

Request for Comments

Proposed Composting Registration Permit Renewal for Willamette Landscape Supply Composting Facility

Comments due: 5 p.m., June 21, 2019

Project location: Willamette Landscape Supply Composting Facility, 3425 Blossom Dr. NE, Salem, Marion County

Proposal: The Oregon Department of Environmental Quality proposes to renew Willamette Landscape Supply Composting Facility's solid waste composting facility registration permit. The permit would authorize the owner to continue to operate a composting facility in compliance with the requirements, limitations and conditions set forth in the permit. The Duane D. and Sandra A. Stark Family Trust owns the property and Duane D. Stark operates the facility.

Highlights: The subject facility is a commercial landscape materials business which composts more than 4,000 tons of leaves, yard and land-clearing debris and wood waste annually in a passive, windrow/pile-type system. The site is open to the public to drop off yard debris and purchase compost. The composting area takes up about three acres of a 9.73 acre parcel behind the Stark Trucking equipment shop. Working surfaces are graded, hard-packed dirt and gravel, with some paving at the entrance, in parking lots and around the sales area.

The facility also accepts loads of construction and demolition waste from which metal, wood and concrete are recovered. Incoming loads are screened upon entry by the fee collector. Screened solid waste, such as treated, painted and glued wood and trash, is stored until a sufficiently large load can be transported off-site for disposal. There is a large quantity of other metal and equipment stored on site that is occasionally sold for various purposes.

This facility accepts Type 1 feedstocks, consisting of yard and land-clearing debris, wood waste from construction and demolition, and sawdust. Feedstocks are ground and screened prior to placement into windrows/piles. There have been no documented compliance issues at this facility since the permit was last renewed in 2011. The permit holder is prohibited from accepting materials for composting that are not specifically authorized, unless the materials have been approved in accordance with the requirements of this permit. The permit holder must not accept any wood waste that does not meet the definition of wood waste in Oregon Administrative Rule 340-093-0030, or any unsorted, mixed domestic solid waste as a feedstock or for disposal at the composting facility. The permit holder must not accept any materials listed in Oregon Administrative Rule 340-093-0040, as prohibited from disposal at solid waste disposal sites, including but not limited to hazardous waste as defined in Oregon Revised Statute 466.005 and Oregon Administrative Rule 340, Division 101.

How to comment: Send comments to DEQ Permit Coordinator, Denise Miller, at 165 E. Seventh Ave., Suite 100, Eugene, OR 97401 or miller.denise@deq.state.or.us.

Where can I get more information? View the draft permit and permit evaluation by scrolling down in this document or going to <http://www.oregon.gov/deq/Get-Involved/Pages/Public-Notices.aspx>. To request a copy be mailed to you, contact Denise Miller, at 541-687-7465 or miller.denise@deq.state.or.us. For questions on the permit, please contact Craig Filip at 541-686-7868 or filip.craig@deq.state.or.us.

If you want to review the application and related documents in person at the DEQ office located at 165 E. Seventh Ave., Suite 100, Eugene, OR 97401, please contact Denise Miller, at 541-687-7465 or miller.denise@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.

Alternative formats: DEQ can provide documents in an alternate format or in a language other than English upon request. Call DEQ at 800-452-4011 or email deqinfo@deq.state.or.us.



State of Oregon
Department of
Environmental
Quality

Western Region Materials Management Program

165 E Seventh Ave.
Eugene OR 97401
Phone: 541-687-7465
800-849-8477
Fax: 541-686-5441
Contact: [Denise Miller](mailto:Denise.Miller@deq.state.or.us)
Email: miller.denise@deq.state.or.us

www.oregon.gov/DEQ

Notice Issued: 5/21/2019
By: Denise Miller



State of Oregon
Department of
Environmental
Quality

SOLID WASTE DISPOSAL SITE PERMIT: Composting Facility Registration – Aerobic Composting

Oregon Department of Environmental Quality
165 E. Seventh Ave., Suite 100
Eugene, OR 97401-3049
541-687-7465

Issued as authorized by ORS 459.245 and in accordance with the provisions of [Oregon Revised Statutes Chapter 459, 459A, Oregon Administrative Rules 340 Divisions, 90, 93, 95, 96 and 97](#) and subject to the Land Use Compatibility Statement referenced below.

Permittee:

Stark Trucking, Inc.
P.O. Box 18005
Salem, OR 97305-8005
503-393-6662

Property Owner:

Duane D. & Sandra A. Stark Family Trust
Duane D. and Sandra A. Stark, Trustees
5895 Aumsville Hwy SE
Salem, OR 97317-9500

Facility name and location:

Willamette Landscape Supply Compost Facility
3425 Blossom Dr. NE
Salem, OR 97305-1715
Marion County

Operator:

Duane D. Stark
POB 18005
Salem, OR 97305-8005
503-393-6662

ISSUED IN RESPONSE TO:

- A solid waste disposal site, composting renewal application received Dec. 17, 2018
- A Verification of Land Use Compatibility from the city of Salem and dated May. 4, 2010.

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

ISSUED BY THE OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY

Brian Fuller, Manager
Materials Management and Hazardous Waste
Western 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 composting activities in conformance with the requirements, limitations, and conditions set forth in this document, including all attachments.

DRAFT

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ALLOWABLE ACTIVITIES

1.0 Authorizations

1.1 Authorization to receive specific types of feedstocks

This permit authorizes the permittee to accept the following feedstock types for composting activities, at the disposal site named Willamette Landscape Supply (facility):

- Type 1

Reference: [OAR 340-093-0030](#),

1.2 Authorization to accept other feedstock types for composting

The permittee must not accept any feedstocks excluded from the above authorization at the facility without first submitting the necessary information to DEQ for review and approval through a permit modification process.

Reference: [OAR 340-096-0060](#)

1.3 Authorization of activities

The permittee must conduct all facility activities in accordance with the provisions of this permit until permit termination. Once approved by DEQ, any permit-required plans become part of the permit by reference.

Reference: [OAR 340-093-0110](#) and [OAR 340-093-0113](#)

1.4 Duration of authorization

The authorization for the permittee to accept authorized feedstocks for composting activities will end at the time of site closure, permit termination or if the permit expires and DEQ has not received a timely permit renewal application. After that time, feedstock must not be accepted.

Reference: [OAR 340-093-0115](#)

1.5 Water quality activities

The permittee is authorized to construct, install, operate and maintain a composting facility leachate and/or stormwater collection and/or treatment system provided these activities are done in accordance with plans and specifications approved in writing by DEQ.

Any discharge of leachate, wastewater, or stormwater to Waters of the State is prohibited unless as authorized by a DEQ water quality permit.

Reference: [OAR 340-096-0120](#) and [OAR 340-096-0130](#)

2.0 Prohibitions

2.1 Prohibited feedstocks or waste

The permittee is prohibited from accepting materials for composting that are not specifically authorized in Section 1.1 of this permit, unless the materials have been approved in accordance with the requirements of Section 1.2 of this permit. Prohibited material include but are not limited to:

- Painted, treated wood
- Unsorted, mixed solid waste
- Type X feedstocks
- Any materials that are listed in [OAR 340-093-0040](#), as prohibited from disposal at solid waste disposal sites, including but not limited to hazardous waste as defined in ORS 466.005 and OAR 340, Division 101
- Biosolids, except for Class A Exceptional Quality

2.2 Recyclable material use

The permittee must not dispose of any properly prepared yard debris, meeting the definition of a source separated recyclable material, as defined under [ORS 459.005\(19\)](#).

Reference: [OAR 340-090-0090](#), [OAR 340-090-0010](#)

2.3 Open burning

The permittee must not conduct any open burning at the facility.

Reference: [OAR 340-264-0030](#) (defines open burning)

OPERATIONS AND DESIGN

3.0 Performance Standards

3.1 Design, construction, and operation

The permittee must design, construct and operate the composting facility in a manner that does not cause a discharge of leachate or stormwater from the facility to surface water, except when such discharge is in compliance with a discharge permit issued by DEQ.

Reference: [OAR 340-096-0070\(1\)](#)

3.2 Engineered structures

The permittee must design and manage the engineered structures that collect and dispose of leachate or stormwater in compliance with the applicable requirements of [OAR 340-096-0130](#) *Special Rules Pertaining to Composting: Biogas, Liquid Digestate, Leachate Collection Design and Management Requirements*.

Reference: [OAR 340-096-0070\(2\)](#)

3.3 Groundwater protection

The permittee must design, construct and operate the composting facility in a manner that does not cause a likely adverse impact to groundwater under [OAR 340 Division 40](#).

Reference: [OAR 340-096-0070\(3\)](#)

3.4 Odors

The permittee must design, construct and operate the composting facility in a manner that, to the greatest extent practicable, is consistent with proper facility design and operation, controls and minimizes odors that are likely to cause adverse impacts outside the boundaries of the facility.

Reference: [OAR 340-096-0070\(4\)](#)

3.5 Pathogen reduction

The permittee must design, construct and operate the composting facility in a manner that achieves human pathogen reduction as required by [OAR 340-096-0140](#) *Special Rules Pertaining to Composting: Pathogen Reduction*.

Reference: [OAR 340-096-0070\(5\)](#)

3.6 Vectors

The permittee must design, construct and operate the composting facility in a manner that controls or prevents propagation, harborage or attraction of vectors, including but not limited to rats, birds and flies.

Reference: [OAR 340-096-0070\(6\)](#)

3.7 Other compliance

The permittee must comply with all other applicable laws and regulations.

Reference: [OAR 340-096-0070\(9\)](#)

4.0 Pathogen reduction

4.1 Pathogen Reduction

Composted material sent as feedstock to a permitted composting facility does not need to meet limits for pathogen reduction unless DEQ determines that the composted material must meet the limit to protect human health or the environment.

4.2 Pathogen limits

The permittee must ensure that all composted material meet the following pathogen limits:

Composted material produced from Type 1 or Type 3 feedstock, or a mix of Type 1 and Type 3 feedstock with less than 50 percent by volume of Type 2 feedstock, must meet the limits for either salmonella or fecal coliform:

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

Composted material produced from feedstock containing more than 50% by volume of Type 2 feedstock analysis must meet the limit for fecal coliform:

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

Reference: [OAR 340-096-0140\(2\)](#)

4.3 Pathogen monitoring frequency

The permittee must test composted material with the minimum frequency provided below. Samples must consist of a composite from finished compost.

Amount and Type of Compost Produced Annually	Minimum Frequency
Less than 2,500 tons of composted material from Type 1 and/or 2 feedstocks	Once a year
Greater than 2,500 tons of composted material from Type 1 and/or 2 feedstock	Every 5,000 tons of feedstock used <u>or</u> a maximum of once every three months
Less than 2,500 tons of composted material from Type 3 feedstocks	Once every 4 months
Greater than 2,500 tons of composted material from Type 3 feedstocks	Every 5,000 tons of feedstock used <u>or</u> monthly

Reference: [OAR 340-096-0140\(4\)](#)

5.0 Engineered structures

If the permittee intends to construct engineered structures, the permittee must contact DEQ prior to initiating construction, to determine if a permit modification is required.

6.0 Special Conditions

6.1 Conditions of approval

This registration permit includes the following conditions of approval:

- The permittee may only accept construction and demolition debris for recovery of wood waste, scrap metal and concrete if all prohibited wastes contained therein are promptly removed and disposed at a permitted disposal site and not be disposed of or allowed to accumulate on-site.

Should these conditions change during the term of this permit, DEQ may revoke or modify this registration, or may require the facility to submit updated information for environmental risk screening pursuant to OAR 340-096-0080.

Reference: [OAR 340-096-0100\(b\)](#)

7.0 Site Operations

7.1 General site operations

The permittee must at all times maintain and properly operate all equipment and facilities to prevent discharges, health hazards, and environmental impacts and in accordance with the provisions of this permit.

7.2 Waste removal

The permittee must remove all waste from the facility at least as often as necessary to prevent malodors, unsightliness, and attraction of vectors or other environmental concerns.

Reference: [OAR 340-093-0210](#)

7.3 Containers

The permittee must clean all containers, as needed, to maintain a sanitary operating environment and to prevent malodors, unsightliness and attraction of vectors.

Reference: [OAR 340-093-0210](#)

7.4 Equipment

The permittee must have readily available equipment of adequate size, and design, to properly operate the facility at all times and to maintain compliance with all permit conditions.

7.5 Roads

The permittee must construct and maintain all weather roads from the public highways or roads, to and within the facility. The roads must be constructed and maintained to prevent traffic congestion, traffic hazards, dust, mud, and trackout.

7.6 Vehicles and truck covers

The permittee must construct, load, and operate all vehicles and equipment to prevent leaking, shifting or spilling of feedstocks or finished compost or other materials while in transit on public roads. The permittee must notify all incoming waste haulers that trucks containing loads must be covered or suitably cross-tied to prevent any load loss during shipment.

7.7 Litter control

The permittee must control and prevent litter that results from the composting facility operation such that the entire composting facility and adjacent lands are maintained virtually free of litter at all times. The permittee must retrieve and properly dispose of any debris from the facility as soon as possible that same operational day.

7.8 Dust

The permittee must reduce or avoid dust and prevent dust from leaving the facility.

7.9 Drainage

The permittee must maintain surface water diversion ditches or structures in a serviceable condition and free of obstructions and debris at all times. Any significant damage must be reported to DEQ and repairs made as soon as possible.

7.10 Wastewater and stormwater management

The permittee must operate the facility in a manner that minimizes leachate and other wastewater production to the maximum extent practicable. The permittee must manage wastewater and stormwater to prevent malodors, public health hazards and off-site discharge. Any wastewater or stormwater discharges to Waters of the State must be authorized under a WPCF and/or NPDES permit.

Reference: [OAR 340-093-0210](#)

7.11 Feedstock unloading area

The permittee must clearly define the area(s) used by the public for unloading feedstocks by signs, fences, barriers or other devices.

7.12 Public access

The permittee must control public access to the facility, as necessary, to prevent unauthorized entry and dumping.

7.13 Legal control of property

The permittee must maintain legal control of the composting site property, including maintaining a current permit, contract or agreement that allows the operation of the facility if the site is not owned by the permittee.

Reference: [OAR 340-093-0050](#) and [OAR 340-093-0070](#)

7.14 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 control protection, as determined through the local fire control agency and as described in their Operations Plan. Unauthorized fires must be immediately extinguished and reported to DEQ within 24 hours. The permittee must comply with all fire codes.

7.15 Signs

The permittee must post signs at the facility which are clearly visible and legible, providing the following information: name of composting facility, emergency telephone number, days and hours of operation, solid waste permit number and operator's address.

7.16 Vector control

The permittee must provide rodent and insect control measures, as necessary, to prevent vector production and sustenance.

7.17 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 phone number of the complainant (when possible), date complaint was received and date of, and response by, the facility operator
- 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 340-096-0150](#)

7.18 Permit display

The permittee must display this permit, or a photocopy thereof, where operating personnel can readily refer to it.

GENERAL CONDITIONS

8.0 Recordkeeping and Reporting

8.1 Records

The permittee must keep copies of all records and reports for a minimum of five years from date initially placed in the facility operating record. In the case of a change in ownership of the composting facility, the new owner is responsible for ensuring that the records are transferred from the previous owner and maintained for the required five years.

Reference: [OAR 340-096-0100\(3\)\(g\)](#)

8.2 Access to records

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

Reference: [OAR 340-096-0100](#)

8.3 Feedstocks data collection

The permittee must collect information about the amount of each type of feedstock received for composting for each calendar year. The feedstocks must be separately identified and categorized as originating either in or out-of-state:

Reference: [OAR 340-096-0100](#), [OAR 340-097-0110](#) and [OAR 340-090-0100](#)

8.4 Operational records

The permittee must keep the following information on file and make records available to DEQ staff upon request:

- Information on the annual amount of contamination and contaminated overs sent for disposal. Information demonstrating assessment of composting processing parameters such as nutrient balance (C:N ratio), moisture content, aeration, pH, temperature and retention time
- Pathogen testing and pathogen reduction
- Complaints and actions taken to address complaints, including unacceptable odors
- Upsets or violations of the Operations Plan
- Information on the annual amount of contamination and contaminated overs sent for disposal
- Other records requested by DEQ

Reference: OAR 340-096-0090, OAR 340-096-0140, OAR 340-096-0150, [OAR 340-096-0100](#)

8.5 Annual data reporting

The permittee must collect and report the following information to DEQ each year. The information must be reported on forms listed below, and submitted to the address and by the date listed on the form.

- The permittee must report information on the solid wastes recovered at the facility on the DEQ form: *Material Recovery Facility Report*.

Reference: [OAR 340-090-0100](#)

8.6 Non-compliance reporting

In the event the permittee violates any condition of this permit or of DEQ's rules or statute, the permittee must immediately take action to correct the violation and notify DEQ within 24 hours at: DEQ's Western Region Materials Management Program Office at 541-687-7465.

Reference: [OAR 340-096-0100](#)

8.7 Oil and hazardous material spill response and reporting

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

Reportable quantities include:

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

9.0 Permit Modification

9.1 Modification

At any time during the life of the permit, DEQ or the permittee may propose changes to the permit.

Reference: [OAR 340-093-0070](#) and [OAR 340-093-0113](#)

9.2 Modification and revocation by DEQ

DEQ may, at any time before the expiration date, modify, suspend or revoke this permit in whole or in part in accordance with [ORS 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 feedstock received or in the operation of the facility.
- Non-compliant operation of the composting site; or
- A significant change in the composting process.

Reference: [OAR 340-093-0113](#) and [OAR 340-093-0115](#)

9.3 Modification by permittee

The permittee must contact DEQ when planning a change to determine if a permit modification application is necessary. The permittee must apply for a modification to this permit if a change in facility operations is planned, or there is a deviation from activities described in this permit, including the DEQ-approved Operations Plan and Engineering Plans. 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](#)

9.4 Review fee

DEQ may require the permittee to submit an Engineering review fee for permit modifications that require modifications to the Engineering Plans. If required, the permittee must submit the fee to DEQ with the proposed plan.

Reference, [OAR 340-096-0100](#), and OAR 340-097-0120

9.5 Change in name or address

The permittee must immediately report to DEQ in writing any name or address change of the owner or operator of the facility or property.

Reference: [OAR 340-096-0100](#)

9.6 Transfer, sale or exchange of permit or facility

The permittee must submit a permit modification application for any transfer, sale, or exchange of the permit or facility prior to completing the transaction.

All permit conditions will remain in effect until such time as a new or modified permit is issued by DEQ. The permittee will remain responsible for the failure by the new owner to abide by the terms of any permit conditions resulting in a violation until a new permit is issued by DEQ.

Reference: [OAR 340-093-0070](#)

9.7 Public participation

DEQ may issue a public notice requesting public comment on significant changes proposed to the permit as set forth in DEQ rules for public notification.

Reference: [OAR 340-093-0100](#)

10.0 Administration

10.1 Definitions

Unless otherwise specified, all terms are as defined in [OAR 340-093-0030](#).

10.2 Submittals

Unless otherwise specified on the forms provided by DEQ, the permittee must send all submittals required under this permit to:

Materials Management Program Manager
Oregon Department of Environmental Quality
165 E. Seventh Ave., Suite 100
Eugene, OR 97401-3049
541-687-7465

10.3 Permit term

The effective date of this permit is the date this document is signed by DEQ. The expiration date of the permit is indicated at the top right of this document. The authorization to accept solid waste at the facility will end when this permit expires, is terminated, or revoked; after that time the permittee cannot accept solid waste at the facility.

Reference: [OAR 340-093-0070](#) and [OAR 340-093-0115](#)

10.4 Permit renewal

The permittee must submit an application for permit renewal if the permittee intends to continue operation beyond the expiration date of this permit. A complete solid waste disposal site permit renewal application must be submitted to DEQ **at least 180 days** before the existing permit expires. All permit conditions will remain in effect until such time as a new permit is issued by DEQ. Failure by a permittee to abide by the terms of any permit conditions will be a violation.

Reference: [OAR 340-093-0070](#) and [OAR 340-093-0115](#)

10.5 Permittee initiated termination of permit

After ceasing permitted operations, the permittee must request, in writing, to DEQ that the permit be terminated. Permittee must demonstrate to DEQ that the facility no longer requires a permit under [OAR 340-093-0050](#) before DEQ will terminate the permit.

Reference: [OAR 340-093-0050](#) and [OAR 340-093-0115](#)

10.6 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.

10.7 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.

10.8 Documents superseded

This document is the primary solid waste permit for the facility, superseding all other solid waste disposal site permits issued for this facility by DEQ.

Reference: [OAR 340-093-0115](#)

10.9 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.

Reference: [OAR 340-093-0050](#)

10.10 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;
- Reviewing records;
- Carrying out other necessary functions related to this permit.

Reference: [OAR 340-093-0050](#)

10.11 Other compliance

Issuance of this permit does not relieve the permittee from the responsibility to comply with any other applicable federal, state or local laws or regulations.

10.12 Penalties

Violation of any condition of this permit or any incorporated plan may subject the permittee to civil penalties for each day of each violation.

Reference: and [ORS 459.995 and ORS 468.090-140](#).

END PERMIT CONDITIONS



Permit Evaluation and Overview

Willamette Landscape Supply Composting Facility

Oregon Department of Environmental Quality
Western Region - Eugene Office
165 E. 7th Ave., Suite 100
Eugene, OR 97401
Contact: Craig Filip
541-686-7868
Filip.craig@deq.state.or.us

Proposed Permit

The Department of Environmental Quality proposes to renew a solid waste disposal site permit for the Willamette Landscape Supply Composting Facility to operate at 3425 Blossom Dr. NE, Salem, Oregon.

Permit Writer

Craig Filip
Western Region – Eugene Office
541-686-7868
filip.craig@deq.state.or.us

Permit Category

Solid Waste Disposal Site - Composting Facility Registration: This permit authorizes the facility to accept and process for composting certain feedstocks for recovery, as defined in Oregon Revised Statute 459.005, with limitations as defined in the permit.

Source Location

Willamette Landscape Supply
3425 Blossom Dr. NE, Salem, Oregon
Marion County
Township 7S, Range 3W, Section 1A, Tax Lot 00400
Latitude: North 44.9934 Longitude: West 122.9905

Coverage and Eligibility

The subject facility is currently operating under DEQ Solid Waste Disposal Site, Composting Facility Registration Permit #1430, renewed June 15, 2011 and expiring on June 30, 2019. The permittee has applied for a permit renewal and the permit, if necessary, can be administratively extended until action is taken on the new application. The renewed permit becomes effective on the date it is signed by DEQ.

The permit is 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 signed by the city of Salem Community Development Division. as referenced in the permit.

DEQ staff evaluated the Willamette Landscape Supply Composting Facility for potential environmental and human health risks including risks to surface water and groundwater and possible odor impacts – see below. Based on this evaluation DEQ determined the facility and composting operation pose a low risk to the environment and public health. Low risk compost facilities may operate under a Compost Registration Permit.

What is DEQ Proposing?

DEQ is proposing to renew a Composting Facility Registration Permit for the Willamette Landscape Supply Composting Facility. The permit would allow the permittee to continue to operate and maintain a composting facility in conformance with the requirements, limitations and conditions set forth in the permit. The permit regulates the handling and processing of approved feedstocks received for recovery at the facility.

What is the Willamette Landscape Supply Compost Facility?

The subject facility is a commercial landscape materials business, which composts some 4000+ tons of leaves, yard and land-clearing debris and wood waste annually in a passive, windrow/pile-type system. The site is open to the

public to drop off yard debris and purchase compost. The composting area is located on 2.5 - 3 acres behind the Stark Trucking equipment shop, on a parcel encompassing a total of 9.73 acres. The working surface is predominantly gently sloping, graded, hard-packed dirt and gravel. Portions of the site are paved, near the entrance in parking lots and in the sales area.

The facility also accepts loads of construction and demolition waste from which metal, wood and concrete are recovered. Screening of incoming loads is performed by the fee collector near the entrance. The facility does accumulate some unacceptable solid waste, such as treated, painted and glued wood and trash, which is stored until a sufficiently large load can be transported off-site. There is a large quantity of other metal and equipment stored on site that is occasionally sold for various purposes.

This facility accepts Type 1 feedstocks, consisting of yard and land-clearing debris and woodwaste from construction and demolition. Some sawdust is also received at the site. Feedstocks are ground and screened prior to being built into windrows/piles. Piles are not screened again when finished.

Piles are started near the eastern edge of the property and usually remain over-winter there. Come Spring when compost sales increase, the piles are turned as they are moved west to replace purchased compost and new piles are made in their place. Piles are not actively turned while composting unless there are "hot spots" discovered during monitoring. Piles may be turned three to four times while being moved west towards the sales area. Compost curing occurs prior sale.

Proposed Permit Conditions

Conditions are contained in the permit and a Land Use Compatibility Statement from the city of Salem, issued in 2010. The proposed permit would cover up to a ten year period from the date of issuance.

The Permittee must meet performance standards as stated in Oregon Administrative Rules 340-096-0070 and submit an annual report to DEQ. The registrant must maintain all records required by this permit for a minimum of five years. In the case of a change in ownership of the composting facility, the new owner is responsible for ensuring that the records are transferred from the previous owner and maintained for the required five years.

The Solid Waste Composting Facility Registration Permit also has sections that 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 registration.

Regulatory Context

Oregon Revised Statute 459 requires a DEQ permit for any solid waste disposal site. OAR Chapter 340 Divisions 93-97 provides further clarification of requirements for permitted facilities.

Permit History

This proposed action is for permit renewal of an existing compost facility. This facility was inspected by DEQ on March 5, 2019, and found to be generally in compliance with the conditions and limitations of the its registration permit. However, the inspector did observe some small-scale solid waste disposal activity and finished compost pathogen reduction confirmation test results were not made available to the inspector because of misfiling, according to the permittee.

Compliance History

Prior to the last inspection, this facility has had no compliance issues or complaints since the last permit was renewed in 2011.

Recommendation Regarding the Permit Renewal

I recommend putting the draft permit out for public notice and comment.



State of Oregon
Department of
Environmental
Quality

Composting Facility Risk Screening Checklist

Composting Facility: <u>Willamette Landscape Supply</u>			
Reviewer: <u>Craig C. Filip, Solid Waste Permit Specialist</u>		Date: <u>April 19, 2019</u>	
County: <u>Marion</u>			
Facility Evaluation:		Low Risk <input checked="" type="checkbox"/>	Poses Potential Risk <input type="checkbox"/>

INTRODUCTION

This form provides a checklist of information DEQ staff may use to conduct a facility risk screening for composting sites, as required by new composting rules incorporated into law in September 2009. The risk screening will evaluate the potential environmental and human health risks of existing and proposed composting facilities, using basic site information, including facility location, design, size and operation. Potential risks include: risks to surface water, risks to groundwater and possible odor impacts to facility neighbors.

The purpose of the screening is to identify the degree of risk posed by each facility, looking primarily at site-specific characteristics of each facility. Based on the outcome of the risk screening, DEQ staff will determine the type of composting facility permit most appropriate for the facility. DEQ staff should consult the *Composting Facility Risk Screening Guidance IMD* to determine information on how to use the information identified in this Memo in making risk evaluation decisions.

The composting rules incorporate a systematic screening process for evaluating the potential impacts on human health and the environment of a proposed or existing composting facility. DEQ staff will evaluate risks potentially posed by a composting facility in the following major categories:

- Surface water;
- Groundwater;
- Odor emissions.

COLLABORATIVE PROCESS

The screening is intended to be a collaborative process involving DEQ staff with different expertise. Some of those staff could be: 1) solid waste permit writers, 2) water quality stormwater management specialists, 3) hydrogeologists and/or 4) air quality staff.

Solid waste permit writers will be the lead staff coordinating and consulting with other staff to obtain opinions in their areas of expertise. Stormwater specialists can assist with surface water screening. Hydrogeologists can provide opinion on the potential of the site to negatively affect groundwater. Solid waste permit writers with compost facility experience or air quality staff can provide opinion on the potential of a site to create nuisance odors. The solid waste permit writer will assemble all opinions, make a risk determination and provide a response to the compost facility applicant.

SOURCES OF DATA/ INFORMATION

Appendix A of the *Composting Facility Risk Screening Guidance IMD* provides a list of potential “on-line” supporting data or information. Much of the information needed to make a risk assessment can be found here.

DEQ staff should consider obtaining some of the “physical” data themselves as this will likely save time and provide reliable and accurate information. That information includes groundwater data, soils, well logs, climate and wind data. DEQ staff should be able to access the information resources fairly quickly and find the specific information needed. DEQ staff should ask subject-knowledgeable colleagues for assistance.

DATA/ INFORMATION NEEDS

Surface Water Screening

Goal: The goal of the surface water screening review is to determine if a composting facility is likely to adversely affect waters of the state by discharges or releases water that enters surface water bodies such as lakes, rivers, and streams.

Basis: The composting rules require that every composting facility must be operated in a manner that does not cause an adverse impact to surface water. The rules prohibit discharge of either leachate or stormwater to surface water, unless the discharge is in compliance with the standards in a water quality permit issued by DEQ.

Process: DEQ staff will evaluate whether a facility is currently discharging, or is reasonably likely to discharge, either leachate or stormwater to surface water, either directly, or by means of ditches, natural swales, or other means.

Supporting data may include the following (and any other information a hydrogeologist or water quality specialist may suggest):

Site topography, slope, directional flow patterns; The physical address of the subject facility is 3425 Blossom Dr. NE, Salem, OR, which is east of Indian School Rd. The site is located along the northeastern edge of the Salem-Keizer metropolitan area where land uses transition from commercial-industrial in the immediate vicinity to agricultural land uses moving north, up the Willamette Valley. The subject facility is a commercial landscape materials business within the city limits of Salem, operating on 9.73 acres of relatively flat, industrially-zoned land which lies at roughly 170 feet above mean sea level (see Figure 1 in Attachment 1). Flow patterns appear to tend in a north-northeasterly direction towards a wetland area abutting the site to the north, as well as a portion of Lake Labish Ditch, located roughly 600 feet north of the subject property boundary. However, the active compost area is surrounded by a berm, which prevents leachate and stormwater from leaving the site.

The location of, and distance to, surface water in the drainage area of the composting facility; The nearest discrete water conveyance to the subject property is Lake Labish Ditch, located roughly 600 feet north of the subject property boundary (see Figure 2 in Attachment 1). This ditch joins a network of other ditches in the area that ultimately drain into the Little Pudding River some 6.5 conveyance miles northeast of the subject property. Clagette Creek is an intermittent stream located roughly one mile southwest of the subject facility property.

All drainage channels, ditches, and any other water conveyances leading from the composting facility to surface water; The active composting area's stormwater drainage is contained on site with a series of concrete block walls and dirt berms. The site was engineered to prevent any stormwater migrating off-site.

Precipitation, evaporation, soil types, infiltration and soil permeability ratings; The subject facility property is entirely underlain by soil type WuA, or Woodburn silt loam (see Figure 3 and page 5 in Attachment 1). According to the National Resources Conservation Service Web Soil Survey, mean annual precipitation for this area is about 40 inches. It is classified as moderately well drained, which generally supports stormwater infiltration (see page 5 in Attachment 1).

The site is within protection areas for several groundwater supply systems including the City of Keizer and several smaller systems, all of which have shown moderate nitrate impacts in the 3 mg/L to 7 mg/L range. The shallowest aquifer in use is roughly 50 ft below ground surface, and is overlain by silts and clays. Although the water-bearing zone appears to have been confined when the various (many) wells in the area were drilled, the high density of water wells and public water supply wells appear to have reduced confining pressures, allowing surficial contaminants to reach it. This appears to be an area-wide problem, and because it doesn't appear that the composting operation has created a "hot spot" of contamination, we can't conclude that the operations are affecting groundwater negatively at this point.

Operational history regarding runoff from the site; There have been no documented incidents of any leachate releases from the site.

- Current or planned stormwater management facilities/structures/features/ specifications; The site has stormwater controls at the site which appear to have been effective. No new systems are anticipated.
- Site design or operations that keep stormwater separate from composting operations; Stormwater is not kept separate from leachate in the active compost areas; however, neither leave the site.
- Infiltration and/or detention basin capacities; There are none as such on-site, per se. However, according to notes from a previous inspector, when the site was constructed an engineering plan was followed which required grading of the site to direct water to the NW corner of the active compost area. There is a seven to eight-foot high berm in this corner of the property; much of the entire site is bermed, but this area is high enough to contain stormwater collected on the site. Because water appears to be contained on site, no stormwater permit is necessary. This was confirmed by a previous inspector in conversation with DEQ water quality staff.
- Feedstock types, conditions and volumes; Type 1 consisting of yard debris, land clearing debris and wood waste.
- Site-specific leachate composition data (if available); _____
- The compliance history of the facility. There have been no documented violations at this site since the permit was renewed in 2011.

Evaluation: Composting and stormwater management practices at the subject facility appear to have been effective at preventing surface water impacts since at least 2011, when the permit was last renewed.

Low Risk:

Poses Potential Risk:

Reason for Evaluation: No documented impacts to surface waters from operations at the subject facility.

Groundwater Screening

Goal: The goal of the groundwater screening review is to determine if the facility is likely to cause an unacceptable adverse impact to groundwater.

Basis: The composting rules require that every composting facility must be operated in a manner that does not cause an unacceptable adverse impact to groundwater. The composting rules define “unacceptable adverse impact” as causing pollution in groundwater that impairs current or future beneficial uses of groundwater as described in OAR Chapter 340, Division 40.

Process: Using readily available online data, along with information provided by the applicant, DEQ staff will determine whether the facility’s operations are reasonably likely to pose an unacceptable adverse impact to groundwater at a relevant point of compliance. Because DEQ’s groundwater quality protection rules in Division 40 allow DEQ to decide where to measure whether groundwater is impacted, a relevant point of compliance could be either near or far away from areas where operations could potentially impact groundwater. If a facility plans to use or is now using infiltration, bioswales, filter strips, etc., to manage leachate and/or stormwater, DEQ staff will review those features, as well as any other actual or potential pathways to groundwater.

Division 40 also includes a policy directing DEQ to focus their efforts on operations that have the greatest potential for affecting groundwater beneficial uses. In keeping with this policy, DEQ staff will place more weight on contamination that could affect nearby groundwater or surface water beneficial uses, and less weight on groundwater contamination that is unlikely to affect groundwater or surface water beneficial uses.

Supporting data may include the following (and any other information a stormwater quality specialist or hydrogeologist may suggest):

- Soil types and permeabilities; Review of the Web Soil Survey, produced by the Natural Resources Conservation Service, shows that the subject facility property is entirely underlain by soil type WuA, otherwise known as Woodburn silt loam - zero to three percent slopes. This soil type is characterized as moderately well-drained "prime farmland." Frequency of ponding or flooding is listed as none (see Figure 3 and page 5 in Attachment 1).
- Likely net (i.e., post evapotranspiration) volume and infiltration rate of leachate-affected water; _____

- Nature of contaminants based on feedstock types, composting methods and operation, and likely concentrations of contaminants; Type 1 consisting of yard debris, land clearing debris and wood waste.
- Proximity to surface water (to evaluate the potential for contaminants to enter surface waters via groundwater); The nearest discrete water conveyance to the subject property is Lake Labish Ditch, located roughly 600 feet north of the subject property boundary (see Figure 2 in Attachment 1). This ditch joins a network of other ditches in the area that ultimately drain into the Little Pudding River some 6.5 conveyance miles north-east of the subject property. Clagette Creek is an intermittent stream located roughly one mile southwest of the subject facility property.
- Depth of the aquifer used locally as a drinking water source and whether confined or unconfined; The site is within protection areas for several groundwater supply systems including the city of Keizer and several smaller systems, all of which have shown moderate nitrate impacts in the 3 mg/L to 7 mg/L range. The shallowest aquifer in use is roughly 50 ft below ground surface, and is overlain by silts and clays. Although the water-bearing zone appears to have been confined when the various (many) wells in the area were drilled, the high density of water wells and public water supply wells appear to have reduced confining pressures, allowing surficial contaminants to reach it. This appears to be an area-wide problem, and because it doesn't appear that the composting operation has created a "hot spot" of contamination, we can't conclude that the operations are affecting groundwater negatively at this point.
- Aquifer yield; The aquifer is relatively productive starting about 50 feet below the surface of the ground.
- Proximity of site to water supply wells; The site is relatively close to the water supply wells for the City of Keizer (in the 10-year protection zone for several of the wells of the Keizer well field) and for the water supply for Appleblossum mobile-home park. There may be additional wells but it is not likely that they serve drinking water as municipal water is available.
- Availability of municipally supplied drinking water; Yes - city of Salem.
- Current or proposed methods of managing stormwater and leachate; Stormwater is not kept separate from leachate in the active compost areas. However, according to notes from a previous inspector, when the site was constructed an engineering plan was followed which required grading of the site to direct water to the NW corner of the active compost area. There is a seven to eight-foot high berm in this corner of the property; much of the site is bermed, but this area is high enough to contain stormwater collected on the site. Because water appears to be contained on site, no stormwater permit is necessary. This was confirmed by a previous inspector in conversation with DEQ water quality staff.
- Method of composting operations; Feedstocks are ground and screened prior to being built into large piles for passive windrow/pile composting. The piles are not screened again when "finished." Piles are started at one end of the composting area and then are usually there for the winter. When spring comes and people begin to buy compost, the piles are turned as they are moved down to replace the purchased compost and new piles are made in their place. They are not actively turned while composting unless there are "hot spots" discovered while monitoring the piles. The piles may be turned approximately 3-4 times while being moved to the sale area. Curing occurs prior to the pile being ready for sale.

Compliance history. There have been no documented violations at this site since the permit was renewed in 2011.

As part of its screening, DEQ may require a facility to conduct groundwater sampling and/or monitoring and submit analytical results to DEQ.

Evaluation: Composting and leachate management practices at the subject facility appear to have been effective at preventing groundwater impacts since at least 2011, when the permit was last renewed.

Low Risk:

Poses Potential Risk:

Reason for Evaluation: Site has been operating for many years with no known impacts on groundwater.

Odor Screening

Goal: Evaluate whether the facility is likely to cause odor problems that will create impacts outside the boundaries of the facility.

Basis: DEQ recognizes that the microbial metabolic activity in compost piles causes odors and that composting facilities cannot completely eliminate all odors. The composting rules require that every composting facility implement reasonable and practicable measures to minimize odors through site design and facility operation.

Process: Using readily available online information in conjunction with that provided by the applicant, DEQ staff will determine whether the facility's operations are reasonably likely to cause odor impacts outside the boundaries of the facility.

Supporting data may include the following (and any other information an experienced compost facility permit writer or air quality specialist may suggest):

- Feedstock types; Type 1 consisting of yard debris, land clearing debris and wood waste.
- Composting method; Feedstocks are ground and screened prior to being built into large piles for passive windrow/pile composting. The piles are not screened again when "finished". Piles are started at one end of the composting area and then are usually there for the winter. When spring comes and people begin to buy compost, the piles are turned as they are moved down to replace the purchased compost and new piles are made in their place. They are not actively turned while composting unless there are "hot spots" discovered while monitoring the piles. The piles may be turned approximately 3-4 times while being moved to the sale area. Curing occurs prior to the pile being ready for sale.
- Site remoteness or proximity to residences; The edge of a small neighborhood lies less than 200 feet southeast of the subject property. Another neighborhood lies less than 1,000 feet east of the subject property. More residences lie further east. West of the subject property are businesses and farm fields, with more residential properties west of interstate five, some 3500 feet away. Farm fields predominate land uses to the north, with the exception of the Chemawa Indian School, some 1200 feet northeast of the subject property and Commercial land uses predominate properties immediately south of the subject facility.
- Frequency and nature of complaints over operational history; There have been no documented complaints about this site since the permit was renewed in 2011.
- Causes of odors and/or complaints; Not applicable.
- Responses to complaints; Not applicable.
- Local geomorphology and climate data (wind and weather). Average annual rainfall in the Salem area is about 40" per year. Please see risk screening file for National Weather Service Climate summaries for Salem from 2013 - 2018. Tabular summary data is located near the end of each summary. Review of this data shows that rainfall for 2016 and 2017 was significantly above average. Mean temperatures for all years was above average, especially for the years 2014 - 2017. In contrast, average total rainfall for 2018 was 5.42 inches below normal.

Evaluation: Composting practices at the subject facility appear to have been effective at preventing offensive odors and odor complaints since at least 2011, when the permit was last renewed.

Low Risk:

Poses Potential Risk:

Reason for Evaluation: No documented odor impacts from operations at the subject facility.