



**Tillamook County**  
**PUBLIC WORKS DEPARTMENT**  
*Department of Solid Waste*  
*Waste Prevention and Recycling*



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*Land of Cheese, Trees and Ocean Breeze*

TILLAMOOK COUNTY  
**Solid Waste Advisory Committee Meeting**  
Tuesday, March 12, 2024 – 3:00 pm - 5:00 pm

**Port of Tillamook Bay, Conference Room, 4000 Blimp Blvd., Tillamook  
and  
Virtual TEAMS meeting, call in number: (971) 254-3149, Conference ID: 228  
726 951 613 Passcode: fGb8m7**

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|--|-----------------------|
| 1. Call to Order, Welcome and Introductions              | 3:00 – 3:05           |
| 2. Approval of Minutes for February, 2024                | 3:05 – 3:10<br>ACTION |
| 3. Discuss/Elect New SWAC Positions                      | 3:10 – 3:20<br>ACTION |
| 4. SWAC Budget Committee                                 | 3:20 – 3:25           |
| 5. FY2024-25 Budget                                      | 3:25 – 3:50           |
| 6. Haulers Rate Review and Minimum Fees for FY 2024-2025 | 3:50 – 4:10           |
| 7. DEQ Stormwater Inspection: Civil Enforcement Penalty  | 4:10 – 4:20           |
| 8. Franchised Hauler Updates                             | 4:20 – 4:30           |
| 9. Staff Report  | 4:30 – 4:40           |
| 10. Transfer Station Report                              | 4:40 – 4:50           |
| 11. Public Comment                                       | 4:50 – 5:00           |
| 12. Adjourn  |                       |



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**Solid Waste Advisory Committee Meeting Minutes**

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**DATE:** December 12, 2023

**PLACE:** Port of Tillamook Bay (POTB) Conference Room, 4000 Blimp Blvd., Tillamook *and*  
Virtually—Call-in Number: (971) 254-3149, Conference ID: 892 233 618

**MEMBERS PRESENT:** Ken Henson (Chair), Tim Hall (Incorporated Cities), Robert Poppe (Solid Waste Franchisee—City Sanitary, Will Reding (R Sanitary), Nicholas Macias (City Sanitary), Aaron Averill (Don Averill Recycling), *Virtual*—Jessi Just (Recycling Industry—Heart of CARTM)

**MEMBERS ABSENT:** Tom Jayred, Justin Kanoff, John Longfellow, Scott Miethe (Recology)

**STAFF PRESENT:** Justin Weiss—Solid Waste Program Manager, Morgan Niles—Public Works Office Specialist

**GUESTS PRESENT:** *Virtual*—Gretchen Sandau—DEQ

**AGENDA ITEM 1 - CALL TO ORDER AND WELCOME AND INTRODUCTIONS:**

Quorum was established and the meeting was called to order by Chair Ken Henson at 3:06 PM. Round-table introductions of members, staff, and guests.

**AGENDA ITEM 2 – APPROVAL OF MINUTES for September 12, 2023:**

Chair Henson—entertain a motion to approve the minutes from the previous meeting. Robert Poppe moved to approve the minutes, seconded by Tim Hall, All in favor.

**AGENDA ITEM 3 – SWAC 2024 MEETING SCHEDULE**

November meeting was pushed to today (12/12/23) due to illness.  
Discussion between Justin and SWAC about upcoming 2024 dates.

- Historically has been 2<sup>nd</sup> Tuesdays, Weiss opened up for remarks.
  - Clarifying discussion between Chair Henson and Poppe regarding a customary break in meetings for the Summer and when those usually occur.
    - Poppe—Meetings are usually skipped in August due to the County Fair, and in December as there is often not much to discuss. Unsure why meetings were not held in June and October 2023.
    - Poppe—open to continuing to hold meetings on 2<sup>nd</sup> Tuesdays.
    - Chair Henson asked for any additional comment—Hall will not have any conflicts.

- Weiss—proposal to set 8 total meetings for SWAC 2024 for the following dates:
  - January 9, February 13, March 12, April 9, May 14, July 9, September 10, & November 12
  - Chair Henson—entertain motion to keep 2024 meetings on the second 2<sup>nd</sup> Tuesday of each month excluding June, August, October, December.
    - Hall—so moved, Poppe—second, All in favor

## **AGENDA ITEM 4 –CURRENT REVENUE/EXPENDITURE UPDATE**

### Fiscal Year Update

- Weiss—We are currently 5 months into the fiscal year, some delays have occurred
  - Justin is experiencing some learning curves in his new role regarding this but is learning a lot about the budget
  - There has been some delay in invoicing and processing budget due to staffing—Rebekah Hopkins has not returned to the office, Morgan Niles is new and helping out with some data entry
  - SWAC’s patience has been appreciated, but timeliness is a priority moving forward
- Weiss—has been able to work on the existing budget spreadsheet
  - July-November revenues and expenditures have been entered in the budget to give the committee a snapshot. Totals have been compared with this time last year.
  - Revenue
    - Revenue so far—1.6 million. Revenue last year –FY 1.7 million= \$118,707 less in revenue so far this year.
      - Explained by large increase in SW fees.
        - SW fees are further broken down by category in the budget for previous years.
          - Weiss will coordinate with County Treasurer to work out properly allocating monetary amounts to their subcategories in 2024.
      - Poppe—question: Where the side by side comparison?
        - Weiss—did not provide a visual for side-by-side comparison, just giving a general overview at this time, can be provided for January 6 month review.
    - Expenditures
      - Administrative Expenditures
        - Personnel
          - fairly on-par with last year. About \$3,000 more has been spent this year so far. Current total = \$229,363.62
          - Explained by extra costs for leave, FMLA, overtime hours
        - Office Supplies, Membership and Dues, Contracted Services, etc.
          - About \$13,500 over this year so far. Current total = \$ 185,000
          - Could be explained by the ebb and flow of various costs of things.
          - More detail can be given as Justin is able to break things down further by location.
      - Just—question: Being that an Outreach Coordinator has not been hired for several years, is the money for this position being held somewhere? Where is it?
        - Weiss—referring to budget spreadsheet. Is not clear on spreadsheet—is an older spreadsheet.
          - Tentative assumption that \$66,500 allocated for Professional/Technical Services would be for the Outreach Coordinator.
          - Currently \$0 allocated for Code Enforcement, another job that has not been hired for several years
          - When Rebekah was Accounting Technician, SW paid PW for her services to SW. Not included in SW budget.
      - Just—question: 2<sup>nd</sup> question: Is the revenue for Tarping Fees actually \$0, or is it just not included in the budget? Are there any other sources of revenue other than fines for failing to tarp loads?

- Weiss—When the program started approximately 10-20 tarps were sold, warnings were given out for compliance. It is possible staff has relaxed their enforcement efforts on this issue. However, moving into 2024, the campaign and education can be ramped up.
  - Not much revenue has been generated from these fees.
  - Program was started last FY, so any revenue would have been recorded on previous budget.
- Just—question: Is there any money coming in for this from outside agencies for Tarping Fees?
  - Weiss—No, not at this time. It is unclear where the initial money came from to purchase the tarps and tie-downs. Possibly from Landfill or Transfer Station funds.
  - Just—Would really like to generate a conversation about this issue.
    - Problem: seeing lots of trash on the roads from North County to Tillamook from unsecured loads. Should be a campaign to remind folks that trash flies out of pickup trucks and boats/A Committee regarding this issue/working with agencies like the Sheriff's Department/Perhaps involve Master Recyclers?
    - Weiss will put this as an action item for 2024 to re-invigorate, re-educate SW staff, find some grant money.
- Chair Henson—doesn't recall where we came up with initial money to purchase tarps and tie downs, but the idea was that we would charge for those items at cost or perhaps slightly more. It was never intended to be a revenue campaign, but rather education.
  - Additionally, he believes at one time we asked and were granted by the BOCC for a Code Enforcer
    - The initial ask was for a full-time position and budgeted for a part-time position—as that person has some free time, they could be on loan to other departments that needed code enforcement. There was approval for it by BOCC, so he is surprised to not even see it in the budget.
      - Hall—comments of agreement, also surprised to not see it in the budget or any action taken to fill this position, as it was approved by BOCC.
      - Weiss—will go back through budget spreadsheets, perhaps it was lost in translation.
    - Weiss—re: code enforcement. He has spoken with Sarah Absher from Community Development to share Code Enforcer with SW, Community Development, and Health Department.
      - There are plans to hire a person to hear these cases, not necessarily a County judge—Sarah Absher will be spearheading this effort. Would expedite the process by avoiding the lengthy court process. This appointed official would specialize in hearing code/Ordinance enforcement cases.
      - Weiss asked for people to think on and share in the future if there are any needs or amendments needed to codes/Ordinances as they stand to add to future SWAC Agenda.
        - Just—requested to see codes to better assist with brainstorming.
          - Discussion between Chair Henson, Just, and Poppe on how to find Ordinance 4.
- Chair Henson—question: Is there any update on Rebekah returning, or any plans to fill her position?

- Weiss—Morgan Niles—Office Specialist on loan from Parks Department—is a short-term solution for Rebekah’s absence.
  - Weiss—HR has notified that they are re-vamping several positions’ job descriptions: Program Manager (Justin’s position), Code Enforcement, Education and Outreach
    - Possibility of combining Accounting Tech with Education and Outreach
    - Has not heard anything further from HR, no new job descriptions or job openings for these positions seen or posted yet.
    - Chris Laity—PW Director—is Justin’s main source of updates/information on staffing, and he has not heard anything new.
    - Operating under the assumption that Rebekah will not be returning.
  - Chair Henson—will reach out to Chris Laity and Commissioner Bell directly to ask about these open positions and try to guide things along.
    - Weiss approves.
- Return to Budget—Weiss
  - General recap of what has been covered so far.
  - Transfer Stations, Network Fees, Hauling, Contracted Services with Averill, Equipment, etc.
    - \$273,000 less in expenditures so far
    - Explained by Weiss being new to the role, learning using some restraint with spending so as not to exhaust budget in first 6 months.
    - Large expenditures with Contracted Services—Two payments to Don G. Averill Recycling in November. Total = \$456,000 for hauling services.
  - Landfill Fund
    - 2022/2023 Fiscal Year is ~ \$18,000. This year \$42,148.14 has been spent so far = Increase this year of ~ \$24,000 from last year.
    - Explained by Parametrix Contracting and monitoring for stormwater management and re-doing the stormwater/pollution control plan due to the results of an inspection at Tillamook Transfer Station—more information later in the meeting.
      - Inflated expenditures from November payment to Parametrix of \$28,614.38
  - Recycling/Hazardous Waste/Code Enforcement
    - ~ \$15,500 increase this year from last year.
    - Explained by education and outreach via Headlight Herald Ads and new contract with Heart of CARTM to assist with re-invigorating the Master Recyclers Program—more information later in the meeting
  - Sinking Fund
    - Revenue
      - ~ \$67,000 transferred into this fund—interest and transfers transferred over from SW Fund
    - Expenditures
      - Big Ticket Items
        - Engineering and design costs associated with improvements to PC and Manzanita Transfer Stations = \$96,000 to date. Includes budgeted \$1.9 million that David McCall anticipated coming from State Revolving Fund Clean Water Loan—close to solidifying.
- Weiss will have a more in-depth 6 month budget review for the next SWAC meeting

## **AGENDA ITEM 5 – SWAC ROSTER APPOINTMENTS/RESIGNATIONS**

Ordinances for SWAC Roster and communications with BOCC Office included.

Resignations

- Scott Miethe, no longer with Recology
- David Larmouth officially out—Representative of Construction Industry, Vice-Chair

Vacancies

- Representative of Timber Manufacturing Industry
- Representative of a Solid Waste Franchisee—due to Scott Miethe resignation

#### Appointments

- Weiss—has been working with BOCC office to fill vacancies/keep track of appointments that are expiring soon
  - Dan Blue from Recology interested in filling SW Franchisee vacancy
  - Following appointments will expire 12/31/2023: Tom Jayred, David Larmouth, Ken Henson, John Longfellow, Justin Kanoff
    - Chair Henson would like to stay on as a member but would prefer not to remain Chair after July. Discussion between Chair Henson and Poppe of Chair appointment expiration, Vice-Chair, and voting.
    - Others are not present at the meeting to discuss re-appointment.
      - Speculative discussion between Chair Henson, Poppe and Weiss of which absent members would or would not want re-appointment.
      - Justin will reach out to those individuals to check in and will get these items on the agenda for an upcoming BOCC meeting.
  - Re-appointments and New Appointments will be revisited in 2024.

### **AGENDA ITEM 6 – MASTER RECYCLERS COURSE UPDATE**

Agreement between Solid Waste and Heart of CARTM to:

- Help re-invigorate Master Recycler Course—Agreement terms included
  - Course has not been taught since 2020—COVID
  - Still a core group of 4-5 Volunteers that are active
    - Very helpful with Hazardous Waste Events
    - Are an older crowd and have difficulty managing strenuous workload
  - Looking toward being a multi-generational effort
    - Youth involvement/TBCC Classes
  - Update Course Materials—new data, infographics, content and refresh branding
  - Course will begin tentatively in Spring 2024—Jessi Just will teach
    - Effort will assist in supplementing vacancy in SW Education/Outreach
  - Partnership between government agency and non-profit will open up opportunities for grant funding
    - Just has already put out 2 grants for additional funding totaling ~ \$20,000
  - Updates to come closer to Spring 2024

### **AGENDA ITEM 7 – FRANCHISED HAULER UPDATES**

R Sanitary—Will Reding

- Business as usual, slowing down for season
- Talked to the PRO—Producer Responsibility Organization
  - Concerns regarding vehicles/purchasing trucks with PRO money
  - Conversation about influx of need for trucks and cans when PRO goes through
  - Just—question: Is there one PRO for the County, or one for across the State?
    - Weiss—believes the State will be divided—dual effort between two entities
    - Sandau—believes there have been 2-3 PROs express interest and intend to submit plans in Spring 2024.
    - Just—question: Are these orgs already reaching out to haulers without confirming that they will be working with the State?
      - Sandau—will look into the status of this, whether this has been finalized and that is why they're reaching out to municipalities and haulers to assess equipment needs or if it is not yet official.
      - Reding—In the meeting he was a part of, there were no negotiations or finalizations, simply fact-finding and assessing equipment needs.
  - Weiss—Believes there will be more meetings in 2024 regarding PROs.
  - Chair Henson—question: When is the needs assessment deadline?

- Poppe—Deadline for cities and counties to fill this out has passed.
- Sandau—Deadline was April 2023.
- Sandau—has access to this information for different municipalities if anyone is interested in viewing this.
  - All in attendance are interested in viewing the County-wide needs assessment.

City Sanitary—Robert Poppe

- Holiday Operating Procedure
  - Standard Holiday operating procedure is usually collection the day *before* a holiday
  - Due to when the winter holidays occur this year this normal standard operating procedure will switch to pickup being the day *after* instead.
    - Monday routes on Tuesday, Tuesday routes on Tuesday.
    - Weiss—question: Will extra trucks be sent out on Tuesday to compensate?
      - Poppe—yes.
- Impact of Flooding
  - Affected routes and operation
  - Transfer station remained open, but was ~ 6 inches of floodwater away from being unable to get to transfer station for several days
    - Averill—there is an alternate route.
  - Poppe—Floods highlighted the fact that there is no secondary location and no emergency management plan in place for situations like this looking forward. Should be an action item moving forward.
  - Weiss—question: Can SW promote or share City Sanitary schedule changes?
    - Poppe—yes, there will be a shareable post closer to the holidays.
  - Weiss—spoke with Randy Thorpe and Chris Laity regarding this previously. No concrete answers or plans as of right now. Justin will reach back out to Randy Thorpe to try to get an Emergency Management Plan rolling.
- Poppe—no reports from other haulers.

**AGENDA ITEM 8 – TRANSFER STATION REPORTS**

Overflow and Stormwater Grant

- Federal funds available for stormwater-specific projects and materials
- Funds are allocated by DEQ
- SW has been approved for up to \$322,000 for Pacific City Transfer Station
- It was a hope that the funds could be used to build a baler and build a structure to house it from the rain
  - Stringent requirements of the grant do not allow for this
  - Will likely be used for asphalt, grading, downspouts, bio-swails
- Pacific City Agreement was signed today.
- One in the works for Manzanita Transfer Station—is eligible

SRF Loan Funds

- State Environmental Review Process has been completed
- Next phase is a 30 day public notice, during which Justin will be preparing materials to submit for approval to the BOCC in January.
- After this, the loans can be signed and projects can be completed in Pacific City and Manzanita, as well as the Pacific City expansion and covered building.

East Timber Wall—Manzanita Transfer Station

- The wall failed two weeks ago
- Cleanup has been underway.
- Chris Laity assessed yesterday (12/11/23)
  - Econo-blocks set in temporarily to allow for continued hauling of scrap metal.
  - Sloughing will continue in the wet season, unfortunately.
  - Pallets will be moved back
  - Continued buffer around the area to protect the public until construction can get underway

Manzanita Annexation

- The entire transfer station is now located within the city limits of Manzanita

- All future construction permitting will only need to be with the City of Manzanita Tillamook Transfer Station
- Stormwater inspection on 9/12/23 from DEQ
  - One Class I violation and two Class II violations—Class III is the least severe
  - Immediate corrective action taken by Weiss and Averill
  - Majority of corrections have been completed and submitted to DEQ
    - Pictures and explanations of infractions and corrective actions provided by Weiss
    - Assistance from PW for some of the corrective action projects
  - Collaboration with Weiss and Averill is continuing to remedy the infractions
  - Positives outcomes—good learning experience for Weiss’ first DEQ inspection, strengthened relationship between SW and Operator, facility improvements, infrastructure improvements on the horizon, set up for future success
  - Weiss to Haulers: What had previous SW leadership done around the tipping area?
    - Poppe—It was a collapsible, plastic/rubber/foam structure.
    - Averill—Might have been aluminum.
      - Did not function well or last very long
    - Weiss—currently working on something more durable and efficient.

## **AGENDA ITEM 9 – STAFF REPORT**

- BBSI staff no longer contracted as of a month and a half ago.
- Moving into Winter Hours—things are slowing down.
- Keeping up with Styrofoam is a challenge for Weiss at this time due to clerical duties
- Bridgette is on leave currently for medical reasons, back in January
  - Tory Williams from Manzanita covering one day—Mondays
  - Weiss covering two days—Friday and Saturday
  - Is a bit of a strain on the Department but is working well enough for now
- HR currently working on updating vacant SW job descriptions, hopefully to post for hire in the near future
- December Hazardous Waste Collection Event (12/2/23)
  - Successful—seemed busier than previous December events
  - 132 vehicles
  - Trying some new advertising—Facebook
    - Attempt to gain more traction, analyze advertising and reach metrics
    - Was successful, good engagement, great digital addition to Headlight Herald
    - \$33 spent
    - Just—question: How does 132 vehicles for most recent Hazardous Waste event compare to past events?
      - Weiss—usually ranges from ~ 108-112 vehicles total. 132 is on-par but slightly over. Weather factors heavily for turnouts.
- Upcoming:
  - Master Recycler Meet n’ Greet—hopefully January 2024
    - Previously met once a month, has dwindled lately
    - Get group back together, talk about program
    - Introduce Jessi Just to group
  - Household Hazardous Waste Collection 2024
    - First event—February 3, 2024
    - Weiss just received notice that the magnets are finished, will be picked up for distribution soon
    - Weiss received communication from City Sanitary asking for 2024 Haz. Waste collection dates
      - Poppe—lots of public inquiries about dates.
      - Weiss—will get that out shortly.



- Continued discussion of 2024 and where to find them, getting them go hauler staff between Poppe and Weiss.

## **AGENDA ITEM 10 – PUBLIC COMMENT**

- Chair Henson—A few meetings ago, there was discussion regarding getting Justin some mentorship from Dave McCall—has that happened?
  - Weiss reached out to Dave and Mary Faith—green light
  - January would be a great time—meeting with DEQ, time for some reporting
  - Chair Henson—will compose email about posting open positions, emergency plans, and mentorship opportunities with Dave McCall to try to push some of these items along.
- Sandau—PROs
  - Received word just now that PROs are not confirmed yet, but will in Spring 2024 after plans are submitted to and approved by DEQ.
  - E-Cycles Program—upcoming rule making session
    - looking for members to sit in looking on the committee for someone that could relate to the public/rural community/local government
    - Reach out to Sandau with interest so she can forward information along
    - Weiss and Hall would like more information/description of responsibilities

## **AGENDA ITEM 10 – ADJOURN**

Chair Henson called the meeting to a close at 4:19 PM.

*Minutes submitted by Morgan Niles*



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**Solid Waste Advisory Committee Meeting Minutes**

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**DATE:** February 13, 2024

**PLACE:** Port of Tillamook Bay and Virtual

**MEMBERS PRESENT:** Tim Hall—Vice-Chair, Jessi Just, Will Reding—R Sanitary, Dan Blue—Recology, Aaron Averill—Averill Recycling

**MEMBERS ABSENT:** Robert Poppe, Tim Henson, Justin Kanoff

**STAFF PRESENT:** Justin Weiss—Solid Waste Interim Manager, Morgan Niles—Public Works

**GUESTS PRESENT:** Doug Olson—County Commissioner, Brett Dye—*Virtual*

**AGENDA ITEM 1 - CALL TO ORDER AND WELCOME AND INTRODUCTIONS:**

Vice-Chair Hall called the meeting to order at 3:06 PM.  
Quorum was not met for this meeting—no voting today

**AGENDA ITEM 2 – APPROVAL OF MINUTES FROM DECEMBER 2023:**

No quorum—unable to vote to approve minutes. Will be reviewed and approved at next meeting.

**AGENDA ITEM 3 – YEAR IN REVIEW 2023:**

Justin took over as Interim Manager July 1, 2023.

Solid Waste Hierarchy—Reduce consumption and waste, Reuse (repurpose items/upcycle), Recycle (transforming waste into new material—involves some energy input and output), Recovery (energy derived from waste facilities), Landfill (waste that cannot be reused or recycled)

- Descending from Most-Favorable to least-favorable
- Dictates the preferred flow of materials/waste as they move through our chain of custody
- Most of Tillamook County's waste is handled through our landfills, brought from north and south transfer stations to Tillamook transfer station, and then shipped to Corvallis
- Waste and Recycling upped during COVID, has experienced a downturn since, but the numbers are still up from pre-COVID

Comprehensive Solid Waste Management Plan

- Last plan put out to bid by David McCall in 2012, and previous to that in 2006
- Focuses on evaluating current Solid Waste operations and prioritizing and goal setting for the future
  - Increasing public education, curbside recycling were parts of previous plans

- Currently a few years overdue for a new plan—will be a focus for Justin to re-vamp plan in 2024 and continue forward-thinking trajectory
- Progress still made outside the 2012 plan
  - Began accepting Styrofoam
  - Added plastic shredder at Manzanita transfer station—goal of 2012 plan was to extrude shredded plastic into molds for materials for Road Dept.

#### Staffing Challenges

- No Outreach Specialist since 2019
- Accounting Tech. at Public Works position in flux
  - Previous Accounting Tech. still on leave and has not returned
  - Morgan Niles temporarily filling in but going on maternity leave. Justin will have to take on more admin. During that time
- No Code Enforcement Officer since March 2020—Justin working with DCD to find a solution
- Justin promoted from Transfer Station Manager to Interim Solid Waste Coordinator—was not backfilled
- HR in process of re-writing job descriptions, there is hope that some of these positions will soon be hired out and filled

#### Master Recyclers/Outreach

- Formerly a very robust program—COVID hampered efforts and memberships. Previous membership ~ 30 people
- 2023—good turn out for Hazardous Waste events for volunteers and clients
  - Typically 4-6 volunteers show up to help sort and process for Hazardous Waste events
- Home and Garden Show this year—April 2024 Till. Co. Fairgrounds
- DEA sharps recycling initiative event in April 2024
- Re-vamp Master Recyclers program in 2024 with the help of Heart of CARTM and Jessi Just
  - Just: \$25,000 grant from Bottle Drop fund
- Children’s Clean Water Festival upcoming in March 2024
- County Fair August 2024—try to re-engage with the Fair this year to add to education and outreach efforts
- Vice-Chair Hall—Is there an opportunity for the County to engage with any events that are put on by local cities? (Events like Crab Races in Garibaldi, etc.)
  - Just—this is one of the biggest benefits of re-vamping Master Recyclers program. Will offer more volunteers on the ground to show out for events.
  - Weiss—formerly SW would engage with events by providing waste bins, infrastructure for events. COVID hampered these efforts. Would like to make more of a presence in cities for events and also for local city council meetings.

#### Code Enforcement Numbers

- Large number of cases, despite not having a dedicated Code Enforcement Officer
  - Cases slightly down from 2018
  - Majority of cases from 2022 and 2023 are still open
  - Weiss—continues to log numerous new cases
    - Went out with Road Crew and Sherriff recently to deal with RV/Solid Waste issues on Miami Foley
  - Continuing to work on streamlining processes for addressing and taking action against code violations—levying fines, etc.
- Cleanup Projects
  - Abandoned RVs
    - Currently space at Port of Tillamook for ODF and TCSO to haul and store abandoned RVs. They are then turned over to Aaron Averill to process for scrap and waste.
    - ODF seeking funding to further efforts to remove abandoned vehicles and RVs
      - Seeking TC Solid Waste’s support in this effort

- Miami Foley becoming hot spot for abandoned vehicles and garbage
- Sandlake Road
  - Large cleanup effort in 2023—large amount of tires for building a wall, garbage
  - Currently a lien on a property there for the cost of disposal

#### Hazardous Waste Program

- 2011—became the 1<sup>st</sup> Hazardous Waste Program on the Oregon Coast
  - Turnout has continued to rise since then, but dipped slightly in 2023 from 2022
    - Will be monitoring the program closely—is reduction in weight shipped out related to advertising, less people holding onto hazardous waste for longer periods of time?
    - Paint is biggest hazardous waste item
      - Implementation of Paint Care program ~2010 assisted with this
        - Year-round paint recycling at permanent locations throughout the County
        - Hoping to gain more partnerships for year-round paint recycling
    - Blue—Are paint disposal numbers in presentation for Solid Waste *and* recycling partners?
      - Weiss—the numbers reflect just was taken in through Hazardous Waste events put on by Solid Waste.
    - Olson—what happens to paint that is turned in?
      - Weiss—oil based paint gets burned off for energy—not something offered in Tillamook County at this time. Latex gets separated by color, mixed for 24 hours, and re-sold to the community at a low cost.

#### Pacific City Transfer Station

- One staff member
- Upgrades to buildings/infrastructure will allow for staff increase to 2 staff
- Flex Summer and Winter hours
- Same rates as Manzanita transfer station, accept all the same materials—Tillamook transfer station differs
- Praise for PCTS operations and staff member from Olson and Weiss
- County took over PCTS in 2017
- Numbers down slightly for 2023
  - 308 tons Municipal Solid Waste
  - 82 tons Yard Debris
  - 286 tons Recycling
  - Following trend of Hazardous Waste Event numbers—uptick during COVID, trending downward again as people return to work. Garbage has increased.
- Upgrade:
  - 90% designed
    - Halted until funds received—BOCC approved SRF/OSG recently
  - Adding building, parking for customers, baler for cardboard
  - Fall/Winter 2024 ETA to break ground
  - Weiss will look to SWAC to advise on whether closures are needed/how to maintain operations during expansion and construction

#### Manzanita

- 3 current staff and one staff member on extended leave
- Larger volumes of customers/vehicles, especially in the Summer months
- Slight downtick on waste and yard debris for 2023, similar to Pacific City
  - 880 tons Municipal Solid Waste
  - 470 tons Yard Debris
- Construction completed for new traffic flow, three new Z walls and covered garbage collection area in April 2023

- Upcoming East Wall construction Fall 2024—have some loans and grants/SRF available

#### Yard Debris Collection

- Separate YDC began June 2013 for ODF sponsored debris collection program
  - April, September, October vouchers available to Till. Co. landowners for free yard debris disposal
  - Same trends as transfer stations—considerable uptick during COVID (people at home working on projects) trending slightly downward post-COVID.
  - 12,752 tons taken in since 2013
  - ODF looking to secure long-term funding to continue this program indefinitely
  - Good for post storm and fire cleanup, creating defensible space during fire season

#### Recycling Modernization Act

- Fact finding surveys in 7 Till Co cities: Bay City, Garibaldi, Rockaway, Manzanita, Nehalem, Tillamook, Wheeler to see what cities and citizens are interested in regarding recycling initiatives/expanding recycling opportunities in their cities
  - Highest interest is curbside recycling, new on-route recycling, expanded on-route recycling, expanded recycling depots
- Weiss recently spoke with Recology (Blue), City Sanitary, and Circular Action Alliance
  - What materials are currently accepted, what materials there is a hope to accept in the future
  - Will standardize recycling across Oregon
    - Some things Solid Waste currently does not take will be part of standardized list, will rely on Circular Action Alliance for assistance/advice/funding
    - Should kick off 2024, implemented approx. mid-2025

### **AGENDA ITEM 4 –SIX MONTH BUDGET REVIEW:**

#### December 2023 hits our 6 months through the Fiscal Year

- Justin started at the beginning of FY on July 1, 2023
- Beginning to project the budget for 2024-2025
  - Meeting with Chris Laity, Director of Public Works next week to work on next FY projections, then will meet with Commissioner Olson to discuss SW budget
  - Cleaning up budget anomalies from prior to his arrival on July 1
    - Learning curve for Weiss—long-time Accounting Tech went on leave 1 month after his arrival
- Explanation of budget line items to SWAC and amounts, both revenues and expenses
  - Revenues of Note
    - Reimbursement for paint recycling through Paint Care was a helpful source of revenue
      - Have not had staff/volunteers since Sept. 2023 to continue County paint recycling program. Hope that with Master Recyclers re-vamping, paint recycling can get back in swing.
      - Funding from Paint Care reimbursement goes toward education and outreach
    - Can and Bottle return partnership with TEP
      - Funding used from education and outreach
    - Bulk of revenue comes from Solid Waste fees
    - Just under \$2 million in revenue at 6 month mark
  - Expenditures
    - Personnel
      - Management/Supervisory is below budget—McCall's departure, Weiss' promotion to Interim, no Transfer Station Manager backfilled
      - Professional/Technical below budget—No Outreach Coordinator
      - Leave Buyout at 110%--staff member on leave for a year
      - Across the board currently at about 35% for personnel expenditures at 6 month mark

- Other Expenditures
  - Supplies at about 40% at 6 month mark
    - Purchase of new hybrid truck has inflated expenditures slightly—old truck was failing
  - Transfer Stations
    - Over about 100% projected due to new equipment purchased before Weiss turned over
    - Overall 35% expenditures for transfer stations at 6 month mark
  - Solid Waste Fund
    - Operations at Tillamook transfer station
    - Payment to Parametrix for monitoring and documentation assistance for DEQ requirements to grant SRF Loan
    - Overall 35% expenditures at 6 month mark
  - Hazardous Waste, Outreach, Code Enforcement
    - Ads in Headlight Herald
    - Upcoming outreach events
    - About 50% expenditures at 6 month mark

### **AGENDA ITEM 5 – DEQ COLLECTOR’S SURVEY, OPPORTUNITY TO RECYCLE:**

#### DEQ Oregon Recycling Collector Survey

- Each January, outreach to all haulers regarding what materials were taken in, where materials are sent, and quantities out
  - Survey for transfer stations is the responsibility of County Solid Waste, in progress
  - City Sanitary’s is submitted
  - R Sanitary’s is in to Weiss but not DEQ
  - Recology in progress
  - Many haulers absent today for further discussion
- Opportunity to Recycle
  - Have to submit to DEQ what outreach we have done for the opportunity to recycle, due end of this month 2/28, County usually does City of Tillamook’s as well

### **AGENDA ITEM 6 – MATTRESS RECYCLING COUNCIL (MRC) PROGRAM:**

#### Mattress Recycling Council

- Producer Responsibility Organization Non-Profit representing mattress producers
- Rep. from MRC did site visits at Transfer Stations to check for suitability for the program
  - Major requirement is space to stage a 53 foot trailer to serve as a mattress receptacle
  - Trailer needs to be in a more covered spot—mattresses can be wet but not soaking wet
    - Solid Waste staff would load the mattresses into the trailer, then the MRC would pick up
    - Space constraints at some locations
      - PC not a good option—too small
      - Tillamook transfer station could be viable—has some space for trailer
        - Logistics complication with drive-on scale at entrance
      - Manzanita transfer station could be viable—mostly vacant loading dock available for trailer, plus another option of vacant space
- Solid Waste will be reimbursed \$275 per mattress and box spring
- Additional option to do special one-off events
  - Could partner with Hazardous Waste collection events and stage a trailer for mattresses as well
- Weiss to haulers
  - Do R Sanitary and Recology encounter a lot of mattress disposal?
    - Some but not much

- Do R Sanitary and Recology offer large item pick up? Is it a separate charge?
  - Both offer large item pick up, is a separate charge.
- Comments from Recology about speaking with MRC about possible hotel mattress collection events rather than overloading transfer stations with mattresses once hotels overhaul their mattresses.
  - Discussion between Dan Blue and Weiss about space for mattress collection, local hotels offloading mattresses
- Commissioner Olson—Is there any difference in mattress materials and separation (ie—memory foam, spring, etc.), and where do they go?
  - Weiss—MRC is looking to partner with 3 facilities in Oregon to take mattresses apart—Portland, Salem, Klamath
    - They would attempt to recover as much material as possible with the potential to use some for carpet backing, possibly some other options for re-use/mattress refurbishing (re-sell to corrections facilities), and then the last resort is sending unusable items to the landfill.

## **AGENDA ITEM 7 – FRANCHISED HAULER UPDATES:**

### Hauler Reports and Updates

- R Sanitary—no upcoming events/ anything unusual going on, just getting ready for Spring/Summer
- Recology—nothing much, made it through Winter, now also just getting ready for Spring/Summer
- Averill—Tillamook High School Charity Drive this week
  - All four classes compete against each other for scrap metal collection. Been very busy, taking it in and hauling it to Portland.
  - Snow projected in the forecast, could impact hauling out of the County, especially heading East on Highway 6

## **AGENDA ITEM 8 – STAFF REPORT:**

### Staff Report

- Manzanita TC holding strong with 3 employees, 4<sup>th</sup> employee will be returning to light duty soon
- Pacific City TC employee was on leave for a bit—Weiss covered duties there during her leave
- Justin’s position will be open for internal transfer, will open up soon
  - Will be available to all current County employees to apply
  - Will determine if a new Program Manager is hired, or if Weiss moves from Interim to Permanent
- HR working on updating job descriptions for Outreach and Code Enforcement positions
  - Possibility of combining Accounting Tech. and Outreach Coordinator into one position
- Most recent Hazardous Waste Event
  - Very successful, continuing to use Facebook to extend advertisement reach
  - 112 vehicles at December even
    - Just—How many vehicles could you accommodate for hazardous waste events, is there a line all day?
      - Weiss—usually have a consistent line from start to finish, only one time he can recall in November that there were any gaps of a few minutes in between cars. Usually about 120-130 cars, would like to push it to 150 but would need more staff for that.
      - Averill—also depends on how much waste someone brings, how they’ve transported it. Big difference between a few bags or items and an entire trailer
- Master Recycler Program pushed back a bit to begin in Summer
  - Working with Heart of CARTM to update course materials and branding
  - New grant is exciting
  - Review of upcoming events previously discussed in the meeting that would occur before the course is revamped

- Just—Nehalem Estuary Cleanup March 9<sup>th</sup> is also coming up
  - Tillamook County SW and Recology are partners on that—offering free trash pickup for the event
  - Event pulls about 2 tons of trash out of the Nehalem Estuary, occurs every two years
    - Weiss—Isn't there an event in Wheeler on the off-years when the Nehalem Estuary cleanup does not occur?
      - Just—Wheeler cleanup occurs every year and operated slightly differently. Would love to organize an off-year cleanup elsewhere in the future in partnership with the County and in conjunction Master Recycler revamping.
- Upcoming Hazardous Waste Collection Dates
  - 3/1/24—Businesses
  - 3/2/24—Household (Public)
  - 5/4/24—Household (Public)

## **AGENDA ITEM 9 — TRANSFER STATION REPORT:**

### Pacific City Transfer Station

- BOCC approved \$322,000 in grants for design cost and materials for upgrades
- Allowed to use SRF loan for the required 40% match
- Calls for bids go out in Summer 2024, break ground Fall 2024, Winter 2024/2025
- BOCC signed resolution allowing Solid Waste to move forward with the final SRF loan agreement, will allocate \$86,424 for further design work
  - At 90% designed
  - Once it is at 100% designed, Solid Waste will submit amendment to BOCC to release remaining funds of \$1,667,459 to use for construction
  - SRF Loans are 50% forgivable

### Manzanita Transfer Station

- OSG Grant available and will likely be awarded for the East Wall Project in the amount of \$320,000
- Quoted about the same amount as Pacific City TS, hasn't been approved yet
- Funds would be used to cover design costs and materials for stormwater management
- Require 40% match, which can be supplied by SRF loans—same as Pacific City TS
- BOCC signed resolution allowing Solid Waste to move forward with the final SRF Loan Agreement—initial agreement will be signed allocating \$25,179 for further design work
  - Once it is at 100% designed, Solid Waste will submit and amendment to BOCC to release the remaining funds in the amount of \$740,974 for construction
  - Construction to begin Fall 2024, Winter 2024/2025

### Tillamook Transfer Station

- Closed landfill inspection by DEQ this past Monday
  - Preliminary Feedback
  - Looks good, maintaining standards
    - Issue—high levels of E. coli, copper that can't be discharged into the local waterway
      - Could possibly have a special stormwater permit for treatment of the leachate instead to treat on-site and then move offsite
      - For now, will maintain current leachate recycling system
    - Weiss will receive DEQ detailed report shortly
  - Preliminary construction on amending the tipping floors—DEQ wanted berms maintaining separation between tipping floors and outside paving areas
    - Working with contractor currently to resolve this—still in planning stage
    - This was the last corrective action from last DEQ stormwater inspection in September
  - Working on extracting contaminated soil



- Possible fines will be levied—DEQ is backlogged, is possible to see something coming down the pipe later
  - Just: When was Manzanita’s last stormwater inspection, did not happen when she worked at Manzanita.
    - Weiss—Up until the beginning of this year, Manzanita did not have an active stormwater inspection. Construction triggered a permit, is expecting to see DEQ out there soon. Learning from Tillamook issue to try to get ahead of the game this time around.

**AGENDA ITEM 10 — PUBLIC COMMENT**

Just—Is Mary Faith Bell still SW liaison?

- Olson—No, Olson is liaison now.

Just—How many open seats currently on SWAC?

- Weiss—three: logging, public at large, and construction
  - Just—What is the possibility of bringing on more seats to represent other entities/interests/agencies like STRs, other recycling entities, etc. to beef up SWAC members and diversify representation on SWAC.
    - Weiss—will look at bylaws to review.
  - Blue—when was the last time the logging seat was filled?
    - Weiss—not since he has begun as Interim Manager
      - Averill—it was John Wehage from Stimson
      - Just—could we change it from “logging” to “forestry,” “timber,” or some other more inclusive term? (possible attendance from someone from ODF/yard debris program, etc.)
        - Justin—will also look into that.

**AGENDA ITEM 11 — ADJOURN**

Vice-Chair Hall adjourned meeting at 4:33 PM

*Minutes prepared by Morgan Niles*



**Tillamook County**  
**PUBLIC WORKS DEPARTMENT**  
*Department of Solid Waste*  
*Waste Prevention and Recycling*



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[www.co.tillamook.or.us/solid-waste](http://www.co.tillamook.or.us/solid-waste)

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*Land of Cheese, Trees and Ocean Breeze*

## **SWAC ROSTER**

### **MEMBERS**

Tim Hall, Mayor of Garibaldi, Incorporated Cities (Vice Chair)

Ken Henson, Public at Large (Chair)

Vacant Position - Public at Large

Jessi Just, Heart of CARTM, Recycling Industry

Justin Kanoff, TCCA, Dairy Industry

Vacant Position - Construction Industry

Robert Poppe, City Sanitary Service, Solid Waste Franchisee

Dan Blue, Recology Western Oregon, Solid Waste Franchisee

Vacant position - Timber Industry

Solid Waste Administration Budget Committee

**TILLAMOOK COUNTY**  
**Solid Waste Service District**  
**FY2023-24 Annual Budget**



**Fund:** 410  
**Department:** 41001, 41002, 41003, 41004

		2021-2022	2022-2023	2023-2024	2024-2025	2024-2025	2024-2025
		Actuals	Actuals	Budget	Proposed Budget	Approved Budget	Adopted Budget
<b>Solid Waste Service District</b>	<b>Account No.</b>						
<b>Departmental Revenue</b>							
Beginning Balance	4000	569,595	745,006	450,000	336,566		
State Grants	4250	5,764	-	-	-		
Service Charges	4363	242,627	242,951	240,000	235,000		
Refunds & Reimbursements	4670	3,920	15,270	-	-		
Miscellaneous	4690	-	-	-	-		
Interest	4699	3,024	9,158	10,000	30,000		
<b>Subtotal - Administration</b>	<b>41001</b>	<b>255,335</b>	<b>267,378</b>	<b>250,000</b>	<b>265,000</b>	<b>-</b>	<b>-</b>
Surcharge	4237	157,709	170,323	180,000	155,000		
Solid Waste Fees	4362	3,124,042	3,117,105	3,950,000	2,850,000		
Refunds & Reimbursements	4670	1,592	-	-	-		
Miscellaneous Revenue	4690	51,734	29,123	40,000	30,000		
<b>Subtotal - Transfer Station</b>	<b>41002</b>	<b>3,335,076</b>	<b>3,316,550</b>	<b>4,170,000</b>	<b>3,035,000</b>	<b>-</b>	<b>-</b>
Refunds & Reimbursements	4670	233	-	-	-		
Miscellaneous Revenue	4690	53,410	52,357	55,500	45,000		
<b>Subtotal - RHC</b>	<b>41004</b>	<b>53,643</b>	<b>52,357</b>	<b>55,500</b>	<b>45,000</b>	<b>-</b>	<b>-</b>
<b>Total Solid Waste Revenues</b>		<b>4,213,649</b>	<b>4,381,292</b>	<b>4,925,500</b>	<b>3,681,566</b>	<b>-</b>	<b>-</b>
<b>Administrative Expense</b>							
<b>41001</b>							
<b>Personal Services</b>							
<b>Salaries</b>							
Management/Supervisory	5200	96,679	87,157	145,500	71,700		
Professional/Technical	5300	-	-	66,500	-		
Skilled/Service/Maint Worker	5500	149,755	207,708	217,500	244,600		
AFSCME Incentive	5750	-	-	3,000	3,000		
Out of Class Pay	5896	330	-	-	-		
Leave Buy Out	5897	470	-	8,200	6,000		
Overtime	5899	360	945	4,000	6,000		
<b>Total Salaries</b>		<b>247,594</b>	<b>295,809</b>	<b>444,700</b>	<b>331,300</b>	<b>-</b>	<b>-</b>
<b>Taxes &amp; Benefits</b>							
Employer's FICA	5950	18,044	21,720	35,500	25,300		
OR Paid Family Medical Leave	5952	-	566	1,800	1,300		
Worker Compensation	5955	10,120	10,528	16,500	13,600		
Unemployment	5960	-	-	-	-		
Health & Life Insurance	5965	53,532	64,308	146,000	74,200		
Retirement	5970	114,508	126,608	152,000	111,100		
VEBA	5980	6,900	7,935	12,000	11,300		
Uniform Allowance	5990	1,238	1,467	2,000	1,600		
<b>Total Taxes &amp; Benefits</b>		<b>204,342</b>	<b>233,131</b>	<b>365,800</b>	<b>238,400</b>	<b>-</b>	<b>-</b>
<b>Total Personal Services</b>		<b>451,936</b>	<b>528,940</b>	<b>810,500</b>	<b>569,700</b>	<b>-</b>	<b>-</b>
<b>Total Full-Time Equivalent</b>		<b>6.00</b>	<b>6.00</b>	<b>8.50</b>	<b>6.00</b>		
<b>Materials &amp; Services</b>							
Office Supplies	6001	30	24	500	200		
Non-Capital Equipment	6004	-	-	3,000	1,000		
Computer Software & Licensing	6009	1,217	1,644	3,000	3,000		
Computer Supplies	6011	-	52	200	100		
Fuel	6030	3,574	2,866	5,000	5,000		
Uniforms & Safety Supplies	6251	1,157	153	1,500	1,000		

**TILLAMOOK COUNTY**  
**Solid Waste Service District**  
**FY2023-24 Annual Budget**



Solid Waste Service District		2021-2022	2022-2023	2023-2024	2024-2025	2024-2025	2024-2025
Account No.		Actuals	Actuals	Budget	Proposed Budget	Approved Budget	Adopted Budget
Printing & Advertising	7001	819	709	1,000			
Books & Publications	7003	-	-	300	100		
Postage & Shipping	7005	6	104	300	50		
Telephone	7007	822	837	1,200	1,000		
Insurance & Deductibles	7020	135	112	-			
Memberships & Dues	7050	1,240	1,553	2,100	1,500		
Travel/Training/Mileage	7080	2,700	5,539	7,500	3,000		
Professional Svcs	7101	7,399	5,659	12,500	9,000		
Contracted Services	7105	-	-	5,000	2,000		
Legal	7110	-	1,036	3,000	2,000		
R&M/Building & Grounds	7450	-	-	-			
R&M/Vehicles	7603	2,439	210	5,000	3,000		
R&M/Equipment	7605	-	-	-			
Recycling - Promotion	7851	-	-	-			
Misc Materials & Services	7899	25	12	500			
Indirect Cost Allocation	8001	66,590	72,590	86,780	109,320		
Intercounty/Insurance	8002	10,052	14,159	20,510	23,100		
Intercounty/Road Admin	8004	30,000	30,000	30,000	30,000		
Intercounty/IS Support	8007	-	-	1,000			
<b>Total Materials &amp; Services</b>		<b>128,206</b>	<b>137,257</b>	<b>189,890</b>	<b>194,370</b>	<b>-</b>	<b>-</b>
<b>Capital Outlay</b>							
Computers/Office Equipment	9020	1,523	-	1,500	1,000		
Vehicles	9030	39,314	-	50,000			
<b>Total Capital Outlay</b>		<b>40,837</b>	<b>-</b>	<b>51,500</b>	<b>1,000</b>	<b>-</b>	<b>-</b>
<b>Transfers Out</b>							
Transfer to SW Sinking	9883	104,626	255,000	155,000	100,000		
<b>Total Transfers Out</b>		<b>104,626</b>	<b>255,000</b>	<b>155,000</b>	<b>100,000</b>	<b>-</b>	<b>-</b>
<b>Unappropriated Ending Fund Bal</b>							
	9995	745,048	520,766	100,000	100,000		
<b>Total Unappropriated Ending Fund Bal</b>		<b>745,048</b>	<b>520,766</b>	<b>100,000</b>	<b>100,000</b>	<b>-</b>	<b>-</b>
<b>Total Administrative Expenditures</b>		<b>1,470,653</b>	<b>1,441,963</b>	<b>1,306,890</b>	<b>965,070</b>	<b>-</b>	<b>-</b>
<b>Admin Revenues minus Expenditures</b>		<b>(645,723)</b>	<b>(429,579)</b>	<b>(606,890)</b>	<b>(363,504)</b>	<b>-</b>	<b>-</b>
<b>Transfer Station Expense</b>							
Materials & Services							
Non-Capital Equipment	6004	1,494	4,291	2,000	1,000		
Operating Supplies	6005	7,022	6,431	7,500	5,000		
Computer Software & Licensing	6009	1,620	5,645	2,000	0		
Fuel & Lubricants	6030	4,878	2,974	4,000	4,000		
Uniforms	6251	-	-	-	-		
Printing & Advertising	7001	286	829	1,000	500		
Telephone	7007	1,995	2,003	2,000	2,000		
Network Fees	7012	1,921	4,186	4,000	5,000		
Bank Fees	7013	20,983	21,165	25,000	25,000		
Contracted Services	7105	2,436,796	2,619,398	2,995,000	2,550,000		
Monitoring	7205	21,769	22,645	20,000	10,000		
Utilities	7410	3,015	3,002	3,500	3,500		
R&M/Buildings & Grounds	7450	50,627	20,858	85,000	50,000		
R&M/Vehicles	7603	233	-	-			
R&M/Equipment	7605	33,427	23,321	40,000	30,000		
Permit Fees	7650	3,651	7,654	5,000	6,000		
Hazardous Waste Day	7850	-	24	-	-		
Recycling - Promotion	7851	600	-	-	-		
No-Charge Disposal	7853	90	-	-	-		

**TILLAMOOK COUNTY**  
**Solid Waste Service District**  
**FY2023-24 Annual Budget**



<b>Solid Waste Service District</b>	<b>Account No.</b>	<b>2021-2022 Actuals</b>	<b>2022-2023 Actuals</b>	<b>2023-2024 Budget</b>	<b>2024-2025 Proposed Budget</b>	<b>2024-2025 Approved Budget</b>	<b>2024-2025 Adopted Budget</b>
Rebates & Refunds	7880	-	-	-	-		
Intercounty/Work Crew	8010	-	-	3,000	3,000		
<b>Total Materials &amp; Services</b>		<b>2,590,407</b>	<b>2,744,427</b>	<b>3,199,000</b>	<b>2,695,000</b>	-	-
<b>Transfers Out</b>							
Transfer to SW Sinking	9883	-	3,012				
<b>Total Transfers Out</b>		-	3,012	-	-	-	-

**TILLAMOOK COUNTY**  
**Solid Waste Service District**  
**FY2023-24 Annual Budget**



Solid Waste Service District	Account No.	2021-2022 Actuals	2022-2023 Actuals	2023-2024 Budget	2024-2025 Proposed Budget	2024-2025 Approved Budget	2024-2025 Adopted Budget
Operating Contingency							
Operating Contingency	9900	-	-	122,810	100,000		
Total Contingency		-	-	122,810	100,000	-	-
Total Transfer Station Expense		2,590,407	2,747,439	3,321,810	2,795,000	-	-
<b>Transfer Station Rev minus Expense</b>		<b>744,669</b>	<b>569,112</b>	<b>848,190</b>	<b>240,000</b>	-	-
Closed Landfill Expense	41003						
Materials & Services							
Telephone	7007	804	830	750	875		
Contracted Services	7105	312	312	500	350		
Monitoring	7205	26,229	35,413	50,000	40,000		
Utilities	7410	2,566	2,328	3,000	3,000		
R&M/Buildings & Grounds	7450	1,819	-	5,000	5,000		
R&M/Equipment	7605	3,257	1,853	10,000	5,000		
Permit Fees	7650	-276	276	500	500		
Hazardous Waste Day	7850	61	-	-			
Misc Materials & Services	7899	-	-	-			
Intercounty/Insurance	8002	3,351	2,929	3,000	3,000		
Intercounty/Work Crew	8010	-	-	3,000	3,000		
		38,123	43,940	75,750	60,725	-	-
Capital Outlay							
Machinery/Equipment	9035	-	-	50,000	5,000		
Total Capital Outlay		-	-	50,000	5,000	-	-
Total Closed Landfill Expense		38,123	43,940	125,750	65,725	-	-
<b>Total Transfer Station Rev minus Expense</b>		<b>(38,123)</b>	<b>(43,940)</b>	<b>(125,750)</b>	<b>(65,725)</b>	-	-
RHC Expense	41004						
Materials & Services							
Operating Supplies	6005	131	-	-			
Fuel & Lubrications	6030	205	359	200			
Telephone	7007	751	777	750	800		
Travel & Mileage	7080	-	-	-			
Contracted Services	7105	627	194	-			
Legal	7110	-	-	-			
Utilities	7410	538	505	600	550		
R&M/Building & Grounds	7450	12	560	1,500	1,000		
R&M/Vehicles	7603	25	-	-			
R&M/Equipment	7605	3,934	2,226	5,000	2,500		
Code Enforcement Program	7835	-	19,981	20,000	15,000		
Hazardous Waste Program	7850	75,997	97,580	100,000	120,000		
Recycling-Promotion	7851	31,042	27,227	40,000	35,000		
No-Charge Disposal	7853	1,205	1,553	3,000	2,000		
		114,466	150,962	171,050	176,850	-	-
Total RHC Expense		114,466	150,962	171,050	176,850	-	-
<b>RHC Revenues minus Expense</b>		<b>(60,823)</b>	<b>(98,605)</b>	<b>(115,550)</b>	<b>(131,850)</b>	-	-

**TILLAMOOK COUNTY**  
**Solid Waste Service District**  
**FY2023-24 Annual Budget**



<b>Solid Waste Service District</b>	<b>Account No.</b>	<b>2021-2022</b>	<b>2022-2023</b>	<b>2023-2024</b>	<b>2024-2025</b>	<b>2024-2025</b>	<b>2024-2025</b>
		<b>Actuals</b>	<b>Actuals</b>	<b>Budget</b>	<b>Proposed</b>	<b>Approved</b>	<b>Adopted</b>
					<b>Budget</b>	<b>Budget</b>	<b>Budget</b>
<b>Solid Waste Fund</b>							
<b>Revenue &amp; Expense Summary</b>							
<b>Resources</b>							
	Beginning Fund Balance	569,595	745,006	450,000	336,566	-	-
	Revenues	<u>3,644,054</u>	<u>3,636,286</u>	<u>4,475,500</u>	<u>3,345,000</u>	-	-
<b>Total Resources</b>		<b>4,213,649</b>	<b>4,381,292</b>	<b>4,925,500</b>	<b>3,681,566</b>	<b>-</b>	<b>-</b>
<b>Expenditures</b>							
	Personnel Services	451,936	528,940	810,500	569,700	-	-
	Materials & Services	2,871,202	3,076,586	3,635,690	3,126,945	-	-
	Capital Expenditures	40,837	-	101,500	6,000	-	-
	Transfers Out	<u>104,626</u>	<u>255,000</u>	<u>155,000</u>	<u>100,000</u>	-	-
<b>Total Expenditures</b>		<b>3,468,601</b>	<b>3,860,526</b>	<b>4,702,690</b>	<b>3,802,645</b>	<b>-</b>	<b>-</b>
<b>Reserves</b>							
	Contingency	-	-	122,810	100,000	-	-
	Unappropriated	<u>745,048</u>	<u>520,766</u>	<u>100,000</u>	<u>100,000</u>	-	-
<b>Total Reserves</b>		<b><u>745,048</u></b>	<b><u>520,766</u></b>	<b><u>222,810</u></b>	<b><u>200,000</u></b>	<b>-</b>	<b>-</b>

Current OMB Uniform Guidance Indirect Cost Allocation \$  
Charged - \$86,780

**TILLAMOOK COUNTY**  
**Solid Waste Service District**  
**FY2023-24 Annual Budget**



**Fund:** 420  
**Department:** 42000

Solid Waste Sinking Fund	Account No.	2021-2022 Actuals	2022-2023 Actuals	2023-2024 Budget	2024-2025 Proposed Budget	2024-2025 Approved Budget	2024-2025 Adopted Budget
<b>Departmental Revenue</b>							
Beginning Balance	4000	591,758	528,058	350,000	214,100		
State Grants					260,000		
Refunds & Reimbursements	4670	-	-	2,520,030	-		
Interest	4699	2,621	-	1,000	3,000		
Transfer from Solid Waste	4806	104,626	-	155,000	100,000		
Loan Proceeds					2,520,000		
<b>Total Solid Waste Sinking Revenues</b>		<u>699,005</u>	<u>528,058</u>	<u>3,026,030</u>	<u>3,097,100</u>	-	-
<b>Solid Waste Sinking Expense</b>							
<b>Materials &amp; Services</b>							
Consulting Engineering	7103				220,000		
Permit Fees	7650				1,000		
Principle payment	7890	-	-	81,000	28,550		
Interest payment	7891	-	-	-	61,600		
Misc. Materials & Services	7899	-	-	-	-		
<b>Total Materials &amp; Services</b>		-	-	81,000	311,150	-	-
<b>Capital Outlay</b>							
Machinery/Equipment	9035	100,992	-	-			
Buildings & Improvements	9040	69,955	-	150,000			
Transfer Station Capital Projects (MTS)	9040	-	568,095	425,000	766,150		
Transfer Station Capital Projects (PCTS)	9040	-	72,640	1,948,740	1,753,850		
Transfer Station Capital Projects (TTS)	9040	-	-	250,000			
<b>Total Capital Outlay</b>		<u>170,947</u>	<u>640,735</u>	<u>2,773,740</u>	<u>2,520,000</u>	-	-
<b>Transfers Out</b>							
Transfer to SW Sinking	9883	-	-	-	-	-	-
<b>Total Transfers Out</b>		-	-	-	-	-	-
<b>Contingency</b>							
Contingency	9900	-	-	61,290	150,000		
<b>Total Contingency</b>		-	-	61,290	150,000	-	-
<b>Unappropriated Ending Fund Bal</b>							
Unappropriated Ending Fund Bal	9995	528,058	151,113	110,000	115,950		
<b>Total Unappropriated Ending Fund Bal</b>		<u>528,058</u>	<u>151,113</u>	<u>110,000</u>	<u>115,950</u>	-	-
<b>Total Expenditures</b>		<u>699,005</u>	<u>791,847</u>	<u>3,026,030</u>	<u>3,097,100</u>	-	-
<b>SW Sinking Revenues minus Expenditures</b>		<b>(0)</b>	<b>(263,790)</b>	<b>-</b>	<b>(2,780,000)</b>	<b>-</b>	<b>-</b>
<b>Solid Waste Sinking Fund Revenue &amp; Expense Summary</b>							
<b>Resources</b>							
Beginning Fund Balance		591,758	528,058	350,000	214,100	-	-
Revenues		2,621	-	2,521,030	3,000	-	-
Transfers In		104,626	-	155,000	100,000	-	-
<b>Total Resources</b>		<u>699,005</u>	<u>528,058</u>	<u>3,026,030</u>	<u>317,100</u>	-	-
<b>Expenditures</b>							
Materials & Services		-	-	81,000	311,150	-	-
Capital Expenditures		170,947	640,735	2,773,740	2,520,000	-	-
Transfers Out		-	-	-	-	-	-
<b>Total Expenditures</b>		<u>170,947</u>	<u>640,735</u>	<u>2,854,740</u>	<u>2,831,150</u>	-	-
<b>Reserves</b>							
Contingency		-	-	61,290	150,000	-	-
Unappropriated		528,058	151,113	110,000	100,000	-	-
<b>Total Reserves</b>		<u>528,058</u>	<u>151,113</u>	<u>171,290</u>	<u>250,000</u>	-	-

FY 22/23 Supplemental Budget BO #23-037/SWSD BO #23-012 Increase in Transfer In \$250,000, Increase in Buildings & Improvement \$250,000  
 Current OMB Uniform Guidance Indirect Cost Allocation \$  
 Charged - \$0



**TILLAMOOK COUNTY**  
**Solid Waste Service District**  
**FY2023-24 Annual Budget**



Fund: 430  
 Department: 43000

Solid Waste Post Closure Reserve		2021-2022	2022-2023	2023-2024	2024-2025	2024-2025	2024-2025
Account No.	Actuals	Actuals	Budget	Proposed Budget	Approved Budget	Adopted Budget	
<b>Departmental Revenue</b>							
Beginning Balance	4000	1,070,354	1,074,895	1,076,000	1,076,000		4000 0.00
Interest	4699	4,541	15,969	-	-		4699 15,969.02
Transfer from Solid Waste	4806	-	-	-	-		15,969.02
<b>Total Solid Waste Sinking Revenues</b>		<b>1,074,895</b>	<b>1,090,864</b>	<b>1,076,000</b>	<b>1,076,000</b>	<b>-</b>	<b>9995 0.00</b>
<b>Solid Waste Sinking Expense</b>							
<b>Materials &amp; Services</b>							
Consultant Engineering	7103	-	-	-	-	-	
Misc. Materials & Services	7899	-	-	-	-	-	
<b>Total Materials &amp; Services</b>		<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Capital Outlay</b>							
Buildings & Improvements	9040	-	-	-	-	-	
<b>Total Capital Outlay</b>		<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Transfers Out</b>							
Transfer to SW Sinking	9883	-	-	-	-	-	
<b>Total Transfers Out</b>		<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Contingency</b>							
Contingency	9900	-	-	-	-	-	
<b>Total Contingency</b>		<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Unappropriated Ending Fund Bal</b>		<b>1,074,895</b>	<b>1,090,864</b>	<b>1,076,000</b>			
<b>Total Unappropriated Ending Fund Bal</b>		<b>1,074,895</b>	<b>1,090,864</b>	<b>1,076,000</b>	<b>-</b>	<b>-</b>	
<b>Total Expenditures</b>		<b>1,074,895</b>	<b>1,090,864</b>	<b>1,076,000</b>	<b>1,076,000</b>	<b>-</b>	
<b>SW Sinking Revenues minus Expenditures</b>		<b>0</b>	<b>-</b>	<b>-</b>	<b>1,076,000</b>	<b>-</b>	
<b>Solid Waste Post Closure Reserve Revenue &amp; Expense Summary</b>							
<b>Resources</b>							
Beginning Fund Balance		1,070,354	1,074,895	1,076,000	1,076,000	-	-
Revenues		4,541	15,969	-	-	-	-
Transfers In		-	-	-	-	-	-
<b>Total Resources</b>		<b>1,074,895</b>	<b>1,090,864</b>	<b>1,076,000</b>	<b>1,076,000</b>	<b>-</b>	<b>-</b>
<b>Expenditures</b>							
Materials & Services		-	-	-	-	-	-
Capital Expenditures		-	-	-	-	-	-
Transfers Out		-	-	-	-	-	-
<b>Total Expenditures</b>		<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Reserves</b>							
Contingency		-	-	-	-	-	-
Unappropriated		1,074,895	1,090,864	1,076,000	1,076,000	-	-
<b>Total Reserves</b>		<b>1,074,895</b>	<b>1,090,864</b>	<b>1,076,000</b>	<b>1,076,000</b>	<b>-</b>	<b>-</b>

Current OMB Uniform Guidance Indirect Cost Allocation \$  
 Charged - \$0



**Tillamook County Franchise Hauler Rate Review Report**  
*edited February 2023*

Franchisee:

*Franchisee name here*

	Total				Allocation method	Tillamook County franchise					
	2022 actual	7/1/23-6/30/24 projected w/o rate change	7/1/23-6/30/24 projected w/ rate change	% change		2022 actual	7/1/23-6/30/24 projected w/o rate change	7/1/23-6/30/24 projected w/ rate change	% change	Allocation method/comments	
<b>REVENUE</b>											
Route collection Services				#DIV/0!					#DIV/0!		
Drop Box Services											
Rental revenue				#DIV/0!					#DIV/0!		
Non-franchised revenue & pass-through revenue				#DIV/0!					#DIV/0!		
Recycling revenues				#DIV/0!					#DIV/0!		
Other revenue				#DIV/0!					#DIV/0!		
<b>Total revenue</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>#DIV/0!</b>		<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>#DIV/0!</b>		
Number of regular route customers as of January 1, 2022*											
Number of regular route customers as of July 1, 2022*											
Number of regular route customers as of January 1, 2023*											
Regular route tonnage for 2022:					tons					tons	
<i>*Regular route customers are usually cans, carts, dumpsters, based on service listings.</i>											
Number of drop box pulls in 2022:											
Drop box tonnage for 2022:					tons					tons	
<b>EXPENSES</b>											
<b>Operational expenses</b>											
Disposal expense (franchised)				#DIV/0!					#DIV/0!		
Disposal expense (other)				#DIV/0!					#DIV/0!		
Recycling collection expense				#DIV/0!					#DIV/0!		
Recycling processing expense				#DIV/0!					#DIV/0!		
Labor-related expenses											
Labor expense				#DIV/0!					#DIV/0!		
Taxes, insurance				#DIV/0!					#DIV/0!		
Other labor-related expense				#DIV/0!					#DIV/0!		
Operations-related expenses											
Fuel				#DIV/0!					#DIV/0!		
Repairs and Maintenance				#DIV/0!					#DIV/0!		
Depreciation and Amortization				#DIV/0!					#DIV/0!		
Equipment Lease and/or Rent				#DIV/0!					#DIV/0!		
Property Lease and/or Rent				#DIV/0!					#DIV/0!		
Equipment expense (eg. short-term rental)				#DIV/0!					#DIV/0!		
Insurance expense				#DIV/0!					#DIV/0!		
Other operational expense (incl. franchise fees)				#DIV/0!					#DIV/0!		
<b>Total operational expenses</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>#DIV/0!</b>		<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>#DIV/0!</b>		
Number of route collection trucks as of January 1, 2022											
Number of route collection trucks as of January 1, 2023											
Number of drop box collection trucks as of January 1, 2022											
Number of drop box collection trucks as of January 1, 2023											
<b>Administrative expense</b>											
Management services				#DIV/0!					#DIV/0!		
Administrative services				#DIV/0!					#DIV/0!		
Postage, phones, office supplies, utilities, etc.				#DIV/0!					#DIV/0!		
Advertising and outreach expenses				#DIV/0!					#DIV/0!		
Education, Training, Publications, dues				#DIV/0!					#DIV/0!		
Bad debts				#DIV/0!					#DIV/0!		
Other admin. Expenses				#DIV/0!					#DIV/0!		
<b>Total administrative expenses</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>#DIV/0!</b>		<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>#DIV/0!</b>		
Return on income before taxes (revenue - allowable costs)	\$0	\$0	\$0	#DIV/0!		\$0	\$0	\$0	#DIV/0!		
<b>Operating margin</b>	<b>#DIV/0!</b>	<b>#DIV/0!</b>	<b>#DIV/0!</b>	<b>#DIV/0!</b>		<b>#DIV/0!</b>	<b>#DIV/0!</b>	<b>#DIV/0!</b>	<b>#DIV/0!</b>		



# Oregon

Tina Kotek, Governor

Department of Environmental Quality  
Office of Compliance and Enforcement  
700 NE Multnomah Street, Suite 600  
Portland, OR 97232-4100  
(503) 229-5696  
FAX (503) 229-5100  
TTY 711

February 8, 2024

CERTIFIED MAIL: 9589 0710 5270 0688 6527 89

Tillamook County Public Works Department  
c/o David McCall  
503 Marolf Loop Rd.  
Tillamook, OR 97141

Re: Notice of Civil Penalty Assessment and Order  
Case No. WQ/SW-NWR-2023-568

This letter is to inform you that the Oregon Department of Environmental Quality (DEQ) has issued the Tillamook County Public Works Department a civil penalty of \$55,451 for violations of the National Pollutant Discharge Elimination System (NPDES) 1200-Z General Permit for industrial stormwater discharges at the Tillamook Transfer Station located at 1315 Eckloff Road in Tillamook (the Facility). Specifically, Tillamook County Public Works Department (the County) has failed to substantially implement the Facility's Stormwater Pollution Control Plan (SWPCP), failed to conduct visual monitoring inspections, and failed to generate Tier 1 corrective action reports.

DEQ issued this penalty because the County's failure to implement the Facility's SWPCP and failure to conduct visual monitoring posed a risk of harm to water quality. The 1200-Z Permit requires implementation of the SWPCP as the primary mechanism to reduce pollutants in stormwater discharges from the Facility. In addition, the 1200-Z Permit requires the County to conduct monthly inspections of the control measures established in the SWPCP to ensure those measures are in proper working order. By failing to properly maintain and inspect the Facility, the County created a risk that stormwater discharges from the Facility contained pollutants. Additionally, the County was issued a Warning Letter with Opportunity to Correct in May 2017 for violations of the 1200-Z General Permit and the Facility's SWPCP. At the time of DEQ's inspection in September 2023, it was apparent that the Facility had not implemented many of the corrective actions it was directed to implement back in 2017 and that the Facility has been out-of-compliance with its SWPCP for a number of years.

Included in Section IV of the enclosed Notice is an order requiring you to submit an updated SWPCP to DEQ for review and approval that properly details the bioswale at the Facility and accounts for the auto dismantling activities and waste paint collection. Additionally, the order requires you to submit documentation to DEQ showing that you have completed a number of specific actions necessary to come into compliance with the Facility's SWPCP.

You may pay the civil penalty as follows:

Pay online with e-check (ACH) or Credit Card. Go to Your DEQ Online here:

<https://ydo.oregon.gov>. Select Register Account or Login, then select Pay Invoices/Fees on your account dashboard. Enter the Invoice number and Account ID included on the attached payment

slip. Note: US Bank charges a 2.3% convenience charge for credit card transactions. ACH payments have no additional charges.

Pay by check or money order: Make checks payable to "Department of Environmental Quality" and mail to the address on the enclosed payment slip. Please make sure to include the payment slip with your check or money order.

If you wish to appeal this matter, DEQ must receive a request for a hearing within 20 calendar days from your receipt of this letter. The hearing request must be in writing. Send your request to DEQ Office of Compliance and Enforcement:

Via mail – 700 NE Multnomah Street, Suite 600, Portland, Oregon 97232

Via email – [DEQappeals@deq.state.or.us](mailto:DEQappeals@deq.state.or.us)

Via fax – 503-229-5100

Once DEQ receives your request, we will arrange to meet with you to discuss this matter. If DEQ does not receive a timely written hearing request, the penalty will become due.

The attached Notice further details DEQ's reasons for issuing the penalty and provides further instructions for appealing the penalty. Please review and refer to it when discussing this case with DEQ.

DEQ may allow you to resolve part of your penalty through the completion of a Supplemental Environmental Project (SEP). SEPs are environmental improvement projects that you sponsor instead of paying a penalty. Further information is available by calling the number below or at <http://www.oregon.gov/deq/Regulations/Pages/SEP.aspx>.

DEQ's rules are available at <http://www.oregon.gov/deq/Regulations/Pages/Statutes.aspx> or by calling the number below.

If you have any questions, please contact Erin Saylor at 503-229-5422 or toll free in Oregon at 800-452-4011, extension 5422.

Sincerely,



Becca Puskas, Interim Manager  
Office of Compliance and Enforcement

Enclosures

cc: Mike Kennedy, DEQ NWR  
Accounting, DEQ



1 maintenance and fixed fueling areas to rain, snow, snowmelt, and runoff.” Among other practices,  
2 Respondent must locate materials and activities indoors or protect them with storm resistant covers if  
3 stormwater from affected areas may discharge to surface waters; use grading, berming or curbing to  
4 divert stormwater away from those areas to prevent stormwater contamination, locate materials,  
5 equipment and activities in containment and diversion systems to prevent spills and leaks from  
6 contaminating stormwater; and use drip pans or absorbents under or around leaking or leak-prone  
7 vehicles/equipment or store indoors.

8 7. Pursuant to Schedule A.1.b. of the Permit, Respondent must employ oil/water  
9 separators, booms, skimmers or other methods to eliminate or minimize oil and grease contamination in  
10 stormwater discharges.

11 8. Pursuant to Section 6.1.3. of the Facility’s SWPCP, Respondent must “[c]over all  
12 exposed significant materials such as oils, antifreeze, greasy automotive parts, contaminated soils,  
13 waste, or recyclables that could contaminate stormwater” or move them under cover.

14 9. Pursuant to Section 6.2 of the Facility’s SWPCP, “all catch basins contributing  
15 stormwater to the discharge point will be equipped with oil-absorbent pillows.”

16 10. Pursuant to Schedule A.1.c. of the Permit, Respondent must cover all waste contained in  
17 bins or dumpsters where there is a potential for drainage of stormwater through the waste to prevent  
18 stormwater from being exposed to pollutants.

19 11. Pursuant to Section 6.1.1. of the Facility’s SWPCP, “[s]torage containers for recyclables  
20 shall be isolated or covered to reduce exposure to precipitation and to prevent leaks and spills from  
21 entering stormwater runoff.”

22 12. Pursuant to Schedule A.1.g. of the Permit, Respondent must “[r]outinely clean all  
23 exposed areas that may contribute pollutants to stormwater with measures such as sweeping at regular  
24 intervals, litter pick-up, keeping materials orderly and labeled, promptly clean-up spills and leaks,  
25 proper maintenance of vehicles and stowing materials in appropriate containers.”

26 13. Pursuant to Schedule A.1.h. of the Permit, Respondent must “[m]inimize the potential  
27 for leaks, spills and other releases that may be exposed to stormwater and develop plans that include

1 methods for spill prevention and clean-up and notification procedures.” At a minimum, Respondent  
2 must, among other measures, clean up spills and leaks promptly and store all hazardous substances,  
3 petroleum/oil liquids, and other chemicals within berms or other secondary containment devices to  
4 prevent leaks and spills.

5 14. At the time of the inspection, leaking equipment was widespread and unmanaged. No  
6 berms or curbs were installed to prevent pollutants from commingling with stormwater and many catch  
7 basins lacked oil-absorbent inserts. Unaddressed oil stains were apparent on the pavement throughout  
8 the facility. Waste paint and other significant materials were left uncovered and exposed and lacked  
9 secondary containment. Materials staged for recycling were haphazardly stored, including containers of  
10 fluid, without controls to prevent leaks and spills from entering stormwater runoff. Large volumes of  
11 materials were stored adjacent to stormwater catch basins with no secondary containment.

12 15. Pursuant to Schedule A.1.i. of the Permit, Respondent must “[r]egularly inspect, clean,  
13 maintain, and repair all industrial equipment and systems and materials handling and storage areas that  
14 are exposed to stormwater to avoid situations that may result in leaks, spills, and other potential  
15 releases of pollutants discharged to receiving waters.” Additionally, Respondent must “[c]lean,  
16 maintain and repair all control measures, including stormwater structures and temporary measures,  
17 catch basins, and treatment facilities to ensure effective operation as designed and in a manner that  
18 prevents the discharge of pollution.”

19 16. Pursuant to Section 6.4 of the Facility’s SWPCP, paved traffic and collection areas will  
20 be swept monthly, and sediment that was transported to the site on trucks or in roll-off containers  
21 “needs to be removed from paved outdoor surfaces as soon as it is noticed.” Additionally, the SWPCP  
22 indicates that catch basins will be “inspected monthly and cleaned using shovel or vacuum hose when  
23 sediment buildup reduces capacity or threatens to discharge.”

24 17. Pursuant to Section 6.5 of the Facility’s SWPCP, the Facility “implements a litter pickup  
25 program and routine housekeeping in order to prevent debris from discharging in stormwater.”  
26 Additionally, the SWPCP notes that “the site is inspected to note any debris that accumulates in  
27 stormwater drainage structures such as catch basins, culverts, sumps, or pipes so that it can be removed



1 before it blocks the discharge or is carried by the flow of the discharge.”

2 18. Pursuant to Section 6.7 of the Facility’s SWPCP, to “help maintain good housekeeping  
3 practices,” Respondent will “inspect areas of industrial activities throughout the workday, with  
4 additional documented inspections occurring at least monthly . . . . Housekeeping needs are taken care  
5 of routinely throughout the workday and are not allowed to get out of hand.”

6 19. At the time of the inspection, a general lack of regular housekeeping was evident across  
7 the Facility. Debris was widespread, and accumulated sediment and debris were present in the  
8 stormwater catch basins and trench drains.

9 20. Pursuant to Schedule B.12 of the Permit, on a monthly basis Respondent is required to  
10 visually inspect areas where industrial materials or activities are exposed to stormwater and areas where  
11 stormwater control measures, including infiltration devices, mass reduction measures, structures, catch  
12 basins, and treatment facilities are located. These monthly inspections must be documented in an  
13 inspection report that is retained on-site and submitted to DEQ upon request.

14 21. Pursuant to Schedule B.16 of the Permit, Respondent is required to retain and make  
15 available to DEQ all records pertaining to Respondent’s compliance with the Permit, including Tier 1  
16 reports and all inspection reports, for a period of at least three years. Specifically, Respondent must  
17 retain and provide to DEQ “[d]ocumentation of maintenance and repairs of control measures, treatment  
18 systems and mass reduction measures” and information pertaining to “[s]pills or leaks of significant  
19 materials . . . that impacted or had the potential to impact stormwater or surface waters [including] the  
20 corrective actions to clean up the spill or leak as well as measures to prevent future problems of the  
21 same nature.”

22 22. To date, Respondent has not provided DEQ with any of the inspection reports  
23 Respondent is required to generate and retain pursuant to Schedule B.12 and B.16 of the Permit. Nor  
24 has Respondent produced any other documentation to show that visual inspections or any maintenance  
25 activities, including regular sweeping and repairs of the control measures and treatment systems at the  
26 Facility, occurred during the three years preceding the inspection. Aerial photos of the Facility dating  
27 back to April 16, 2021, show conditions at the Facility were similar to those observed at the time of the

1 inspection, as described in Paragraphs 14 and 19 above.

2 23. Pursuant to Schedule A.1.j of the Permit, Respondent must “[d]evelop and maintain an  
3 employee orientation and education program to inform personnel of the pertinent components and goals  
4 of [the Permit] and [Stormwater Pollution Control Plan].” Respondent developed an employee  
5 education program in Section 9.0 of the Facility’s SWPCP, which requires that applicable personnel be  
6 trained within 30 calendar days of assuming their positions and at least annually thereafter. The  
7 SWPCP requires that a log of all training dates be kept on-site.

8 24. To date, Respondent has not provided DEQ with copies of the training logs or any  
9 records to show that employee education has occurred in the preceding three years, as required by the  
10 SWPCP.

11 25. Pursuant to Schedule A.2.e. of the Permit, “[f]ailure to implement any narrative  
12 technology-based effluent limits in Schedule A.1. and Schedule E, and other control measures or  
13 operational practices described in the SWPCP is a permit violation.”

14 26. Pursuant to Schedule A.11 of the Permit, if any of the samples Respondent collects  
15 pursuant to Schedule B of the Permit exceed any applicable statewide benchmarks, Respondent is  
16 required to complete Tier 1 corrective actions, including the preparation of a Tier 1 report which must  
17 be kept onsite and provided to DEQ upon request.

18 27. Discharge Monitoring Reports (DMRs) submitted by Respondent indicated the  
19 following exceedances of applicable statewide benchmarks:

<b>Date</b>	<b>Monitoring Point</b>	<b>Parameter</b>	<b>Benchmark</b>	<b>Sample Result</b>
11/13/20	001	Total Magnesium	.064 mg/L	1.7 mg/L
11/13/20	002	Total Magnesium	.064 mg/L	1 mg/L
12/21/20	001	Total Magnesium	.064 mg/L	2.2 mg/L
12/21/20	002	Total Magnesium	.064 mg/L	1.6 mg/L
1/13/21	001	Total Magnesium	.064 mg/L	2 mg/L
1/13/21	002	Total Magnesium	.064 mg/L	1.3 mg/L
2/2/21	001	Total Magnesium	.064 mg/L	1.6 mg/L

1	2/2/21	002	Total Magnesium	.064 mg/L	1.4 mg/L
2	10/26/21	001	<i>E. coli</i>	406 org./100 mL	2420 org./100 mL
3	10/26/21	002	<i>E. coli</i>	406 org./100 mL	2420 org./100 mL
4	11/15/21	001	<i>E. coli</i>	406 org./100 mL	2420 org./100 mL
5	11/15/21	002	<i>E. coli</i>	406 org./100 mL	2420 org./100 mL
6	2/14/22	001	Total Copper	.017 mg/L	.063 mg/L
7	2/14/22	002	Total Copper	.017 mg/L	.063 mg/L
8	2/14/22	001	Total Lead	.039 mg/L	.045 mg/L
9	2/14/22	002	Total Lead	.039 mg/L	.046 mg/L
10	2/14/22	001	TSS	100 mg/L	280 mg/L
11	2/14/22	002	TSS	100 mg/L	150 mg/L
12	2/14/22	001	Total Zinc	.086 mg/L	.21 mg/L
13	2/14/22	002	Total Zinc	.086 mg/L	.27 mg/L
14	2/14/22	001	<i>E. coli</i>	406 org./100 mL	579 org./100 mL
15	2/14/22	002	<i>E. coli</i>	406 org./100 mL	1414 org./100 mL
16	3/2/22	002	<i>E. coli</i>	406 org./100 mL	1733 org./100 mL
17	11/29/22	001	<i>E. coli</i>	406 org./100 mL	1120 org./100 mL
18	11/29/22	002	<i>E. coli</i>	406 org./100 mL	548 org./100 mL
19	12/20/22	001	<i>E. coli</i>	406 org./100 mL	1120 org./100 mL
20	12/20/22	001	Total Copper	.017 mg/L	.042 mg/L
21	12/20/22	002	Total Copper	.017 mg/L	.058 mg/L
22	12/20/22	001	TSS	100 mg/L	120 mg/L
23	12/20/22	002	TSS	100 mg/L	110 mg/L
24	12/20/22	001	Total Zinc	.086 mg/L	.19 mg/L
25	12/20/22	002	Total Zinc	.086 mg/L	.18 mg/L

At the time of the inspection, DEQ requested copies of the Tier 1 reports for the above exceedances, which, to date, Respondent has not provided.

1 28. Pursuant to Schedule F, Section A1. of the Permit, failure to comply with any permit  
2 condition is a violation of ORS 468B.025.

3 29. Pursuant to ORS 468B.025(2), no person shall violate the conditions of any waste  
4 discharge permit issued under ORS 468B.050.

### 5 III. CONCLUSIONS

6 1. Respondent violated ORS 468B.025(2) and Schedule A of the Permit by failing to substantially  
7 implement the Facility's SWPCP, as described in Section II, Paragraphs 5 through 25 above. This is a  
8 Class I violation pursuant to OAR 340-012-0055(1)(r). DEQ hereby assesses a \$42,961 civil penalty for  
9 this violation.

10 2. Respondent violated ORS 468B.025(2) and Schedule B of the Permit by failing to conduct  
11 visual monitoring inspections in the preceding three years, as described in Section II, Paragraphs 21-22  
12 above. These are Class II violations pursuant to OAR 340-012-0055(2)(d). DEQ hereby assesses a  
13 \$6,392 civil penalty for these violations.

14 3. Respondent violated ORS 468B.025(2) and Schedule A of the Permit by failing to generate and  
15 retain Tier 1 reports for 32 benchmark exceedances in the preceding three years, as described in Section II,  
16 Paragraphs 21, 26, and 27 above. These are Class II violations pursuant to OAR 340-012-0055(2)(b). DEQ  
17 hereby assesses a \$6,098 civil penalty for these violations.

### 18 IV. ORDER TO PAY CIVIL PENALTY AND TO COMPLY

19 Based upon the foregoing FINDINGS OF FACTS AND CONCLUSIONS, Respondent is  
20 hereby ORDERED TO:

21 1. Pay a civil penalty of \$55,451. The determination of the civil penalty is attached as Exhibit  
22 Nos. 1-3 and is incorporated as part of this Notice.

23 If you do not file a request for hearing as set forth in Section V below, please pay the penalty as follows:

24 Pay online with e-check (ACH) or Credit Card. Go to Your DEQ Online here:  
25 <https://ydo.oregon.gov>. Select Register Account or Login, then select Pay Invoices/Fees on your account  
26 dashboard. Enter the reference number and Account ID included on the attached payment slip. Note: US  
27 Bank charges a 2.3% convenience charge for credit card transactions. ACH payments have no additional

1 charges.

2 Pay by check or money order: Make checks payable to “Department of Environmental Quality”  
3 and mail to the address on the enclosed payment slip. Please make sure to include the payment slip with  
4 your check or money order and note the case number on your check.

5 2. Within 30 days of this order becoming final by operation of law or on appeal:

6 a. Submit to DEQ for review and approval an updated SWPCP that reflects proper  
7 controls related to auto dismantling and management of paint wastes at the Facility  
8 and provides detail for the bioswale, as required by Schedule A.10.e of the Permit.

9 b. Submit to DEQ documentation and photos showing that the following corrective  
10 actions have occurred:

11 i. All significant materials must be in secondary containment, including waste  
12 paint;

13 ii. Implement ground controls to fully isolate the auto dismantling process  
14 from the stormwater system;

15 iii. Implement controls that would prevent the flow of contaminants from the  
16 Public/Franchiser Drop-Off Building from commingling with stormwater  
17 and discharging to surface waters;

18 iv. Install an intercept drain in the East Bailing Building to prevent the track  
19 out of contaminated water from inside the facility.

20 v. Develop and implement a way to store processed recyclables to prevent  
21 wastes from leaching from bundled materials into the stormwater collection  
22 system;

23 vi. Implement facility-wide housekeeping, including, but not limited to: clean  
24 all spills and stains, collect all debris, sweep all paved areas, clean all  
25 overfills. You must provide documentation to show that any wastewater  
26 generated from pressure cleaning pavement stains and spills was captured  
27 and properly disposed of.

- vii. Repair or remove leaking equipment that cannot be repaired, or store such equipment inside a building where leaks are contained and not exposed to stormwater;
- viii. Remove and properly dispose of all soils that are saturated with petroleum products from leaking equipment.

V. NOTICE OF RIGHT TO REQUEST A CONTESTED CASE HEARING

You have a right to a contested case hearing on this Notice, if you request one in writing. DEQ must receive your request for hearing **within 20 calendar days** from the date you receive this Notice. If you have any affirmative defenses or wish to dispute any allegations of fact in this Notice or attached exhibits, you must do so in your request for hearing, as factual matters not denied will be considered admitted, and failure to raise a defense will be a waiver of the defense. (See OAR 340-011-0530 for further information about requests for hearing.) You must send your request to: **DEQ, Office of Compliance and Enforcement, 700 NE Multnomah Street, Suite 600, Portland, Oregon 97232**, fax it to **503-229-5100** or email it to [DEQappeals@deq.state.or.us](mailto:DEQappeals@deq.state.or.us). An administrative law judge employed by the Office of Administrative Hearings will conduct the hearing, according to ORS Chapter 183, OAR Chapter 340, Division 011 and OAR 137-003-0501 to 0700. You have a right to be represented by an attorney at the hearing, however you are not required to be. If you are an individual, you may represent yourself. If you are a corporation, partnership, limited liability company, unincorporated association, trust or government body, you must be represented by an attorney or a duly authorized representative, as set forth in OAR 137-003-0555.

Active duty Service members have a right to stay proceedings under the federal Service Members Civil Relief Act. For more information contact the Oregon State Bar at 1-800-452-8260, the Oregon Military Department at 503-584-3571, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military Department does not have a toll free telephone number.

If you fail to file a timely request for hearing, the Notice will become a final order by default without further action by DEQ, as per OAR 340-011-0535(1). If you do request a hearing but later

1 withdraw your request, fail to attend the hearing or notify DEQ that you will not be attending the  
2 hearing, DEQ will issue a final order by default pursuant to OAR 340-011-0535(3). DEQ designates  
3 the relevant portions of its files, including information submitted by you, as the record for purposes of  
4 proving a prima facie case.  
5  
6  
7

8 2/8/2024

9 Date

Rebecca J Puskas

Becka Puskas, Interim Manager  
Office of Compliance and Enforcement

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## EXHIBIT 1

### FINDINGS AND DETERMINATION OF RESPONDENT'S CIVIL PENALTY PURSUANT TO OREGON ADMINISTRATIVE RULE (OAR) 340-012-0045

VIOLATION: Respondent violated ORS 468B.025(2) and Schedule A of the Permit by failing to substantially implement the SWPCP for the Facility.

CLASSIFICATION: This is a Class I violation pursuant to OAR 340-012-0055(1)(r).

MAGNITUDE: The magnitude of the violation is moderate pursuant to OAR 340-012-0130(1) as there is no selected magnitude specified in OAR 340-012-0135 applicable to this violation, and the information reasonably available to DEQ does not indicate a minor or major magnitude.

CIVIL PENALTY FORMULA: The formula for determining the amount of penalty of each violation is:  $BP + [(0.1 \times BP) \times (P + H + O + M + C)] + EB$

"BP" is the base penalty, which is \$4,000 for a Class I, moderate magnitude violation in the matrix listed in OAR 340-012-0140(3)(b)(A)(ii) and applicable pursuant to OAR 340-012-0140(3)(a)(E)(iii) because Respondent has coverage under the NPDES 1200-Z General Permit.

"P" is whether Respondent has any prior significant actions (PSAs), as defined in OAR 340-012-0030(19), in the same media as the violation at issue that occurred at a facility owned or operated by the same Respondent, and receives a value of 0 according to OAR 340-012-0145(2) because the Respondent has no prior enforcement history.

"H" is Respondent's history of correcting prior significant actions and receives a value of 0 according to OAR 340-012-0145(3)(c) because there is no prior history.

"O" is whether the violation was repeated or ongoing, and receives a value of 4 according to OAR 340-012-0145(4)(d) because there were more than 28 occurrences of the violation. Each day of violation is a separate occurrence. The condition of the site at the time of the inspection indicated that the requirements of the SWPCP had not been followed for a significant period of time. Respondent's inability to produce records documenting any maintenance or housekeeping activities in the preceding three years as well as aerial photographs of the site from April 16, 2021, indicate that Respondent has failed to implement the SWPCP for at least 2 years and 5 months.

"M" is the mental state of the Respondent and receives a value of 8 according to OAR 340-012-0145(5)(d) because Respondent failed to implement the SWPCP with actual knowledge of the requirements. Respondent received a Warning Letter with Opportunity to Correct on May 3, 2017, documenting in detail many of the same deficiencies that remained unaddressed at the time of the September 12, 2023, inspection.



"C" is Respondent's efforts to correct or mitigate the violation and receives a value of -3 according to OAR 340-012-0145(6)(c) because the Respondent made reasonable efforts to correct the violation by vacuuming the catch basins and lines, moving waste materials into covered receptables, and installing berms.

"EB" is the approximate dollar value of the benefit gained and the costs avoided or delayed as a result of the Respondent's noncompliance. It is designed to "level the playing field" by taking away any economic advantage the entity gained and to deter potential violators from deciding it is cheaper to violate and pay the penalty than to pay the costs of compliance. In this case, "EB" receives a value of \$35,361. By failing to implement the SWPCP for at least 29 months, Respondent avoided spending \$14,500 on monthly sweeping, \$18,850 on monthly catch basin cleaning; and \$2,000 on oil-water separator cleaning. Additionally, Respondent avoided spending \$5,000 to update the SWPCP to account for auto-dismantling activities. This "EB" was calculated pursuant to OAR 340-012-0150(1) using the U.S. Environmental Protection Agency's BEN computer model.

PENALTY CALCULATION:  $\text{Penalty} = \text{BP} + [(0.1 \times \text{BP}) \times (\text{P} + \text{H} + \text{O} + \text{M} + \text{C})] + \text{EB}$   
= \$4,000 + [(0.1 x \$4,000) x (0 + 0 + 4 + 8 + -3)] + \$35,361  
= \$4,000 + [\$400 x 9] + \$35,361  
= \$4,000 + \$3,600 + \$35,361  
= \$42,961

## EXHIBIT 2

### FINDINGS AND DETERMINATION OF RESPONDENT'S CIVIL PENALTY PURSUANT TO OREGON ADMINISTRATIVE RULE (OAR) 340-012-0045

VIOLATION: Respondent violated ORS 468B.025(2) and Schedule B of the Permit by failing to conduct visual monitoring inspections.

CLASSIFICATION: This is a Class II violation pursuant to OAR 340-012-0055(2)(b).

MAGNITUDE: The magnitude of the violation is moderate pursuant to OAR 340-012-0130(1) as there is no selected magnitude specified in OAR 340-012-0135 applicable to this violation, and the information reasonably available to DEQ does not indicate a minor or major magnitude.

CIVIL PENALTY FORMULA: The formula for determining the amount of penalty of each violation is:  $BP + [(0.1 \times BP) \times (P + H + O + M + C)] + EB$

"BP" is the base penalty, which is \$2,000 for a Class II, moderate magnitude violation in the matrix listed in OAR 340-012-0140(3)(b)(B)(ii) and applicable pursuant to OAR 340-012-0140(3)(a)(E)(iii) because Respondent has coverage under the NPDES 1200-Z General Permit.

"P" is whether Respondent has any prior significant actions (PSAs), as defined in OAR 340-012-0030(19), in the same media as the violation at issue that occurred at a facility owned or operated by the same Respondent, and receives a value of 0 according to OAR 340-012-0145(2) because the Respondent has no prior enforcement history.

"H" is Respondent's history of correcting prior significant actions and receives a value of 0 according to OAR 340-012-0145(3)(c) because there is no prior history.

"O" is whether the violation was repeated or ongoing, and receives a value of 4 according to OAR 340-012-0145(4)(d) because there were more than 28 occurrences of the violation. Respondent failed to complete 36 visual inspections over the three years preceding the inspection.

"M" is the mental state of the Respondent and receives a value of 4 according to OAR 340-012-0145(5)(c) because Respondent's conduct was negligent. Schedule B of the Permit clearly sets forth the inspection frequency required by the permit.

"C" is Respondent's efforts to correct or mitigate the violation and receives a value of 0 according to OAR 340-012-0145(6)(f) because the violation cannot be corrected.

"EB" is the approximate dollar value of the benefit gained and the costs avoided or delayed as a result of the Respondent's noncompliance. It is designed to "level the playing field" by

taking away any economic advantage the entity gained and to deter potential violators from deciding it is cheaper to violate and pay the penalty than to pay the costs of compliance. In this case, "EB" receives a value of \$2,792. By failing to complete 36 visual inspections, Respondent avoided spending approximately \$3,600 (36 missed inspections x \$100 per missed event). This "EB" was calculated pursuant to OAR 340-012-0150(1) using the U.S. Environmental Protection Agency's BEN computer model.

PENALTY CALCULATION:  $\text{Penalty} = \text{BP} + [(0.1 \times \text{BP}) \times (\text{P} + \text{H} + \text{O} + \text{M} + \text{C})] + \text{EB}$   
 $= \$2,000 + [(0.1 \times \$2,000) \times (0 + 0 + 4 + 4 + 0)] + \$2,792$   
 $= \$2,000 + [\$200 \times 8] + \$2,792$   
 $= \$2,000 + \$1,600 + \$2,792$   
 $= \$6,392$

EXHIBIT 3

FINDINGS AND DETERMINATION OF RESPONDENT'S CIVIL PENALTY  
PURSUANT TO OREGON ADMINISTRATIVE RULE (OAR) 340-012-0045

VIOLATION: Respondent violated ORS 468B.025(2) and Schedule A of the Permit by failing to generate Tier 1 reports for 32 benchmark exceedances.

CLASSIFICATION: This is a Class II violation pursuant to OAR 340-012-0055(2)(b).

MAGNITUDE: The magnitude of the violation is moderate pursuant to OAR 340-012-0130(1) as there is no selected magnitude specified in OAR 340-012-0135 applicable to this violation, and the information reasonably available to DEQ does not indicate a minor or major magnitude.

CIVIL PENALTY FORMULA: The formula for determining the amount of penalty of each violation is:  $BP + [(0.1 \times BP) \times (P + H + O + M + C)] + EB$

"BP" is the base penalty, which is \$2,000 for a Class II, moderate magnitude violation in the matrix listed in OAR 340-012-0140(3)(b)(B)(ii) and applicable pursuant to OAR 340-012-0140(3)(a)(E)(iii) because Respondent has coverage under the NPDES 1200-Z General Permit.

"P" is whether Respondent has any prior significant actions (PSAs), as defined in OAR 340-012-0030(19), in the same media as the violation at issue that occurred at a facility owned or operated by the same Respondent, and receives a value of 0 according to OAR 340-012-0145(2) because the Respondent has no prior enforcement history.

"H" is Respondent's history of correcting prior significant actions and receives a value of 0 according to OAR 340-012-0145(3)(c) because there is no prior history.

"O" is whether the violation was repeated or ongoing, and receives a value of 4 according to OAR 340-012-0145(4)(d) because there were more than 28 occurrences of the violation. Respondent failed to complete 32 Tier I reports.

"M" is the mental state of the Respondent and receives a value of 4 according to OAR 340-012-0145(5)(c) because Respondent's conduct was negligent. Schedule A of the Permit clearly sets forth the requirement to complete a Tier 1 report whenever the sampling conducted by the Facility indicates an applicable statewide benchmark was exceeded.

"C" is Respondent's efforts to correct or mitigate the violation and receives a value of 0 according to OAR 340-012-0145(6)(f) because there is insufficient information to make a finding under paragraphs (6)(a) through (6)(e), or (6)(g).

"EB" is the approximate dollar value of the benefit gained and the costs avoided or delayed as a result of the Respondent's noncompliance. It is designed to "level the playing field" by taking away any economic advantage the entity gained and to deter potential violators from deciding it is cheaper to violate and pay the penalty than to pay the costs of compliance. In this case, "EB" receives a value of \$2,498. By failing to generate 32 Tier 1 reports, Respondent avoided spending approximately \$3,200 (32 missed reports x \$100 per missed event). This "EB" was calculated pursuant to OAR 340-012-0150(1) using the U.S. Environmental Protection Agency's BEN computer model.

PENALTY CALCULATION:  $\text{Penalty} = \text{BP} + [(0.1 \times \text{BP}) \times (\text{P} + \text{H} + \text{O} + \text{M} + \text{C})] + \text{EB}$   
= \$2,000 + [(0.1 x \$2,000) x (0 + 0 + 4 + 4 + 0)] + \$2,498  
= \$2,000 + [\$200 x 8] + \$2,498  
= \$2,000 + \$1,600 + \$2,498  
= \$6,098

Oregon Department of Environmental Quality  
 700 NE Multnomah Street, Suite 600  
 Portland, OR 97232-4100



State of Oregon  
 Department of Environmental Quality

Phone: 503-229-5437  
 Fax: 503-229-5850

**CIVIL PENALTY - ORS 468.135(2)**

<b>DATE:</b>	February 8, 2024
<b>RESPONSE DATE :</b>	April 18, 2024
<b>TOTAL PENALTY:</b>	\$55,451.00

<b>Account Name:</b>	TILLAMOOK COUNTY PUBLIC WORKS DEPARTMENT <TILLAMOOK TRANSFER STATION> <104057>		
<b>Account Type:</b>	Government Local	<b>Reference Number:</b>	CPGFD2400039
<b>SubSystem ID:</b>	179441	<b>FIMS Acct. ID:</b>	4711

**Penalty Summary**

Penalty Amount	Interest	Adjustment	Amount Paid	Total Penalty
\$ 55,451.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 55,451.00

Payment of this penalty is subject to the exercise of your options or right to appeal as described in the enclosed enforcement documents.

To Pay Online with ACH or Credit Card Visit <https://ydo.oregon.gov> and select 'Register Account'



-----  
 PLEASE RETURN THIS PORTION WITH YOUR PAYMENT



<b>REFERENCE NO.</b>	CPGFD2400039		
<b>PAYCODE:</b>	00401 7400 10040 74001 0500 000000 00		
<b>FEE PROGRAM ID:</b>	950	<b>RESPONSE DATE:</b>	April 18, 2024
<b>FIMS ACCT. ID:</b>	4711	<b>TOTAL PENALTY DUE:</b>	\$55451.00

**AMOUNT ENCLOSED:**

MAKE CHECK PAYABLE TO: Department of Environmental Quality

DEQ FINANCIAL SERVICES - LBX4244  
 PO BOX 4244  
 PORTLAND OR 97208-4244

Check this box if updated address information has been provided on the back of the form.

00401 7400 10040 74001 0500 000000 00950000471111CPGFD240003900055451003



State of Oregon  
Department of  
Environmental  
Quality

# State of Oregon Department of Environmental Quality

CIVIL PENALTY - ORS 468.135(2)

700 NE Multnomah Street, Suite 600  
Portland, OR 97232-4100  
Phone: 503-229-5437  
Fax: 503-229-5850

## Penalty Detail

Transaction Date	Description	Amount
2/7/2024	2023-568 WQ-SW-NWR-2023-568	\$55,451.00

## SFMS Agencies Use:

Trans Code	Treasury Fund	SFMS	Index	PCA (5)	Agency Object	Project #	Phase
723	00401	7400	10040	74001	0500	00000	00

## Address Changes

Please visit <https://ydo.oregon.gov> to update your mailing address online or provide the following information:

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City, State, Zip \_\_\_\_\_



**Tillamook County**  
**PUBLIC WORKS DEPARTMENT**  
*Department of Solid Waste*  
*Waste Prevention and Recycling*



503 Marolf Loop Road  
Tillamook, Oregon 97141  
PH (503) 815-3975  
FAX (503) 842-6473

Email: [recycle@co.tillamook.or.us](mailto:recycle@co.tillamook.or.us)  
[www.co.tillamook.or.us/solid-waste](http://www.co.tillamook.or.us/solid-waste)

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*Land of Cheese, Trees and Ocean Breeze*

March 2, 2024

**Oregon DEQ, Office of Compliance and Enforcement**  
**700 NE Multnomah Street, Suite 600**  
**Portland, OR 97232**  
**Rebecca Puskas, Interim Manager**

**Re: Notice of Civil Penalty Assessment and Order, Case No. WQ/SW-NWR-2023-568**

This letter is to inform the DEQ Office of Compliance and Enforcement that the Tillamook County Public Works Department (TCSW) is submitting a request for a contested case hearing for Case No. WQ/SW-NWR-2023-568. Specific items identified in the penalty assessment and case are identified below, and when necessary, reference exhibits with supporting evidence.

- i. Disputed "Findings of Fact"
- ii. Compliance/Corrective Action

Respondent generally disputes all allegations of fact set forth in the Notice of Civil Penalty Assessment and Order and specifically disputes that that it failed to 1) substantially implement the Facility's SWPCP, and 2) conduct visual monitoring systems in the preceding 3 years.

Tillamook County Public Works Department looks forward to meeting with DEQ to discuss the assessed penalties and how to best move forward.

Please contact me with any questions or concerns.

Thank you,

Justin Weiss  
Interim Solid Waste Program Manager



## **i. Disputed “Findings of Fact”**

Disputed “Findings of Fact” are listed below:

- 1. Respondent is the owner and operator of the Tillamook Transfer Station located at 1315 Eckloff Road in Tillamook, Oregon (the Facility).**

Tillamook County Public Works Department owns the property located at 1315 Eckloff Road in Tillamook, Oregon, but does not operate the facility. Tillamook County Public Works contracts with Don G. Averill Recycling to operate the site.

- 14. At the time of the inspection, leaking equipment was widespread and unmanaged. No berms or curbs were installed to prevent pollutants from commingling with stormwater and many catch basins lacked oil-absorbent inserts. Unaddressed oil stains were apparent on the pavement throughout the facility. Waste paint and other significant materials were left uncovered and exposed and lacked secondary containment. Materials staged for recycling were haphazardly stored, including containers of fluid, without controls to prevent leaks and spills from entering stormwater runoff. Large volumes of materials were stored adjacent to stormwater catch basins with no secondary containment.**

At the time of inspection berms were already installed near the auto dismantling area, household hazardous waste building, and scrap metal processing building.

- 16. Pursuant to Section 6.4 of the Facility’s SWPCP, paved traffic and collection areas will be swept monthly, and sediment that was transported to the site on trucks or in roll-off containers "needs to be removed from paved outdoor surfaces as soon as it is noticed." Additionally, the SWPCP indicates that catch basins will be "inspected monthly and cleaned using shovel or vacuum hose when sediment buildup reduces capacity or threatens to discharge."**

Within the 2 years and 5 months identified in the civil enforcement letter (April 16, 2021) in which the SWPCP was stated to have not been implemented, Whitehead Sweeping was contracted to sweep the facility twice in 2021, once in 2022, and twice in 2023. Additionally, site operator Don G. Averill Recycling implements monthly sweeping procedures, utilizing on-site equipment. Exhibit A contains copies of receipts from Whitehead Sweeping. Additionally, Ken Zwald Trucking was contracted on 7/3/22, to clean catch basins. Invoice for services and plant receiving manifest included in Exhibit A.

**20. Pursuant to Schedule B. 12 of the Permit, on a monthly basis Respondent is required to visually inspect areas where industrial materials or activities are exposed to stormwater and areas where stormwater control measures, including infiltration devices, mass reduction measures, structures, catch basins, and treatment facilities are located. These monthly inspections must be documented in an inspection report that is retained on-site and submitted to DEQ upon request.**

Nine monthly inspection reports were identified within the 2 years and 5 months identified in the civil enforcement letter (April 16, 2021) in which the SWPCP was stated to have not been implemented. See attached Exhibit A for copies of the completed inspection reports.

**22. To date, Respondent has not provided DEQ with any of the inspection reports Respondent is required to generate and retain pursuant to Schedule B. 12 and B. 16 of the Permit. Nor has Respondent produced any other documentation to show that visual inspections or any maintenance activities, including regular sweeping and repairs of the control measures and treatment systems at the Facility, occurred during the three years preceding the inspection. Aerial photos of the Facility dating back to April 16, 2021, show conditions at the Facility were similar to those observed at the time of the inspection, as described in Paragraphs 14 and 19 above.**

Documented sweeping records and inspection reports are identified in responses to items 20 and 22.

## ii. Compliance/Corrective Action

Comments on each compliance task listed in the civil enforcement letter are listed below and subsequently addressed. TCSW requests that corrective action completed prior to receipt of DEQ's notice of civil penalty assessment, should not require an additional submittal.

Text from *Before the Environmental Quality Commission of the State of Oregon, IV. Order to Pay Civil Penalty and to Comply*:

- 2. Within 30 days of this order becoming final by operation of law or on appeal:**
  - a. Submit to DEQ for review and approval an updated SWPCP that reflects proper controls related to auto dismantling and management of paint wastes at the Facility and provides detail for the bioswale, as required by Schedule A. I 0.e of the Permit.**
  - b. Submit to DEQ documentation and photos showing that the following corrective actions have occurred:**
    - i. All significant materials must be in secondary containment, including waste paint;**
    - ii. Implement ground controls to fully isolate the auto dismantling process from the stormwater system;**
    - iii. Implement controls that would prevent the flow of contaminants from the Public/Franchiser Drop-Off Building from commingling with stormwater and discharging to surface waters;**
    - iv. Install an intercept drain in the East Bailing Building to prevent the track out of contaminated water from inside the facility.**
    - v. Develop and implement a way to store processed recyclables to prevent wastes from leaching from bundled materials into the stormwater collection system;**
    - vi. Implement facility-wide housekeeping, including, but not limited to: clean all spills and stains, collect all debris, sweep all paved areas, clean all overfills. You must provide**

**documentation to show that any wastewater generated from pressure cleaning pavement stains and spills was captured and properly disposed of.**

- vii. Repair or remove leaking equipment that cannot be repaired, or store such equipment inside a building where leaks are contained and not exposed to stormwater;**
- viii. Remove and properly dispose of all soils that are saturated with petroleum products from leaking equipment.**

The following compliance requests have been completed or are in progress:

- a. SWPCP was updated and shared with Tillamook County Solid Waste in November, 2023. DEQ Inspector Michael Kennedy was notified via email of the updated plan on November, 7<sup>th</sup>. TCSW was instructed to upload the plan to the My DEQ Portal, with Interim Program Manager doing so the following day. Email included in Exhibit B. Program Manager notes that upload status of SWPCP could not be verified due to troubles navigating the online portal. Exhibit A contains invoices for updates to the SWPCP.
- b.(i) Waste paint and other materials identified as lacking secondary containment have been either remedied, moved off-site or inside. Corrective action email sent to Inspector Kennedy on 09/27/23. Email and photos included in Exhibit B.
- b(ii) Ground controls to fully separate the auto dismantling from the stormwater system have been installed. Additionally, as requested, a "...berm has been installed along the stormwater conveyance ditch west of the Metals Recycling Building to separate this area from the industrial activity." These updates were shared with DEQ on 10/27/23. Email and photos contained in Exhibit B. Invoice for project contained in Exhibit A.
- b(iii). This project has entered initial construction phases. Prep has been completed and selected contractor should finish construction by the end of March.
- b(iv). This retrofit is slated for construction directly after completion of the public and franchise building berm installation. Hope to have task completed by the end of April, 2024.
- b(v) In conjunction with Don G. Averill Recycling, TCSW has worked to implement controls on the quantities of materials entering the facility to ensure adequate space is available to properly store materials. TCSW hopes that the forthcoming Recycling Modernization Act, which comes into effect in July, 2025, will enable funded on-site expansion of available covered storage for collected materials.

- b(vi) Significant improvements in overall housecleaning have been implemented at the Tillamook Transfer Station. After DEQ inspection, Ken Zwald Trucking was contracted to drain “frog pond” wastewater, pressure wash, and subsequently dispose of collected water with Patriot Environmental. Invoice for task included in Exhibit A. Photos demonstrating initial cleanup efforts after inspection were shared with Inspector Kennedy on 9/27/23. Email and photos contained in Exhibit B. Don G. Averill has been maintaining this high level of housekeeping since the September inspection. Exhibit A contains monthly inspection reports from 09/23 – 01/24.
- b(vii) Leaking equipment identified in the facility inspection report photo log, #23, has been moved off-site. Leaking equipment identified in the facility inspection report photo log, #15, has been serviced, as well as, implementation of oil pans and absorbent berms in case of oil leaks.
- b(viii) Saturated soil locations have been identified around the metal recycling facility and will be excavated and properly disposed of as soon as feasible. Ideally once weather conditions are less moist.



**Tillamook County**  
**PUBLIC WORKS DEPARTMENT**  
*Department of Solid Waste*  
*Waste Prevention and Recycling*



503 Marolf Loop Road  
 Tillamook, Oregon 97141  
 PH (503) 815-3975  
 FAX (503) 842-6473

Email: [recycle@co.tillamook.or.us](mailto:recycle@co.tillamook.or.us)  
[www.co.tillamook.or.us/solid-waste](http://www.co.tillamook.or.us/solid-waste)

*Land of Cheese, Trees and Ocean Breeze*

March 12, 2024

**Staff Report**  
 To the Solid Waste Advisory Committee

**I. Solid Waste Staffing**

Staff has scheduled leave in the month of March, with a Manzanita staff member leaving on scheduled vacation and another taking leave at the end of the month. Interim Program Manager with have to back fill positions.

The Solid Waste Program Manager position was posted for intercounty transfer opportunity from February 14<sup>th</sup> – 20<sup>th</sup>. I believe two applications were received with interviews tentatively scheduled for March, 28<sup>th</sup>.

**II. Household Hazardous Waste**

Public turnout for the March event was unexpectedly low, with only 70 vehicles participating. The weather forecast for the day of the event was snow and cold temperatures. This is likely responsible for low turnout as all other influential factors remained the same. Promotion/advertisement of the event was a combination of digital and print advertisements.

**Tillamook County Solid Waste - Public Works**  
 January 30 at 12:46 PM · 🌐

This Saturday, 2/3, is our first Household Hazardous Waste collection event of the year. Facility is open form 9 a.m. to 1 p.m. A full list of accepted materials can be found here: <https://www.tillamookcounty.gov/.../hazardous-waste...>

**Household Hazardous Waste collection dates in 2024**

**SAFE AND PROPER DISPOSAL**  
 of common household hazardous items.  
 (See our website for a list of items.)  
 at the  
**Tillamook Transfer Station**  
 1315 Ekloff Road, Tillamook  
**9:00am to 1:00pm**

**PLEASE separate Hazardous Waste from other items in your vehicle prior to arriving at the event.**

This facility **DOES NOT ACCEPT**  
 Ammunition, Explosives, or Medical waste

Tillamook County Solid Waste Department  
 503 Marolf Loop, Tillamook, OR 97141  
 Phone: 503-815-3975  
 E-mail: [recycle@co.tillamook.or.us](mailto:recycle@co.tillamook.or.us)  
[www.co.tillamook.or.us/solid-waste](http://www.co.tillamook.or.us/solid-waste)

Jan.—none  
 Feb. 3<sup>rd</sup>  
 March 2<sup>nd</sup>\*  
 Apr.—none  
 May 4<sup>th</sup>  
 June 8<sup>th</sup>\*  
 July 13<sup>th</sup>  
 Aug. 3<sup>rd</sup>  
 Sept. 14<sup>th</sup>  
 Oct. 5<sup>th</sup>\*  
 Nov.—none  
 Dec. 7<sup>th</sup>

\*CEG-Business event prior day, Registration Required

**Tillamook County Solid Waste - Public Works**  
 Tillamook County Solid Waste Department - Please see About section for impo... Call now

👤 Jane Scott and 83 others 6 comments 2 shares



## Household Hazardous Waste collection dates in 2024

Jan.-none • Feb. 3rd • March 2nd\* • Apr.-none • May 4th • June 8th\* • July 13th • Aug. 3rd • Sept. 14th • Oct. 5th\* • Nov.-none • Dec. 7th

\*CEG/Business event prior day, Registration Required



## Tillamook County Solid Waste

For more information about recycling or hazardous waste disposal: Call (503) 815-3975

or email us at [recycle@co.tillamook.or.us](mailto:recycle@co.tillamook.or.us) or visit our website at [www.co.tillamook.or.us/solid-waste](http://www.co.tillamook.or.us/solid-waste)

**PLEASE separate Hazardous Waste from other items in your vehicle prior to arriving at the event.**

This facility **DOES NOT ACCEPT** Ammunition, Explosives, or Medical waste

### **SAFE AND PROPER DISPOSAL** of common household hazardous items.

(See our website for a list of items.) **at the Tillamook Transfer Station,  
1315 Ekloff Road, Tillamook. 9:00am to 1:00pm**

We had two participants in the CEG (small business). From discussions with Clean Earth, our hazardous materials service provider, this is a typical turnout for this event. Hope to envision ways to potentially increase participation.

### **III. Master Recyclers Program/Events**

Recent discussions with Master Recyclers volunteering at the hazardous waste events, has brought up interest in reinitiating the “mobile recycling unit.” This project saw Master Recyclers hauling a trailer with collection bins, to areas of the county which do not have convenient access to one of our transfer stations (Netarts, Oceanside, Beaver). Hope for new crop of Master Recyclers from our planned course this summer.

I will be reaching out to the Sheriffs Department in hopes of coordinating a controlled substance and sharps collection event in conjunction with the April 27th, National Prescription Drug Take Back Day collection event. In the past I have staffed these twice annual events in conjunction with Tillamook County Community Development Department.

The Solid Waste Administration is a again a co-sponsor for the upcoming Home and Garden Show on April, 20-21. We will have three booths with a variety of outreach materials and give aways.

### **IV. Upcoming HHW Events**

May 4, 2024 – Public Household Hazardous Waste Collection

June 7, 2024 – Business Household Hazardous Waste Collection

June 8, 2024 – Public Household Hazardous Waste Collection

**Justin Weiss**  
**Interim Solid Waste Program Manager**



**Tillamook County**  
**PUBLIC WORKS DEPARTMENT**  
*Department of Solid Waste*  
*Waste Prevention and Recycling*



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*Land of Cheese, Trees and Ocean Breeze*

March 12, 2024

**Transfer Station Report**  
To the Solid Waste Advisory Committee

**I. Pacific City Transfer Station Improvements**

Interim Program Manager recently had a call with Great West Engineering, the firm who completed all design work for our recent expansion at the Manzanita Transfer Station. Once SRF loans are finalized by DEQ, we will use those funds in conjunction with our OSG funds to complete the remaining design work for the location.

**II. Manzanita Transfer Station**

As of January 2024, the Manzanita Transfer Station now has an active 1200-Z stormwater permit. Utilizing the recent stormwater inspection findings, along with the prepared stormwater pollution control plan for the site, on-site staff have begun to make necessary retrofits/improvements to ensure we are meeting all applicable permit requirements.

**III. Tillamook Transfer Station**

Preliminary work has begun on construction of stormwater containment berms along the entrance of each tipping floor, public and franchise. This is a required retrofit from our stormwater inspection back in September, 2023. Final corrective action needed include, installation of an entrance berm at the eastern baling building and to remove slightly contaminated soil near the scrap metal collection area.

Vanir Broadband is ceasing to offer broadband services on April, 30<sup>th</sup>. Starlink satellite internet was installed at the Tillamook transfer station in late 2023. When IS recently went to activate the dish to enable services, the dish was found to be non-responsive. I



am currently working with IS to submit the necessary documentation to receive a replacement.

**Justin Weiss**  
**Interim Solid Waste Program Manager**