

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF GRANTING A YARD ) ORDINANCE NO. 96 - 666  
DEBRIS PROCESSING FACILITY LICENSE TO )  
SCOTTS HYPONEX CORPORATION TO OPERATE )  
A YARD DEBRIS COMPOSTING FACILITY ) Introduced by Mike Burton  
AND DECLARING AN EMERGENCY ) Executive Officer

WHEREAS, Section 5.01.030 of the Metro Code requires an owner or operator of a yard debris processing facility to be licensed by Metro; and

WHEREAS, Section 5.01.040 of the Metro Code requires yard debris processing facilities to comply with the licensing requirements in Chapter 5.01; and

WHEREAS, Metro Code Section 5.01.060(a) requires applications for a license to be filed on forms provided by the Executive Officer, and specifies that licenses are subject to approval by the Council; and

WHEREAS, the Scotts Hyponex Corporation has submitted a yard debris processing facility license application to operate its existing yard debris composting facility in Clackamas, Oregon and has met the standards set forth in Metro Code Section 5.01.060(c)(2) requiring operators of existing yard debris processing facilities to submit an application for licensing and demonstrate compliance within eighteen months after the effective date of the licensing standards, and

WHEREAS, the Metro Code Chapter 5.01.230 to 5.01.380 sets forth provisions relating to the licensing of yard debris processing facilities; and

WHEREAS, based on information submitted by Scotts Hyponex Corporation, specified in the Staff Report or otherwise submitted, the Executive Officer has found that the facility is in compliance with applicable provisions and standards in the Metro Code related to the licensing of yard debris processing facilities; and

WHEREAS, the Council finds that it is necessary for the welfare of the Metro area that this ordinance take effect immediately, because the facility is an existing operation providing necessary services to the public and potential nuisance impacts from yard debris processing facilities such as odor, dust and noise are a cause of public concern; and the purpose of the licensing agreement is to protect the health, safety and welfare of Metro area residents; now therefore,

WHEREAS, The Executive Officer recommends that the Council grant the attached license to Scotts Hyponex Corporation; now therefore,

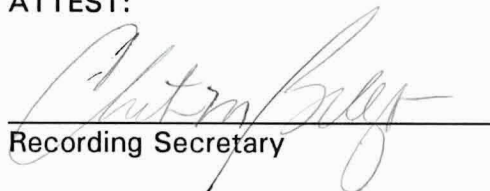
THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The Council authorizes the Executive Officer to enter into the attached licensing agreement for a yard debris processing facility within ten days of the effective date of this ordinance.
2. An emergency having been declared for the reasons stated above, this ordinance shall take effect immediately, pursuant to Sections 37 (2) and 39 (1) of the 1992 Metro Charter.

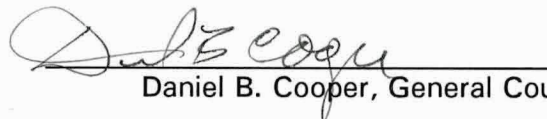
ADOPTED by the Metro Council this 19<sup>th</sup> day of December 1996.

  
\_\_\_\_\_  
Jon Kvistad, Presiding Officer

ATTEST:

  
\_\_\_\_\_  
Recording Secretary

Approved as to Form:

  
\_\_\_\_\_  
Daniel B. Cooper, General Counsel

## STAFF REPORT

### IN CONSIDERATION OF ORDINANCE NO. 96-666 FOR THE PURPOSE OF GRANTING A YARD DEBRIS PROCESSING FACILITY LICENSE TO THE SCOTTS HYPONEX CORPORATION TO OPERATE A YARD DEBRIS PROCESSING FACILITY

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Date: November 14, 1996

Presented by: Bill Metzler  
John Foseid

#### INTRODUCTION

The purpose of this report is to provide the information necessary for the Metro Council to act on the recommendation that the Scotts Hyponex Corporation be awarded a license to operate an existing yard debris composting facility located in Clackamas, Oregon. The facility has been in operation since 1992. The license agreement is attached to Ordinance No. 96-666 as Exhibit A.

This report is divided into four main parts: (a) a description of the facility and other relevant applicant information, (b) list of submittals; (c) staff analysis of the application and whether the facility meets the standards as specified in Metro Code in order to be awarded a license; and (d) staff's recommendations and specific conditions to be contained in the license agreement.

The purpose of the licensing program is to help ensure that yard debris processing facilities are designed and operated in a manner that minimizes nuisance impacts on surrounding communities and businesses.

#### Key Findings and Recommendations Include:

- Yard debris processing facilities are licensed by the Metro Council if they submit the required plans and show compliance with applicable provisions in Metro Code Chapter 5.01 Additional Provisions Relating to the Licensing of Yard Debris Processing Facilities and Yard Debris Reload Facilities. (Sections 5.01.230 - 5.01.380)
- Staff has reviewed all required submittals and has determined that Scotts Hyponex Corporation meets the requirements of the Metro Code related to licensing yard debris processing facilities.
- The terms of the license will protect public health and safety and maintain consistency with the Regional Solid Waste Management Plan. The Metro licensing program includes problem resolution through intergovernmental cooperation, technical assistance and enforcement measures.

EXHIBIT A

**YARD DEBRIS COMPOSTING FACILITY LICENSE**

issued by

**METRO**

600 N.E. Grand Avenue  
Portland, Oregon 97232-2736  
(503) 797-1700

LICENSE NUMBER: \_\_\_\_\_  
DATE ISSUED: \_\_\_\_\_  
AMENDMENT DATE: \_\_\_\_\_ N/A \_\_\_\_\_  
EXPIRATION DATE: \_\_\_\_\_  
ISSUED TO: \_\_\_\_\_ SCOTTS HYPONEX CORPORATION \_\_\_\_\_  
NAME OF FACILITY: \_\_\_\_\_ SCOTTS HYPONEX CORPORATION \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ 11620 SE CAPPS ROAD \_\_\_\_\_  
CITY, STATE, ZIP: \_\_\_\_\_ CLACKAMAS, OR 97015 \_\_\_\_\_  
LEGAL DESCRIPTION: \_\_\_\_\_ (see attached application) \_\_\_\_\_  
NAME OF OPERATOR: \_\_\_\_\_ SCOTTS HYPONEX CORPORATION \_\_\_\_\_  
PERSON IN CHARGE: \_\_\_\_\_ TREY GEORGE III, PLANT MANAGER \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ 535 WEST MAIN STREET \_\_\_\_\_  
CITY, STATE, ZIP: \_\_\_\_\_ MOLALLA, OR 97038 \_\_\_\_\_  
TELEPHONE NUMBER: \_\_\_\_\_ (503) 829-2781 \_\_\_\_\_



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## LICENSE AGREEMENT

This License is issued by Metro, a municipal corporation organized under the Constitution of the State of Oregon and the 1992 Metro Charter ("Metro"), to the Scotts Hyponex Corporation ("Licensee").

In recognition of the promises made by Licensee as specified herein, Metro issues this License, subject to the following terms and conditions:

### 1. DEFINITIONS

The definitions in Metro Code Section 5.01.010 shall apply to this License, as well as the following definitions. Defined terms are capitalized when used.

"Composting" means the controlled biological decomposition of organic materials through microbial activity which occurs in the presence of free oxygen. Composting does not include the stockpiling of organic material.

"Facility" means the site where one or more activities that the Licensee is authorized to conduct occur.

"Hazardous Waste" has the meaning specified in ORS 466.005.

"Prohibited Wastes" has the meaning set forth in Section 5.2 of this License.

### 2. TERM OF LICENSE

This License is issued for a term of five years from the date signed by Metro and the Licensee, following approval by the Metro Council.

### 3. LOCATION OF FACILITY

The licensed Facility is located at 11620 SE Capps Road, Clackamas, Oregon. Tax lot 1800; Northeast 1/4, Section 15, Township 2 South, Range 2 East, W.M; Clackamas County Oregon.

### 4. OPERATOR AND OWNER OF FACILITY AND PROPERTY

4.1 The owner of the Facility is O.M. Scott & Sons Company/Hyponex Corporation.

4.2 The owner of the property underlying the Facility is Terry Emmert, Emmert Inc. Licensee warrants that owner has consented to Licensee's use of the property as described in this License.

4.3 The operator of the Facility is Scotts Hyponex Corporation. Licensee may contract with another person or entity to operate the Facility only upon ninety (90) days prior written notice to Metro and the written approval of the Executive Officer.

## **5. AUTHORIZED AND PROHIBITED ACTIVITIES AND WASTES**

**5.1** Subject to the following conditions, Licensee is authorized to operate and maintain a yard debris composting facility.

**5.1.1** Licensee shall accept only yard debris, landscape waste, and clean wood wastes (e.g., untreated lumber, wood pallets). No other wastes shall be accepted at the Facility unless specifically authorized in writing by Metro.

## **5.2 Prohibited Wastes**

**5.2.1** Licensee is prohibited from receiving, processing or disposing of any solid waste not authorized in this License.

**5.2.2** Licensee shall not accept Hazardous Waste. Any Hazardous Waste inadvertently received shall be handled, stored, and removed pursuant to state and federal regulations.

## **6. MONITORING AND REPORTING REQUIREMENTS**

**6.1** Licensee shall monitor facility operation and maintain accurate records of the following:

**6.1.1** Amount of feedstock received and quantity of product produced at the facility.

**6.1.2** Records of any special occurrences encountered during operation and methods used to resolve problems arising from these events, including details of all incidents that required implementing emergency procedures.

**6.1.3** Records of any public nuisance complaints (e.g., noise, dust, vibrations, litter) received by the operator, including:

- (a) The nature of the complaint;
- (b) The date the complaint was received;
- (c) The name, address, and telephone number of the person or persons making the complaint; and
- (d) Any actions taken by the operator in response to the complaint.

**6.1.4** For every odor complaint received, the licensee shall record the date, time, and nature of any action taken in response to an odor complaint, and record such information within one business day after receiving the complaint. Records of such information shall be made available to Metro and local governments upon request.

- 6.2 Records required under this section shall be reported to Metro no later than thirty (30) days following the end of each quarter. The report shall be signed and certified as accurate by an authorized representative of Licensee.
- 6.3 The licensee shall submit to Metro duplicate copies of regulatory information submitted to the DEQ and local jurisdictions pertaining to the facility, within 30 days at the same time of submittal to DEQ and/or a local jurisdiction.

## **7. DESIGN AND OPERATIONAL REQUIREMENTS**

- 7.1 Activities shall be conducted in accordance with the Metro approved facility design plan, operations plan and odor minimization plan submitted as part of the License Application. In addition:

7.1.1 To control odor and dust the Licensee shall:

- (a) Install dust control and odor systems whenever excessive dust and odor occur, or at the direction of Metro. Alternative dust and odor control measures may be established by the Licensee with Metro approval.
- (b) Take specific measures to control odors in order to avoid or prevent any violation of this License, which measures include (but are not limited to) adherence to the contents of the odor minimization plan.

7.1.2 With respect to vector control, the Licensee shall manage the Facility in a manner that is not conducive to infestation of rodents or insects. If rodent or insect activity becomes apparent, Licensee shall initiate and implement additional vector control measures.

- 7.2 The Licensee shall provide an operating staff which is qualified to perform the functions required by this License and to otherwise ensure compliance with the conditions of this License.
- 7.3 The licensee shall utilize functionally aerobic composting methods for processing authorized wastes at the facility.
- 7.4 All facility activities shall be conducted consistent with applicable provisions in Metro Code Chapter 5.01: Additional Provisions Relating to the Licensing of Yard Debris Processing Facilities (Sections 5.01.230 - 5.01.380). Licensee may modify such procedures. All proposed modifications to facility plans and procedures shall be submitted to the Metro Regional Environmental Management Department for review and approval. The Executive Officer shall have 10 business days from receipt of proposed modifications to object to such modifications. If the Executive Officer does not object, such modifications shall be considered approved following the 10-day period. Licensee may implement proposed modifications to Facility plans and procedures on a conditional basis pending Metro review and notice from Metro that such changes are not acceptable.

- 7.5 Licensee shall remove compost from the Facility as frequently as possible, but not later than one year after processing is completed.

## **8. FACILITY CLOSURE**

- 8.1 In the event of closure of the facility, all yard debris, composting material, end-product, and other solid wastes must be removed from the facility within 180 days following the commencement of closure.
- 8.2 Licensee shall close the facility in a manner which eliminates the release of landscape waste, landscape waste leachate, and composting constituents to the groundwater or surface waters or to the atmosphere to the extent necessary to prevent threats to human health or the environment.
- 8.3 Within 30 days of completion of closure, Licensee shall file a report with Metro verifying that closure was completed in accordance with this section.

## **9. ANNUAL LICENSE FEE**

Licensee shall pay an annual license fee of \$300, as established under Metro Code Section 5.01.320. The fee shall be delivered to Metro within thirty (30) days of the effective date of this License and on the same date for each year thereafter. Metro reserves the right to change its license fees at any time, by action of the Metro Council, to reflect license system oversight and enforcement costs.

## **10. INSURANCE**

- 10.1 Licensee shall purchase and maintain the following types of insurance, covering Licensee, its employees, and agents:
- (a) Broad form comprehensive general liability insurance covering personal injury, property damage, and personal injury with automatic coverage for premises, operations, and product liability. The policy must be endorsed with contractual liability coverage; and
  - (b) Automobile bodily injury and property damage liability insurance.
- 10.2 Insurance coverage shall be a minimum of \$500,000 per occurrence, \$100,000 per person, and \$50,000 property damage. If coverage is written with an annual aggregate limit, the aggregate limit shall not be less than \$1,000,000.
- 10.3 Metro, its elected officials, departments, employees, and agents shall be named as **ADDITIONAL INSURED**S. Notice of any material change or policy cancellation shall be provided to Metro thirty (30) days prior to the change or cancellation.
- 10.4 Licensee, its contractors, if any, and all employers working under this License are subject employers under the Oregon Workers' Compensation Law and shall comply with ORS 656.017, which requires them to provide Workers' Compensation

coverage for all their subject workers. Licensee shall provide Metro with certification of Workers' Compensation insurance including employer's liability.

## **11. INDEMNIFICATION**

Licensee shall indemnify and hold Metro, its agents, employees, and elected officials harmless from any and all claims, demands, damages, actions, losses and expenses, including attorney's fees, arising out of or in any way connected with licensee's performance under the license, including patent infringement and any claims or disputes involving subcontractors. Licensee shall not assume liability for any negligent or intentionally wrongful act of Metro, its officers, agents or employees.

## **12. COMPLIANCE WITH LAW**

Licensee shall fully comply with all federal, state, regional and local laws, rules, regulations, ordinances, orders and permits pertaining in any manner to this License, including all applicable Metro Code provisions whether or not those provisions have been specifically mentioned or cited herein. All conditions imposed on the operation of the Facility by federal, state or local governments or agencies having jurisdiction over the Facility are part of this License by reference as if specifically set forth herein. Such conditions and permits include those attached as exhibits to this License, as well as any existing at the time of issuance of this License and not attached, and permits or conditions issued or modified during the term of this License.

## **13. METRO ACCESS TO FACILITY**

Authorized representatives of Metro shall be permitted access to the premises of the Facility at all reasonable times for the purpose of making inspections and carrying out other necessary functions related to this License. Access to inspect is authorized during all business hours.

## **14. DISPOSAL RATES AND FEES**

- 14.1 The rates charged at licensed facilities are exempt from Metro rate setting.
- 14.2 Licensee is exempted from collecting and remitting Metro fees on waste received at the Facility. Licensee is fully responsible for paying all costs associated with disposal of residual material generated at the facility, including all Metro fees and taxes. A licensee shall obtain a non-system license prior to disposal of residuals at any facility not designated by Metro.
- 14.3 Licensee shall adhere to the following conditions with regard to disposal rates charged at the facility:
  - (a) A licensee may modify rates to be charged on a continuing basis as market demands may dictate. Rate schedules should be provided to Metro on a regular basis, and shall be provided to Metro on request.

- (b) Public rates charged at the facility shall be posted on a sign near where fees are collected. Rates and disposal classifications established by a licensee shall be reasonable and nondiscriminatory.

## **15. GENERAL CONDITIONS**

- 15.1 Licensee shall be responsible for ensuring that its contractors and agents operate in compliance with the terms and conditions of the license.
- 15.2 This License shall not vest any right or privilege in the licensee to receive specific quantities of yard debris during the term of the license.
- 15.3 The power and right to regulate, in the public interest, the exercise of the privileges granted by a license shall at all times be vested in Metro. Metro reserves the right to establish or amend rules, regulations or standards regarding matters within Metro's authority, and to enforce all such legal requirements against licensee.
- 15.4 This License may not be transferred or assigned without the prior written approval of Metro, which will not be unreasonably withheld.
- 15.5 To be effective, a waiver of any term or condition of a license must be in writing, signed by the executive officer. Waiver of a term or condition of a license shall not waive nor prejudice Metro's right otherwise to require performance of the same term or condition or any other term or condition.
- 15.6 This License shall be construed, applied, and enforced in accordance with the laws of the State of Oregon and all pertinent provisions in the Metro Code.
- 15.7 If any provision of a license is determined by a court of competent jurisdiction to be invalid, illegal, or unenforceable in any respect, the validity of the remaining provisions contained in the license shall not be affected.

## **16. REVOCATION**

Suspension, modification or revocation of this License shall be as specified herein and in the Metro Code.

## **17. MODIFICATION**

- 17.1 At any time during the life of this License, either the Executive Officer or the Licensee may propose amendments or modifications to this License. Except as specified in the Metro Code, no amendment or modification shall be effective unless it is in writing, approved by the Metro Council, and executed by the Licensee and the Executive Officer.
- 17.2 The Executive Officer shall review the License annually, consistent with Section 6 of this License, in order to determine whether the License should be changed and whether a recommendation to that effect needs to be made to the Metro Council.

While not exclusive, the following criteria and factors may be used by the Executive Officer in making a determination whether to conduct more than one review in a given year:

- a) Licensee's compliance history;
- b) Changes in waste volume, waste composition, or operations at the Facility;
- c) Changes in local, state, or federal laws or regulations that should be specifically incorporated into this License;
- d) A significant release into the environment from the Facility;
- e) A significant change or changes to the approved site development plan and/or conceptual design; or
- f) Any change in ownership that Metro finds material or significant.
- g) Community requests for mitigation of impacts to adjacent property resulting from Facility operations.

**18. NOTICES**

18.1 All notices required to be given to the Licensee under this License shall be delivered to:

Trey George III, General Manager  
Scotts Hyponex Corporation  
535 W. Main Street  
Molalla, OR 97038

18.2 All notices required to be given to Metro under this License shall be delivered to:

Solid Waste Director  
Regional Environmental Management Department  
Metro  
600 N.E. Grand Avenue  
Portland, OR 97232-2736

18.3 Notices shall be in writing, effective when delivered, or if mailed, effective on the second day after mailed, postage prepaid, to the address for the party stated in this License, or to such other address as a party may specify by notice to the other.

**SCOTTS HYPONEX CORPORATION**

**METRO**

\_\_\_\_\_  
Facility Owner or  
Owner's Representative

\_\_\_\_\_  
Mike Burton, Executive Officer  
Metro

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

BM:ay

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## **I. FACILITY AND APPLICANT INFORMATION**

### Location:

- The site is located south of State Highway 224, north of the Clackamas River, and east of Interstate 205, in Clackamas County (see Exhibit B - Site Context and Location Map/Air Photo).
- Facility address: 11620 SE Capps Road, Clackamas, Oregon 97015.
- The facility lies in the Northeast 1/4, Section 15, Township 2 South, Range 2 East, W.M; Clackamas County Oregon. Tax Lot 1800.

### Zoning and Permitting:

- The site is zoned I-3, Heavy Industrial (see Exhibit C - Zoning Map). The facility is an outright permitted use, subject to design review. On September 25, 1992, the Clackamas County Design Review Committee considered and approved the applicant's request to establish and operate a yard debris composting facility. The Committee approved the request based on conditions (see Section II, Submittal 1 Attachment C - Other Permits).
- All appropriate permits have been obtained by the applicant from Clackamas County.
- Currently, no permits are required by the DEQ. However, the DEQ is in the process of considering adoption of state-wide compost facility standards. Since the Metro licensing standards meet or exceed the proposed DEQ composting regulations, the DEQ and Metro will consider an agreement where Metro will ensure DEQ compliance at all Metro licensed facilities.

### General Facility Description:

- The 9.57 acre site is leased by the O.M. Scott & Sons Company/Hyponex Corporation. The site area used for yard debris composting operations is limited to 6.9 acres by action of the Clackamas County Design Review Committee - File No: Z0854-92.
- The facility accepts loads of yard debris from commercial and residential sources. The facility is open to the public.
- The facility accepts for processing approximately 45,000 cubic yards of yard debris per year (appx. 15,000 tons per year). The facility is capable of accepting 75,000 cubic yards of yard debris per year (appx. 25,000 tons per year).
- The facility uses a turned windrow composting method. Windrow composting consists of placing the mixture of raw (typically ground and mixed) materials in long narrow piles (windrows), which are turned on a regular basis. Turning mixes the materials; rebuilds the porosity of the windrow; and releases trapped heat, water vapor and gases. In this way materials compost evenly and more weed seeds, pathogens, and fly larvae are destroyed by the high interior temperatures.

## Completeness and Sufficiency of Application

Applicants for yard debris processing facility licenses are required to complete the application form and provide additional information as requested. The license application form and other material required to process the license were submitted and has been determined to be complete and adequate (see Section II - List of Submittals).

The licensing process for this applicant was delayed due to negative impacts on the facility and operations associated with the severe flood events that occurred in February 1996. Enormous quantities of water-soaked yard debris and woody waste were delivered to many of the Metro-area yard debris processors. Metro and the applicant agreed to delay processing of the licensing application until problems associated with the flood event were resolved (September 1996).

## Applicant Qualifications

The O.M. Scott & Sons Company (Scotts) established the Scotts Hyponex composting operation at this location in 1992. Scotts Hyponex Corporation is a subsidiary of Scotts. Scotts generates more than \$380 million in annual sales. Scotts has been in business for more than 120 years. The company presently receives, processes and markets over two million tons of organic materials. Scotts operates numerous organic processing facilities across the country, most of which receive yard trimmings for composting.

## II. LIST OF SUBMITTALS

1. Application for a Yard Debris Processing Facility License, prepared by Trey George III, Plant Manager, dated March 29, 1996, revised in April 1996; received on May 13, 1996, (Attachments: Attachment A - Site Plan; Attachment B - Insurance; Attachment C - Other Permits; Attachment D - Other Information).
2. Letter from Trey George III, Plant Manager for Scotts Hyponex Corporation, dated May 9, 1996, (regarding alleged nuisance complaints), to Bill Metzler, Yard Debris Facility Licensing Program Project Manager for Metro, received on May 16, 1996.
3. Letter from Trey George III, Plant Manager for Scotts Hyponex Corporation, dated September 6, 1996, (regarding goals set by Clackamas County), to Bill Metzler, Yard Debris Facility Licensing Program Project Manager for Metro, received on September 9, 1996. Attachment: Letter from Trey George III, Plant Manager for Scotts Hyponex Corporation, dated July 3, 1996, to Ken Spiegle, Clackamas County Planning Office.

## III. ANALYSIS OF LICENSE APPLICATION

A license will be granted if the Metro Council finds the applicant complies with Metro Code Chapter 5.01 - Solid Waste Facility Regulation and the specific standards set forth in Additional Provisions Relating to the Licensing of Yard Debris Processing Facilities and Yard Debris Reload Facilities (Sections 5.01.230 - 5.01.380).

The Metro Code licensing standards are set out in great detail in order to establish clear and concise standards for a smoother administrative process. A standardized licensing application form was developed to ensure that the information would be sufficiently detailed to illustrate whether or not the facility is in compliance with the applicable Metro Code provisions. This license is the first of nine (9) that staff expects to receive and process over the next ten months (existing facilities have until September 1997 to be licensed by Metro).

Staff have reviewed the license application and other supporting documentation and have found that the facility meets all applicable Metro Code requirements and is eligible for a yard debris processing facility license. The following table summarizes staff's analysis:

Key Metro Code Licensing Provisions	Acceptable	Unacceptable	See details in analysis below
5.01.260 General Yard Debris Facility Design Requirements & Design Plans	X		1
5.01.270 General Operating Requirements for Yard Debris Facilities	X		2
5.01.280 Yard Debris Processing Operations Plan	X		2
5.01.290 Yard Debris Facility Odor Minimization Plans	X		3

In addition, staff offer the following details regarding the application, which are contained in three main parts:

1. Facility Design (corresponds to Metro Code Section 5.01.260 - General Yard Debris Facility Design Requirements & Design Plan).
2. Operational Plan (corresponds to Metro Code Section 5.01.270 - General Operating Requirements For Yard Debris Facilities and Section 5.01.280 - Yard Debris Processing Operations Plan).
3. Odor Minimization Plan (corresponds to Metro Code Section 5.01.290 - Yard Debris Facility Odor Minimization Plan).

#### 1. FACILITY DESIGN

The facility design requirements are intended to ensure that the facility is designed and constructed in safe and suitable manner that can support the type of processing and the quantity of material that the applicant is proposing to process.

Staff has found that this facility is designed and constructed in a manner suitable for maintenance and processing operations, visual inspection of piling areas and fire fighting operations. The facility meets the requirements for effective barriers to unauthorized entry, all-weather access roads, and has sufficient processing and storage capacity to handle incoming volumes of yard debris. The design plan addresses the management of storm water and has met the standards required by Clackamas County.

### General Description

Access to the facility is provided by an all-weather asphalt road. The site is surrounded by a 6' high fence with a gated entrance at the west end of Capps Road. The facility has scales and signs directing traffic flow (see Exhibit D - Site Photographs).

The facility uses a turned windrow composting method and accepts for processing, approximately 45,000 cubic yards of yard debris per year (appx. 15,000 tons per year).

The estimated capacity of the facility storage area for incoming yard debris waiting to be processed is approximately 6,000 tons per year. The estimated capacity for finished product storage is 10,000 tons per year. The facility is capable of processing 75,000 cubic yards per year (appx. 25,000 tons per year).

**Stormwater management:** All surface drainage is directed to a holding (retention) pond which is clay-lined. Stormwater is not discharged into a municipally-owned storm sewer. Drainage ditches surround the tipping area and the grinding area and direct flow to the holding pond.

The retention pond has been designed to store all surface water runoff associated with the 25-year, 24-hour storm event, as required by Clackamas County regulations. Under extreme storm events, the surface water from the site will be discharged into the natural vegetation adjacent to the site. Sheet flow through the vegetation is expected to remove nearly 75 percent of all nutrients associated with surface water runoff. Clackamas County Department of Utilities approved the facility erosion control plan in September 1992.

### Comments:

- The facility has obtained all required permits and approvals from Clackamas County.
- The Oregon Department of Environmental Quality currently does not require permits for this facility.
- The applicant's completed license application and submittals constitutes the Design Plan, and meets all applicable Metro Code requirements for Section 5.01.260 - General Yard Debris Facility Design Requirements & Design Plans.

## 2. OPERATIONAL PLAN (Reference Exhibit D - Site Photographs)

The purpose of the Metro Code operational requirements is to ensure that the facility is operated in a manner that minimizes nuisance impacts on surrounding communities and businesses, while protecting public health and safety.

Staff has found that this facility is operated in a manner that meets Metro Code operational requirements and has submitted an operations plan as part of the license application. The operating plan sufficiently addresses all processing activities and management and monitoring procedures for composting yard debris.

### General Description

Yard trimmings are brought into the facility and weighed on a drive through scale. All loads are weighed or visually inspected for volume and are recorded. The material is then tipped on an uncovered concrete tipping floor, and visually inspected. The yard trimmings (brush, leaves, and grass) are stacked into a pile 10' x 15' x 75' (approximately 600 cubic yards) using a front-end wheel loader. The material is then loaded into a Tub-Grinder and ground down in size (two inches or less) to help achieve a balanced mix of carbon and nitrogen-containing material.

The blended mixture is then moved to the active composting area (three acres) where windrows are formed (4' high x 15' wide x 150' long). The windrows are monitored for moisture and oxygen levels. The windrows are turned on average of every four days, and temperatures are maintained at 135 degrees - 155 degrees Fahrenheit<sup>1</sup>. Windrows are turned if the temperature falls below 130 degrees Fahrenheit. Water is added to the windrows as they are being turned so as to keep an acceptable moisture level. The active composting process typically lasts six weeks.

Once the active composting phase is complete, the material is screened and shipped to their Molalla site for curing in static piles for up to a year in length. The finished compost is then bagged into two and three cubic foot bags and shipped to markets in Washington, Montana, Oregon, and Idaho.

- Noise: Noise levels are controlled and mitigated by not operating earlier or later than normal business hours. Grinding and processing are not conducted on Saturdays or Sundays. Equipment is maintained to ensure proper performance. The Morbark grinder is built to meet Federal noise guidelines.
- Vector control: Vectors are controlled by rapidly processing (within 24 hours) the incoming yard debris waste. Active compost piles and finished product rarely attract or harbor vectors.
- Dust control: Dust is controlled by using a water truck that logs daily watering.
- Litter: The facility grounds are cleaned of litter on a daily basis.

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<sup>1</sup> Optimum pile temperature range is 130-140 degrees Fahrenheit.

- Fire prevention and control measures: Fire prevention includes turning and monitoring the piles to ensure temperatures are at a good level. Every piece of equipment has a fire extinguisher and the water truck has a high pressure watering hose. All facility associates are trained in fire control. The facility composts in windrows which allows rapid isolation of potential hot spots. Extremely high temperatures (greater than 170 degrees Fahrenheit) in a pile can result in spontaneous combustion.

Comments:

- The applicant's completed license application and submittals constitutes the Operations Plan, and meets all applicable Metro Code requirements for Section 5.01.270 - General Operating Requirements for Yard Debris Facilities and Section 5.01.280 - General Yard Debris Facility Design Requirements & Design Plans.

### 3. ODOR MINIMIZATION PLAN

The purpose of the Metro Code odor minimization plan requirement is to ensure that the facility is operated in a manner that minimizes, manages and monitors odor impacts on surrounding communities and businesses.

Staff has found that this facility is operated in a manner that meets the applicable Metro Code requirements and has submitted an odor minimization plan as part of the license application. The odor minimization plan sufficiently addresses all processing, odor management and monitoring procedures.

General Description

Since deliveries of accumulated grass clippings from landscape companies can be a primary source of odor, loads of bad smelling grass clippings are immediately processed (within 2-3 hours of receipt). Grass clippings are blended with dryer, woody yard trimmings (carbon source), ground and formed into windrows where the active aerobic composting process takes place. Odors are controlled and minimized through responsible and proper processing procedures and techniques. Rapid processing and aerobic windrow composting help reduce the potential for odor problems.

Odor complaints: Complaints are recorded and the facility is inspected by facility staff for possible problem sources. The plant manager works with the complainant to resolve any problems. Odor complaints (and other facility complaints) brought to Metro's attention will be handled through the Metro Licensing Program.

Comments:

- The applicant's completed license application and submittals constitutes the Odor Minimization Plan, and meets all applicable Metro Code requirements for Section 5.01.290 - Yard Debris Facility Odor Minimization Plans.

#### **IV. CONCLUSIONS**

In assessing the Scotts Hyponex yard debris processing facility for compliance with the relevant Metro Code provisions, staff has reviewed all required submittals and has determined that they meet the requirements of the Metro Code related to licensing yard debris processing facilities. In addition, staff conducted a site inspection on September 27, 1996, and verified that the facility is currently operated in compliance with applicable provisions in Metro Code Chapter 5.01.

Based on information provided in the license application, Clackamas County Design Review Conditions, and a site inspection conducted by staff on September 27, 1996, the following site improvement is recommended:

- A landscape buffer consisting of either evergreen or deciduous trees be planted along the western property fence line to mitigate visual impacts. The trees should be closely spaced, of sufficient size, and capable of growing to an appropriate height to form an effective visual buffer zone. The planting plan for the landscape buffer must be reviewed and approved by Clackamas County and Metro.

The license agreement ensures that the facility will operate in accordance with the purpose of Metro's licensing program to protect public health and safety and maintain consistency with the Regional Solid Waste Management Plan. The Metro licensing program includes problem resolution through intergovernmental cooperation, technical assistance and enforcement measures.

#### **V. BUDGET IMPACTS**

There will be a slight increase in revenues from the annual license fee paid by the licensee of \$300 per year. Current staffing levels are expected to be adequate to handle any technical assistance or enforcement requirements that might arise from licensing this facility. The impact of licensing all nine of the facilities expected to apply by September 1997, will be addressed during the FY 1997-98 budget process.

#### **VI. STAFF RECOMMENDATION**

Based on the foregoing analysis it is the opinion of staff that Scotts Hyponex Corporation should be granted a yard debris processing facility license in accordance with the provisions of the License attached to Ordinance No. 96-666 as Exhibit A.

#### **VII. EXECUTIVE OFFICER'S RECOMMENDATION**

The Executive Officer recommends adoption of Ordinance No. 96-666.

**SUBMITTAL 1**  
**Licensing Application for a Yard Debris Processing Facility**

**List of Attachments:**

- Attachment A - Site Plans
- Attachment B - Insurance
- Attachment C - Other Permits
- Attachment D - Other Information



**REVISED**

Received May 13, 1996

DATE RECEIVED BY METRO:

MAIL THIS APPLICATION TO:

Metro  
Attn.: Bill Metzler  
Regional Environmental Management  
600 N.E. Grand Avenue  
Portland, OR 97232-2736

**RECEIVED**

METRO REGIONAL  
MANAGEMENT

**LICENSE APPLICATION FORM**

**YARD DEBRIS PROCESSING FACILITY**

Check all that apply:

- Yard Debris Composting   X
- Other (specify)

Note: This form should not be used for yard debris reload facilities. A separate form for reload facilities is available from Metro.

Date of Application:   3-11-96  

**PART 1**

1. NAME OF FACILITY:   Scotts Hyponex  

Facility Address:   11620 SE Capps Road  

  Clackamas, Oregon 97015  

2. PROSPECTIVE LICENSEE

Public Agency:            Private:   X  

Name of Licensee:   Scotts Hyponex  

Mailing Address:   535 W. Main  

  Molalla, Oregon 97038  

Phone Number:   (503)829-2781



3. OWNER(S) OF PROPERTY

Name: Terry Emmert - Emmert Inc.  
 Mailing Address: 11811 SE Hwy 212  
Clackamas, Oregon 97015  
 \_\_\_\_\_  
 Phone Number: \_\_\_\_\_

4. SUBCONTRACTOR(S)

Name, address and function of any prospective licensee's facility operation subcontractors:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

5. SITE LEGAL DESCRIPTION

(Include tax lot(s) descriptions, Section, Township and Range):  
Northeast Corner Lot 1, Tax Lot 1800 9.57 Acres  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 SECTION 15 TOWNSHIP 2 South RANGE 2 East

6. ZONING

Present Land Use Zone: I-3  
 Restrictions: Section 1009.10  
Subsections 603.03D and 603.03I

7. Is a conditional use permit necessary for the facility?

Yes \_\_\_\_\_ No   x  

If required, has the permit been obtained?

Yes \_\_\_\_\_ No \_\_\_\_\_

8. PUBLIC HEARING(S)

Date(s) and nature of Public Hearing(s) held or to be held, if any:

  N/A    
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. PERMITS ISSUED OR APPLIED FOR

List name and number of all permits (i.e., DEQ Solid Waste Disposal Permit, Conditional Use Permit, National Pollution Discharge Elimination System Permit, Etc.), plus name, address, and contact person at the agency responsible for issuing the permit(s).

Permit(s) Applied for:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Permit(s) Received:

  There is no restriction on this property. This facility falls  
  under Standard Industrial Code 999, which at this point DEQ does  
  not require a Storm Water Permit. The property is zoned I-3,  
  which enabled us to open with no conditional use permit. We  
  were grandfathered in by Clackamas County.

10. ESTIMATED QUANTITY OF YARD DEBRIS TO BE ACCEPTED

Annually: <sup>45,000</sup>~~21,750~~ cubic yards      Daily: 96 cubic yards

Annually: 15,000 tons (optional)      Daily: \_\_\_\_\_ tons (optional)

*or*  
*12/7/96*  
*12/18/96* ~~MAXIMUM~~ CAPABLE OF ACCEPTING AT LEAST 25,000 TONS/YEAR  
(75,000 cubic yards)

11. PUBLIC/COMMERCIAL OPERATIONS

Will the facility be open to the public?      Yes X      No \_\_\_\_\_

Will the facility be open to commercial solid waste collectors?      Yes X      No \_\_\_\_\_

12. OPERATING HOURS AND TRAFFIC VOLUME

OPERATING HOURS	PUBLIC	COMMERCIAL
Hours Per Day	10	10
Days Per Week	6	6
Estimated Vehicles Per Day	30	30

13. Does the owner/operator of this facility own, operate, maintain, have a proprietary interest in, or is the owner financially associated with or subcontracting the operation of the facility to any individual, partnership or corporation involved in the business of collecting residential, commercial, industrial or demolition refuse within the boundary of Metro?

Yes \_\_\_\_\_      No X

14. Will the facility be open to solid waste collection companies who collect outside the boundary of Metro ?

Yes \_\_\_\_\_      No X

**PART 2**

**GENERAL FACILITY DESIGN PLAN**

1. Describe how stormwater is managed at the facility.

All drainage is directed to a holding pond which is clay lined.

Storm water is dealt with as if we had a storm water permit.

It is identical except we don't test twice a year

\_\_\_\_\_  
\_\_\_\_\_

a. Is precipitation run-on diverted around the processing area?

Yes X No \_\_\_\_\_

Describe Drainage ditches are around the dump and grinding area which is directed to a holding pond.

\_\_\_\_\_

b. Is run-off from the facility controlled?

Yes X No \_\_\_\_\_

Describe Lagoon or sediment pond.

\_\_\_\_\_  
\_\_\_\_\_

2. Describe any barriers that the facility has (or will have) to prevent unauthorized entry and dumping (fencing, gates, locks).

Fences with locked gate, and there is only one opening, opened during working hours.

\_\_\_\_\_  
\_\_\_\_\_

3. Are there all weather access roads to the site?

Yes X No \_\_\_\_\_

4. Does (or will) the facility have scales?

Yes  X  No

5. Does the facility have signs (at entrance, directing traffic flow, public information) ?

Yes  X  No

Please describe the location(s) and type of sign(s):

Large steel sign near the entry gate.

6. What is the estimated capacity (cubic yards) of the facility storage area(s) for incoming yard debris waiting to be processed?

6,000 tons

7. What is the estimated capacity (cubic yards) for finished product storage?

10,000 tons

8. Please describe how you handle, store and remove hazardous or other non-permitted or non-compostable wastes delivered to the facility.

The incoming loads are dumped where an associate is viewing   
 at all times. We have a clean green policy any contaminants   
 found are stored until a waste controller picks them up.

**PART 3**

**GENERAL OPERATING PLAN**

1. Describe your methods of measuring and keeping records of incoming yard debris.

All loads are weighed or visually inspected for volume. They are then recorded on a computer ticket, which one copy is given to the customer, the second is stored, and the third copy is used for billing. Then they are entered into a personal computer then down loaded to the main corporate offices.

2. How often are the facility grounds cleaned of litter?

House cleaning is an on-going process, we clean all day every day. John P. Lehl picks up twice a week.

3. Describe how you encourage delivery of yard debris in covered loads.

All loads are required to be tarped.

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4. Describe how you control the types of materials you receive, and methods for removing, recovering and disposing of non-compostables.

By processing everyday our incoming pile is easy to work, we visually inspect all incoming loads and are consistantly looking for contaminants. Non-compostables not only influence the quality of our compost but cause excessive wear and tear on our equipment.

By monitoring all incoming material, we have total control over the products received.

5. Where do you dispose of non-compostable wastes?

John P. Lehl

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6. Please give a general description of the steps you take to process yard debris (from delivery to end-product).

We grind with a Morbark 1200 to a 2 inch minus product. We then windrow the product through the composting stages. We do not do static piles. Temperature readings are taken daily and oxygen readings every three days. We turn the piles as needed to insure no anaerobic effects. Once stabilized we use an RSTI Trommel Screen to make various sizes. Overs go back through the system.

7. What is the maximum length of time required to process each day's receipt of:

a. Yard debris ? 2-3 hours

b. Grass clippings ? 2-3 hours

8. How long does it typically take to process yard debris at your facility (from receipt to finished product)?

4 months to 6 months depending on the weather.

- a. How long do you cure the finished product?

One year

9. If applicable, what are the dimensions of the windrows or piles that are typically constructed at your facility (length, width, height)?

280 feet X 16 feet X 4 to 6 feet

10. How do you manage the windrows or piles? What kind of equipment do you use?






We manage windrows with a 950F and Wildcat Windrow Turner.

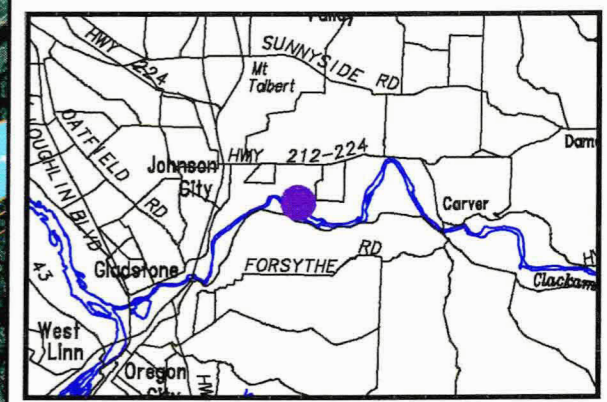
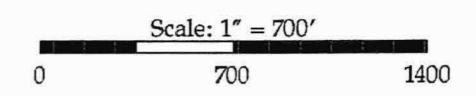
We take daily temperature readings, and oxygen readings every two to three days. During the dryer months we also take moisture samples.



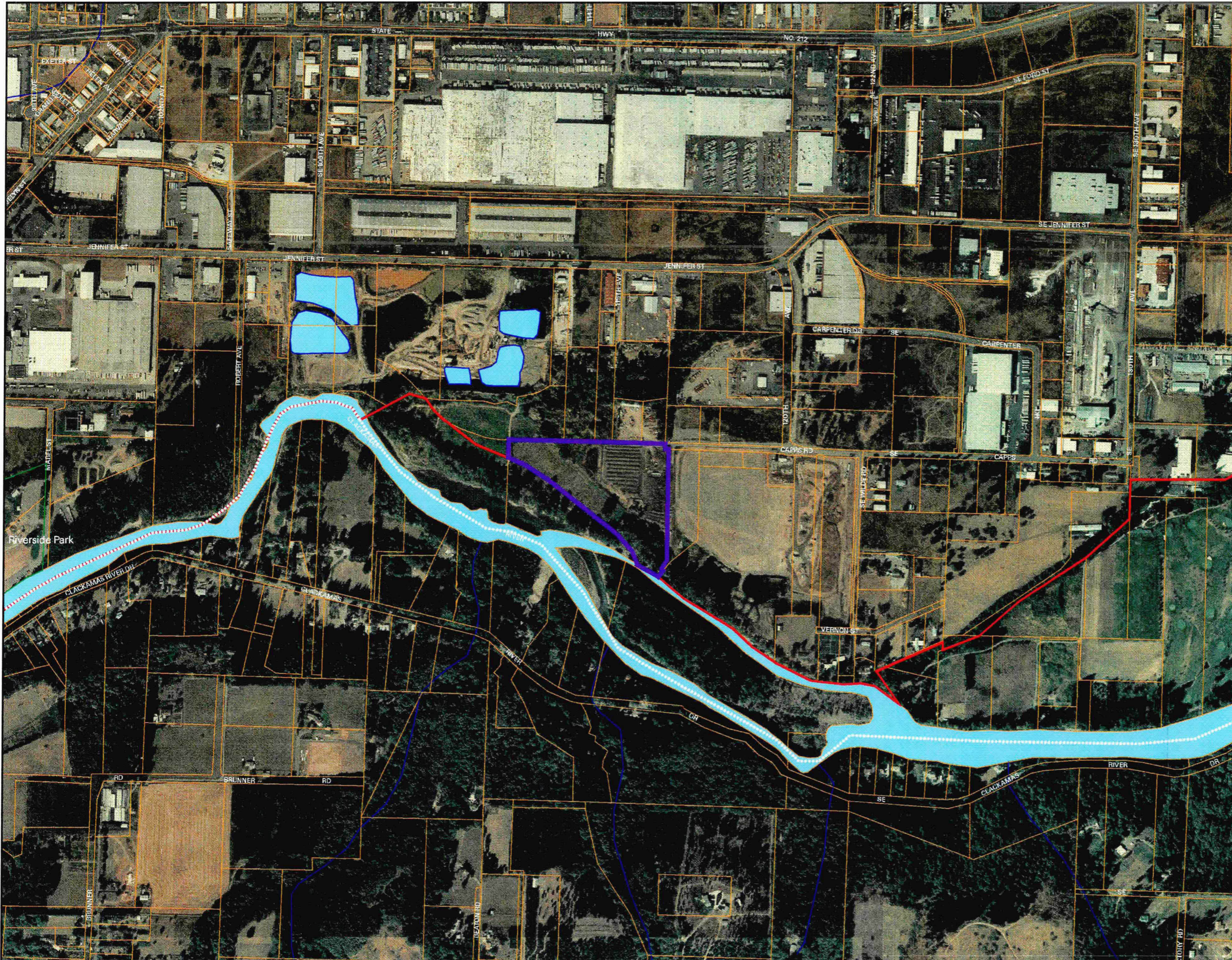
# Exhibit B Scotts Hyponex

11620 SE Capps Road  
Clackamas, Oregon 97015  
1994 Aerial Photos

-  Metro Boundary
-  Urban Growth Boundary
-  Taxlots
-  County Line
-  Subject Property



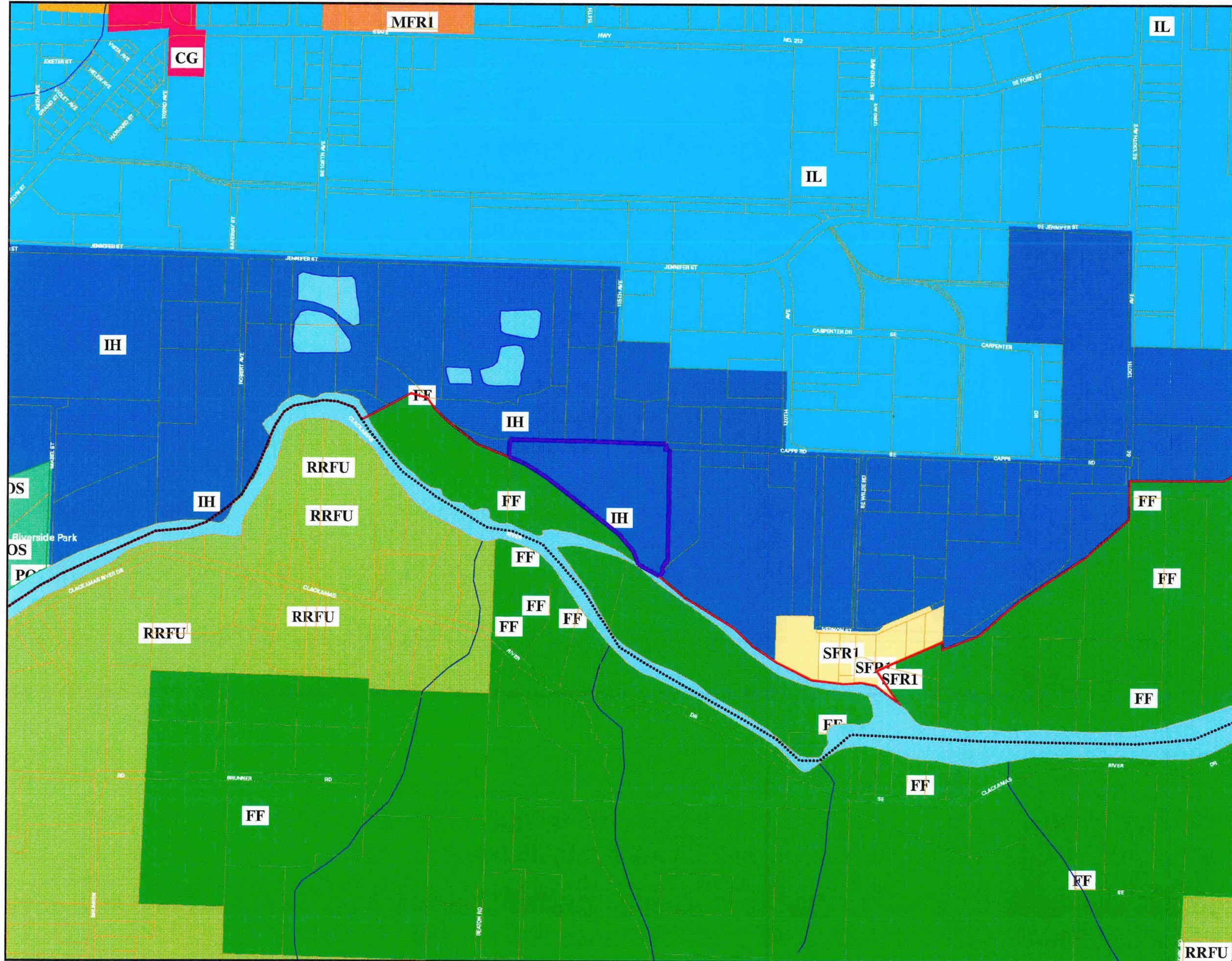
600 NORTHEAST GRAND AVENUE PORTLAND, OREGON 97232 2736  
 TEL 503 797 1742 FAX 503 797 1909  
 Internet drc@metro.dst.or.us



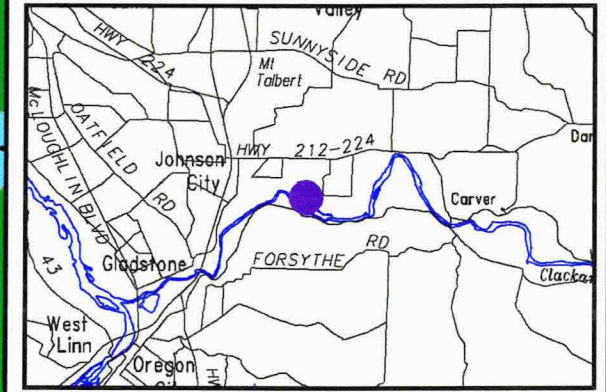


# Exhibit C Scotts Hyponex

11620 SE Capps Road  
Clackamas, Oregon 97015  
Zoning

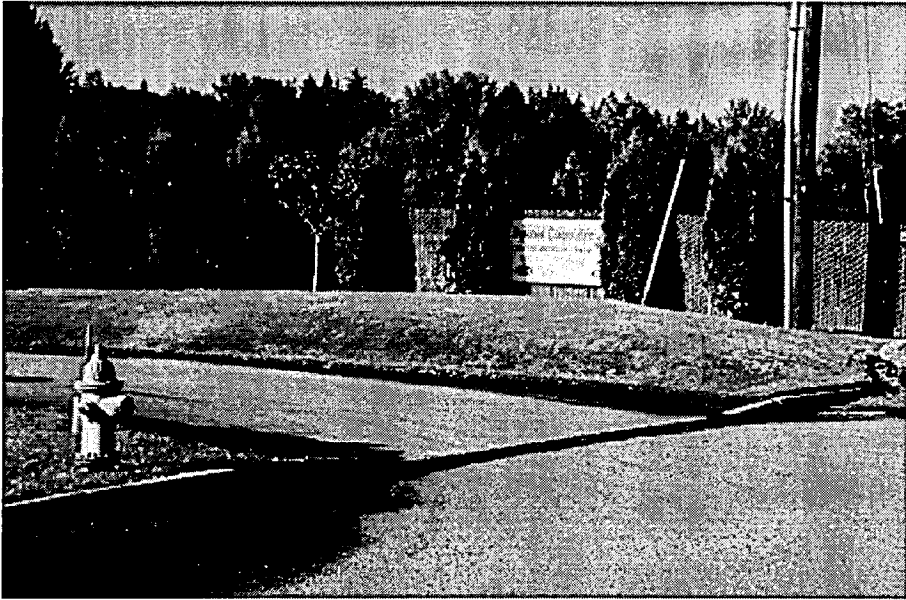


- Agricultural or Forestry
- Rural
- Single Family  
10,001-40,000 sq. ft. lots
- Single Family  
7,001-10,000 sq. ft. lots
- Single Family  
5,000-7,000 sq. ft. lots
- Multi-Family  
8-25 units/acre
- Multi-Family over  
25 units/acre
- Planned Unit Development/  
Mixed Use
- Neighborhood Commercial
- General Commercial
- Office Commercial
- Central Commercial
- Mixed Use Commercial/Residential  
up to 20 units/acre
- Mixed Use Commercial/Residential  
over 20 units/acre
- Mixed Use Industrial
- Light Industrial
- Heavy Industrial
- Parks/Open Space
- Public Facilities

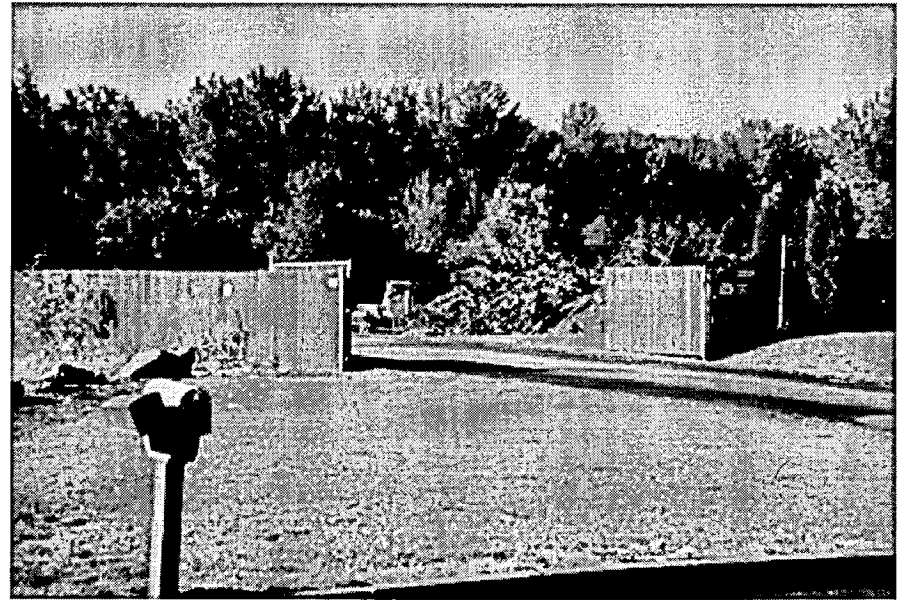


600 NORTHEAST GRAND AVENUE PORTLAND, OREGON 97232 2736  
TEL 503 797 1742 FAX 503 797 1909  
Internet drc@metro.dst.or.us

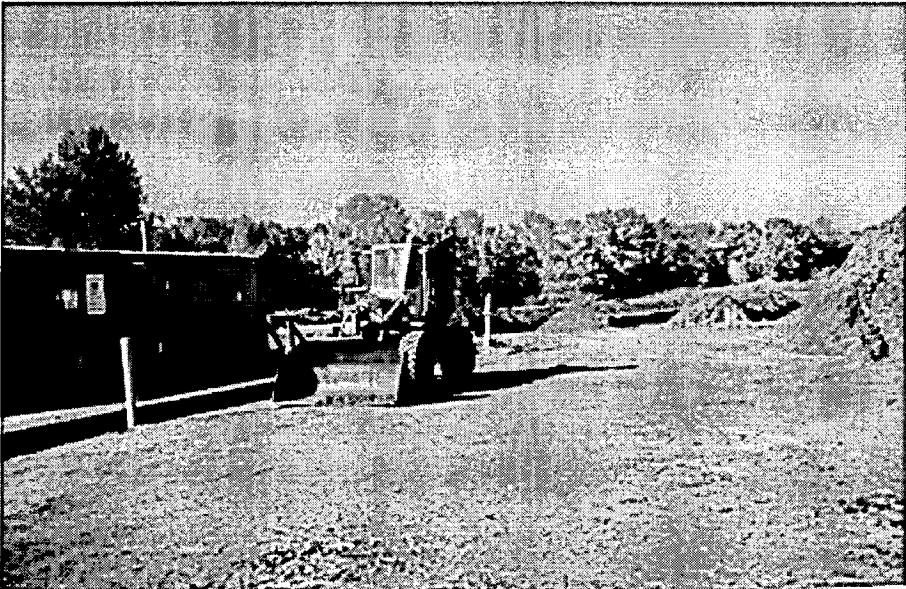




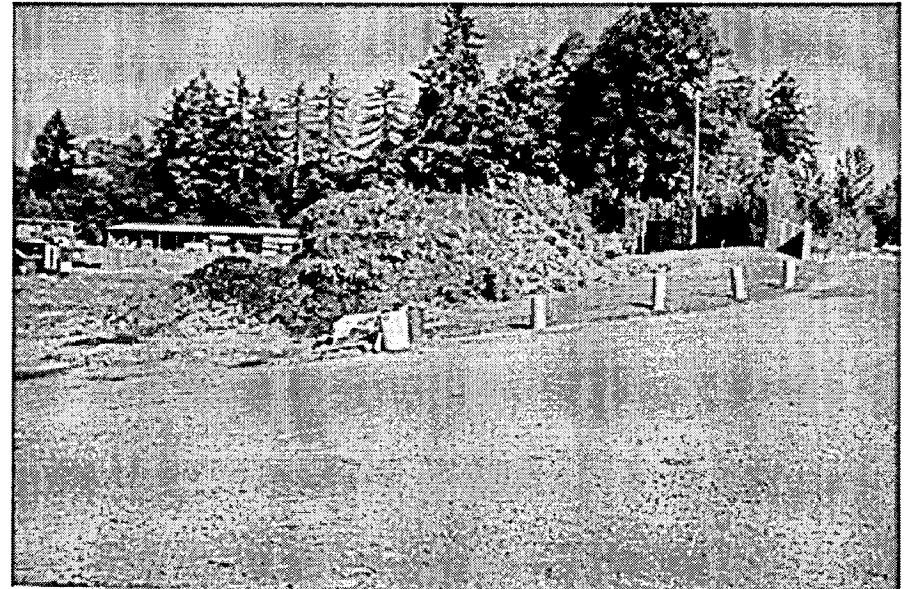
Facility entrance road, signage, fencing and landscaping



Gated facility entrance with yard debris tipping area visible



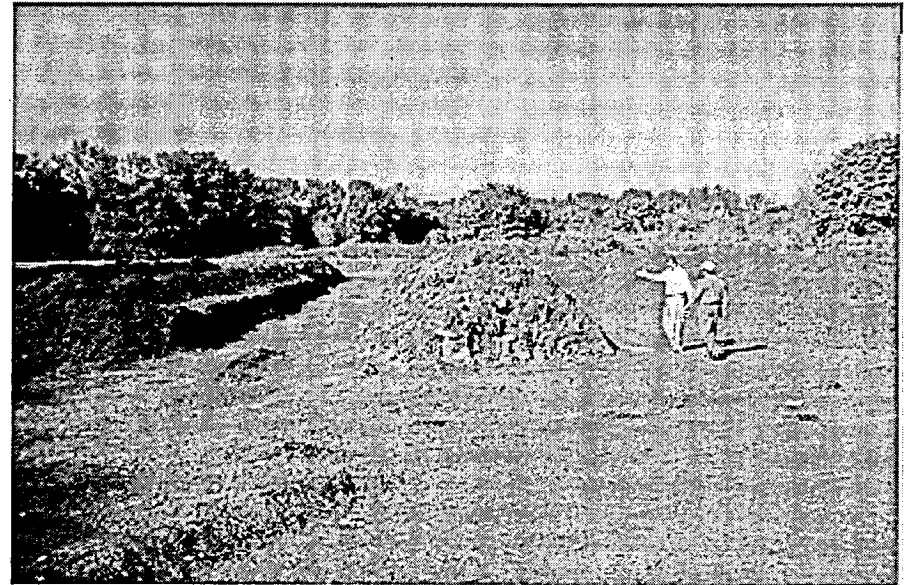
Facility office and scales with compost windrows in the background



Yard debris tipping area



Yard debris intake, grinding and blending area (tub grinder)



Windrow composting area (typical dimensions: 4'-6' high x 15' wide x 150' long)



Compost screening process (trommel screen)



Screened bulk compost

11. Describe how you control the following:

a. Noise (from machinery and equipment):

We control noise by operating solely during normal business  
hours. We maintain our equipment to ensure proper performance.  
We use good common sense to deal with residents.

b. Vectors (insects, birds, rodents):

By using proper processing technics.

c. Dust:

We have a water truck which logs daily watering.

d Litter:

Pick it out, and have John P. Lehl pick it up.

12. Describe the fire prevention, protection and control measures used at the facility.

Turning piles to insure temperatures are at a good level by  
monitoring the piles. Every piece of equipment has a fire  
extinguisher plus the water truck has a high pressure hose.  
all our associates are trained to deal with fires.

13. Does (or will) the facility have legible sign(s) at public entrances including:

Name of facility?	Yes <u>X</u>	No <u>   </u>
Name of the operator?	Yes <u>X</u>	No <u>   </u>
Hours of operation?	Yes <u>X</u>	No <u>   </u>
List of materials that will and will not be accepted?	Yes <u>X</u>	No <u>   </u>
Schedule of charges?	Yes <u>X</u>	No <u>   </u>
Phone number in case of emergency?	Yes <u>X</u>	No <u>   </u>

14 Describe your methods for monitoring and adjusting the following (during processing):

a. Temperature:

36" temperature probe. Temperature is monitored between 135 F and 150 F. During the compost process if the temperature falls out of proper range we turn with the Wildcat Wind row turner.

b. Oxygen levels:

We monitor oxygen readings by using an oxygen meter. Oxygen readings under 12% would be turned to keep from having any anaerobic effects.

c. Moisture levels:

We pull moisture samples every week with target at 40%. If the target moisture is not met we then turn the piles. But in the PNW this does not seem to be a problem.

15. In general, what are your plans (existing or proposed) for marketing the finished product?

We have a bagging plant in Molalla, which uses the majority of the product. Some is sold to nurseries.

**PART 4**

**ODOR MINIMIZATION PLAN**

1. Generally describe how you handle loads of bad smelling yard debris and grass clippings?

We immediately process them, and mix them with carbon to nitrogen level to optimum levels for composting. Excessive nitrogen in compost causes odor. We balance our nitrogen in flow, with woody products.

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2. Describe your procedures for receiving, recording and remedying odor complaints or odor problems at the facility.

Take the call record it in writing, and visually inspect for a problem. If possible deal with the complaintant one on one.

Act professionally and responsibly.. Never assume an odor complaint isn't legitimate, and deal with them as they are all of importance.

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3. Describe your methods for minimizing and controlling odors at the facility.

Following procedures, by processing properly you should not have any. Refer to question one.

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4. Describe your procedures for avoiding delay in processing yard debris during all weather conditions.

Preventive Maintenance insures we are ready to process everyday.  
Our site drains well, so consistant turning is possible. In  
emergency we can divert by closing the gate.

5. Prior to turning or moving composted material, describe how the following factors are considered:

a. Time of day:

By turning in the morning the due point helps minimize odor.

b. Wind direction:

We always maintain wind direction and all weather conditions  
to minimize off-site impacts. We have a computer weather  
station which assists in these conditions.

c. Percent moisture:

Add water to keep moisture, and make larger wind rows to shed  
some of the water.

d. Estimated odor potential:

By using ones common sense and monitoring oxygen recordings

s:\sharometzlyrdebris\license\app\_for\license app



## **LIST OF ATTACHMENTS**

1. ATTACHMENT A - SITE PLAN
2. ATTACHMENT B - INSURANCE
3. ATTACHMENT C - OTHER REQUIRED PERMITS

## 1. ATTACHMENT A: SITE PLAN

The application must contain maps, drawings or diagrams showing the location of the facility at a scale no smaller than one inch equals 100 feet. The following information must be provided:

- a) The boundaries of the facility;
- b) The boundaries of the composting area;
- c) The property boundaries, if different;
- d) The location of all buildings on the property and other pertinent information with respect to the operation of the facility (e.g. water supply, fencing, access roads, paved areas, etc.);
- e) The location and approximate dimensions of receiving, processing, curing, and storage areas for yard debris, end-product, and waste residuals; and
- f) The drainage patterns of the composting facility and surrounding areas. For example, the direction of both on-site and off-site drainage, as well as the location of any ditches, swales, berms, or other structures that exist or will be constructed to control runoff and leachate generated by the facility's operation.
- g) The prevailing seasonal wind directions (Spring, Summer, Fall and Winter).

*(The following additional information is required for all new and proposed yard debris processing facilities:)*

- h) Landscape plan showing the location, size and type of plantings, fences, berms, and existing trees to remain and/or to be removed.
- i) Drawings of the site that indicate location of initial and permanent roads; buildings and equipment to be installed; sewer and water lines; and storm water system. The drawings shall show final grade contours (required for only new or relocating facilities).

## 2. ATTACHMENT "B": INSURANCE

The application must contain a letter demonstrating that the applicant can obtain public liability insurance, including automotive coverage, in the amounts of not less than Five Hundred Thousand Dollars (\$500,000) for any number of claims arising out of a single accident or occurrence, Fifty Thousand Dollars (\$50,000) to any claimant for any number of claims for damage to or destruction of property, and One Hundred Thousand Dollars (\$100,000) to any claimant for all other claims arising out of a single accident or occurrence or such other amounts as may be required by State Law for public contracts.

## 3. ATTACHMENT "C": OTHER REQUIRED PERMITS

The application must contain one copy each of any required federal, state, county, city or other permits or licenses and one copy each of all correspondence pertaining to all such permits or licenses.

**LICENSE APPLICANT**

I hereby certify that the information contained in this application is true and correct to the best of my knowledge. I agree to notify Metro within 10 days of any change in the information submitted as a part of this application.

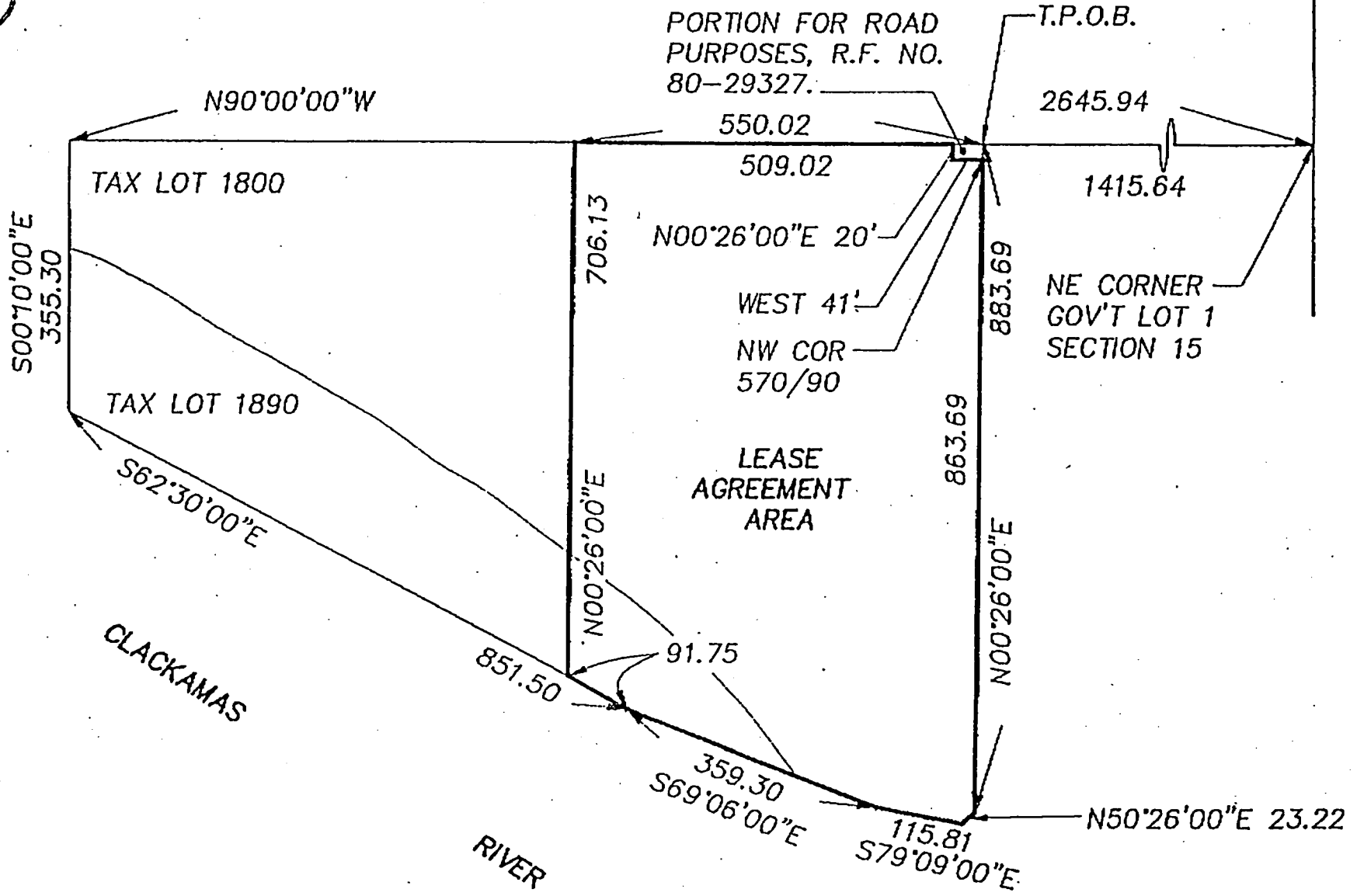
Signature and title of person completing this application:

SIGNATURE Trey George III TITLE Plant Manager  
Trey George, III

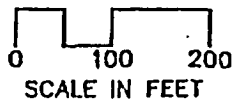
DATE 3/29/96 PHONE (503) 829-2781  
March 29, 1996

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POR. SEC. 15, T 2 S, R 2 E, WM  
 CLACKAMAS COUNTY, OREGON



Attachment A - Site Plan  
 (Submittal 1)



SUR. 11 32 01.30 PHR/HEIKLA-PURILHINU

P.2/3

## DESCRIPTION FOR LEASE AGREEMENT

A portion of the Northwest quarter of Section 15, Township 2 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon, described as follows:

### Parcel I

Commencing at the Northeast corner of Government Lot 1, in said Section 15; thence along the North line of said Lot 1 and Government Lot 2, North 90°00'00" West 1415.64 feet to a point that bears North 0°26'00" East 20.00 feet from the Northwest corner of that certain tract of land conveyed to Charles Edward Grant, et ux, by deed recorded in Book 570, Page 90, Clackamas County Deed Records, said point being the TRUE POINT OF BEGINNING; thence continuing North 90°00'00" West 550.02 feet; thence leaving said North line, South 0°26'00" West 706.13 feet to the Southwesterly line of that certain tract of land conveyed to Safeco Title Insurance Company by deed recorded as instrument number 85-36777, Clackamas County Deed Records; thence along said Southwesterly line South 62°30'00" East 91.75 feet; thence South 69°06'00" East 359.30 feet; thence South 79°09'00" East 115.81 feet; thence North 50°26'00" East 23.22 feet to the West line of said Grant Tract; thence along said West line North 0°26'00" East 883.69 feet to the True Point of Beginning.

EXCEPTING therefrom that portion conveyed to Clackamas County, Oregon for road purposes by instrument Recorded August 7, 1980, as Recorder's Fee No. 80-29327, Clackamas County Records, described as follows:

Beginning at the Northeast corner of the above described Parcel; thence West along the North line of said Parcel I, 41.00 feet more or less, to the Southwest corner of that tract described in Book 557, Page 108, Clackamas County Deed Records; thence South 20.00 feet parallel to the East line of said Parcel I; thence East 41.00 feet, more or less, to the East line of said Parcel I; thence North along said East line 20.00 feet to the point of beginning.

Post-It™ brand fax transmittal memo 7671		# of pages ▶ 3
To Ward Jessop	From Becky Crckett	
Co. Scotts	Co. Parametrix	
Dept.	Phone # (503) 256-5444	
Fax # 209-887-3890	Fax #	



# ADDITIONAL CERTIFICATE OF INSURANCE

DATE (MM/DD/YYYY)  
2/29/96

Rollins Hudig Hall of Ohio, Inc  
250 East Fifth Street  
Suite 1800  
Cincinnati, Ohio 45202  
513-521-0130

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

The Scotts Company and its Subsidiaries  
14111 Scotts Lane Road  
Marysville, Ohio 43041

COMPANIES AFFORDING COVERAGE	
COMPANY	A United Capital Insurance
COMPANY	B Zurich-American/American Guar
COMPANY	C
COMPANY	D

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOT WITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN. THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

NO. OF LINES	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR OWNERS & CONTRACTORS PROT <input checked="" type="checkbox"/> Broad Form Vendors	GLA1001862 LIMITS APPLY XS OF SIR \$500,000 - PRODUCTS & \$100,000-GL	3/01/95	3/01/97	GENERAL AGGREGATE \$ 3,000,000
					PRODUCTS-COMP/OP ACC \$ 3,000,000
B	<input checked="" type="checkbox"/> ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS	BAP6182025-07 A/O  EXCEPT:  MA 5182033-07 MA  TAP5182032-07 TX	3/01/95	3/01/97	COMBINED SINGLE LIMIT \$ 2,000,000
					BODILY INJURY (Per person) \$
	<input type="checkbox"/> ANY AUTO				BODILY INJURY (Per accident) \$
					PROPERTY DAMAGE \$
	<input type="checkbox"/> UMBRELLA FORM <input type="checkbox"/> OTHER THAN UMBRELLA FORM				AUTO ONLY - EA ACCIDENT \$
					OTHER THAN AUTO ONLY: \$
B	WORKERS COMPENSATION AND EMPLOYERS LIABILITY THE PROPRIETOR/ PARTNERS/EXECUTIVE OFFICERS ARE: <input type="checkbox"/> INC. <input type="checkbox"/> EXC.	WCS182023-08 ALSO SEE ATTACHED SCH	3/01/96 3/01/96	3/01/97 3/01/97	<input checked="" type="checkbox"/> STATUTORY LIMITS \$
					EACH ACCIDENT \$ 1,000,000
	OTHER				DISEASE - POLICY LIMIT \$ 1,000,000
					DISEASE - EACH EMPLOYEE \$ 1,000,000

DESCRIPTION OF OPERATIONS, LOCATION, VENDOR, SPECIAL ITEMS  
Certificate Holder is named as an Additional Insured where required by written contract with the Named Insured.

CANCELLATION  
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL endeavor to MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT. BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.  
*Deborah A. Branca* 100-17000

**SUBMITTAL 1: Attachment C**

**Other Permits**

**Building Permit**

**Street Construction and Encroachment Permit**

**Erosion Control Plan/Storm Water Erosion Control Application**

**Design Review Committee Action and Minutes**



POST THIS CARD IN A CONSPICUOUS, ACCESSIBLE LOCATION

# CLACKAMAS COUNTY

Department of Transportation & Development  
902 Abernethy Road, Oregon City, Oregon

## BUILDING PERMIT

Date 10-1, 1992 Permit No. B2978-92

Location 14620 Capps Rd

Owner Arave Const

Builder \_\_\_\_\_

I. Stohr, Sr.  
Building Services Division - 655-8521

### INSPECTIONS

Inspections are required and must be requested at least one working day before the day an inspection is needed. Permit number must be provided with the inspection request.

FOR INSPECTIONS CALL THE 24-HOUR INSPECTION NUMBER - 655-8690

### REQUIRED INSPECTIONS

- FOOTINGS, FOUNDATIONS.** After excavation and forms completed, reinforcing (if required) in place but before pouring concrete.
- CONCRETE SLABS, FLATWORK.** After in-slab or underslab service accessories (if any) and vapor barrier in place but before pouring concrete.
- MASONRY FIREPLACES.** During construction but not later than first course of flue liner. Fireplace and chimney must be in place at time of frame cover inspection.
- OTHER MASONRY.** During construction.
- FRAME COVER.** After all framing, fire blocking, bracing, roof and wall sheathing in place, chimneys, vents and concealed ducts installed, rough plumbing and wiring approved.
- INSULATION AND VAPOR BARRIERS.** After insulation and vapor barriers in place but before covering. This inspection may be combined with frame cover or final inspection if insulation and vapor barriers are not concealed at the time of inspection.
- GYPSUM BOARD/LATH.** After gypsum board in place before taping and finishing; After lath in place, before plastering.
- MECHANICAL.** See Mechanical Permit Card.
- OTHER:** \_\_\_\_\_
- FINAL INSPECTION.** After finish grading and building is completed and ready for occupancy.

SEE OTHER SIDE FOR ADDITIONAL INFORMATION



# CLACKAMAS COUNTY, OREGON

Department of Transportation & Development  
 Building Services Division  
 902 Abernethy Road, Oregon City, Oregon 97045  
 Office Phone: (503) 655-8521  
 Fax Line: (503) 650-3019  
 Electrical Inspection Line: (503) 655-8699  
 All Other Inspections: (503) 655-8690

*Building Permit*

Permit No : 80297892  
 Permit Type : C COMMERCIAL BUILDING  
 Permit Status : APPROVED  
 Permit Address : 11620 SE CAPPS RD  
 Permit Title : O M SCOTT/OFFICE & COMPOSTSITE  
 Permit Descr : YARD TRIMMING COMPOST FACILITY/I-3  
 Development :  
 Development Fee:  
 Parcel Number : 22E15A -01800  
 Duration : 2.400  
 Owner : CEMMERT TERRY W  
 Applicant Name : O M SCOTT & SONS, WARD JESSUP  
 Applicant Addr : P O BOX 478  
 LINDEN CA 95236  
 Applicant Phone: 209 837-3845

Page : 1 of 1  
 Date : 10/01/92  
 Time : 13:39

Applied : 10/01/92  
 Approved : 10/01/92  
 Completed :  
 To Expire : 03/30/93

Construction : NEW  
 Classification :  
 Occupancy :  
 Validated by : SS  
 Inspector Area :

CONTRACTOR : BEAVE CONSTRUCTION CO Lic. C 22967 000 6397380  
 12276 SW SUMMERCREST  
 TIGARD OR 972230000

Plot Plan Setbacks: > FE N/ FE S  
 > FE E/ FE W  
 Proposed Solar Height > FE  
 Average Building Height > FE  
 Zone/File #/Conditions > /

Fee description	Units	Fee/Unit	Ext fee	Data
Enter Valuation.....>	2400			
Building Fee.....(Y/N)>	0		36.50	Y
Plan Review Fee.....(Y/N)>	0		25.03	Y
State Surcharge (5%)	0		1.93	
*** Fees Required ***				***
			<b>Fees Collected &amp; Credits</b>	***

Receipt No.	Date	Payment
	10/01/92	65.46
	*****	65.46
<b>TOTAL THIS DATE</b>		
Fees:	65.46	
Adjustments:	.00	
<b>Total Fees:</b>	<b>65.46</b>	
	<b>Total Credits:</b>	<b>.00</b>
	<b>Total Payments:</b>	<b>65.46</b>
	<b>Balance Due:</b>	<b>.00</b>

**NOTICE:** Inspections are required and must be requested at least one working day before the day an inspection is needed. Permit Number and type of inspection must be provided with the inspection request. A reinspection fee may be charged when work for which inspection was requested was not ready for inspection or when required corrections had not been made.

Building, Plumbing, Mechanical, Electrical and Mobile Home Permits become null and void if the work or construction for which the permit is issued is not commenced within 180 days or if work is suspended or abandoned for 180 days after work has begun under this permit. Septic Tank Permits are valid for one year from the date of issuance.

I certify that the information presented by the applicant in support of this permit is true and correct to the best of my knowledge.

*Ward Jessup*  
 \_\_\_\_\_  
 SIGNATURE OF APPLICANT



# CLACKAMAS COUNTY

COPY

Department of Transportation & Development

WINSTON KURTH  
EXECUTIVE DIRECTOR

RICHARD DOPP  
DIRECTOR  
OPERATIONS & ADMINISTRATION

TOM VANDERZANDEN  
DIRECTOR  
PLANNING & DEVELOPMENT

October 1, 1992

Parametrix, Inc.  
ATTENTION: BECKY CROCKETT  
7820 NE Holman, Suite B-6  
Portland, OR 97218

SUBJECT: THE O. M. SCOTT & SONS COMPANY YARD TRIMMING COMPOST  
FACILITY LOCATED IN CLACKAMAS

Enclosed is a Street Construction and Encroachment Permit detailing the access improvement. Please review this permit, sign and return the yellow copy for placement into the County road files along with the \$400 permit and inspection fee.

*Walter Tschudy*  
WALTER TSCHUDY - Development Coordinator  
Construction & Development Section

WT/kb

cc: ~~O. M. Scott & Sons Company~~  
2339 Flood Road  
PO Box 479  
Linden, CA 95236



CLACKAMAS COUNTY  
 DEPARTMENT OF TRANSPORTATION & DEVELOPMENT  
 902 Abernethy Road  
 Oregon City, OR 97045  
 655-8521

**STREET CONSTRUCTION AND/OR ENCROACHMENT  
 APPLICATION AND PERMIT**

*Permit for driveway approach*

- Commercial
- Industrial
- Minor Partition
- Major Partition
- Subdivision
- Street Dedication
- Other

N-13

File No. \_\_\_\_\_

Project Address SE Capps Road Plat Name 15  
2S 2E 1800

Township Parametrix, Inc. Range \_\_\_\_\_ Section \_\_\_\_\_ Tax Lot \_\_\_\_\_

Applicant 7820 NE Holman, Suite B-6 (Firm, Company, Partnership, or Individual)

Address Portland OR 97218

City 256-5444 State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ Date of Application \_\_\_\_\_ Building Permit No. 2978-92

All entries onto County and Public Roadways shall be constructed in accordance with existing Clackamas County Specifications and Standards as directed in CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS NO. 80-2617 and O.R.S. 374.305 through 374.990.

Entry/Construction requirements for the subject project are as follows:

1. Contact all utility companies and request line and service relocation as may be necessary to accommodate the roadway construction.
2. The permittee shall provide proof of his contractor's or subcontractor's liability insurance which must be on file with Clackamas County prior to the commencement of the construction activities within the County road right-of-way.
3. Construct a standard asphaltic concrete driveway approach onto SE Capps Road at the location given on the plans submitted by Parametrix, Inc.
4. Keep all mud and debris from entering onto the County road during construction.

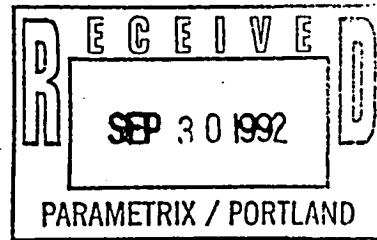


# CLACKAMAS COUNTY

Department of Utilities

HELENE K. LICHTMAN  
DIRECTOR

September 29, 1992



Becky Crockett  
Parametrix, Inc.  
7820 NE Holman Suite B-6  
Portland OR 97218

RE: Scott's Yard Waste Recycling Facility  
West End of Capps Road in the Clackamas Industrial Area  
Revised Erosion Control Plan, Drawing No. 22320204

We are in receipt of the revised erosion control plan for the above facility. The plan is hereby approved as submitted.

The plan must be in place prior to any construction, site work, grading, etc.

Please call me at 650-3497 or Ela Whelan at 650-3474 when in place so that it can be inspected by our office.

A handwritten signature in cursive script, appearing to read "Dennis Roberts".

DENNIS ROBERTS  
Surface Water Management

/jk

c: Dick Polson  
Bill Sanders  
Ela Whelan

P.O. Box 460 Sumner, WA 98390  
206-863-5128 • 206-838-9810 • Fax: 206-863-0946



September 28, 1992  
PMX #17-2232-02

Mr. Dennis Roberts  
Clackamas County Planning Division  
902 Abernethy Road  
Oregon City, OR 97045

Re: Scott Compost Recycling Facility

Dear Mr. Roberts:

Based on comments Parametrix has received regarding the compost facility, there is some question on the County's part regarding nutrient laden surface water discharge from the site reaching the Clackamas River. The following comments regarding this issue should answer any questions the County may have.

The retention pond for the facility has been designed to store all surface water runoff associated with the 25-year, 24-hour storm event, as required by County regulations. However, runoff from the site will most likely be discharged through the emergency spillway for storm events with return intervals greater than the design storm.

Under these extreme conditions, the surface water from the site will be discharged into the natural vegetation adjacent to the site. This natural vegetation will, based on its type and characteristics, disperse the flow into sheet flow, which may, eventually reach the Clackamas River. Fortunately, based on research conducted by Dr. Richard Horner at the University of Washington, sheet flow through vegetation has been shown to remove nearly 75 percent of all nutrients associated with surface water runoff. Therefore, the likelihood of excessive amounts of nutrients impacting the River is very minimal.

In summary, the probability of excessive nutrients from the site runoff reaching the Clackamas River is very small due to the following:

- Extreme storm events will be required to produce overflow through the spillway; and,
- Nutrient uptake of the natural vegetation will limit the amount of nutrients reaching the River.

If you have any questions, or would like additional information, please do not hesitate to contact me.

Very truly yours,

PARAMETRIX, INC.

  
William S. Helbig, P.E.

WSH:wh



SUBMIT APPLICATION TO:  
**CLACKAMAS COUNTY**  
 DEPARTMENT OF UTILITIES  
 802 ARBUTHNOTH ROAD  
 OREGON CITY, OR 97045  
 (503) 650-3323

REGISTRATION APPLICATION  
 FOR  
 COVERAGE BY GENERAL PERMIT 1200-C\*  
 STATE OF OREGON

COUNTY USE ONLY

DATE RECEIVED: \_\_\_\_\_  
 APPLICATION NO.: \_\_\_\_\_  
 STATUS: \_\_\_\_\_  
 DATE APPROVED: \_\_\_\_\_

(Attach additional sheets if necessary)

**\*TO CONSTRUCT AND OPERATE STORM WATER EROSION CONTROL, FACILITIES AND TO DISCHARGE TREATED STORM WATER TO WATERS OF THE STATE**

1 Name and Address of Owner or Contractor: Local Representative:

<u>The O.M. Scott &amp; Sons Company</u>	<u>Parametrix, Inc.</u>
<u>Hyponex Corporation</u>	<u>7820 NE Holman, Suite B-6</u>
<u>14111 Scottslawn Road</u>	<u>Portland, OR 97218</u>
<u>Marysville, Ohio 43041</u>	<u>(503) 256-5444</u>
<u>Michael J. Trueman -or-</u>	<u>Rebecca Crockett</u>
<u>George Martin</u>	

2 Location of construction site if different than 1:

The proposed construction area is located south of State Highway 224, north of the Clackamas River, and east of Interstate 205, in Clackamas County. The site lies in the Northeast ¼, Section 15, Township 2 South, Range 2 East, of the Willamette Meridian. Attachment A, Site Map, shows the location of the proposed construction area. The entire area leased by The O.M. Scott & Sons Company/Hyponex Corporation encompasses 9.57 acres, while the actual area proposed for construction is approximately 6.9 acres.

3 Describe the nature of the construction activity:

The purpose of the construction activity is to develop a yard trimmings composting facility. The facility will include areas for yard waste reception and compost preparation, areas for compost processing, and finished compost distribution.

Construction activities necessary for development of the facility include: clearing and grubbing, site grading, surfacing (pavement, gravel, and mulch), and installation of a pre-manufactured building.

4 Indicate the area of the site and the area that will undergo excavation or other soil disturbance during the life of the project:

The entire area leased by The O.M. Scott & Sons Company/Hyponex Corporation encompasses 9.57 acres, while the actual area proposed for construction is approximately 6.9 acres. Soil disturbance on the site will include clearing and grubbing, and grading. After final grading, no further soil disturbances are anticipated. To prevent erosion throughout the facility life, the receiving and processing area of the compost facility will be covered with an adequate base, while the compost windrow area will be covered with wood mulch.

(continued)

5 A brief description of those measures proposed to be used during the construction activity to control sediment in storm runoff: (The preparation of a more detailed Erosion Control Plan will be required prior to construction)

Sediment control during construction will be accomplished using structural and cover control measures. Structural control measures will be used to retain sediment on the construction site, while erosion control measures will be used to minimize the amount of site erosion.

Structural sediment control measures will include site stabilization and sediment retention. Site stabilization during construction will include maintaining stabilized construction entrances and roads, and providing dust control. Sediment retention measures will be used to minimize the amount of sediments leaving the site. Retention measures will include a sedimentation pond, filter fabric fences, and straw bale sediment traps. For exact locations and design guidelines of these measures, refer to the Erosion Control Plan.

Erosion control measures which will be utilized to minimize site erosion will include seeding and mulching. The purpose of these measures is to provide a temporary erosion protection on exposed soils. Erosion control seeding will occur on exposed soil areas that will not be brought to final grade within 30 days, while mulching (wood fibers, hay, or straw) will be used when final grade will not be achieved within 15 days.

6 Identify the receiving waters (show drainage patterns on map):

The current receiving water for surface drainage from the site is the Clackamas River. The river channel is approximately 300 feet south, and 40 feet below, the site. Presently, there are no identifiable channels on the site, indicating that runoff from the site flows to the river as overland flow.

During construction of the compost facility, all storm water will be routed into the sedimentation basin located at the southwest corner of the site. No overland or concentrated flow from the site will be allowed into the Clackamas River.

Upon completion of the facility, the sedimentation basin will be converted to a retention basin. The basin will retain all surface runoff from the compost facility. Collected water will be used for adding moisture to incoming and existing yard trimmings to help maintain proper moisture content, and for providing a source of water for fire protection.

7 If treated storm water will be discharged to a municipally owned storm sewer, a letter of authorization from the municipality must accompany this application. (Letter Attached) No: X Yes:    

Storm water will not be discharged to a municipally owned storm sewer.

(continued)



NOTE:

Prior to construction, a detailed erosion control plan shall be prepared and submitted to the Department of Utilities. Schedule A in the General Permit describes the erosion control technology to be considered in developing the plan. No land clearing or construction activities shall occur until the erosion control plan has been prepared and implemented. This plan shall be submitted at least thirty (30) days prior to the start of construction.

I HEREBY CERTIFY THAT THE INFORMATION THAT IS INCLUDED IN THIS APPLICATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

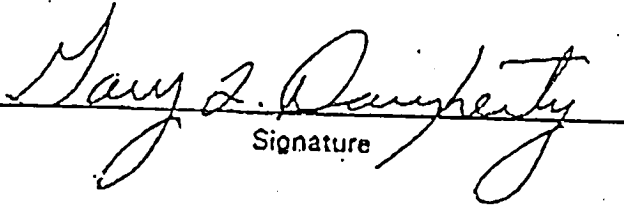
Gary L. Daugherty

Name of Owner

(Or Legally Authorized Representative)

Corporate Manager, Environmental Engineering

Title



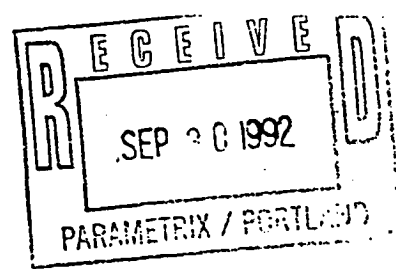
Signature

August 25, 1992

Date



# CLACKAMAS COUNTY



Department of Transportation & Development

WINSTON KURTH  
EXECUTIVE DIRECTOR

RICHARD DOPP  
DIRECTOR  
OPERATIONS & ADMINISTRATION

TOM VANDERZANDEN  
DIRECTOR  
PLANNING & DEVELOPMENT

September 28, 1992

Michael Trueman  
O & M Scott & Sons Company  
14310 Scottslawn Rd.  
Marysville, Ohio 43041

SUBJECT: DESIGN REVIEW COMMITTEE ACTION - YARD DEBRIS COMPOSING  
FACILITY - FILE #Z0854-92-D

On September 25, 1992 the Design Review Committee considered your request for approval of the yard debris composting facility located at the west end of Capps Rd. in the Clackamas Industrial area.

It was the decision of the Committee to approve your request based on the conditions listed in the enclosed minutes.

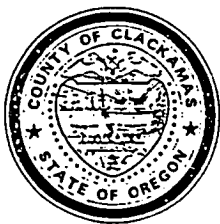
Should you disagree with this decision, you may appeal this matter to the Clackamas County Hearings Officer. All appeals must be in written form and received in this office within 15 days of the date of this letter. The appeal fee is \$100.00.

You may proceed with your plans after the appropriate permits have been obtained. All items shown on the approved plans must be completed prior to occupancy unless a bond or other surety has been posted with the County.

Ron Stangel, Public Service Manager  
Planning and Economic Development Division

✓ cc: Becky Crockett, Parametrix

0928/305/307/rs  
Enclosure



# CLACKAMAS COUNTY

Department of Transportation & Development

WINSTON KURTH  
EXECUTIVE DIRECTOR

RICHARD DOPP  
DIRECTOR  
OPERATIONS & ADMINISTRATION

TOM VANDERZANDEN  
DIRECTOR  
PLANNING & DEVELOPMENT

## DESIGN REVIEW COMMITTEE

### MINUTES

September 25, 1992  
8:00 a.m.

DTD Conference Room D

MEMBERS PRESENT: Dave Walters, John Hohler and Joe Azrak

STAFF: Ron Stangel

OTHERS: 6

#### 1. O & M SCOTT & SONS - COMPOST PROCESSING & STORAGE FACILITY

Staff Presentation: The staff report was given.

Applicant Presentation: The applicant's representative reviewed the background of the company and product line. They have a number of other facilities in other locations, however, this is the first facility in Oregon. The written material submitted as part of the application was reviewed.

The operation of the proposed facility was explained covering quality, odor, dust, and litter control. The average timeframe for composting in this area is approximately 6 months. The operation will employ 4 to 7 employees.

The detailed plans were reviewed. The plans have been revised to address the staff and review meeting comments/concerns. The landscaping plan has been revised to add evergreen plant material around the perimeter as well as additional conifers along the westerly bank area identified in the staff report.

Discussion: There were a number of questions relating to the proposal, layout, and operation of the facility. The Committee members stated there needs to be a dumpster or some kind of trash receptacle on site to take care of refuse that cannot be composted. The applicant's representative stated the amount of refuse will be small and a dumpster can be located in the drop-off area. The Committee felt any concerns they had were adequately addressed in the staff conditions of approval.

Action: Motion made by John Hohler to approve the proposal subject to the staff conditions. Motion seconded by Joe Azrak.

Vote: 3 - 0

2. OREGON REALTY - IDENTIFICATION SIGN

Staff Presentation: The staff report was given.

Applicant Presentation: The applicant reviewed the sign proposal with the Committee. He stated it would have a wood base, painted/stained as shown in the colored rendering. He felt the sign fit in well with the area and what the community requested. He stated the CPO has reviewed and approved the sign.

Discussion: The Committee members had some questions about the width of the sign base in relationship to the width of the sign itself. The applicant's representative stated it will be the same width. The Committee stated it would recommend approval of the setback variance given the site characteristics, and the location of the travel lanes of Hwy. 26.

Action: Motion made by Joe Azrak to approve the sign proposal subject to the staff conditions. Motion seconded by John Hohler.

Vote: 3 - 0

3. OFFICE DEPOT - ON-BUILDING SIGNING RECONSIDERATION REQUEST

Staff Presentation: The staff report was given.

Applicant Presentation: The applicant's representative reviewed the background of the request. They stated they put two different size banners up on the west building elevation and took photos of the banners. The photos were taken from I-205 and the La Casa Real restaurant area. A photo of the on-building sign on the east elevation of the building was shown to the Committee. The applicant's representative stated they plan to add the green colored band to the remainder of the building so this will change the appearance of the side of the building facing I-205. This will help tie the building together in terms of design and colors.

They stated the height variance for the freestanding sign had been denied by staff. They will install the sign, however, it's design will be modified as a result of the denial. The architectural feature on the top part of the sign will be eliminated.

They stated the purpose of this request was to try to resolve the on-building sign issue without having to go through the appeal process.

File No: Z0854-92 TYPE: ZD  
Location:

DESIGN REVIEW

- 0005 - WALT TSCHUDY, DEVELOPMENT COORDINATOR, TO REVIEW AND APPROVE THE NECESSARY STREET FRONTAGE, ACCESS, AND STORM DRAINAGE IMPROVEMENTS FOR THE SUBJECT SITE.
- 0010 - COMPLIANCE WITH THE REQUIREMENTS OF THE SERVICE PROVIDERS (WATER, SEWER, FIRE DISTRICTS, AND WASTE COLLECTION/ RECYCLING).
- 0015 - UNDERGROUND UTILITIES ARE REQUIRED.
- 0020 - COMPLIANCE WITH SECTION 1009.10 (PLANTING AND MAINTENANCE) WITH EMPHASIS ON PLANT MATERIAL STANDARDS, METHODS OF WATERING, MAINTENANCE, AND SUBMISSION OF A WRITTEN GUARANTEE, GUARANTEEING THE LANDSCAPE MATERIALS FOR A PERIOD OF AT LEAST ONE YEAR FROM THE DATE OF INSTALLATION. THE DEVELOPER SHALL ALSO SUBMIT A SIGNED MAINTENANCE CONTRACT, OR POST A BOND OR OTHER SURETY ACCEPTABLE TO CLACKAMAS COUNTY, COVERING THE LANDSCAPE MAINTENANCE COSTS DURING THE GUARANTEE PERIOD. *H. Clark  
Landscape Letter  
From [unclear]  
[unclear] to  
[unclear]*
- 0025 - REQUIRED FIRE LANE AREAS SHALL BE POSTED WITH NO PARKING SIGNS. THE APPLICANT SHALL CONTACT THE FIRE DISTRICT TO DETERMINE THE NUMBER AND LOCATION OF REQUIRED FIRE LANES.
- 0028 - ALL ITEMS SHOWN ON THE APPROVED PLANS MUST BE COMPLETED PRIOR TO OCCUPANCY UNLESS A BOND OR OTHER SURETY IS POSTED WITH THE COUNTY.
- 0030 - THIS APPROVAL IS VALID FOR A TWO YEAR PERIOD OF TIME, AND IS VOID IF NO DEVELOPMENT OCCURS WITHIN THAT TIME PERIOD.
- 0035 - THE OPERATION COMPLY WITH THE STANDARDS OF THE I-3 ZONING DISTRICT, IN PARTICULAR, SUBSECTIONS 603.03D AND 603.03I.
- 0040 - THE PROPOSED STORM WATER DETENTION/SEDEMENTATION POND BE LINED AND THERE BE PROVISIONS FOR EMERGENCY OVERFLOW TO AVOID CONTAMINATION OF THE CLACKAMAS RIVER.
- 0045 - ADDITIONAL EVERGREEN LANDSCAPE MATERIAL PLANTINGS BE PLACED ALONG THE WESTERLY PORTION OF THE UPPER BENCH AREA TO PROVIDE A SECONDARY VEGETATIVE BUFFER FOR THE CLACKAMAS RIVER AND THE RESIDENTIAL AREA TO THE SOUTH IN ACCORDANCE WITH THE PRC STANDARDS.
- 0050 - ANY SITE LIGHTING BE LOCATED/SHIELDED/DEFLECTED AWAY FROM THE CLACKAMAS RIVER AND THE RESIDENTIAL AREA TO THE SOUTH.
- 0055 - EVERGREEN LANDSCAPE MATERIAL BE USED IN THE LANDSCAPING BUFFER ON THE OUTSIDE OF THE SIGHT OBSURING FENCE REQUIRED BY THE I-3 STANDARDS.

File No: Z0854-92 TYPE: ZD

Location:

- 0060 - AN ALL-WEATHER SURFACE ROAD BE PROVIDED ON SITE TO THE POND AREA FOR ACCESS BY FIRE DISTRICT APPARATUS. THE FIRST 50 FT OF THE SITE ACCESS ROAD BE HARD SURFACED.
- 0065 - PROVISIONS FOR A TWO-WAY ROADWAY SYSTEM WITHIN THE SITE BE PROVIDED. DIRECTIONAL SIGNING BE PROVIDED.
- 0070 - ANY IDENTIFICATION SIGNING AND DIRECTIONAL SIGNING SHALL BE SUBMITTED FOR REVIEW AND APPROVAL.  
LOWER BENCHED AREA OF THE PROPERTY.
- 0075 - THE OPERATION SHALL BE LIMITED TO THE UPPER PORTION OF THE PROPERTY (ZONED I-3). NO ACTIVITY SHALL BE CONDUCTED ON THE SLOPED AREA OR THE LOWER BENCHED AREA OF THE PROPERTY.
- 0080 - THE OPERATION SHALL COMPLY WITH THE NPDES (NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM)/SWMA (SURFACE WATER MANAGEMENT AREA) STANDARDS.
- 0085 - A LITTER MONITORING/CLEAN UP PROGRAM SHALL BE REQUIRED FOR AN AREA WITHIN 1/4 MILE OF THE SITE. THE CLEAN UP PROGRAM SHALL NOT USE A WATER FLUSHING SYSTEM.

**SUBMITTAL 1: Attachment D**

**Other Information**

**Scotts Hyponex General Information**



# Organic Composting Facilities

ANSWERS TO  
COMMON  
QUESTIONS



# Who is Scotts?

The O.M. Scott & Sons Company (Scotts) is the premier company in the lawn and garden industry. Scotts generates more than \$380 million in annual sales and claims approximately a 38 percent share of the national bagged organics market. Scotts is a financially stable company that has been in business for more than 120 years. The company presently receives, processes, and markets over 2 million tons of organic materials, including millions of bags in the Los Angeles metropolitan area. As an industry leader, Scotts spends more than \$5 million annually on research and development of lawn and garden products.

Scotts is a company founded on quality and continues that tradition today in all of its products and services. Scotts has a proven environmental record in siting and permitting organic processing facilities, including facilities that compost manure, bark, yard trimmings, and other organic material. Scotts operates numerous organic processing facilities across the country, most of which receive yard trimmings for composting. Through the operation of these facilities, Scotts has become the most experienced yard trimming composting company in the nation.

Composting at Scotts' facilities addresses the diversion of yard trimmings away from disposal at landfills by providing a cost-effective method of recycling the yard trimmings into valuable organic products. For this reason, Scotts' facilities provide a crucial recycling resource to local governments, residents, and businesses and have proven to be a winning option for taxpayers and the environment.

# What types of environmental controls are used at Scotts' facilities?


Scotts carefully constructs and operates their facilities to be good neighbors. To minimize or eliminate off-site impacts, Scotts employs the following controls at their facilities:

- Sites are carefully selected to ensure that the facilities will be consistent with surrounding property uses;
- Visual screening (e.g., foliage, fencing) is used to minimize visual impacts to the surrounding properties;
- Good housekeeping is practiced to keep facilities clean and free of debris;
- Equipment is inspected and maintained on a regular basis to ensure that it is operating properly;
- On- and off-site traffic patterns are designed to avoid side streets and minimize traffic impacts;
- Noise reduction technologies are used to minimize noise generation in accordance with federal, state, and local standards;
- Sites are designed with the receiving and processing areas located in the center of the site to reduce off-site impacts;
- Careful criteria are established for the types of material that can be delivered to the facility;
- All incoming and outgoing vehicles are covered with tarps;
- Dust suppression techniques (e.g., water application) are incorporated into operating procedures;
- Screening (wind fencing) is used to prevent wind impacts; and
- Sites are properly graded to handle on-site drainage.

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## Will this facility generate odor?


Scotts uses an aerobic composting process that does not generate odors. To ensure that proper aerobic conditions exist during the composting process, Scotts performs the following tasks:

- The facilities receive landscape and agricultural wastes only. Food, sludge, and refuse are never received or processed so odors and pests associated with these materials will not exist;
- All materials are processed (e.g., shredded, incorporated into composting windrows) within a maximum of 72 hours of arriving at the facility. Most often, incoming material is processed on the day it arrives;
- Windrows are carefully monitored for proper temperature, oxygen, and moisture content; and,
- The windrows are turned at least on a weekly basis.

Scotts is diligent in these tasks in order to maintain the high quality standards of their final compost product and to ensure that the facilities do not generate odors.

## What about wind and dust?

Scotts performs extensive environmental research to determine wind direction and velocity when siting facilities. The results of these studies are used to determine the optimum placement and direction of the facility to prevent dust generation. Additional steps taken by Scotts to avoid off-site dust impacts from facility operations include:

- Surfacing portions of the facility where vehicle traffic is heaviest;
  - Minimizing daily vehicle trips;
  - Locating receiving, processing, and loading activities at the center of the site;
  - Compacting unpaved areas during construction to reduce the potential for dust generation;
  - Wetting exposed areas to avoid the generation of dust;
  - Maintaining a clean, orderly facility;
  - Maintaining windrow moisture at 40 to 60 percent to achieve high cohesion and inhibit the blowing of compost from windrows; and
  - Limiting certain types of operations during extreme conditions.
- 



## What is compost?

Compost is aerobically decomposed (aerobic composting is the process where fresh air is used to keep the windrow well oxygenated) material that can include tree trimmings, grass clippings, yard wastes, and leaf debris. Compost can be used as a soil amendment, added to fertilizer, or used as fill, mulch, or cover in a variety of municipal, residential, and agricultural applications.

## How does composting work?

Composting of organic resources begins with gathering yard trimmings from residential and commercial sources and bringing these natural materials to a transfer station or directly to a Scotts composting facility. At the facility, the materials are weighed, shredded, and formed into long piles called windrows. Within the windrows a natural decomposition process occurs that breaks down yard materials into a humus-like product that is high in nutrient content and has beneficial agricultural uses.

During the windrowing process, the composting windrows are carefully managed and closely monitored for temperature, moisture, and oxygen content to maximize the effectiveness of the process. The windrows are turned on a regular schedule to promote optimal microbial degradation and to maintain effective aeration. After 10 to 14 weeks, the process is complete and the material is ready to be bagged or sold in bulk to customers.

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**SUBMITTAL 2**

**Letter from Scotts Hyponex Corporation, dated May 9, 1996**

**The Scotts Company***and Subsidiaries*

May 9, 1996

Mr. Bill Metzler  
Metro  
600 NE Grand Avenue  
Portland, Oregon 97232

RECEIVED

MAY 14 1996

METRO MUNICIPAL  
SOLID WASTE MANAGEMENT

Dear Bill,

Upon receiving your letter dated April 25, 1996 regarding complaints from a person who lives and works in the vicinity of our compost facility, we immediately investigated all allegations. Below you will find our results.

**1. ODOR PROBLEM**

Our facility does not have static piles. We windrow and turn. If one of our customers brings in some anaerobic yard debris, we then immediately grind, turn and check for oxygen. We will continue this practice in order to keep from having odors.

**2. ILLEGAL DUMPING**

We have never seen any of our customers dump yard debris illegally. There is an open field across from our facility. Upon returning to work after a weekend, we have found that someone had dumped raw trash across the street from our site. We did pick the raw trash up and had the John P. Lehl company haul the debris off. Although we feel this is a problem that is very hard to control, we will deal with it when it happens.

**3. WATER POLLUTING**

In the process of building this facility, we prepared the site and overlaid a base of clay material 6 inches deep. We then compacted in road base to insure minimal ground permeability. All drainage is directed to a lined water retention pond designed for 24 hour flood conditions. The sediment is recycled once a year and reprocessed.

**SUBMITTAL 3**

Letter from Scotts Hyponex Corporation, dated September, 1996

**The Scotts Company***and Subsidiaries***Scotts**

September 6, 1996

Mr. Bill Metzler  
Metro  
600 NE Grand Ave.  
Portland, Oregon 97232

**RECEIVED**  
SEP 9 1996

Dear Bill,

Attached is a copy of the letter you requested. We have accomplished all the goals set forth by Clackamas County.

The site is doing extremely well. I spoke with Casey at S & H Logging and have a meeting with him in a couple of weeks about the possibility of transferring product to the Clackamas compost site.

I would like to have you and John out to our Clackamas compost facility the end of September or the first part of October. I am presently leaving on a trip to California and will be gone for the next week or so. I will call you later to try and set up a meeting date.

Thank You,

*Trey George III*  
Trey George  
Plant Manager

TG/ks



## *The Scotts Company*

*and Subsidiaries*

**Scotts**

July 3, 1996

Mr. Ken Spiegle  
Clackamas County Planning Office  
902 Abernethy Road  
Oregon City, Oregon 97045

Dear Ken,

Since our meeting dated May 30, 1996, we have accomplished a great deal. The finished inventory height has been reduced and we will continue to work towards this goal. If weather permits, we will accomplish our goal by the end of August. We have brought in an additional associate to help speed the process and help with cost service. We will always strive to be an asset to the community and be a strong part of the recycle generation.

While in the process of conducting further research on DBA's on our Morbark grinder, we found that Morbark can not build any equipment that is not within federal guidelines. We have asked Morbark to send us information confirming this issue.

Attached, you will find a chart showing the grinder's maximum rpm's at 22.9 feet. It is within safe limits which is important to Scott's because of our employees. Also of equal importance are the people of our community which are at least 500 feet away. We will continue to use common sense when processing yard debris. We will not be processing on Saturday's and will wait until mid-morning thru-out the week.

I greatly appreciate you and Dominic coming to our compost facility. I am always open to new ideas you may have. Please call me if you have any additional needs.

Sincerely,

  
Trey George  
Plant Manager

TG/ks

cc: Dominic Mancini - Planning Director  
Mark West - Regional Director Organics