



600 NE Grand Ave.  
Portland, OR 97232-2736  
oregonmetro.gov

## NOTICE OF VIOLATION with OPPORTUNITY TO CORRECT

**NOV-418-19**

**To:** Jeff Grimm  
Grimm's Fuel Company, Inc.  
18850 SW Cipole Road  
Tualatin, Oregon 97062

**Violator:** Grimm's Fuel Company, Inc.  
18850 SW Cipole Road  
Tualatin, Oregon 97062

**Operating Instrument:** Solid Waste Facility License (License) No. L-043-19

**Dates of Violation:** May 1, 2019, ongoing

**Violation:** Grimm's Fuel Company, Inc. (Grimm's) failed to meet the pile size requirements by April 30, 2019 as required under License L-043-19 Section 6.2.

License Section 6.2 states, in part, that:

*1. By April 30, 2019, material stockpiles must not exceed 25-feet in height, 150-feet in width and 250-feet in length...*

**Details of Violation:** The license requires Grimm's to manage all piles at the facility to not exceed 25-feet in height, 150-feet in width and 250-feet in length. Grimm's must meet the pile size requirements by April 30, 2019.

On Friday April 26, 2019, Metro staff conducted a site visit to assess Grimm's progress towards compliance with the pile size requirements. Metro staff measured the piles on site and identified several areas where piles exceeded the pending size requirements (height, width, and length) effective on April 30. Metro staff shared its findings with Grimm's staff and informed Grimm's that Metro staff would return the following week to determine whether Grimm's was in compliance with the pile size

requirements in the license.

On Wednesday May 1, 2019, Metro staff conducted an inspection to determine compliance with the license requirements. Metro staff measured each pile and found each pile in compliance with the size requirements (25'H, 150'W, 250'L) except for the active compost pile. The active compost pile complied with the height requirement (25') but exceeded the length and width requirements. Metro staff measured the active compost pile and found that the pile was approximately 350 feet in length and 350 feet in width. Metro staff notified Grimm's staff that the active compost pile did not comply with the length and width requirements in the license. At the time of the inspection, Metro staff cited a violation of License Section 6.2 because the measurements of the active compost pile did not comply with the size requirements in the license.

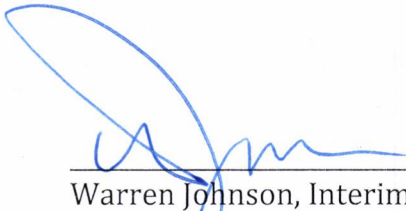
Metro staff consulted with Tualatin Valley Fire and Rescue (TVFR) on May 1, 2019 about Metro's findings and pile measurements. TVFR reported that it found only the length and width measurements of the active compost pile to be out of compliance with its pile size requirements during its inspection on April 30, 2019.

**Action Required:**

Grimm's must take necessary actions to meet the pile length and width size requirements for the active compost pile. Grimm's must maintain compliance with the pile size requirements for all piles at its facility located at 18850 SW Cipole Road in Tualatin. Metro will reassess compliance with the pile size requirements of License Section 6.2 on or after July 1, 2019.

Failure to reduce the size of the active compost pile and to maintain all piles within the pile size requirements under License Section 6.2 by July 1, 2019 may result in escalating enforcement actions and penalties including but not limited to a monetary penalty or a limitation on incoming feedstocks.

5/8/19  
Date

  
\_\_\_\_\_  
Warren Johnson, Interim Director  
Solid Waste Information, Compliance and Cleanup

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**CONTESTED CASE NOTICE**

Under Metro Code Chapter 2.05, you have the right to request a contested case hearing regarding this Notice of Violation. You must make this request in writing to the attention of Stephanie Rawson, Solid Waste Cleanup and Enforcement Manager, and ensure that Metro receives the request within 30 days of the date this Notice was mailed. You may retain legal counsel to represent you at the hearing. Article XI, Section 14 of the Oregon Constitution, the Metro Charter, ORS Chapter 268, and Metro Code Chapter 2.05 and 5.05 provide Metro's authority and jurisdiction for the hearing.

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cc: Warren Johnson, Metro  
Hila Ritter, Metro

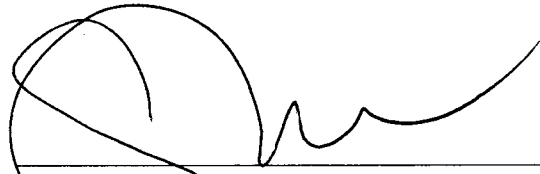
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**CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing NOTICE OF VIOLATIONS including CONTESTED CASE NOTICE on the following:

Jeff Grimm  
Grimm's Fuel Company, Inc.  
18850 SW Cipole Road  
Tualatin, Oregon 97062

On 5/8/19, said individuals were served with a complete and correct copy thereof via regular mail and certified mail, return receipt requested, contained in a sealed envelope, with postage prepaid, and deposited in the U.S. Post Office at Portland, Oregon.



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Stephanie Rawson  
Solid Waste Cleanup and Enforcement Manager