



Oregon

Tina Kotek, Governor

Department of Environmental Quality

Northwest Region

700 NE Multnomah Street, Suite 600

Portland, OR 97232

(503) 229-5263

FAX (503) 229-6945

TTY 711

February 5, 2025

Grimm's Fuel Company
18850 SW Cipole Road
Tualatin, OR 97062

Re: Grimm's Fuel Company Composting Facility
DEQ Solid Waste Aerobic Composting Facility Permit
Permit No. 1433

Dear Grimm's Fuel Company,

The Oregon Department of Environmental Quality has issued a Solid Waste Aerobic Composting Facility renewal permit for No. 1433 Grimm's Fuel Company Composting Facility for the facility located at 18850 SW Cipole Road in Tualatin. The permit expires on Nov. 26, 2034. If Grimm's Fuel Company intends to operate the site after this date, please submit a permit renewal application by May 26, 2034.

If you are dissatisfied with the conditions or limitations of the permit, you may request a hearing before the Environmental Quality Commission or its authorized representative. To request a hearing, write to the director of DEQ within 20 days of the date of mailing of this letter.

If you have any questions or comments about the permit, please contact Inez Lawson at 503-936-9230 or by email at Inez.Lawson@deq.oregon.gov.

Sincerely,

Emmy Kennedy
Solid Waste Permit Coordinator
DEQ Northwest Region

encl: Solid Waste Permit No. 1433
cc: Inez Lawson, DEQ Solid Waste Inspector
Audrey O'Brien, DEQ Environmental Partnerships Manager



State of Oregon
Department of
Environmental
Quality

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

Oregon Department of Environmental Quality
700 NE Multnomah St., Suite 600
Portland, OR 97232-4100
503-229-5353
SolidWastePermitcoordinator.DEQNWR@deq.oregon.gov

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:

Grimm's Fuel Company
18850 SW Cipole Road
Tualatin, OR 97062

Facility name and location:

Grimm's Fuel Company Composting Facility
18850 SW Cipole Road
Tualatin, OR 97062
T2S, R1W, S21; Tax lots: 1800-2100
45.3832, -122.8145

Property Owner:

Grimm Brothers, LLC
18850 SW Cipole Road
Tualatin, OR 97062

Operator:

Grimm's Fuel Company
Phone: 503-636-3623
Email: jefgfc@teleport.com

ISSUED IN RESPONSE TO:

- A solid waste disposal site, composting renewal application received April 12, 2023; and
- A Land Use Compatibility Statement from the city of Tualatin and dated May 8, 2012; and
- Verification that the facility is compatible with the solid waste management plan from Metro.

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

Audrey O'Brien

Audrey O'Brien, Manager
Environmental Partnerships
Northwest Region

February 5, 2025

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.

Table of Contents

Section	Topic	Page
Allowable Activities		3
1	Authorizations	3
2	Prohibitions	3
Operations and Design		4
3	Performance Standards	4
4	Operations Plan	5
5	Pathogen Reduction	6
6	Engineered Structures	7
7	Special Conditions	7
8	Site Operations	8
General Conditions		10
9	Recordkeeping, Reporting and Compliance Fee	10
10	Permit Modification	11
11	Administration	12

ALLOWABLE ACTIVITIES

1 Authorizations

1.1 Authorization to receive specific feedstock types

This permit authorizes the permittee to accept the following feedstock types for composting activities, at the disposal site named Grimm's Fuel Company Composting Facility (facility):

- Type 1
- Type 2

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

1.2 Authorization to accept other feedstock types for composting

The permittee must not accept any feedstock types excluded from the above authorization at the facility without a permit modification.

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 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 authorized under a DEQ water quality permit.

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

2 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 materials 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 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 Operations Plan

4.1 Operations Plan compliance

The permittee must conduct all operations at the facility in accordance with a DEQ approved Operations Plan, including any DEQ-approved amendments. The DEQ-approved Operations Plan is incorporated into the permit by reference.

4.2 Operations Plan content

The Operations Plan must describe the method of operation of the facility in accordance with all regulatory and permit requirements, including the required elements described under [OAR 340-096-0090\(5\)](#), required by DEQ to be addressed, and any additional elements identified in this permit.

Reference: [OAR 340-096-0090](#)

4.3 Operations Plan maintenance

Prior to commencing any change in operations, the permittee must submit revisions of the Operations Plan to DEQ for review and approval. Additionally, the permittee must revise the Operations Plan as necessary so that it reflects current facility conditions and procedures.

Reference: [OAR 340-096-0090\(2\)](#)

4.4 Odor minimization plan

The permittee must maintain an Odor Minimization Plan that identifies how the permittee will modify operations to control and minimize adverse impacts of odors outside the boundaries of the facility. The Odor Minimization Plan must include:

- A. A management plan for how malodorous feedstocks will be accepted, ground, and incorporated into the composting piles as soon as practicable within the same day they are received.
- B. Procedures for receiving and recording odor complaints, immediately investigating any odor complaints to determine the cause of odor emissions, and promptly remedying any odor at the facility resulting from failure to meet performance standards under OAR 340-096-0070(4).
- C. Procedures to avoid anaerobic conditions in the composting process.
- D. Blending and mixing feedstocks for favorable carbon to nitrogen ratio and composting conditions.
- E. Forming windrows or other composting piles into a size and shape favorable to minimizing odors
- F. Specification of a readily available supply of bulking agents, additives or odor control agents
- G. Quickly processing and managing feedstocks during weather conditions that increase the likelihood of offsite odor impacts, such as inversions.
- H. Methods for taking into consideration the following factors prior to turning or moving compost material
 - I. Time of day
 - II. Wind direction
 - III. Percent moisture
 - IV. Estimated odor potential; and
 - V. Degree of maturity

Reference: OAR 340-096-0150(5)

4.5 Odor Minimization Plan maintenance

The permittee must revise the Odor Minimization Plan as need to reflect changing conditions or odor minimization procedures, or upon DEQ request. The updated plan must be submitted to DEQ for review and approval.

Reference: OAR 340-096-0150(5)

5 Pathogen Reduction

5.1 Pathogen limits

The permittee must ensure that all composted material meets 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% 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 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)

5.2 Pathogen monitoring frequency

The permittee must collect and monitor composted material with the minimum frequency provided below. Samples must be representative and consist of a composite from finished compost. Sampling and monitoring protocols must be described in the DEQ-approved Operations Plan.

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

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

5.3 Pathogen reduction plan

The permittee must operate the facility to meet the pathogen reduction standards per the DEQ-approved pathogen reduction plan as described in the Operations Plan.

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

6 Engineered Structures

6.1 Construction requirements

The permittee must perform construction in accordance with DEQ approved plans and specifications, including all conditions of approval. Any significant amendments to those plans and specifications must be approved prior to construction in writing by DEQ.

Reference: [OAR 340-096-0130](#)(4)

6.2 Construction documents

The permittee must notify DEQ in writing in advance of any planned construction. If required by DEQ, prior to initiating construction, the permittee must submit and receive written DEQ approval of complete construction documents for the project to be constructed. The construction documents submitted must include a Construction Quality Assurance plan describing measures that will be taken to monitor and ensure that the quality of materials and the work performed by the constructor complies with project specifications and contract requirements.

Reference: [OAR 340-096-0130](#)(5)

6.3 Construction certification report submittal

DEQ may require, upon completion of major or critical construction at the facility, the permittee submit to DEQ a final project report signed by the project engineer or manager as appropriate. The report must certify that construction was completed in accordance with the approved plans including any approved amendments thereto.

Reference: [OAR 340-096-0130](#)(6)

6.4 Approval to use

The permittee must not accept feedstocks for storage, processing or composting in newly constructed facilities or areas until DEQ has approved the Construction Certification Report. If DEQ does not respond in writing to the Construction Certification Report within 30 days of its receipt, the permittee may accept feedstock at the facility in the newly constructed facilities or areas.

Reference: [OAR 340-096-0130](#)(7)

7 Special Conditions

7.1 Active composting pile height

The permittee must ensure that all active composting piles are maintained at a maximum pile height of 14 feet.

7.2 Cover for active composting piles

The permittee must apply and maintain a bio-cover, such as overs or finished compost material, with a minimum depth of 6 inches, on all active compost piles for at least the first 15 days of composting. The permittee must describe in its Operations Plan how it will apply and maintain the cover.

7.3 Active composting monitoring requirements

The permittee must ensure that parameters are within the range listed here:

1. Oxygen level: Monitor at locations that are representative of the active piles at least weekly. Oxygen level within the active pile must be between 10%-21% to ensure aerobic decomposition of feedstocks is occurring. If weekly oxygen level reading measures below 10%, permittee must investigate the cause of reduced oxygen level, undertake corrective action and resume daily oxygen monitoring until oxygen levels return to approved range of 10-21%. Record of oxygen levels within the active piles shall be kept onsite and available to DEQ upon request.
2. Temperature: Monitor temperature of the active compost piles regularly. Temperature within the active piles must maintain a minimum temperature of 131 degrees Fahrenheit for three consecutive

days to achieve adequate human pathogen reduction. Record of temperature within the active piles shall be kept on site and available to DEQ upon request.

3. Moisture content: For each batch of material, the permittee must take moisture content measurements at locations that are representative of the active pile 4 times during the active composting phase.
4. Retention time: Record active composting time for each compost batch. Record of compost times shall be kept onsite and available to DEQ upon request.

8 Site Operations

8.1 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.

8.2 Waste removal

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

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

8.3 Containers

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

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

8.4 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.

8.5 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.

Reference: [OAR 340-096-0090](#) and [OAR 340-093-0220](#)

8.6 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.

Reference: [OAR 340-096-0090](#) and [OAR 340-093-0220](#)

8.7 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.

Reference: [OAR 340-096-0090](#)

8.8 Dust

The permittee must minimize dust generation and prevent dust from leaving the facility.

Reference: [OAR 340-096-0090](#) and [OAR 340-096-0070](#)

8.9 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.

8.10 Leachate, 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 as described in their DEQ-approved Operations Plan to prevent odors, 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](#) and [OAR 340-096-0070](#)

8.11 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.

8.12 Public access

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

Reference: [OAR 340-096-0090](#)

8.13 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](#)

8.14 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.

Reference: [OAR 340-096-0090](#)

8.15 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.

8.16 Vector control

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

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

8.17 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 relevant, 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](#)(3) and (4)

8.18 Permit display

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

GENERAL CONDITIONS

9 Recordkeeping, Reporting and Compliance Fee

9.1 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 composing 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 340-096-0110](#)

9.2 Access to records

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

Reference: [OAR 340-096-0110](#)

9.3 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-state or out-of-state:

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

9.4 Operational records

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

- Information on the annual amount of contamination sent for disposal.
- Information demonstrating assessment of composting processing parameters; may include 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
- Other records included in the Operations Plan or requested by DEQ

Reference: [OAR 340-096-0090](#), [OAR 340-096-0110](#), [OAR 340-096-0140](#) and [OAR 340-096-0150](#)

9.5 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 feedstocks accepted for composting at the facility on the DEQ form *Composting Facility Report*.
- Reference: [OAR 340-096-0110](#)(3)(c)
- The permittee must report information on the solid wastes recovered at the facility on the DEQ form: *Material Recovery Survey*.
Reference: [OAR 340-090-0100](#)

9.6 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 Northwest Region Materials Management Program Office at 503-229-5353 or email: DEQNWR.SolidWastePermitCoordinator@deq.oregon.gov .

Reference: [OAR 340-096-0110](#)

9.7 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](#).

9.8 Compliance fee payment

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

Reference: [OAR 340-097-0110](#) and [OAR 340-097-0120](#)

10 Permit Modification

10.1 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](#)

10.2 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 feedstocks received;

- 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](#)

10.3 Modification by permittee

Permittee must contact DEQ when planning a change to determine if a permit modification application is necessary. The permittee may be required to 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 340-096-0130](#)(2), [OAR 340-096-0130](#)(3) and [OAR 340-093-0070](#)

10.4 Review fee

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

Reference: [OAR 340-096-0090](#), [OAR 340-097-0120](#)(4) and [OAR 340-097-0120](#)(5)

10.5 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 340-096-0110](#)(3)

10.6 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](#)

10.7 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](#)

11 Administration

11.1 Definitions

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

11.2 Submittals

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

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

Or email to: DEQNWR.SolidWastePermitCoordinator@deq.oregon.gov

11.3 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](#)

11.4 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 renewed 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](#)

11.5 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](#)

11.6 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.

11.7 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.

11.8 Documents superseded

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

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

11.9 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](#)

11.10 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](#)

11.11 Other compliance

The permittee must ensure the facility complies with all other applicable laws and regulations.

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

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

END PERMIT CONDITIONS



Permit Evaluation

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

July 31, 2024, and updated Jan. 21, 2025

To: Audrey O'Brien, Manager
Environmental Partnerships Program
DEQ NWR

From: Inez Lawson, Permit Manager
Environmental Partnerships Program
DEQ NWR

Subject: Permit Evaluation Report
Proposed Renewal Solid Waste Disposal Site: Composting Permit #1433
Grimm's Fuel Company

Introduction:

Grimm's Fuel Company (Grimm's) owns and operates an existing compost facility which produces finished compost, landscape supplies and soil amendments. Grimm's composting facility is located at 18850 SW Cipole Road in Tualatin, Oregon. The upper portion of the property is used for the active composting operation, including office space, parking, product storage, and equipment maintenance. The lower portion of the property is utilized for stockpiling of bark dust and finished compost.

Operational history:

On May 1, 2014, DEQ originally issued Solid Waste Disposal Permit No. 1433. Grimm's applied for a permit modification in order to construct and upgrade the composting operation based on recommendations Green Mountain Technologies provided after a 2017 Metro initiated request for proposal to perform a facility composting assessment for Grimm's. This assessment was to provide alternative options for composting methods. Green Mountain Technologies was selected to perform on-site assessments in January and February of 2018. They conducted multiple regulator and community interviews, took air measurements to evaluate odor potential, performed air dispersion modeling of odor events, evaluated alternative composting designs, described additional best management practices to be applied at Grimm's and compiled a list of regulatory recommendations related to aerobic composting and monitoring.

DEQ issued a permit modification on May 1, 2019. That permit modification established a timeline and explicit performance standards while Grimm's constructed and began to implement the aerated static pile system. The permit required Grimm's to build and operate a continuous aeration system that provides adequate aeration to maintain a minimum oxygen level of 10% in the active compost piles. It further stipulated that exhaust from the aerated system would be directed through a bio-filter system to ensure that, to the greatest extent possible, odors that are likely to cause adverse impacts outside the facility boundaries are minimized. This system has been active since June 30, 2020, and the pile heights have been maintained at 14 feet or less for all active composting piles.

Land Use Approval:

DEQ has a signed land use compatibility statement from the City of Tualatin Planning Department dated Feb. 12, 2010, indicating that the composting activity is compatible with the Land Conservation and Development Commission-acknowledged comprehensive plan or complies with the statewide planning goals.

Compost Operation Description:

The facility has been using the aerated static pile (ASP) method for composting since the summer of 2020. The facility received an average of 42,000 tons of incoming feedstock for the calendar years 2020-2023, the time at which the facility was fully operational using the newly constructed aerated static pile system.

Authorized incoming feedstocks consist of type 1 and type 2 feedstocks; specifically yard debris from commercial haulers, landscape contractors and the public, incidental quantities of pre-consumer vegetative food waste, manure and land clearing debris. The facility also accepts inerts such as clean concrete, rock and clean dirt for processing and reuse.

All loads are visually inspected at the scale house, screening for prohibited materials. Cameras have also been installed to allow scalehouse personnel to visually inspect incoming feedstocks in large trucks. In the feedstock receiving area, the facility has staff that further monitor incoming material.

Environmental and Public Health Concerns:

Odor – Odor is the experience in the nose and brain of a recipient of an odorant at a concentration above their ability to detect it. Malodor is used to describe an odor that a recipient finds offensive. The biological degradation process that reduces organic matter (yard debris) to the earth-like material called hummus can occur in the presence of oxygen (aerobic composting) or in the absence of oxygen (anaerobic composting). These two processes incorporate different microorganisms and produce different by-product compounds and odors. Malodorous compounds such as reduced sulfur compounds, volatile fatty acids, aromatic compounds and amines are produced at a greater intensity during anaerobic conditions. The facility is designed to maintain aerobic composting conditions.

Odor complaints received regarding Grimms:

2019: 174
2020: 25
2021: 13
2022: 7

2023: 11

2024: 7

These odor complaints were received through various means, many being forwarded to DEQ from Metro, and some DEQ received directly through the online pollution complaint submission form. Grimm's operators investigated these complaints and submitted information regarding facility operations, weather conditions, as well as any other relevant information.

Fire – Excessive temperatures in compost can cause spontaneous combustion. Adequate aeration and moisture levels are the best preventative measures to avoid fires in compost piles.

From Jan. 2016 through Aug. 2017, Tualatin Valley Fire and Rescue (TVFR) responded to fires in the active composting area at Grimm's seven times. The compost piles at that time were non-aerated, static compost piles higher than 25 feet, making them highly susceptible to combustible conditions with large volumes of available fuels. Those piles were removed several years ago and the facility has been operating an aerated static pile system for active composting since 2020. Since the completion of the aerated static pile composting system, the facility has reported zero fires.

Stormwater -- Grimm's has a 1200-Z stormwater permit administered by Clean Water Services. CWS prepared one warning letter in 2014 for lack of documentation (sweeping), but no formal 1200-Z enforcements have been referred to DEQ within the last 10 years.

Compliance History:

DEQ compliance inspections:

- June 5, 2024; No violations of Grimm's permit or solid waste rules observed
- Feb. 3, 2023; No violations of Grimm's permit or solid waste rules observed
- June 17, 2020; No violations of Grimm's permit or solid waste rules observed
- May 30, 2019; No violations of Grimm's permit or solid waste rules observed
- Feb. 6, 2019; No violations of Grimm's permit or solid waste rules observed
- **Feb. 23, 2018**; Several areas of concern were identified by DEQ Solid Waste staff during a compliance inspection on Feb. 23, 2018. These were referred to DEQ's Office of Compliance and Enforcement and resulted in DEQ issuing a Notice of Civil Penalty Assessment and Order (Notice) on July 12, 2018. The Notice cited the following violations: 1) failing to collect leachate in a containment structure that has adequate capacity to collect and contain the leachate; 2) failing to conduct monitoring of the three active compost cells in compliance with the schedule prescribed in the facility's Operation Plan; 3) failure to report open burning to DEQ within 24 hours; 4) allowing the compost pile to exceed Oregon Fire Code height limit of 25 feet; and 5) turning the compost piles during the February 2018 weather inversion. These violations were observed prior to the facility constructing the aerated static pile system.

Facility-Requested Permit Modifications:

The facility has requested two specific modifications to the current permit and associated DEQ-approved operations plan. These two requests are described below.

1) Bio-cover applied to active compost piles

The facility requested to assess the amount of finished compost or compost overs that would be applied to active compost piles based on the odor potential of incoming materials and time of year. The facility's previous Metro license condition required the application of 12 inches of biocover to all active composting piles. DEQ required cover of active composting piles, but the depth was included in the DEQ-approved Operations Plan. DEQ recommends aligning with the newly issued Metro license, L-043-24, and require a minimum cover depth of 6 inches on all active composting piles.

Previous permit condition 9.18 Cover for active compost piles: *"Within 60 days of permit issuance, the permittee must apply a cover, such as porous overs and composted material, on all active compost piles for at least the first 15 days of composting. The permittee must describe in its operation plan how it will adequately maintain the cover. During the transition from static pile to ASP, the permittee will top all active compost piles with bio-cover."*

Proposed draft permit renewal/modification condition 7.2 Cover for active composting piles: *"The permittee must apply and maintain a bio-cover, such as overs or finished compost material, with a minimum depth of 6 inches, on all active compost piles for at least the first 15 days of composting. The permittee must describe in its Operations Plan how it will apply and maintain the cover."*

2) Oxygen Level monitoring request

The facility is also requesting to reduce the frequency of oxygen readings from daily to weekly.

The aerated static pile system was designed by Green Mountain Technologies, for Grimm's, specifically to provide a minimum oxygen level of 13% for active composting piles. Since 2020, when this system became active, the facility has conducted over 1000 oxygen readings and the data confirms that the oxygen readings have exceeded the 10% minimum requirement and the 13% design parameters. Facility data shows an average oxygen reading of 18%, the current Zone Oxygen Report averages 17.5%. Facility operators have control over pile temperature, moisture levels and air damper openings. Combined, these factors influence oxygen levels within the active composting piles. Manipulating these controls, the oxygen levels have stayed consistently above the minimum requirements.

Grimm's has asked if the permit can be modified when renewed to allow less frequent monitoring of oxygen content. DEQ recommends that Grimm's be allowed to decrease their oxygen monitoring schedule from daily readings to weekly with a caveat that if weekly readings fall below 10% that the permittee must investigate and take corrective action and resume daily readings until a consistent reading greater than 10% is achieved. Below are the previous permit condition and the new proposed permit condition, for comparison.

Previous permit condition 9.21 Process Control (2)(a) *"After conversion to ASP system on June 30, 2020, the permittee must ensure that parameters are within the range listed herein: oxygen level: monitor at locations that are representative of the active piles daily. Oxygen level within the active pile must be between 10% - 21% to ensure aerobic decomposition of feedstocks is occurring. Record of oxygen levels within the active piles shall be kept on site and available to DEQ upon request."*

Proposed draft permit renewal/modification condition 7.3 Active composting monitoring requirements *"The permittee must ensure that parameters are within the range listed here: (1)*

Oxygen level: Monitor at locations that are representative of the active piles at least weekly. Oxygen level within the active pile must be between 10%-21% to ensure aerobic decomposition of feedstocks is occurring. If weekly oxygen level reading measures below 10%, permittee must investigate the cause of reduced oxygen level, take corrective action and resume daily oxygen monitoring until oxygen levels return to approved range of 10-21%. Record of oxygen levels within the active piles shall be kept onsite and available to DEQ upon request."

Permit Summary:

Sections 1 and 2 of the permit discuss authorizations and prohibitions; Sections 3-8 discuss operations and design (including performance standards, operations plan, pathogen reduction, engineered structures, special conditions and site operations); Sections 9-11 discuss general conditions (record keeping, reporting, compliance fees, permit modification and administration).

Changes to Permit since 2019 Permit Modification:

DEQ updated the permit template for the composting permit on June 22, 2020. This update included restructuring of permit sections and the removal of the "Compliance Schedule" section. Sections that were removed due to the restructuring of permit sections and individual conditions:

- 2.2 Discovery of Prohibited Wastes;
- 3.2 Pathogen Reduction – specifically the process parameters (these are now included in the Operations Plan- Pathogen reduction plan section);
- 4.2 Updated Operations Plan (this was included in the permit as the permittee was conducting substantial changes to facility infrastructure and composting operations and no longer necessary);
- 5.5 record-keeping procedures (the reporting conditions still apply, but no longer listed in table format);
- 9.21 Process Controls – Section 1 only (these were included as the facility was transitioning from their previous composting style to the current aerated static pile system, requirements are no longer relevant). The Process Controls conditions that are relevant to the aerated static pile system have been moved to the Special Conditions section.

Public Involvement:

DEQ issued a public notice on Nov. 4, 2024, that requested public comment on the draft permit renewal/modification, permit evaluation report and Operation's Plan on DEQ's Public Notice webpage. DEQ also mailed the public notice to 154 neighbors and interested residents located within a quarter mile of the Grimm's facility. DEQ held a virtual public hearing on Thursday, Dec. 5, 2024, at 6.p.m. 19 people attended the virtual hearing and four people provided verbal comments at the public hearing. DEQ accepted written public comment on the draft permit until Tuesday, Dec. 10, 2024, at 5 p.m. DEQ received written comments from 15 commenters during the public comment period. DEQ responded to comments received in the attached Response to Comments. DEQ did not identify changes to the permit in response to the comments received.

Permit Issuance:

DEQ will proceed with issuing the renewal permit to Grimm's.



Oregon Department of Environmental Quality

Response to Comments on the Proposed Solid Waste Composting Facility renewal permit for Grimm's Fuel Company

The Oregon Department of Environmental Quality invited the public to provide comment on the proposed Solid Waste Composting Facility renewal permit for Grimm's Fuel Company. The public comment period began on Nov. 4, 2024, and concluded on Dec. 10, 2024. DEQ held a virtual public hearing on Dec. 5, 2024.

Summary

DEQ proposes to renew the solid waste permit, officially known as a Solid Waste Composting Facility permit, which would allow Grimm's Fuel Company to produce compost using Type 1 and Type 2 feedstocks.

About the Grimm's Fuel Company renewal permit

Grimm's Fuel Company is an existing compost facility which produces finished compost, landscape supplies and soil amendments. The facility has been operating under a DEQ composting permit since 2010. Prior to 2010, Grimm's operated under a DEQ general compost permit that Metro managed through an Intergovernmental Agreement between DEQ and Metro.

Authorized incoming feedstocks consist of Type 1 and Type 2 feedstocks, specifically yard debris from commercial haulers, landscape contractors and the public, incidental quantities of pre-consumer vegetative food waste, manure and land cleaning debris. The facility also accepts inerts such as clean concrete, rock and clean dirt for processing and reuse. The facility received an annual average of 42,000 tons of incoming feedstock for the calendar years 2020-2023.

The City of Tualatin Planning Department signed a land use compatibility statement for the facility on Feb. 12, 2010. The statement confirms the facility complies with local land use requirements and can operate at this location. Grimm's Fuel Company also has an NPDES 1200-Z issued permit administered by Clean Water Services.

Comments received and DEQ responses

DEQ received verbal comments from four people at the virtual public hearing and written comments from 15 people during the public comment period. Comments are attached to this Response to Comments as Attachment 1. DEQ has summarized the comments below with DEQ's responses.

Translation or other formats

[Español](#) | [한국어](#) | [繁體中文](#) | [Русский](#) | [Tiếng Việt](#) | [العربية](#)

800-452-4011 | TTY: 711 | deqinfo@deq.oregon.gov

Comment 1: DEQ needs to establish air quality monitoring around the Grimm's facility.

We demand that DEQ install automated air quality monitoring equipment at Grimm's facility to gather hard data on particulate pollutants and publish this data online to track and quantify off-site air pollution impacts. We request solid data and transparency. (Sherri Esser, Brett Hamilton, Heather Taylor, Janine Wilson, Michelle Mueller, Martha Iancu, Marius Brisan, Julie Neumann)

DEQ Response:

Thank you for your comments. DEQ's Materials Management/Solid Waste Program does not conduct or require air quality monitoring. DEQ's Materials Management/Solid Waste Program has referred the comment to conduct air quality monitoring to the DEQ Air Quality Program. The DEQ Air Quality Program is currently evaluating whether composting operations, as a business sector, require air quality permits. If DEQ's Air Quality Program concludes air permits are required, DEQ will propose a process to determine how to require compliance with applicable air quality requirements.

Comment 2: DEQ needs to establish an odor standard.

There needs to be an odor standard in this license somehow somewhere and you guys can figure out which way you want to do it but you're absolutely failing to do that now. Relying on complaints is not working. Put an odor standard in the permit with a nasal range and a distance. Give us an actual measurable thing that's a standard that can be passed or failed. Do not rely on less complaints and assume everything is fine. (Brett Hamilton, Julie Neumann)

The DEQ permit should include a measurable odor standard that uses the industry standard Nasal Range Field Olfactometer or equivalent. (Sherri Esser, Brett Hamilton, Heather Taylor, Janine Wilson, Michelle Mueller, Martha Iancu, Marius Brisan, Julie Neumann)

DEQ Response:

Thank you for your comments. DEQ has not identified that an odor standard for composting operations is feasible. Metro commissioned Jacobs Engineering to conduct a comprehensive evaluation of best methods of overseeing compost operations. [Read the study here.](#)

The study focuses on best management practices and does not identify that any state has established odor standards for compost facilities. This recent research confirms research that DEQ has conducted in the past regarding establishment of odor standards and measurement of offsite odors. The best management practices that Grimm's is performing to minimize odors include aerobic composting, compost pile height restrictions, monitoring and maintaining a proper range of moisture content, pore size of pile, oxygen concentration within the pile, temperature and biocover.

DEQ does not consider that an odor standard is feasible based on several factors including varying compost methods, operations, feedstocks and legal options. People also have varying sensitivities to odors and what may be acceptable to one person may not be acceptable to another. The performance standard for composting operations regarding odors is in OAR 340-096-0070(4) "All composting facilities must be designed, constructed and operated in a manner that, to the greatest extent practicable, controls and minimizes odors that are likely to cause adverse impacts outside the boundaries of the facility." DEQ recognizes that composting facilities may generate odors that escape the compost operation boundaries. The performance standard is to make sure that the compost operation is designed, constructed and operated such that any offsite odors will be minimal in strength and intensity, indicating that effective aerobic composting is taking place.

DEQ has also evaluated whether a nasal ranger would be able to accurately identify a source of odors. Washington County hosted a nasal ranger training several years ago that DEQ participated in. DEQ determined the device is not accurate in identifying a source of odor and is limited through how it is operated.

DEQ will regularly inspect composting operations at Grimm's and evaluate the effectiveness of the permit requirements and whether they are sufficient to minimize odors. As necessary, DEQ will require facility operational improvements to address concerns and compliance issues, which could include permit modification.

Comment 3: DEQ does not have a definition of "minimize" and neither DEQ nor Metro have a nasal odor measurement device. Relying on community members to file odor reports is not scientific and is flawed because it relies on people to be motivated to file an odor complaint. I have filed odor complaints over the past decade. I've probably sent in a hundred odor complaints. So the requirement that they're supposed to contact people, they're not doing that. We do not hear anything from Grimm's when we make a complaint to them. It's not a problem particularly but I wish agencies would stop saying that happens because it absolutely does not happen. What is the threshold in odor complaints per week where Metro and DEQ will require Grimm's to take corrective action or determine that six inches is not adequate, and how many times does that threshold need to be met in a year to prove to agencies that 6 inches is not adequate? (Brett Hamilton, Julie Neumann, Marius Brisan, Joyce q)

DEQ Response:

DEQ does not rely on the number of complaints received to verify compliance with the DEQ regulations. DEQ and Metro work together to follow up on complaints. Complaints are also forwarded to Grimm's to address. Receiving a certain number of complaints would not by themselves indicate that additional biocover is needed. The parameters that Grimm's must balance include ensuring there is sufficient porosity within the pile, moisture content, oxygen concentration within the active compost piles, adequate temperature, limits on pile heights, regular turning and a biocover. If DEQ observes that the management practices and reduced biocover are responsible for an increase in offsite odors, or that odor controls do not meet the performance standards, DEQ will require that Grimm's address all of the parameters in use to address odors. If use of more biocover is the only parameter that needs to increase to address odors, then DEQ will require that Grimm's use more biocover and DEQ may modify the permit or require an update to the operations plan to require a larger quantity of biocover.

Comment 4: DEQ should not reduce the biocover.

DEQ should require Grimm's to use 12 inches of biocover at all times. Grimm's is currently using 12 inches of biocover and is still producing frequent off-site odor impacts. Reducing the bi-cover thickness to 6-inches will increase the frequency, duration and severity of odor impacts. Reducing the biocover is just a way for Grimm's to make more money. (Sherri Esser, Brett Hamilton, Heather Taylor, Janine Wilson, Michelle Mueller, Martha Iancu, Marius Brisan, Julie Nader, Virginia Nader, Julie Neumann)

DEQ Response:

Thank you for your comment. DEQ has added a requirement to the permit requiring Grimm's to have at least six inches of biocover. The previous DEQ permit did not include a biocover requirement in the permit. DEQ relied on Grimm's complying with their DEQ-approved operations plan which included use of 12 inches of biocover. The permit is more stringent than the previous permit because this permit requires at least six inches of biocover. Grimm's must conduct the composting operations that include best management practices to minimize offsite odors. The parameters that Grimm's must balance include ensuring there is sufficient porosity

within the pile, moisture content, oxygen concentration within the active compost piles, adequate temperature, limits on pile heights, regular turning and a biocover.

Grimm's requested a permit modification and an operations plan change during the permit renewal application process that would allow them to decide when and if a biocover for active compost piles would be used. DEQ does not consider this request reasonable because DEQ considers that biocover must be used as part of the best management practices to optimize the composting process.

Research of composting industry standards does not specify quantity of biocover, though many operations report using between three to six inches on average. Industry standards do note the increased effectiveness of odor control when biocover is used on active compost piles. DEQ considers that the reduction from 12 inches to "at least six inches" is reasonable provided there is not an increase in odors. If DEQ observes that this reduction in biocover is responsible for an increase in offsite odors, or that odor controls do not meet the performance standards because of the reduced biocover, DEQ will require that Grimm's use more biocover. If necessary, DEQ will modify the permit to require a larger quantity of biocover.

Comment 5: DEQ should require a 12-month trial period for reduced biocover.

If DEQ wants to consider allowing Grimm's to switch from 12 inches of biocover to 6 inches, a 12-month trial period should be required first, so that DEQ can make an informed decision about whether or not 6 inches is adequate to minimize odors. Before starting the 12-month trial period, DEQ should measure current odor levels as a base line in order to have something to compare to if Grimm's makes the switch. (Sherri Esser, Brett Hamilton, Heather Taylor, Lisa Cook, Janine Wilson, Michelle Mueller, Martha Iancu, Marius Brisan, Julie Nader)

DEQ Response:

Thank you for your comment. As noted above, DEQ has not identified a viable way to measure offsite odors to establish a baseline. DEQ evaluated whether a pilot or trial period to evaluate reduced biocover would be effective and considers that a pilot would not be effective given the variability in parameters that could not be controlled during a pilot or trial. As stated in the response to Comment #3, if DEQ identifies that odors are increasing due to reduced biocover, DEQ will require additional biocover and may modify the permit to reflect an increase in biocover.

Comment 6: The biocover should be increased rather than reduced.

The biocover should be increased to 18 inches rather than reduced to 6 inches. There have been plenty of odor issued at the 12-inch level. (Julie Neumann)

DEQ Response:

Thank you for your comment. As noted above, DEQ agrees that a biocover helps reduce odors; however if the biocover layer is too thick, other negative issues arise. When applied too thick, it compacts the compost pile, reducing pore size and reducing the oxygen content in the pile, leading to anaerobic conditions and odors. The thickness of the biocover can also prevent the downward migration of water and reduction of airflow, two important components to maintaining aerobic conditions and minimizing odors. DEQ will evaluate whether the reduction in biocover results in increasing offsite odor concerns. If that occurs, DEQ will work with Grimm's to establish a quantity of biocover that maximizes odor reduction and DEQ may modify the permit to reflect that change.

Comment 7: They have been doing a good job with the 12-inch cover. Keep it this way. Don't go back to the way things used to be when they were not working. (Jeannelle Foss)

DEQ Response:

Thank you for your comment. Please see responses to Comments #3, #4 #5 and #6.

Comment 8: The mailing radius needs to be extended.

Odor impacts are experienced more than a mile away so why is DEQ's mailing only to those within a quarter mile of Grimm's. People living more than a quarter mile away did not hear about this hearing, (Brett Hamilton, Marius Brisan, Joyce).

The mailing radius that DEQ uses for post cards should extend at least as far as Grimm's odor radius, which currently exceeds one mile. (Sherri Esser, Brett Hamilton, Heather Taylor, Michelle Mueller, Martha Iancu, Marius Brisan)

DEQ Response:

Thank you for your comment. DEQ is always looking for ways to improve outreach. In addition to requesting that community associations share information with their networks, DEQ will take this recommendation under advisement.

Comment 9: I am opposed to easing the requirements for Grimm's Fuel. (Christine Wiley)**DEQ Response:**

Thank you for your comment. Please see responses to Comments #3, #4, #5 and #6.

Comment 10: Renew their permit The only problem we have with Grimm's is noise before 8 a.m., and some of the noise could be coming from the RV sales yard. There are no more odors as long as they continue to process as they are doing. (Jack Callison)

DEQ Response:

Thank you for your comment. DEQ is referring your comment to Grimm's to see if they can adjust their hours of noise generating activities. DEQ does not regulate noise and would refer noise complaints to the City of Tualatin for follow up.

Comment 11: As for the request to limit oxygen measurement to once a week instead of daily, how much staff time does it take to measure the oxygen? (Janine Wilson)

DEQ Response:

Thank you for your comment. Grimm's asked to reduce the oxygen measurement to weekly rather than daily because through the manipulation of temperature, moisture and damper openings, the oxygen levels can be estimated effectively, making daily measurements an additional task that is not necessary. Temperature of the pile and air damper position are constantly monitored and can be accessed by facility operators through computer or mobile device, to ensure aerobic conditions are maintained. The system was designed to maintain oxygen levels at a minimum of 13% and has consistently been performing at or above that level for 2.5 years. DEQ considers weekly oxygen monitoring to be sufficient to ensure that the system is still functioning properly, with the caveat that, if for some reason, the oxygen levels in the pile have dropped below the threshold of 10%, daily monitoring must be completed until the levels have returned.

The process of measuring the active composting pile for oxygen levels and recording those readings in the log takes approximately 30 minutes per day, and are currently conducted every day, including weekends, holidays and severe weather conditions.

Comment 12: Grimm's Fuel has long been established in Tualatin and has been a great business neighbor. Further regulation and tighter requirements for a long-existing operation are overreach and pushed by a vocal minority. The costs go up as the regulations are imposed and we are tired of bearing those costs! Six inches of biocover provides a good balance between spiraling costs and outrageous odor claims. Enough is enough! Regulation needs to have a reasonable threshold. These are not dangerous emissions! This is not a hazardous gas problem. (Jim and Karen Muir)

DEQ Response:

Thank you for your comment.

Comment 13: Has the safety of the people working there was taken into account? Did OSHA ever visit the site to evaluate the stench over there and how it affects the people working there? (Marius Brisson)

DEQ Response:

Thank you for your comment. DEQ does not address employee safety and has shared this comment with Grimm's in case Grimm's would like to ask OR OSHA to provide technical consultation.

Contact

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Non-discrimination statement

DEQ does not discriminate on the basis of race, color, national origin, disability, age, sex, religion, sexual orientation, gender identity, or marital status in the administration of its programs and activities. Visit DEQ's [Civil Rights and Environmental Justice page](#).

Attachment 1 – Comments

Verbal comments provided at the Public Hearing on Dec. 5, 2024

Comment	Commenters
I would like to thank Grimm's for the work they've done on the new composting system. It is much improved. However, we are still having odor impacts more than a mile away. The mailing radius is a quarter of a mile so that means that the odor impact radius is at least four times the radius that DEQ sent out for this meeting. In the past, the radius was more than a mile, so I don't know why DEQ decided to change the mailing radius unless your intent is to reduce the number of people who come to these meetings.	Brett Hamilton
Earlier in this meeting I asked what's the definition of the word minimize and DEQ said they don't have a definition. DEQ and Metro neither have a nasal odor measurement device.	Brett Hamilton
Relying on community to file odor reports as the performance measurement for odor is not scientific and is flawed because it relies on people to be motivated to actually file odor complaints. I've filed odor complaints for the last decade. I think I've been contacted by Grimm's twice. I've probably sent in a hundred odor complaints. So the requirement that they're supposed to contact people, they're not doing that. It's not a problem particularly but I wish agencies would stop saying that happens because it absolutely does not happen. What is the threshold in odor complaints per week where Metro and DEQ will require Grimm's to take corrective action or determine that six inches is not adequate, and how many times does that threshold need to be met in a year to prove to agencies that 6 inches is not adequate?	Brett Hamilton

<p>I would request that we have a plan in place now before Grimm's makes the switch and I would request some actual numbers because your odor standard doesn't have numbers. You're only relying on odor complaint numbers. There needs to be an odor standard in this license somehow somewhere and you guys can figure out which way you want to do it but you're absolutely failing to do that now. Or just put an odor standard in the permit with a nasal ranger and a distance and call it good. Give us an actual measurable thing that's a standard that can be passed or failed. Not this oh we got less complaints this year so we're fine. It's a totally unacceptable way to manage a facility.</p>	<p>Brett Hamilton</p>
<p>I would absolutely request not to allow Grimm's to reduce the cover to 6 inches.</p>	<p>Brett Hamilton</p>
<p>I too want a standardized odor measurement, and we asked for this a few years ago when Metro was redoing the license. What happened? I mean all of a sudden, and I don't think just because fall is busy with a lot of yard debris that the odors got worse because of that reason alone. There's plenty of stuff that goes on all summer, mowing lawns and all kinds of stuff that goes to Grimm's in the summertime too. But like I said, it was particularly bad especially in October. I got a feeling that seven comments made in 2024, I mean I made seven complaints in October alone so I don't even know how accurate those numbers are to be honest with you. It's not a way to measure whether or not the 12 inch or the 6 inch. As far as I'm concerned increase it to 18 inches and maybe that will work. I don't like to see us going backwards. Things got so good there for awhile and here we are again.</p>	<p>Julie Neumann</p>

<p>He's basically only caring about his bottom line and trying to make more money. I wonder if the safety of the people working there was taken into account. Did OSHA ever visit the site to evaluate the stench over there and how it affects the people working there? I strongly believe this should be considered an environmental site where active non-stop monitoring needs to happen around the facility with sensors that log data from Grimm's, gets sent to DEQ and Metro and analyzed every month and published onto the website. We need transparency on this. He wants to make even more money than he's making already regardless of who lives around it and how people are impacted. We pay our life savings for the houses we live in and pay a ton of taxes and we support the school system and the roads and everything. People doing this business don't care about what's going on around them. If we look at what LAM and Intel and other industrial sites do they have monitoring systems in place for all the gases going on around them.</p>	<p>Marius Brisán</p>
<p>I also did not receive anything in the mail even though you guys said you sent something out, but I understand this was only a quarter of a mile neighborhood so that's nothing basically.</p>	<p>Marius Brisán</p>
<p>The number of complaints being logged is not a measure of how the facility is working by any means. And as other people said, what would it take if the stench comes back for Grimm's to increase to 12 inches again and daily monitoring of the oxygen level?</p>	<p>Marius Brisán</p>
<p>I wanted to say the same thing that others have said. I did not receive a postcard mailing and I don't think anybody else probably did either. I had to hear it from Brett.</p>	<p>Joyce</p>

<p>I think that we need to have still some good things on Grimm's to have him do the things that they need to do because I don't think they're bothering either. Because of the fact we don't hear anything from you, we don't hear anything when we make complaints from them. And you call over there and say "what's going on? Oh nothing's going on. It's fine." They've been this way ever since we've started doing this whole thing and getting it going. And we're just not happy here at all. And you can go ahead and say "well come over and get free whatever you want." Well that still doesn't do it when you start talking about the smell. It's nauseating. It's sickening. Some people are allergic to it. That's just my feeling on it. I think they've tried but it just doesn't seem to be totally working and everybody doesn't seem to be working together.</p>	<p>Joyce</p>
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Written Comments submitted to DEQ

Comment	Commenters
<p>Renew their permit. The only problem we have with GRIMM'S is noises before 8am. And some of them could be coming from the RV sales yard between us and Grimm's. There is no more odors, as long as they continue to process as they are doing.</p>	<p>Jack Callison</p>
<p>DEQ should require Grimm's to use 12 inches of bio cover at all times. Grimm's is currently using 12 inches of bio cover and is still producing frequent off-site odor impacts. Reducing the bio-cover thickness to 6 inches will increase the frequency, duration, and severity of odor impacts.</p>	<p>Sherri Esser, Brett Hamilton, Heather Taylor, Janine Wilson, Michelle Mueller, Martha Iancu, Marius Brisan, Julie Nader, Virginia Nader, Julie Neumann</p>
<p>We demand that DEQ install automated air quality monitoring equipment at Grimm's fuel to gather hard data on particulate pollutants and publish this data online to track and quantify off-site air pollution impacts. We request solid data and transparency.</p>	<p>Sherri Esser, Brett Hamilton, Heather Taylor, Janine Wilson, Michelle Mueller, Martha Iancu, Marius Brisan, Julie Neumann</p>

The DEQ permit should include a measurable odor standard that uses the industry standard Nasal Ranger Field Olfactometer or equivalent.	Sherri Esser, Brett Hamilton, Heather Taylor, Janine Wilson, Michelle Mueller, Martha Iancu, Marius Brisán, Julie Neumann
If DEQ wants to consider allowing Grimm's to switch from 12 inches of bio-cover to 6 inches, a 12-month trial period should be required first, so that DEQ can make an informed decision about whether or not 6 inches is adequate to minimize odors. Before starting the 12-month trial period, DEQ should measure current odor levels as a base line in order to have something to compare to if Grimm's makes the switch.	Sherri Esser, Brett Hamilton, Heather Taylor, Lisa Cook, Janine Wilson, Michelle Mueller, Martha Iancu, Marius Brisán, Julie Nader
The mailing radius that DEQ uses for post cards should extend at least as far as Grimm's odor radius, which currently exceeds one mile.	Sherri Esser, Brett Hamilton, Heather Taylor, Michelle Mueller, Martha Iancu, Marius Brisán
They have been doing a good job with the 12-inch cover. Keep it this way. Don't go back to the way things used to be when they were not working.	Jeanelle Foss
I am opposed to easing the requirements for Grimm's Fuel.	Christine Wiley
Grimm's Fuel has long been established in Tualatin and has been a great business neighbor. Further regulation and tighter requirements for a long-existing operation are overreach and pushed by a vocal minority. The costs go up as the regulations are imposed and we are tired of bearing those costs! Six inches of bio-cover provides a good balance between spiraling costs and outrageous odor claims. Enough is enough! Regulation needs to have a reasonable threshold. These are not dangerous emissions! This is not a hazardous gas problem.	Jim and Karen Muir
It is my belief that the biocover depth should be increased to 18 inches rather than reduced to 6 inches. There have been plenty of odor issues at the 12-inch level so why would you make a decision to increase odor issues?	Julie Neumann
As for the request to limit oxygen measurement to once a week instead of daily, how much staff time does it take to measure the oxygen?	Janine Wilson