

## DEQ Requests Comments on Proposed Renewal of Solid Waste Disposal Waste Tire Storage Site Permit for CarMax Superstores West Coast, Inc.

Comments due: 5 p.m., Oct. 26, 2020

**Project location:** 13750 SE Johnson Road in Milwaukie

**Proposal:** The Oregon Department of Environmental Quality proposes to renew the Solid Waste Disposal Waste Tire Storage Site Permit for CarMax Auto Superstores West Coast, Inc. for their facility located at 13750 SE Johnson Road, Milwaukie, OR 97222.

**Highlights:** CarMax currently operates a waste tire storage facility located at 13750 SE Johnson Road in Milwaukie, Oregon. CarMax has been at this location since 2014. The site operates as an automotive dealership. The facility does not accept tires from the public and all waste tires are transferred to a Tire Disposal and Recycling facility located in Portland. CarMax expects that no more than 200 tires will be stored on site at any one time.

**How to comment:** Send comments to DEQ Solid Waste Permit Coordinator, Naveed Mir, at 700 NE Multnomah St, Suite 600, Portland, OR 97232 or [DEQNWR.SolidWastePermitCoordinator@deq.state.or.us](mailto:DEQNWR.SolidWastePermitCoordinator@deq.state.or.us)

**Find more information:** View information about this project by reviewing the DEQ permit evaluation report and the draft permit attached to this notice. If you have any technical questions, please contact Inez Lawson at 503-229-5529 or email [LAWSON.Inez@deq.state.or.us](mailto:LAWSON.Inez@deq.state.or.us).

If you do not have web access and want to review the project file, contact Inez Lawson at 503-229-5529

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



State of Oregon  
Department of  
Environmental  
Quality

**Northwest Region  
Solid Waste  
Program**

700 NE Multnomah St.  
Suite 600  
Portland, OR 97232  
Phone: 503-229-5353  
800-452-4011  
Fax: 503-229-6124  
Contact: Naveed Mir

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

*DEQ is a leader in  
restoring, maintaining  
and enhancing the  
quality of Oregon's air,  
land and water.*



State of Oregon  
Department of  
Environmental  
Quality

Permit Number: 1548  
Expiration Date: Jan. 1, 2025  
Page 1 of 13

## WASTE TIRE STORAGE SITE PERMIT

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

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

Issued in accordance with the provisions of ORS Chapter 459 and the land use compatibility statement listed below.

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**ISSUED TO:**

CarMax Auto Superstores West Coast, Inc.  
12800 Tuckahoe Creek Parkway  
Richmond, VA 23238  
804-747-0422

**FACILITY NAME AND LOCATION:**

CarMax #7285 - Clackamas  
13750 SE Johnson Road  
Milwaukie, OR 97222  
503-786-8887 x7000  
Clackamas County

**OPERATOR:**

CarMax Auto Superstores West Coast, Inc.  
12800 Tuckahoe Creek Parkway  
Richmond, VA 23238  
804-747-0422

**PROPERTY OWNER:**

CarMax Auto Superstores West Coast, Inc.  
12800 Tuckahoe Creek Parkway  
Richmond, VA 23238  
804-747-0422

**SHORT-TERM LEASE OPTION:** No

**ISSUED IN RESPONSE TO:**

- A permit renewal application received on May 27, 2020.
- A land use compatibility statement from Clackamas County dated March 5, 2014 and amended Sept. 23, 2014

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**

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Audrey M. O'Brien  
Solid Waste Manager, Northwest Region

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Date

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**Permitted Activities**

Until such time as this permit expires or is modified or revoked, the permittee is authorized to establish, operate, and maintain a waste tire storage site in conformance with the requirements, limitations, and conditions set forth in this document including all attachments.

## TABLE OF CONTENTS

**Introduction.** This document is a waste tire storage site permit issued by the Oregon Department of Environmental Quality in accordance with Oregon Revised Statutes (ORS) 459 and Oregon Administrative Rules (OAR) Chapter 340, Division 64 and 93 through 97.

**In this document.** This document contains the following sections:

<b>Permit Administration</b>	
1.0 Issuance .....	3
2.0 Disclaimers .....	3
3.0 Authority.....	3
4.0 Permit Modification .....	4
<b>Allowable Activities</b>	
5.0 Authorizations .....	5
6.0 Prohibitions .....	5
<b>Site Operations and Closure</b>	
7.0 Storage Conditions .....	6
8.0 Recordkeeping and Reporting .....	6
9.0 Site Maintenance .....	8
10.0 Fire Protection and Contingency .....	8
11.0 Pollution Control .....	9
12.0 Closure and Financial Assurance .....	10
<b>Attachment No. 2 – Annual Report Form .....</b>	<b>11</b>

## PERMIT ADMINISTRATION

### 1.0 ISSUANCE

- 1.1 Permittee.** This permit is issued to CarMax Auto Superstores West Coast, Inc.
- 1.2 Permit number.** This permit is referred to as Waste Tire Storage Site Permit Number 1548.
- 1.3 Permit term.** The issue date of this permit is the date this document is signed.  
The expiration date of this permit is January 1, 2025.
- 1.4 Facility type.** The facility is permitted as a waste tire storage site.
- 1.5 Facility owner/operator.**  
The owner of this facility is CarMax Auto Superstores West Coast, Inc.  
The operator of this facility is CarMax Auto Superstores West Coast, Inc.
- 1.6 Basis for issuance.** This permit will be issued based on the following documents:
- A Waste Tire Storage Site Renewal Application received on May 27, 2020.
  - A Land Use Compatibility statement from Clackamas County dated March 5, 2014 and amended Sept. 23, 2014.
- 1.7 Definitions.** Unless otherwise specified, all terms are as defined in OAR 340-093 and OAR 340-064.

### 2.0 DISCLAIMERS

- 2.1 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.
- 2.2 DEQ liability.** The 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.

### 3.0 AUTHORITY

- 3.1 Documents superseded.** This document is the primary waste tire permit for the facility, superseding all previous DEQ Solid Waste Disposal Permits for this facility.
- 3.2 Permittee responsibility and liability.** The permittee must comply with this permit. The permittee also is responsible for the acts and omissions of its employees, agents, and contractors relating to matters regulated under this permit.
- 3.3 DEQ access to disposal site.** The permittee must allow representatives of the 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.

Reference: OAR 340-093-0050(6).

- 3.4 Other compliance.** Issuance of this permit does not relieve the permittee from the responsibility to comply with all other applicable federal, state, or local laws or regulations. This includes the following solid waste requirements, as well as all updates or additions to these requirements:
- Waste tire storage site permit renewal application received May 27, 2020;
  - A Land Use Compatibility statement from Clackamas County dated March 5, 2014 and amended Sept. 23, 2014.

- Oregon Revised Statutes, Chapters 459 and 459A;
- Oregon Administrative Rules Chapter 340, Divisions 64 and 93-97; and
- Any other documents submitted by the permittee and approved by the DEQ.

**3.5 Penalties.** Violation of permit conditions will subject the permittee to civil penalties of up to \$25,000 for each day of each violation [ORS 459.995(1)(a)].

## **4.0 PERMIT MODIFICATION**

**4.1 Permit review.** During the life of the permit, DEQ may review the permit and determine whether or not the permit should be amended. DEQ reserves the right to amend the permit to address any significant new information or change in status or operations at the facility including but not limited to:

- Compliance history of the facility;
- Changes in waste volume or composition, or in operations at the facility;
- Changes in state or federal rules which should be incorporated into the permit;
- A significant release to the environment from the facility; and
- Significant changes to a DEQ-approved site development plan and/or conceptual design.

**4.2 Modification.** At any time in the life of the permit, DEQ or the permittee may propose changes to the permit.

**4.3 Modification and revocation by DEQ.** The Director 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 and OAR 340 Divisions 093-097, 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 Commission;
- Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
- A significant change in the quantity or character of solid waste received or in the operation of the disposal site.

**4.4 Modification by permittee.** 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.

**4.5 Public participation.** The DEQ will issue a public notice to inform the public of any significant changes to the permit as required by DEQ rules.

Reference: OAR 340-093-0100

**4.6 Changes in ownership.** The permittee must report to the DEQ any changes in ownership of the storage site property, change in the name and address of the permittee or operator, or change from individual to partnership within thirty (30) days of the change.

Reference: OAR 340-064-0025(b)

**4.7 Changes in delivery location.** If the permittee wants to dispose of tires at a location not listed in the Operating Plan, the permittee must receive written approval from the DEQ prior to transporting tires to that location.

The request must include documentation that the delivery location is an approved facility and meets all laws of the State of Oregon and the rules of the DEQ. If the delivery location is out of state, the permittee must submit written documentation from the receiving state indicating the facility is an approved disposal facility in that receiving state.

## ALLOWABLE ACTIVITIES

### 5.0 AUTHORIZATIONS

- 5.1 Wastes authorized for receipt.** This permit authorizes the permittee to store tires from its business on-site but does not authorize the facility to accept waste tires from off-site sources.
- 5.2 Tire storage limits.** This permit authorizes the facility to store a maximum of 200 passenger tire equivalents (PTE) of waste tires using the following conversion factors:  
1 truck tire = 5 PTE
- 5.3 Authorization of other wastes.** The DEQ may authorize the permittee to accept other wastes if:
- The permittee updates the Operations Plan that includes a Special Waste Management Plan (SWMP) if needed and submits it to the DEQ for review and approval; and
  - The DEQ approves, in writing, the updated Operations Plan and SWMP; and
  - The permittee can demonstrate that the materials are not hazardous waste, as defined by state and federal regulations, or otherwise a threat to human health or the environment.

Reference: Hazardous wastes are defined in ORS 466.005 and OAR 340 Division 101 and 40 Code of Federal Regulations (CFR) 258.20(b).

- 5.4 Authorization of activities.** The permittee must comply with this permit. Once approved by the DEQ, any permit-required plans become part of the permit by reference. The DEQ may provide notice and opportunity for review of permit-required plans.
- 5.5 Tire collection.** This permit does not authorize the transport of waste tires.
- 5.6 Delivery Location.** This permit does not authorize the transport of waste tires

Reference: OAR 340-064-0055(3)

### 6.0 PROHIBITIONS

- 6.1 Hazardous waste.** The permittee must not knowingly accept any hazardous wastes. Hazardous wastes are defined in Oregon Revised Statutes 466.005 and OAR 340-101.
- 6.2 Open burning.** The permittee must not burn or allow burning of waste tires, cut tires, tire derived product, or any solid waste at the site.
- 6.3 Burying.** The permittee must not bury or allow burying of waste tires, cut tires, tire derived product, or any solid waste at the site.
- 6.4 Flames.** The permittee must not conduct any operations involving the use of open flames or blowtorches within 25 feet of a waste tire pile.

Reference: OAR 340-0064-0035(4)(g)

## SITE OPERATION AND CLOSURE

### 7.0 STORAGE CONDITIONS

**7.1 Plan compliance.** The permittee must operate the facility in accordance with a DEQ approved facility management plan. The permittee must update the plan to keep it reflective of current conditions, and submit any updates to the DEQ for approval.

Reference: OAR 340-064-0035

Note: The facility management plan must address spill prevention and response and stormwater management among its other operational activities.

**7.2 Pile dimensions.** The permittee must store waste tires according to the following:

Storage of tires		
Item	Storage location	Storage requirements
Whole tires	Indoors	Store under conditions that meet those in the "Standard for Storage of Rubber Tires," NFPA 231-D-1986 <u>Reference:</u> OAR 340-0064-0035(7)

**7.3 Pile location.** Tire storage must be conducted according to a DEQ approved facility management plan.

Reference: OAR 340-064-0035

**7.4 Ricking.** Whole tires received for storage of one month or longer must be stacked or ricked unless the DEQ waives this requirement.

Reference: OAR 340-0064-0035(4)(d)

**7.5 Submersion prevention.** The permittee must not store waste tires in any area where they may be subjected to submersion in water such as a wetland, waterway, floodway, or 25-year floodplain.

Reference: OAR 340-0064-0035(3)

**7.6 Vectors.** The permittee must operate and maintain the site in a manner which avoids the attraction of insects, rodents, and other vectors to the maximum extent practical.

Reference: OAR 340-0064-0035(4)(e)

### 8.0 RECORDKEEPING AND REPORTING

**8.1 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 unauthorized condition and immediately notify the DEQ's waste tire program staff at 503-229-5353 or email to:

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

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

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

**8.3 Access to records.** Upon request, the permittee must make all records and reports related to the waste tire storage permit available to the DEQ.

**8.4 Record keeping and reporting procedures.** The permittee must keep records and submit reports in accordance with the following:

Step	Action
1	Collect and submit to DEQ the following waste tire storage information: <ul style="list-style-type: none"><li>• Number of waste tires received at the site each quarter, measured by aggregate load, as agreed to with the DEQ</li><li>• Approximate number of waste tires shipped from the site each quarter, measured by aggregate loads or cubic yards</li><li>• Number of waste tires in storage on December 31</li><li>• A list of the names (and waste tire carrier number where applicable) of all carriers removing waste tires from the site</li></ul>
2	Obtain receipts or other written materials documenting where tires were disposed and amount of tires disposed
3	Summarize the waste tire carrier data collected on a monthly basis, on the form in Attachment 2 also available on the DEQ website: <a href="https://www.oregon.gov/deq/FilterDocs/WasteTireAnnualReport.pdf">https://www.oregon.gov/deq/FilterDocs/WasteTireAnnualReport.pdf</a>
4	Summarize the number of waste tires generated at the site and the number of waste tires shipped from the site for the calendar year
5	Submit a report of the information collected and summarized above by February 1 of each year the permit is in effect
6	Submit the compliance fee with the report each year, in accordance with the fee schedule
7	Maintain copies of all records and reports for 3 years.

**8.5 Complaint log.** The permittee must maintain a log recording all complaints received in writing (including e-mail), via telephone or in person by the facility operator or staff that specifically refer to dust, odor or other nuisance conditions caused by this facility. The log must also record the permittee's actions to investigate, make a determination as to the validity of the complaint, and resolve the nuisance problem, if possible, within two working days, but no longer than 10 working days after receiving the complaint.

Reference: OAR 340-064-0025(3)(g).

**8.6 Supporting documents.** The permittee must maintain records (such as receipts) of number of tires delivered to and shipped from the site and the associated carrier. These records must be available for inspection by DEQ, but do not need to be submitted in the annual report.

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

Oregon Department of Environmental Quality  
Northwest Region Office  
Solid Waste Program  
700 NE. Multnomah St., Suite 600  
Portland, Oregon 97232  
Or Email: [DEQNWR.SolidWastePermitCoordinator@deq.state.or.us](mailto:DEQNWR.SolidWastePermitCoordinator@deq.state.or.us)

## 9.0 SITE MAINTENANCE

- 9.1 Access roads.** The permittee must maintain an approach and access road to the waste storage site, passable for any vehicle at all times.
- 9.2 Public access.** The permittee must control public access to the storage site to prevent unauthorized entry and dumping.
- 9.3 Signs.** The permittee must post a sign in a clear and visible location that shows:
- The name of the site;
  - Operating days and hours;
  - Cost of waste tire disposal (if applicable), and
  - Site rules.
- 9.4 Attendant.** An attendant must be present at all times the waste tire storage site is open for business.

## 10.0 FIRE PROTECTION AND CONTINGENCY

- 10.1 Fire protection contingency plan.** The permittee must maintain an up-to-date Fire Protection Contingency Plan. Any changes to the current approved plan must be submitted to DEQ for approval.

Content: The plan must include a description and location of fire suppression equipment that will be able to extinguish the site's largest fire within 6 hours after the fire is first observed.

- 10.2 Equipment.** The permittee must maintain adequate on-site fire suppression equipment as prescribed in the DEQ approved Fire Protection Plan.
- 10.3 Fire lane.** The permittee must provide a 50-foot fire lane around the perimeter of each waste tire pile. Access to the fire lanes for emergency vehicles must be unobstructed at all times.
- 10.4 Berm.** The site shall be bermed or given other adequate protection, if necessary, to keep any liquid runoff from potential tire fires from entering waterways. Fire protection measures shall be described in the fire protection portion of the DEQ approved facility Contingency Plan.

Reference: OAR 340-064-0035(k)

Compliance Schedule: Within 45 days of permit issuance, an updated Fire Protection Contingency Plan must be submitted for DEQ approval and all fire protection measures must be in place.

- 10.5 Oil.** If pyrolytic oil is released at the site as a result of a tire fire, the permittee must remove contaminated soil in accordance with applicable rules governing the removal, transportation, and disposal of the material.
- 10.6 Submittal address.** All submittals to the DEQ under this section must be sent to:

Oregon Department of Environmental Quality  
Northwest Region Office  
Solid Waste Program  
700 NE. Multnomah St., Suite 600  
Portland, Oregon 97232  
Email: [DEQNWR.SolidWastePermitCoordinator@deq.state.or.us](mailto:DEQNWR.SolidWastePermitCoordinator@deq.state.or.us)

## 11.0 POLLUTION CONTROL

**11.1 Containers.** The permittee must clean all transfer containers as needed to maintain a sanitary operating environment, and to prevent malodors, unsightliness, and attraction of vectors such as insects and rodents. Wash water that may result from cleaning activities must not be discharged to waters of the state.

**11.2 Litter control.** Litter and debris that results from facility operations must be controlled such that the entire disposal site and adjacent lands are maintained virtually free of litter and debris at all times. Any debris from the facility must be retrieved and properly disposed of as soon as possible that operational day. Litter and debris resulting from facility operations that is impacting catch basins, swales, or other stormwater management features must be removed at a sufficient frequency to prevent impediments to stormwater flow.

**11.3 Air quality.** The permittee must control air emissions, including dust, malodors and air toxics in accordance with the DEQ's rules on air pollution.

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

**11.4 Drainage.** The permittee must divert surface water drainage from waste handling and storage area 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 damage and make repairs made as soon as possible but no later than 60 days after discovery of the problem.

**11.5 Leachate prevention.** The permittee must operate the facility in a manner that deters leachate production to the maximum extent practicable. Leachate must be collected, removed and managed in a manner approved by DEQ to prevent malodors, public health hazards, and discharges to public waters.

**11.6 Stormwater management.** The permittee must manage and monitor stormwater in accordance with all federal and state requirements including those requirements listed in stormwater permits issued to the facility.

**11.7 Discovery of prohibited waste.** Any solid wastes discovered at the facility which appear to be prohibited waste must be isolated immediately. Non-hazardous prohibited waste must, within 48 hours, be transported to a disposal site authorized to accept such waste, unless otherwise approved by the DEQ.

In the event discovered wastes are hazardous or suspected to be hazardous, the permittee must isolate the waste immediately, the permittee must then notify the DEQ within 24 hours and initiate procedures to identify and remove the waste. Hazardous wastes must be removed by a licensed hazardous waste contractor within 48 hours, unless otherwise approved by the DEQ. Temporary storage and transportation must be carried out in accordance with the rules of the DEQ.

**11.8 Oil and Hazardous Material Spills 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 DEQ Northwest Region Office of any spill, if the spill is of a reportable quantity, as defined in OAR 340-142-0050, the permittee must immediately report the spill to the Oregon Emergency Response System (OERS), at 1-800-452-0311.

Reportable quantities include:

- **Any** amount of oil spilled to waters of the state;
- Oil spills on land in excess of 42 gallons;
- 200 pounds (25 gallons) or more of spilled 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.

## 12.0 CLOSURE AND FINANCIAL ASSURANCE

**12.1 Conditions for closure.** The permittee must cease to accept waste tires and must immediately close the site if:

- the permittee declares the site closed,
- this permit expires or is revoked and the renewal is not applied for or is denied,
- the Commission issues an order to cease operations, or
- the permit specifies that closure is to begin

**12.3 Closure plan.** The permittee must submit a Closure Plan to the DEQ for approval within 30 days of the declaration that closure is to occur.

**12.4 Closure plan contents.** The Closure Plan must include:

- When and under what circumstances the site will close, including any phase-in of the closure;
- How all waste tires will be removed from the site or otherwise properly disposed of upon closure;
- A schedule for closure, including the time period for completion; and
- A plan for site rehabilitation, if deemed necessary by the DEQ.

**12.5 Financial assurance.** The permittee must maintain financial assurance acceptable to the DEQ in the amount of \$500 for the Storage Site for the duration of the permit. The permittee must notify the DEQ that the financial assurance has been obtained.

Reference: The amount and form of the financial assurance must comply with OAR 340-64-022.

Note: The amount of financial assurance covers the maximum tire storage limit of 200 passenger tire equivalents.

**12.6 Closing the site.** The permittee must close the site in accordance with the approved Closure Plan, and must:

- Notify the local government of the closing of the site;
- Remove all waste tires to a waste tire storage site, solid waste disposal site authorized to accept waste tires, or other facility approved by the DEQ; and
- Remove any solid waste to a permitted solid waste disposal site.

**12.7 Notification.** The permittee must notify the DEQ when closure activities are completed.

**12.8 DEQ review.** The DEQ may inspect the storage site after closure is complete. If all procedures have been completed correctly, the DEQ will approve the closure in writing. Any financial assurance not needed for closure will be released to the permittee.

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

Oregon Department of Environmental Quality  
Northwest Region Office  
Solid Waste Program  
700 NE. Multnomah St., Suite 600  
Portland, Oregon 97232  
Email: [DEQNWR.SolidWastePermitCoordinator@deq.state.or.us](mailto:DEQNWR.SolidWastePermitCoordinator@deq.state.or.us)

**Attachment 2 – Annual Report Form**



State of Oregon  
 Department of  
 Environmental  
 Quality

**WASTE TIRE COMPLIANCE ANNUAL REPORT**

Mail by February 15 of each year to:  
 (Permit renewal year, report due January 1)

Oregon Department of Environmental Quality  
 Attn: Waste Tire Coordinator  
 Northwest Region Office  
 700 NE Multnomah St. Suite 600  
 Portland, Oregon 97232

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

Use this form to comply with [Oregon Administrative Rules 340-064-0022](#), [340-064-0063](#) and [340-090-0100](#), which require all tire carriers and storage sites to report on the amount of tires and tire-derived products received and processed during the calendar year, including where and from whom the tires were collected.

If you are a permitted tire carrier, please attach a copy of the Oregon Department of Environmental Quality's Waste Tire Carrier Quarterly Report forms for each quarter covered by this annual report. Also include an updated Attachment 1, Vehicle Information form. Keep all receipts you have in your possession with your own records. Receipts and copies of annual reports should be kept for three years.

If you need assistance, please contact the Waste Tire Coordinator at 503-229-5409 or the NWR Solid Waste Permit Coordinator at 503-229-5353.

**Facility/Carrier Name:**

**Address:**

**City:**

**Zip:**

**Name of Person/Company Holding Waste Tire Permit:**

**DEQ Permit Number:**

**Calendar Year:**

**1. Received (include all tires, both those generated in Oregon and ones from out-of-state, in tons):**

*Note: Use the conversion factors on page 2 to calculate tonnages received. Attach more sheets, if necessary.*

Waste Tires and Tire Derived Products Received						
Received From/Name REQUIRED	Location (City, County)	First Quarter	Second Quarter	Third Quarter	Fourth Quarter	Total
<b>Total Tons for Quarters</b>						
					<b>Total Tons</b>	

**2. Delivered Received (include all tires, both those generated in Oregon and those from out-of-state, in tons):**

Delivery sites must be DEQ approved sites. If you hired someone to haul tires for you, he/she must be a permitted tire carrier or be exempt from permitting. Include all tires processed or shipped for recovery (R), energy (tire-derived fuel, E), or disposal (D). Attach more sheets, if necessary.

Waste Tires and Tire Derived Products Delivered			
Sent To/Name REQUIRED	Location (City, County)	Disposition (D – E – R)	Tons Delivered
<b>Totals Tons Delivered</b>			

**3. Tracking:**

Material Tracking Worksheet	
Number of Tons On Site At Beginning of Year	A.
Number of Tons Received During Year	B.
<b>Total Tons Received (A + B)</b>	C.
Number of Tons Delivered	D.
Number of Tons Remaining On Site At End of Year (C – D)	E.
<b>Total Tons Delivered or in Inventory (D + E)</b>	F.
<b>Balance (C – F), Should Equal Zero</b>	G.

If this worksheet does not balance (G does not equal zero), please explain why:


**4. Conversions:**

Waste Tire Conversion Factors			
Type	Volume/Count	Weight (Tons)	Weight (Pounds)
Tire – Passenger Car	1	.0117	23.4
Tire – Truck, Light	1	.0175	35
Tire – Semi	1	.0525	105

**5. Waste Tire Storage/Combo Fee Schedule:**

Waste Tire Storage/Combo Annual fee	\$250	
	<b>Total fee</b>	

Make checks payable to **Oregon Department of Environmental Quality** or **Oregon DEQ**.

I certify that I am familiar with the information contained in this report and that to the best of my knowledge such information is true, complete, and accurate.

_____ Name (print)	_____ Signature
_____ Telephone (include area code)	_____ Date

<b>If your facility/project is in this county...</b>	<b>...then send to this DEQ office</b>
Baker, Crook, Deschutes, Gilliam, Grant, Harney, Hood River, Jefferson, Klamath, Lake, Malheur, Morrow, Sherman, Umatilla (including Milton-Freewater), Union, Wallowa, Wasco, Wheeler	Eastern Region Materials Management Program 400 E Scenic Drive, Suite 307 The Dalles, OR 97058-3434  Phone: 541-298-7255 ext. 221
Clackamas, Clatsop, Columbia, Multnomah, Tillamook, Washington	Northwest Region Environmental Partnerships 700 NE Multnomah St., Suite 600 Portland, OR 97232-4100  Phone: 503-229-5353 Email: DEQNWR.SolidWastePermitCoordinator@deq.state.or.us
Benton, Coos, Curry, Douglas, Jackson, Josephine, Lane, Lincoln, Linn, Marion, Polk, Yamhill	Western Region Materials Management Program 165 E Seventh Ave., Suite 100 Eugene, OR 97401-3049  Phone: 541-687-7465

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**To:** **File**  
CarMax #7285 - Clackamas  
Clackamas County

**Date:** August 14, 2020

**From:** Inez Lawson, Permit Writer  
Oregon Department of Environmental Quality - NWR

**Subject:** Solid Waste Disposal Permit (SWDP) Evaluation Report  
CarMax #7285 - Clackamas, SWDP #1548  
Waste Tire Storage Permit Renewal

### **Background**

CarMax Auto Superstores West Coast, Inc. currently operates a waste tire storage facility located at 13750 SE Johnson Road in Milwaukie, Oregon. CarMax Auto Superstores West Coast, Inc. has been at this location since 2014.

On May 27, 2020, DEQ received a permit renewal application for Waste Tire Storage Permit #1548. CarMax #7285 - Clackamas has a Land Use Compatibility Statement (LUCS) signed on March 5, 2014 and amended Sept. 23, 2014, by Clackamas County.

### **Site**

The Facility is on approximately 14 acres, covering covers Tax Lot 22E05DA00600 (Section 4, Township 2 South, Range 2 East). The site was redeveloped from a Kmart into a 59,003 square-foot CarMax Auto Superstore and is zoned C-3, general commercial.

Adjacent land uses include commercial operations such as Precision Lift Gate and Lowe's Home Improvement. The facility is bordered by SE Deer Creek Ln. to the north, SE Johnson Rd to the west, Milwaukie Expressway (Hwy 224) to the south, and SE 82<sup>nd</sup> Ave. (Highway 213) to the east. Mt. Scott Creek is approximately 500 feet north of the facility and joins Kellogg Creek about two miles west of the site.

Tire storage operations are within an enclosed storage area on the northern side of the main sales/service area. All adjacent parking areas and roads are paved.

### **Operations**

The site operates as a CarMax automotive dealership. The facility does not accept tires from the public and all waste tires are transferred to Tire Disposal and Recycling (TDR) located in Portland. CarMax #7285 expects that no more than 200 tires will be stored on site at any one time.



### **Potential Environmental Risks**

Poorly managed solid waste disposal facilities, including waste tire storage facilities, have the potential to adversely affect the environment. Risks from poorly managed waste tire storage facilities include potential risks of tire fires, potential areas that harbor rodents and other vectors, and potential for runoff that may impact water quality. Permit conditions and Operations Plan elements are intended to prevent environmental harm during facility operation.

Oregon law requires waste tire storage facilities to provide financial assurance of ability to cover the costs of safe and orderly closure and of any necessary cleanup in the case of contamination.

CarMax #7285 has put in place financial assurance in the amount of \$500.00 to be used by DEQ in the event that CarMax #7285 or other responsible parties fail to meet site closure obligations. This financial assurance is in the form of an irrevocable letter of credit and standby trust agreement with DEQ as the beneficiary.

### **Compliance History**

DEQ has not issued any solid waste enforcement actions against CarMax and has not received any complaints against CarMax during the past permit term. CarMax has submitted required annual reports.

### **Stormwater**

Waste tires are stored inside the main building and covered so DEQ does not anticipate that CarMax will impact stormwater due to tire storage activities.

### **Fire**

The facility has a contingency plan for fire prevention, protection and control. Some of these measures include:

- The tire storage area is isolated from the main service area, where hazardous materials are stored;
- Fire extinguishers are staged throughout the facility and all associates are trained in their use;
- CarMax will comply with fire code Charter 25, specific to indoor storage.

### **Vectors (mosquitoes and rodents)**

Tires are ricked and stored indoors so vectors are not likely to present an issue.

### **Recommendation and Public Notice**

DEQ recommends the waste tire storage permit for CarMax be renewed and will issue a public notice for 30 days on the draft solid waste permit renewal.