

# Request for Comments

## Proposed Permit Renewal for Spray Transfer Station

**Comments due:** 5 p.m., Dec. 14, 2016

**Project location:** Kahler Basin Road, Spray, OR 97874

**Proposal:** The Oregon Department of Environmental Quality proposes to issue a solid waste permit renewal for this facility. The permit would continue to authorize the owner and operator of this site to operate a transfer station in conformance with the requirements, limitations, and conditions set forth in the permit. The permit is being issued to Wheeler County. The land is owned by Ms. Tammy Richardson and is operated by Randy Jaeger.

**Highlights:** The facility is designed to collect, consolidate and transfer municipal solid waste and recyclable materials for disposal and recycling. A DEQ solid waste permit for this facility was initially issued in 1997 and the current permit expired on October 1, 2016. Timely submittal of permit renewal application keeps the existing permit administratively extended until a new permit is issued. A review of the DEQ solid waste permit file for the facility indicates that there have been no compliance issues noted during the past 10-year term of the permit. The most recent compliance inspection was completed on April 4, 2016. The facility was in compliance with all its permit conditions at that time. No pollution complaints have been received by DEQ during the term of this permit.

### **Environmental Concerns:**

Generally transfer stations typically have limited environmental concerns because solid waste and recyclables are only temporarily stored on site rather than incinerated or buried. All MSW at the Mitchell Transfer Station is stored in containment. On a regular basis this material is taken to Arlington for disposal. A potential area of concern is the burning of yard debris. The permit allows burning of yard debris. There are specifications on what can be burned. The operators have been diligent in removing prohibited materials (i.e., plastics, painted wood, treated wood, particle board, etc.).

**How to comment:** Send comments to the DEQ Permit Coordinator: Shari Harris-Dunning at DEQ Bend office, 475 NE Bellevue Drive, Suite 110, Bend, OR, 97701, 541-633-2010, or [harris-dunning.shari@deq.state.or.us](mailto:harris-dunning.shari@deq.state.or.us).

**Where can I get more information?** View the draft Permit and Permit Evaluation by scrolling down in this document. For questions on the permit contact Shari Harris-Dunning at 541- 633-2010 or [harris-dunning.shari@deq.state.or.us](mailto:harris-dunning.shari@deq.state.or.us).

If you want to review the application and related documents in person at the DEQ office located in Bend at 475 NE Bellevue Drive, Suite 110, Bend, OR 97701, contact Jackie Marsh at 541-388-6146 or [marsh.jackie@deq.state.or.us](mailto:marsh.jackie@deq.state.or.us) to set up an appointment.

**The next step:** DEQ considers and responds to all comments received and may modify the proposed permit based on comments.

**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](mailto:deqinfo@deq.state.or.us).



State of Oregon  
Department of  
Environmental  
Quality

**Eastern Region  
Materials Management  
Program**

475 NE Bellevue Dr., #110  
Bend, OR 97701  
Phone: 541-633-2010  
Fax: 541-388-8283  
Contact: Shari Harris-  
Dunning  
Email: [harris-dunning.shari@deq.state.or.us](mailto:harris-dunning.shari@deq.state.or.us)

[www.oregon.gov/DEQ](http://www.oregon.gov/DEQ)



State of Oregon  
Department of  
Environmental  
Quality

**SOLID WASTE DISPOSAL SITE PERMIT:  
TRANSFER STATION**

Oregon Department of Environmental Quality  
400 E. Scenic Drive, Bldg. 2  
The Dalles, OR 97058-3434  
Telephone (Information): 541-298-7255

Issued in accordance with the provisions of Oregon Revised Statute Chapter 459;  
Oregon Administrative Rules 340, Divisions 90, 93, 95, 96 and 97; and subject to the Land Use Compatibility  
Statement referenced below.

**ISSUED TO:**

**FACILITY NAME AND LOCATION:**

Wheeler County PO Box 447 Fossil, OR 97830 Phone: (541) 763-3460 Fax: (541) 763-4210	Spray Transfer Station Kahler Basin Road Spray, OR 97874 Wheeler County
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**PROPERTY OWNER:**

**OPERATOR:**

Tammy Richardson PO Box 85 Spray, OR 97874 Phone: (541) 468-2023	Randy Jaeger PO Box 32 Fossil, OR 97830 Phone: (541) 350-7920 E-mail: jaegerc@bendbroadband.com
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**ISSUED IN RESPONSE TO:**

- An application for renewal of a solid waste disposal site permit received on 9/11/2015
- A Land Use Compatibility Statement Received from Wheeler County dated November 7, 1996

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**

Elizabeth - Solid and Hazardous Waste Programs Manager \_\_\_\_\_ Date \_\_\_\_\_  
Eastern Region

**Permitted Activities**

Until this permit expires or is modified or revoked, the permittee is authorized to establish, operate and maintain a solid waste transfer station in conformance with the requirements, limitations and conditions set forth in this document including all attachments.

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**PERMIT RENEWAL REVIEW REPORT**

**To:** Elizabeth Druback, Manager DEQ Solid Waste Program Eastern Region

**Date:** August 5, 2016

**From:** Shari Harris-Dunning  
DEQ Solid Waste Program  
Eastern Region

**Subject:** Permit Renewal Review Report  
Spray Transfer Station  
DEQ Solid Waste Disposal Site Permit No. 468  
Wheeler County

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**INTRODUCTION**

Wheeler County applied for a renewal of their Solid Waste Disposal Site Permit for the Spray Transfer Station on September 11, 2015. The permit for the Transfer Station expired on October 1, 2016. An initial review of the application by DEQ determined that it was complete. The permit renewal application does not propose any significant changes to the operation of the Transfer Station. The Spray Transfer Station has been in operation since March 26, 1997. The Spray Transfer Station was established and permitted to replace the closed Spray Landfill.

**LOCATION**

The address for the Spray Transfer Station is Kahler Basin Road, Spray, Oregon. The legal description of the site is Section 30, Township 8S, Range 25E, WM. The Transfer Station is located just north of the town of Spray, OR. Ms. Tammy Richardson owns the land.

**LAND USE APPROVAL STATUS**

Wheeler County approved a Land Use Compatibility Statement on November 7, 1996.

**ACCESS**

The Spray Transfer Station is accessible off Kahler Basin Road, north of the town of Spray.

**ACCESS CONTROL**

The Transfer Station has a locked entrance gate and a perimeter fence. Access to the site is adequately controlled to prevent unauthorized entry.

## **TRANSFER STATION OPERATIONS**

There is a sign at the entrance with information about operating days and hours and what materials are accepted. There are small scales for weighing solid waste. The County recently purchased a compactor truck for collecting and compacting solid waste. Compacted MSW now goes directly to Arlington for disposal. There is a scrap metal bin and a container for cardboard. There is a container for the collection of waste tires. Spray Transfer Station is no longer accepting glass.

The Spray Transfer Station has new operators, Randy and Corrina Jaeger. The facility is open to the community of Spray and the surrounding rural area twice a week. Residents throughout the Spray area self-haul their solid waste and recyclable items to the transfer station. An attendant weighs loads and disposal costs are determined by the pound.

Scrap metal is collected by a scrap metal dealer. Cardboard is taken to the Fossil Transfer Station for baling. Waste tires are taken to the Mitchell Transfer Station for temporary storage (they are disposed of at Tire Disposal and Recycling in Prineville). Glass is no longer accepted for recycling. Covered electronic devices are collected biannually. The Wheeler County electronics contractor has collection events twice a year (for a couple of weeks each time). The County has been working on developing plan to collect used oil.

Yard debris is stockpiled at the transfer station. DEQ allows yard debris to be burned periodically.

## **COMPLIANCE HISTORY**

Spray Transfer Station has been in operation since March 1997. During the time the Spray Transfer Station has been in operation, there have been numerous compliance inspections. No enforcement actions have been issued for this facility.

## **ENVIRONMENTAL CONCERNS**

Generally transfer stations typically have limited environmental concerns because solid waste and recyclables are only temporarily stored on site rather than incinerated or buried. All MSW at the Spray Transfer Station is stored in containment. On a regular basis this material is taken to Arlington for disposal.

A potential area of concern is the burning of yard debris. The permit allows burning of yard debris. There are specifications on what can be burned. The operators have been diligent in removing prohibited materials (i.e., plastics, painted wood, treated wood, particle board, etc.).

## **PERMIT DISCUSSION**

The proposed Solid Waste Transfer Station Permit for the Spray Transfer Station will cover a ten year period from the date the permit is issued. The permit allows the permittee to operate and maintain a solid waste transfer station in conformance with the requirements, limitations and conditions set forth in the permit. Significant sections included in the proposed permit include:

- Waste Disposal Limitations
  - Authorized & Prohibited wastes

- Recycling Storage, Management, Use & Required Information
  - Required recyclable materials
  - Required Signage
  - Waste Tire Storage & Management
- Minimum Monitoring & Reporting Requirements
- Special Conditions
  - Open Burning
- Facility, Operations, and Special Waste Plan Requirements
- General Operations and Health & Safety Requirements
- Standard Conditions
  - Responsibility of Permittee
  - Property Rights, Liability & Permit Actions

### **CONCLUSIONS**

Wheeler County has submitted a complete permit renewal application for continued operation of the Spray Transfer Station. The potential impacts to public health and the environment from the Transfer Station operation are limited due to the temporary storage of solid waste and recyclables at this facility. All indications are that this is a straightforward permit renewal activity with no outstanding issues or concerns to be addressed.

### **RECOMMENDATION**

The DEQ should release the draft Solid Waste Transfer Station Permit to the applicant and the public for review and comment.

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## **1.0 WASTE DISPOSAL LIMITATIONS**

- 1.1 This permit authorizes the facility to accept solid waste as defined in Oregon Revised Statute 459.005 with the following limitations:
- a. Unless otherwise approved in writing by DEQ the permittee must not accept the following waste. The following waste is prohibited from being disposed with municipal solid waste or transferred to a landfill for disposal:
    - i. Hazardous waste – Reference: 40 CFR 258.20 (b) and OAR 340-101;
    - ii. Liquid waste. Definition: Liquid waste is waste that does not pass the paint filter test performed in accordance with EPA Method 9095;
    - iii. Asbestos material as defined in OAR 340-248-0010;
    - iv. Infectious waste unless a DEQ approved Special Waste Management Plan is in place; and
    - v. Explosives.
  - b. Unless otherwise approved in writing by DEQ the permittee must not knowingly accept 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:
    - i. Lead-acid batteries;
    - ii. Source separated recyclable material;
    - iii. Large home or industrial appliances;
    - iv. Used oil that does not contain PCBs;
    - v. Covered electronic devices:
      - Computer monitors having a viewable area greater than four inches diagonally
      - Televisions having a viewable area greater than four inches diagonally
      - Desktop computers
      - Portable computers
    - vi. Discarded or abandoned vehicles; and
    - vii. Whole tires.

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

- 1.2 Any solid waste discovered at the transfer station that appears to be prohibited waste must be isolated or removed as soon as practicable. The permittee must, within 48 hours, notify DEQ of the discovery. Non-putrescible, non-hazardous prohibited waste must be transported to a disposal site authorized to accept such waste within 90 days, unless otherwise approved or restricted by DEQ. Putrescible, non-hazardous prohibited waste must be removed as soon as practicable; any storage of putrescible waste must be approved by DEQ.

If discovered wastes are hazardous or suspected to be hazardous, the permittee must, within 48 hours, notify DEQ and initiate procedures to identify and remove the waste. 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.

## **2.0 STORAGE, MANAGEMENT AND RECYCLING**

- 2.1 The permittee must provide a place for receiving the following recyclable materials:
  - a. Ferrous scrap metal;
  - b. Non-ferrous scrap metal (including aluminum), and
  - c. Motor oil.
- 2.2 The place for receiving recyclable materials must be located at the transfer station or at another location more convenient to the population served by the transfer station. The recycling center must be available to every person whose solid waste enters the disposal site.
- 2.3 All source separated recyclable materials must be reused or recycled except for used oil, which may be collected and burned for energy recovery.
- 2.4 The permittee must not landfill or dispose of any source separated recyclable material. However, if the source separated material is determined by DEQ to be in a condition which makes the material unusable or not recyclable then it may be disposed. This determination must be made after consultation with DEQ.
- 2.5 The permittee must provide, or have available to provide upon request, recycling information to disposal site users, which includes the following:
  - a. The location of the recycling center at the disposal site or another location;
  - b. The hours of operation of the recycling center;
  - c. Instructions for correct preparation of accepted source separated recyclable material;
  - d. The material accepted for recycling; and
  - e. Reasons why people should recycle.
- 2.6 A sign must be prominently displayed at the transfer station or an approved location which indicates:
  - a. The availability of recycling at the disposal site or another location;
  - b. The materials accepted at the recycling center; and
  - c. The hours of operation of the recycling center (if different than disposal site hours).

Note: The sign must indicate the recycling center location, if not at the disposal site.
- 2.7 All recyclable materials, except car bodies, white goods and other bulky items, must be stored in containers unless otherwise approved by DEQ. The storage area must be maintained in an orderly manner and kept free of litter. Recyclable materials must be removed at sufficient frequency to avoid creating nuisance conditions.
- 2.8 The permittee is authorized to accept up to 100 whole tires for storage and management removal. If the permittee maintains a contract with a waste tire carrier to remove tires from the site the facility is authorized to accept up to 2,000 waste tires for storage and removal.
- 2.9 Salvaging and recycling are to be conducted in a controlled and orderly manner.

### **3.0 MINIMUM MONITORING AND REPORTING REQUIREMENTS**

- 3.1 The permittee must collect information on the source and volumes (i.e., pounds, tons and cubic yards) of solid waste transferred from the site. The permittee must submit this information on an approved form along with the required annual solid waste compliance fee as outlined in the Oregon Administrative Rules each year this permit is in effect and in accordance with the annual invoice sent by DEQ.

This submittal must be sent to **(NOTE NEW ADDRESS):**

Oregon Department of Environmental Quality  
Materials Management Section, Environmental Solutions Division  
700 NE Multnomah St., Ste. 600  
Portland, OR 97232-4100  
503-229-5913

- 3.2 The permittee must collect and submit to the wasteshed representative information about the amount of each material recovered for recycling or other beneficial purpose **by Jan. 31 of each year.**

### **4.0 SPECIAL CONDITIONS**

- 4.1 The permittee may conduct controlled open burning of clean lumber and land clearing debris, such as tree stumps, tree limbs and brush only if authorized and conducted in a designated, DEQ-approved area at the transfer station. On each day that the transfer station is open, all prohibited material present in the burn pile must be segregated and removed for proper disposal by the attendant. No other materials must be burned without prior written approval by DEQ. Burning must not be conducted more than four times each year and an attendant must remain on duty while the burning is underway. Burning must be in compliance with all applicable federal, state and local regulations, and conducted only with the approval of the local fire district.
- 4.2 The permittee must immediately clean up any spill of oil or hazardous material in accordance with the DEQ-approved 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:
- a. Any amount of oil spilled to waters of the state;
  - b. Oil spills on land in excess of 42 gallons;
  - c. 200 pounds (25 gallons) of pesticide residue; or
  - d. Spills of hazardous material that is 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.

## **5.0 FACILITY, OPERATIONS, SPECIAL WASTE PLANS**

- 5.1 Submit all plans required by this section to DEQ at:  
Oregon Department of Environmental Quality  
400 E. Scenic Drive, Suite 307  
The Dalles, OR 97058-3434  
Telephone (Information): 541-298-7255

### *Section A – Facility Design and Construction Plans*

- 5.2 At least six months prior to the anticipated construction date for new facility design, the permittee must submit engineering design plans to DEQ for review and approval. The design plans must be prepared and stamped by a qualified professional engineer with current Oregon registration and specify and/or provide the following:
- All applicable performance criteria, construction material properties and characteristics, dimensions and slopes; and
  - The design basis and all relevant engineering analyses and calculations.
- 5.3 The permittee must construct all improvements according to DEQ-approved plans and specifications including any DEQ-imposed conditions of approval and any future DEQ-approved amendments to the plans and specifications. Prior to construction, the permittee must submit construction documents for DEQ approval. The construction documents must:
- Be consistent with the applicable DEQ-approved design plan(s), including accurate translation of design specifications into construction documents;
  - Define the construction project team;
  - Specify material and workmanship requirements to guide the constructor in executing work and furnishing products; and
  - Include a Construction Quality Assurance plan that describes how the project team will monitor the quality of materials and the constructor's work performance and assure compliance with project specifications and contract requirements.
- 5.4 When construction is nearly complete, the permittee must notify DEQ so that an inspection can be made before the facility is placed into operation.
- 5.5 Within 90 days of completing construction, the permittee must submit to DEQ a Construction Certification Report and "as constructed" facility plans. The report must be prepared by a qualified independent party document and certify that the construction of all required components and structures complies with this permit and the DEQ-approved design specifications. The "as constructed" facility plans must note any changes from the original approved plans. If there are any deviations from the plans, the report must provide a list of the deviations and reasons for deviations from the plan(s).

### *Section B – Operations Plan*

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

- 5.7 The permittee must revise the operations plan as necessary to keep it current and reflective of current facility conditions and procedures and must describe procedures for dealing with cleanup of an oil or hazardous materials spill. The plan must also include the procedure for reporting the spill to the Oregon Emergency Response System at 1-800-452-0311. All revisions of the Operations Plan must be submitted to DEQ for approval.

*Section C - Special Waste Management Plans*

- 5.8 Individual Special Waste Management Plans are required as part of the Operations Plan, for certain waste material that, because of its nature, can be potentially hazardous to human health or the environment and require careful handling at transfer facilities.

The plan must address, among other things, procedures for identification, receipt, handling, storage, spill clean-up and transport for reuse, recovery or disposal of the material at an appropriately permitted facility.

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

- a. Inadvertent acceptance of asbestos containing materials;
- b. Electronic waste;
- c. Infectious waste;
- d. Septage; and
- e. Sewage sludge and grits.

**The DEQ requires that a revised or new Special Waste Management Plan for the inadvertent acceptance of asbestos containing waste materials be submitted within 90 days of the issuance of this permit.**

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**Note:** Special Waste Management Plans are only required if the facility chooses to accept special solid waste or inadvertently accepts an unauthorized waste that must be properly segregated, managed, labeled and disposed. **Reference:** Guidance on Special Waste Management Plans can be found in OAR 340-093-0190(1) and OAR 340-094-0040(11)(b)(J) and in Section 9.5 of DEQ's *Solid Waste Guidance Municipal Solid Waste Landfills*, dated Sept. 1, 1996.

**6.0 GENERAL OPERATIONS**

*Section A - Facility Operations:*

- 6.1 All facility activities are to be conducted in accordance with the provisions of this permit.
- 6.2 All waste collection and disposal must be operated in a manner which will prevent discharges, health hazards and nuisance conditions.
- 6.3 The permittee must display this permit, or a photocopy thereof, where it can be readily referred to by operating personnel.
- 6.4 All solid waste transfer 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 solid waste while in transit.

- 6.5 Roads from the facility property line to the active operational area 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.
- 6.6 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.
- 6.7 The area(s) for unloading of solid waste must be clearly defined by signs, fences, barriers or other devices.
- 6.8 Public access to the facility must be controlled as necessary to prevent unauthorized entry and dumping.
- 6.9 The permittee must post signs at the facility which are clearly visible and legible, providing the following information:
  - a. Name of facility;
  - b. Emergency telephone number;
  - c. Days and hours of operation;
  - d. Authorized and prohibited waste;
  - e. Solid waste permit number; and
  - f. Operator's address.

***Section B - Environmental Health and Safety:***

- 6.10 Litter that results from facility operation must be controlled such that the entire disposal 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 that operational day.
- 6.11 The permittee must control dust and other air emissions related to disposal site construction, operation and other activities, in accordance with DEQ's rules on air pollution.
- 6.12 The permittee must manage and monitor stormwater in accordance with all federal and state requirements.6.13 The permittee must manage and monitor stormwater in accordance with all federal and state requirements.
- 6.13 The permittee must divert surface and stormwater drainage around or away from waste handling and storage areas and 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 malfunctions or damage and complete repairs within 60 days of discovery of the problem.
- 6.14 The permittee must operate the facility in a manner that deters leachate production to the maximum extent practicable. Leachate must be collected and removed to prevent malodor, public health hazards and discharge to public waters.
- 6.15 The permittee must provide rodent and insect control measures as necessary to prevent vector production and sustenance.
- 6.16 The permittee must remove all waste from the transfer station at least as often as necessary to prevent malodor, unsightliness and attraction of insects or other vector.

- 6.17 The permittee must clean all transfer containers as needed to maintain a sanitary operating environment and to prevent malodor, unsightliness and attraction of insects.
- 6.18 Fire protection must be provided in accordance with plans approved in writing by DEQ and in compliance with pertinent state and local fire regulations. Fires must be immediately and thoroughly extinguished and reported to DEQ within 24 hours.

## **7.0 STANDARD CONDITIONS**

### ***Section A – Responsibility of Permittee***

- 7.1 Issuance of this permit as authorized by Oregon Revised Statutes 459.245 (2) does not relieve the permittee from the responsibility to comply with any applicable federal, state or local laws or regulations including Oregon Revised Statutes, Chapters 459, 459A, 465 and 466; and Oregon Administrative Rules, Chapter 340.
- 7.2 The issue date of this permit is the date this document is signed. The expiration date of this permit is [Click here to enter a date.](#) An application for a 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.
- 7.3 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 DEQ.
- 7.4 The permittee must apply for a modification to this permit if there is a significant change in facility operations or 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.
- 7.5 At any time during the life of the permit, DEQ or the permittee may propose changes to the permit.
- 7.6 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 and must at all times maintain legal control of the disposal site property.
- 7.7 The permittee must allow representatives of DEQ access to the disposal facility at all reasonable times for the purpose of making inspections, surveys, collecting samples, obtaining data and carrying out other necessary functions related to this permit.
- 7.8 The permittee must report to DEQ any changes in either ownership of the disposal site property or of the name and address of the permittee or operator within 10 days of the change.
- 7.9 The permittee must operate the facility in accordance with the approved Operations Plan, including any amendments, approved by DEQ. All plans required by this permit become part of the permit by reference once approved by DEQ.
- 7.10 The permittee must at all times maintain and properly operate all waste collection and disposal facilities to achieve compliance with the terms and conditions of this permit.

- 7.11 In the event the permittee is unable to comply with any of the conditions of this permit because of a breakdown of equipment or facilities, an accident caused by human error or negligence, or any other cause such as an act of nature, the permittee must:
- a. Immediately take action to stop, contain and correct the problem;
  - b. Immediately notify DEQ's regional office, so that an investigation can be made to evaluate the impact and the corrective actions taken and determine additional action that must be taken; and
  - c. Within five days of the time the permittee becomes aware of the circumstances, the permittee must submit to DEQ a detailed written report describing the breakdown, corrective action taken, steps taken to prevent a recurrence, and any other pertinent information.

Compliance with these requirements does not relieve the permittee from responsibility to maintain continuous compliance with the conditions of this permit or the resulting liability for failure to comply.

- 7.12 The permittee must keep copies of all records and reports for five years from the date created.
- 7.13 Upon request, the permittee must make all records and reports related to the permitted facility available to DEQ.

***Section B- Property Rights, Liability & Permit Actions***

- 7.14 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, nor any infringement of federal, state or local laws, or regulations.
- 7.15 The director 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:
- a. Violation of any terms or conditions of this permit or any applicable statute, rule, standard or order of the commission;
  - b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
  - c. A significant change in the quantity or character of solid waste received or in the operation of the disposal site;
  - d. Changes in state or federal rules which should be incorporated into the permit.
- 7.16 This permit must not be transferred to a third party without prior written approval from DEQ. Such approval may be granted by DEQ only after a permit modification application is submitted to and approved by DEQ and that the transferee agrees in writing to fully comply with all the terms and conditions of this permit and the rules of the commission.
- 7.17 Violations of any permit condition or any incorporated plan may subject the permittee to civil penalties of up to \$25,000 for each day of each violation. ORS 459.995 (1)(a).