



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

November 3, 2022

****EMAIL TRANSMISSION ONLY****

Jeff Grimm
Grimm's Fuel Company
18850 SW Cipole Rd
Tualatin, OR 97062
jefGrimm's@teleport.com

RE: Warning Letter (No. WL-446-22)
Failure to comply with license conditions; apply bio-cover at minimum depth of 12 inches covering all sides of the piles.

Dear Jeff Grimm:

This letter is to notify you that Grimm's Fuel Company (Grimm's) failed to comply with its license conditions when it performed an unauthorized trial of compost operations without a bio-cover in April, June and July 2022. This Warning Letter is not a Notice of Violation.

Metro Code Section 5.01.320(a) states in part that any person who fails to comply with a license condition is subject to the fines and penalties set forth in that chapter.

Solid Waste Facility License No. L-043-19, Section 7.8 b, Procedures for pile maintenance states: *Applying and maintaining a cover, such as bio-cover comprised of a designed mix of porous overs and composted materials applied at a minimum depth of 12-inches and covering all sides of the piles. The licensee must use an approved bio-cover unless an alternate cover is pre-approved in writing by Metro.*

As you are aware, in August 2022, Grimm's submitted to Metro and Oregon Department of Environmental Quality (DEQ) proposed changes to its Operations Plan to change the requirement to cover *all active compost piles* with 12" of finished compost or compost overs ("bio-cover"), to instead covering active piles on an *as needed* basis to minimize odors and decrease oxygen readings from daily to weekly. In its letter to Metro dated August 11, 2022, Grimm's described that the facility conducted two separate and unauthorized trials in April and June of 2022, supported by Green Mountain Technology who designed Grimm's system, during which it operated without the use of bio-cover on active compost piles as required by its Metro license.

On July 18, 2022, while on site for a regular unannounced inspection, Grimm's informed Metro Facility Inspector Chris Papinsick that it was operating without the required 12-inch bio-cover. Metro instructed Grimm's to immediately cover each active pile with bio-cover as required, which Grimm's began that same day and completed the following day as reported to Metro via email. An unannounced follow-up inspection was performed on August 12, 2022, and Grimm's was actively

Grimm's Fuel Company

WL-446-22

pg. 2

applying bio-cover to recently turned piles and all other piles had appropriate bio-cover as required.

Metro informed Grimm's that updating its Operating Plan is insufficient to implement the changes as requested, and it must apply for a change of authorization to amend its license provisions to implement its proposed changes. Grimm's Metro issued license will expire December 31, 2023, and its DEQ permit expires November 2023, therefore Metro encourages Grimm's to continue to apply bio-cover and monitor oxygen as required and re-submit its proposed changes and supporting documentation during its license renewal application.

In the future, Grimm's may be subject to enforcement action including civil penalty if the facility fails to comply with license conditions.

Thank you for your attention to this matter.

Sincerely,

DocuSigned by:



A6212F1279BB4C8...

Warren Johnson

Standards and Compliance Manager

Cc: Pam Peck, Metro

Hila Ritter, Metro

Chris Papinsick Metro

Audrey O'Brien, Oregon DEQ