notice in the mail, please consider receiving updates via email instead. Send your request to:
subscriptions@deq.state.or.us

Health and environmental impacts: Improper management of solid waste can contribute to environmental pollution such as runoff, offsite dust, or other concerns. Based on the permit application, operations plan and special waste management plan for the proposed facility, DEQ has determined that the facility can meet environmental requirements and proposes to issue a DEQ solid waste material recovery facility permit to the facility. The permit contains conditions that the facility will need to meet to comply with environmental regulations.

Who is affected: Neighbors of the facility may be potentially impacted by Thermo Fluids operations.

Legal requirements: Applicable Oregon Revised Statutes include the following solid waste and environmental cleanup program laws and regulations:

Solid Waste -- ORS 459.205, 459.235, 459.270, and OAR Ch. 340 Division 93.

How to comment: Please submit comments on the draft DEQ solid waste material recovery facility permit, by email, fax, or U.S. postal mail to:

DEQ NWR Solid Waste Permit Coordinator
DEQ - Northwest Region Environmental Partnerships
700 NE Multnomah St., Suite 600
Portland, Oregon 97232-4100
Email: DEQNWR.SolidWastePermitCoordinator@deq.state.or.us

Where can I get more information? Scroll down to view the DEQ permit review report and the draft permit. If you have any technical questions, please contact Heather Kuoppamaki at 503-229-5125 or by email at kuoppamaki.heather@deq.state.or.us

To review the application and related documents in person at the DEQ Northwest Region office in Portland, Oregon contact Audrey O'Brien, at 503-229-5072 or via email at DEQNWR.SolidWastePermitCoordinator@deq.state.or.us to set up an appointment.

The next step: DEQ will schedule a public hearing if requested by 10 or more people or by an authorized person representing an organization with at least 10 people. If no hearing is requested, DEQ will consider and respond to all comments received and may modify the proposed permit based on comments received.

Accessibility information: Documents can be provided upon request in an alternate format for individuals with disabilities or in a language other than English for people with limited English skills. To request a document in another format or language, call DEQ in Portland at 503-229-5696, or toll-free in Oregon at 1-800-452-4011, ext. 5696; or email deqinfo@deq.state.or.us.



State of Oregon
Department of
Environmental
Quality

Permit Evaluation and Overview

Oregon Department of Environmental Quality
Northwest Region Office
700 NE Multnomah Street, Suite 600
Portland OR 97232

Date: August 1, 2017
Subject: Solid Waste Permit Evaluation Report
Site: Thermo Fluids, Inc. proposed SWDP 1592
Proposed Permit: Transfer and Material Recovery Facility
Facility Contact: Michelle Lackman
Permit Writer: Heather Kuoppamaki

Facility Location

Thermo Fluids, Inc.
12533 SE Carpenter Drive
Clackamas, OR 97015

Proposed Permit

The facility has submitted an application for a solid waste transfer and material recovery facility.

Facility Description

Solid Waste Disposal Permit (SWDP) #1592 will authorize the facility to accept oily debris (including fabric and granular absorbent materials) for transfer to a final disposal location, used antifreeze and used oil for transfer to a recycling facility, and used oil filters for onsite material recovery of used oil and metal. Thermo Fluids haulers deliver waste to the facility during normal operating hours.

The site is approximately 3.5 acres. The majority of the site is covered with asphalt, concrete, tanks or buildings. There is a rail spur on the northern boundary of the property that is used by Thermo Fluids to transport the used oil and spent antifreeze for recycling. There is one approximately 25,000 square foot warehouse onsite that provides office and storage space. There is also an oil storage area with secondary containment, antifreeze storage area with secondary containment, and a used oil filter crusher onsite.

Access is controlled by fencing on all sides. The site is zoned light industrial and zoning is compatible with the facility land use per the Land Use Compatibility Statement signed by Clackamas County staff on March 6, 2017.

Adjacent land uses include various industrial activities.

Operations Overview

Thermo Fluids does not perform any used oil processing or re-refining onsite with the exception of limited used oil filtering. The facility primarily collects the used oil and spent antifreeze for offsite recycling. Regulations regarding transfer facilities are provided in 40 CFR 279 and OAR 340-111.

Activities covered under this permit will include crushing and cubing used oil filters for recovery of the metal and used oil (material recovery), the accumulation of oily debris prior to final disposal (transfer), and the accumulation of used antifreeze and used oil prior to transfer to a recycling center (transfer).

Used oil filter and crusher

Thermo Fluids collects drums of used oil filters at the point of generation from clients. Waste is characterized and profiled prior to pick up. The waste is verified that it conforms to the generator's profile before it enters the onsite processes. Any unacceptable drums that have been accepted onsite are separated, the generator is contacted, and the site determines if the material will be returned to the generator or shipped to an appropriate third party facility.

The screened filters are then transferred to the filter cuber/crusher.

The cubes are then transported to a metal recycler. The used oil collected from the filters is shipped offsite for recycling.

Oily debris

Oily debris includes used absorbent fabrics such as oily rags, and granular absorbents such as sawdust or wood chips. The solids are collected in drums at the point of generation and transferred to the facility via truck. The oily debris is stored in a covered bin until it is transferred to the final disposal location.

Oily wastewater

Thermo Fluids gravity separates the oily wastewater into an oil fraction, a wastewater fraction, and a sludge fraction. The sludge fraction is sent to Wasco Landfill for solidification and disposal. The oil fraction is sent to a Safety Kleen re-refiner and the wastewater fraction is currently sent to a facility in Idaho for treatment and disposal.

Used antifreeze

Used antifreeze is collected in tanks onsite prior to being sent to a facility in either Utah or Nevada for processing.

Used Oil

Used oil is collected in tanks onsite prior to being sent to a Safety Kleen re-refinery out of state.

Regulatory Context

Oil contaminated media and debris is not considered used oil in Oregon and therefore not subject to 40 CFR 279 and OAR 340-111 (used oil regulations). Oily debris, used oil filters, and used oil are considered solid wastes in Oregon in accordance with OAR 340-093-0030(91). Thermo Fluids does not accept terne-plated used oil filters.

Used antifreeze regulations are located in 40 CFR 261, OAR 340-093, and OAR 340-096. Used antifreeze that is managed in accordance with the "Best Management Practices" described at the following website is not considered a hazardous waste and is considered a solid waste: <http://www.deq.state.or.us/lq/pubs/factsheets/hw/UsedAntifreeze.pdf>

Permit History

This will be the first DEQ Solid Waste permit for this facility.

The facility has an industrial wastewater permit (Number 01K-062-D) with Clackamas County.

The facility has a general 1200-Z NPDES stormwater discharge permit.

Compliance History

The facility does not have any historic violations with the DEQ Materials Management program.

The facility does not have any outstanding violations with DEQ. The following is a list of violations at the facility within the last 5 years:

- The facility received a warning letter in 2014 for not submitting the used oil annual report on time. Thermo Fluids submitted the report and achieved compliance in August 2014.

Inspection History

DEQ solid waste personnel conducted an unannounced inspection of the facility on July 18, 2017. No solid waste violations were noted during the inspection.

Recommendations

DEQ has determined that Thermo Fluids is able to comply with solid waste permitting requirements and has drafted a solid waste transfer and material recovery facility permit. DEQ recommends issuing a public notice to receive public comment on the draft solid waste permit.



SOLID WASTE DISPOSAL SITE PERMIT: Material Recovery Facility

Oregon Department of Environmental Quality
700 NE Multnomah St., Suite 600
Portland, OR 97232-4100
503-229-5353
Email: DEQNWR.SolidWastePermitCoordinator@deq.state.or.us

Issued in accordance with the provisions of [Oregon Revised Statutes Chapter 459](#), [Oregon Administrative Rules 340 Divisions 93, 95, 96](#), and [97](#) and subject to the Land Use Compatibility Statement referenced below.

Issued to:

Thermo Fluids, Inc.
12533 SE Carpenter Drive
Clackamas, OR 97015

Facility name and location:

Thermo Fluids, Inc.
12533 SE Carpenter Drive
Clackamas, OR 97015

Property Owner:

IDM
1498 SE Tech Center Place, Suite 150
Vancouver, WA 98683

Operator:

Thermo Fluids, Inc.
12533 SE Carpenter Drive
Clackamas, OR 97015

ISSUED IN RESPONSE TO:

- A solid waste permit application received March 20, 2017
- A Land Use Compatibility Statement from the Clackamas County on March 6, 2017

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

ISSUED BY THE OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY

Audrey O'Brien, Manager
Environmental Partnerships
DEQ Northwest Region

Date

Permitted Activities

Until this permit expires or is modified or revoked, the permittee is authorized to **operate** and maintain a solid waste disposal site for transfer and material recovery of solid waste in conformance with the requirements, limitations and conditions set forth in this document, including all attachments.

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Allowable Activities

1 Waste Receipt and Disposal Authorizations

1.1 Waste authorized for receipt

This permit authorizes Thermo Fluids to accept the following **non-hazardous** solid wastes for recycling and/or transfer, unless specifically prohibited in Section 2, if the materials are handled in accordance with this permit, air quality requirements and all local, state and federal regulations. The permittee must have characterization documentation that these waste materials are not hazardous waste.

- Used oil as defined in OAR 340-111 that does not contain PCBs may be collected for storage, management and recycling and sent for offsite re-refining
- Non terne-plated used oil filters that are not mixed with a listed hazardous waste (40 CFR 261 Subpart D).
 - Non terne used oil filters may be gravity hot-drained and crushed in accordance with 40 CFR 261.4(b)(13) and managed as scrap metal or as nonhazardous waste.
- Oil contaminated media and debris may be accepted for accumulation and transfer to a final disposal site. Material will be shipped to an approved landfill or permitted off-site solid waste incinerator.
- Spent antifreeze, ethylene glycol, or propylene glycol managed separately from used oil exclusively for off-site reclamation for re-use as antifreeze.

Reference: OAR 340-93-0030, OAR 340-111-0020, OAR 340-102-0011, 40 CFR Part 261 and Part 279.10, ORS 466.005, OAR 340-101, 40 CFR 258.20(b)

Used oil must be managed in accordance with 40 CFR 279 and OAR 340-111.

Solid Waste is defined in ORS 459.005.

1.2 Authorization to receive other waste

Waste excluded from the above authorization may be authorized for acceptance only after DEQ approves acceptance in writing.

Reference: OAR 340-095-0020(2)

1.3 Authorization of other activities

All facility activities are to be conducted in accordance with the provisions of this permit. All plans required by this permit become part of the permit by reference once approved by DEQ. Any conditions of the approval are also incorporated into this permit unless contested by the permittee within 30 days of the receipt of a conditional approval. Reference: OAR 340-093-0110 and OAR 340-093-0113

1.4 Duration of authorization

The authorization to accept solid waste will terminate at the time of site closure. After that time no solid waste may be accepted without written authorization by the DEQ. Reference: OAR 340-093-0115

2 Prohibitions

2.1 Prohibited waste

The permittee must not accept any hazardous wastes.

Reference: OAR 340-093-0040(2)

Unless otherwise approved in writing by DEQ the permittee must not knowingly accept for disposal the following waste or mix the following waste in with municipal solid waste or transfer the following waste to a landfill for disposal. The following waste may be collected for storage, management and recycling:

- Used oil that does not contain PCBs

This waste must be stored and managed to prevent spills, fires, nuisance or impacts to waters of the state.

2.2 Used oil for disposal

The permittee must not accept any used oil for disposal or for transfer to a landfill for disposal. The permittee must not mix used oil with solid waste for disposal or transfer to a landfill for disposal. Reference: OAR 340-093-0040(3)(a)

2.3 PCB-contaminated oils

The permittee must not accept used oil with detectable PCB concentrations of 2ppm or greater. If received inadvertently, the permittee must immediately notify DEQ and EPA and dispose of PCB containing used oil in accordance with 40 CFR 761.

Reference: 40 CFR 279.10(i), 40 CFR 761

2.4 Off-specification used oil

Off-specification used oil may only be accepted for:

- transfer to another facility permitted to burn off-specification used oil or for recycling

Reference: 40 CFR 260.10, 40 CFR 279.60

2.5 Open burning

The permittee must not conduct any open burning at this site. Reference: [OAR 340-264-0030](#) (defines open burning).

Operations and Design

3 Operations Plan

3.1 Plan compliance

The permittee must conduct all operations at the facility in accordance with the approved Operations Plan submitted to DEQ on May 23, 2017. The DEQ-approved Operations Plan is incorporated into the permit by reference.

Reference: OAR 340-096-0040, OAR 340-093-0070

3.2 Plan Content

The Operations Plan must describe the current method of operation of the facility in accordance with all regulatory and permit requirements.

Reference: OAR 340-096-0040 and OAR 340-093-0070

3.3 Special Waste Management Plan

DEQ-approved Special Waste Management Plans are required as part of the Operations Plan for certain waste materials that because of their nature, pose potential hazards to human health or the environment and require careful handling at transfer facilities. The plan must address procedures for receipt, handling, storage, spill clean-up and transport for reuse, recovery or disposal at an appropriately permitted facility.

Special waste requiring individual plans include but are not limited to:

- Asbestos containing materials inadvertently accepted
- Electronic waste
- Infectious waste
- Source separated hazardous wastes from conditionally-exempt small quantity generators

- Source separated household hazardous waste
- Septage
- Sewage sludges and grits

Reference: OAR 340-093-0190

3.4 Plan maintenance

The Operations Plan is a dynamic document and must be updated periodically to reflect current facility practices as they change. The permittee must revise the Operations Plan and Special Waste Management 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/Special Waste Management Plan to DEQ for review and written approval prior to commencing any change in operations that might negatively affect the environment or human health.

Reference: OAR 340-093-0070

3.5 Submittal address

All submittals to the DEQ under this section must be sent to:

Oregon Department of Environmental Quality
700 NE Multnomah St., Suite 600
Portland, OR 97232-4100
503-229-5353 or
Email to: DEQNWR.SolidWastePermitCoordinator@deq.state.or.us

4 Site Design and Construction

4.1 Facility Design and Construction Plan

The facility, including any additions, must be designed and constructed in accordance with plans approved by DEQ and any amendments approved in writing by DEQ. 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**.

Reference: OAR 340-093-0140 and OAR 340-096-0040

4.2 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. Reference: OAR 340-093-0140

4.3 Construction documents

When required by DEQ, prior to initiating construction, the permittee must submit for and receive written DEQ approval of complete construction documents for the project to be constructed.

The construction documents submitted must include a Construction Quality Assurance plan describing the measures the permittee will take to monitor and ensure the quality of materials and work performed by the constructor complies with project specifications and contract requirements. Reference: OAR 340-093-0150(1)

4.4 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.

Reference: OAR 340-093-0150

4.5 Approval to use

The permittee must not accept waste in newly constructed facilities or areas until DEQ has approved 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 waste at the facility in the newly constructed facilities or areas.

Reference: OAR 340-093-0150(3)

4.6 Submittal address

All submittals to DEQ under this section must be sent to:

Oregon Department of Environmental Quality
700 NE Multnomah St., Suite 600
Portland, OR 97232-4100
503-229-5353 or

Email to: DEQNWR.SolidWastePermitCoordinator@deq.state.or.us

5 Recordkeeping, Reporting and Fee Payment

5.1 Disposal and recycling data collection

- Solid waste accepted - The permittee must collect information on a monthly basis on tons of incoming used oil filters and oil contaminated media and debris.
- Solid waste for disposal - Tons of residual waste sent for disposal and disposal location.
- Recycling - The permittee must collect information about the amount of each material recovered for recycling or other beneficial purpose each quarter for each year.

5.2 Data reporting

- Solid waste disposal – Information collected on solid waste accepted for transfer to a disposal site must be recorded annually on the DEQ form titled: *Solid Waste Transfer Report*. This form is sent by DEQ to the permittee annually and is due by Jan. 30 each year.
- Recycling – Recycling information collected must be submitted to the local watershed representative (county recycling contact) by Jan. 31 of each year

5.3 Non-compliance reporting

In the event that any condition of this permit or of DEQ’s rules is violated, the permittee must immediately take action to correct the violation and to notify DEQ **within 24 hours** at: DEQ’s Northwest Region Solid Waste Program Office 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.

5.4 Fee payment

The permittee must pay the solid waste compliance fee each year this permit is in effect. DEQ will send an invoice to the permittee indicating the amount of the fee and the due date. Fees are based on the tons of solid waste received and transferred for disposal.

Reference: OAR 340-097-0110(10)

5.5 Records

The permittee must keep copies of all records and reports relating to the used oil filters and oily solids for five years from the date created. Records requirements for the used oil are established in OAR 340-111 and 40 CFR 279.

Reference: OAR 340-096- 0040(4)(e)

5.6 Access to records

Upon request, the permittee must make all records and reports related to the permitted facility available to DEQ.

Reference: OAR 340-096- 0040(4)(e) and OAR 340-093-0050

Operating Conditions

6 Specific Site Operations

6.1 Used oil

The permittee must manage used oil in compliance with 40 CFR Part 279 and OAR 340 Division 111.

6.2 Disposal of wastes

Wastes accepted for disposal and wastes generated on site including waste residuals must be properly disposed of at a location authorized to accept the waste. Wastes sent for disposal at a landfill must meet the acceptance criteria at the landfill.

The permittee must conduct annual hazardous waste determinations on wastes generated on-site and when adding new processes or making process changes or when incoming waste streams change. Wastes must be disposed of at a facility that is authorized to accept the waste. Reference: OAR 340-102-0011(2) and 40 CFR 262.11

6.3 Waste acceptance and management procedures

The permittee must employ waste acceptance procedures to ensure prohibited wastes are not accepted and retain written documentation for five years. Documentation must include the following:

- Hazardous waste determination (i.e., the waste is corrosive, ignitable, toxic or reactive)
- If by knowledge of process, obtain detailed written process knowledge from generator including a description of the generating process and SDS for all process constituents
- Analytical results from the processing of representative samples
- Material safety data sheets
- Waste profile sheets signed by the generator
- Facility inspection logs
- Daily operations logs
- Waste acceptance includes verifying hazardous waste determinations from generators, ensuring appropriate lab analyses are performed, and maintaining required documentation.

6.4 Waste profiles

The permittee must review all generators' waste profiles of all incoming wastes at least annually to ensure changes to the waste stream are captured on the profile.

The permittee is required to obtain sufficient information to ensure accurate and reliable waste determinations and categorizations.

7 Financial Assurance

7.1 Financial assurance plan

The permittee must implement a financial assurance plan and provide financial assurance for the cost of site closure and for taking corrective action for accidental releases. A copy of the plan must be filed on-site.

Reference: The plan must be prepared in accordance with OAR 340-095-0090.

7.2 Submittal

The permittee must submit to the DEQ, **within 120 days** of this permit issuance, evidence of financial assurance and liability insurance consisting of:

- A copy of the financial assurance mechanism(s)
- A certificate of liability insurance
- A written certification that the financial assurance meets all state requirements

Reference: Acceptable mechanisms are specified in OAR 340-095-0095.

7.3 Use of financial assurance

The permittee cannot use the financial assurance for any purpose other than to finance the approved closure or to guarantee that the closure will be completed.

General Conditions

8 Administration

8.1 Definitions

Unless otherwise specified, all terms are as defined in OAR 340-093-0030.

8.2 Permit term and renewal

The effective date of this permit is the date this document is signed. The expiration date of the permit is indicated at the top right of this document. The authorization to accept solid waste will terminate when this permit expires and/or at the time of site closure; after that time no solid waste may be accepted. An application for permit renewal is required if a permittee intends to continue operation beyond the permitted period. A complete renewal application must be filed at least 180 days before the existing permit expires.

Reference: OAR 340-093-0070(7)

8.3 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.

8.4 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.

8.5 Binding nature

Conditions of this permit are binding upon the permittee. The permittee is liable for all acts and omissions of the permittee's contractors and agents.

8.6 Access to disposal site

The permittee must allow representatives of DEQ access to the facility at all reasonable times for the purpose of performing inspections, surveys, collecting samples, obtaining data and carrying out other necessary functions related to this permit. Reference: ORS 459.385 and OAR 340-093-0050(5)(e).

8.7 Other compliance

Issuance of this permit does not relieve the permittee from the responsibility to comply with any applicable federal, state or local laws or regulations including the following solid waste requirements, and any future updates or additions to these requirements:

- Solid waste permit application received May 24, 2017
- Oregon Revised Statutes, Chapters 459, 459A, 465 and 466
- Oregon Administrative Rules Chapter 340
- Any documents submitted by the permittee and approved by the DEQ

8.8 Penalties

Violation of any condition of this permit or any incorporated plan may subject the permittee to civil penalties up to \$25,000 for each day of each violation.

Reference: OAR 340-012-0160(4) and ORS 459.995

9 Permit Modification

9.1 Modification

At any time during the life of the permit, DEQ or the permittee may propose changes to the permit. Once approved by DEQ, any permit-required plans become part of the permit by reference. DEQ may provide public notice and opportunity for review of permit-required plans. Reference: OAR 340-093-0113 and OAR 340-093-0070

The permittee must apply for a modification to this permit if a significant change in facility operations is planned, there is a deviation from activities described in this permit, or there is a sale or exchange of the facility. The permittee cannot implement any change in operations that requires a permit modification prior to receiving approval from DEQ. Reference: OAR 340-093-0070(6)

9.2 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 Statutes 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 solid waste received or in the operation of the disposal site
- Non-compliant operation of the facility

9.3 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. Reference: OAR 340-093-0070 (6)

9.4 Public participation

DEQ will issue a public notice to inform the public of any significant changes in the permit as required by DEQ rules. Reference: OAR 340-093-0100

9.5 Changes in ownership or address

The permittee must report to DEQ in writing any changes in either ownership of the facility, the facility property or of the name and address of the permittee or operator within 10 days of the change. Reference: OAR 340-093-0070

9.6 Permit Transfer

This permit can only be transferred to a third party after DEQ approves the transfer in writing. The permittee and transferee must submit a permit modification application that includes a written statement from the transferee agreeing to fully comply with all conditions of this permit and DEQ rules. Reference: OAR 340-093-0070

10 General Site Operations

10.1 Waste removal

The permittee must remove all waste from the transfer station at least, as often as needed to prevent nuisances discharges, health hazards, and nuisance conditions and to achieve compliance with the conditions of this permit. Reference: OAR 340-093-0050, OAR 340-093-0210 and OAR 340-096-0040.

10.2 Discovery of prohibited waste

In the event that the permittee discovers prohibited waste at the facility, the permittee must, within 48 hours, notify DEQ and initiate procedures to isolate and remove the prohibited waste. Reference: OAR 340-093-0050 and OAR 340-093-0190

- Non-putrescible, non-hazardous, prohibited waste must be transported to a disposal or recycling facility authorized to accept such waste **within 90 days**, unless otherwise approved by DEQ.
- Putrescible, non-hazardous, prohibited waste must be removed **within 48 hours**, unless otherwise approved in writing by DEQ.
- In the event the permittee discovers waste that is hazardous or suspected to be hazardous, the permittee must, **within 48 hours**, notify DEQ.
- Hazardous waste must be removed **within 90 days**, unless otherwise approved by DEQ. Temporary storage and transportation must be carried out in accordance with DEQ rules.

10.3 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. Reference: OAR 340-093-0210.

10.4 Equipment

Equipment of adequate size and design to properly operate the facility must be available at all times. In the event of an equipment breakdown, alternative equipment must be provided, unless an exemption from DEQ is granted in writing. Reference: OAR 340-093-0050 and OAR 340-093-0210

10.5 Roads

Roads within the facility must be constructed and maintained to deter, to the maximum extent practical, traffic hazards, dust and mud, and to provide reasonable all-weather access for vehicles using the site. The permittee must use appropriate means, including truck washing as needed, to prevent haul trucks from tracking mud onto external roadways outside the disposal site property boundary. Any truck washing activities must be conducted on an impermeable surface and any disposal of wash water must be done in a manner approved by the DEQ. Reference: OAR 340-096-0040

10.6 Vehicles and Truck Covers

All vehicles and equipment operated by the permittee and using public roads, must be constructed, maintained and operated so as to prevent leaking, shifting or spilling of materials while in transit. The permittee must notify all incoming haulers that trucks containing loads that are likely to blow or fall must be covered or suitably cross-tied to prevent any load loss during shipment, in conformance with [OAR 340-093-0220](#).

10.7 Litter control

Litter that results from facility operation must be controlled such that the entire facility site 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 the same operational day it is collected. Reference: OAR 340-096-0040

10.8 Air Quality

The permittee must control air emissions, including dust, and malodors, related to disposal site construction, operation, and other facility activities in compliance with DEQ air quality standards, including applicable visible emissions and nuisance requirements in OAR 340-208

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 the DEQ that the deposition exists and must be controlled. Reference: OAR 340-096-0040

10.9 Drainage

The permittee must manage drainage onsite in accordance with the NPDES – COLS stormwater discharge permit through the City of Portland. The permittee must divert surface and stormwater drainage around or away from waste handling and storage areas. The permittee must maintain surface water diversion ditches or structures in a serviceable condition and free of obstructions and debris at all times. The permittee must report to DEQ any significant damage and make repairs as soon as possible but no later than 60 days after discovery of the problem. Reference: OAR 340-096-0040 and OAR 340-093-0050

10.10 Leachate prevention and management

The permittee must operate the facility in a manner that minimizes leachate production to the maximum extent practicable. Leachate must be collected, removed and managed in a manner approved by DEQ to prevent malodors, public health hazards and discharge to public waters. Reference: OAR 340-093-0210 and OAR 340-096-0040

10.11 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 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
- 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](#)

10.12 Unloading area

Area(s) for unloading of solid waste must be clearly identified by signs, fences, barriers or other devices. Reference: OAR 340-093-0050 and OAR 340-096-0040

10.13 Public Access

The permittee must control public access to the facility as necessary to prevent unauthorized entry and dumping. Reference: OAR 340-093-0050 and OAR 340-096-0040

10.14 Legal control of property

The permittee must maintain legal control of the 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. Reference: OAR 340-093-0050

10.15 Fire protection

The permittee must make arrangements with the local fire control agency to immediately acquire their services when needed. The permittee must provide adequate on-site fire prevention measures as determined by the local fire control agency. The permittee must immediately extinguish unauthorized fires and report fires to DEQ within 24 hours. Reference: OAR 340-096-0040 and OAR 340-093-0050

10.16 Signs

The permittee must post signs at the facility, which are clearly visible and legible, providing the following information: Facility name, emergency telephone number, days and hours of operation, solid waste permit number; and operator's address. Reference: OAR 340-093-0050 and OAR 340-096-0040

10.17 Vector Control

The permittee must provide rodent, insect, bird and other vector control measures, as necessary, to prevent vector harborage. Reference: OAR 340-093-0210 and OAR 340-096-0040

10.18 Complaints

The permittee must investigate and 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 contact information (when possible), date complaint was received, date of facility response, description of facility response
- 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 different businesses and/or individuals about a given event or if an odor event lasts longer than 24 hours without resolution or mitigation

Reference: OAR 340-093-0050

10.19 Permit display

The permittee must display this permit, or a photocopy thereof, where operating personnel can readily refer to it. Reference: OAR 340-093-0050