

AGENDA ITEM FOR ADMINISTRATIVE MEETING

() Discussion only
(X) Action

FROM (DEPT/ DIVISION): Planning Department

PROGRAM: Solid Waste Advisory Committee

SUBJECT: Solid Waste Disposal Site

<p>JSH Farms has applied for a Solid Waste Disposal Site permit with DEQ for a composting operation on Assessor's Map 5N3027 Tax Lot 1304 .</p>	<p>(X) <u>ACTION REQUESTED:</u> Oregon Administrative Rules OAR 340-093-0070 addresses the process of submitting applications to the Department of Environmental Quality for Solid Waste Disposal Site Permits. In addition to the Land Use Compatibility Statement signed by County Planning, OAR 340-096-0080(1)(d) requires the applicant to submit written comments from local solid waste planning authorities regarding the proposed new solid waste disposal facility's compatibility with the local solid waste management plan. The Umatilla County Solid Waste Advisory Committee (SWAC) reviewed the proposal via a video conference 03/15/21 and determined the project was consistent with Umatilla County's Solid Waste Management Plan. Therefore, the SWAC recommends approval/signature by the Board of Commissioners.</p>
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ATTACHMENTS:

Summary from JSH Farms, LUCS application

Date: (3/15/2120) Submitted By: (Gina Miller)

*****For Internal Use Only*****

Checkoffs:

- () Exec. Asst.
- (x) Dept. Head (copy)
- () Human Resources (copy)
- () Budget (copy)
- () Fiscal
- (x) Legal (copy)
- () (Other - List:

To be notified of Meeting: Gina Miller
Mike McHenry
gail@jshfarms.com
dboone@vorganics.ne

Needed at Meeting: Gina Miller
Mike McHenry

PLEASE RETURN THIS FORM AND ATTACHMENTS TO Executive Assistant

Scheduled for meeting on: _____ MARCH 17, 2021 _____

Action taken:

Follow-up:



JSH FARMS INC.

Producers of Essential Oils

3/10/21

JSH Farms, Inc. Compost Site Brief Overview

The composting site for JSH Farms, Inc. is located at 45.876652-119.040901 degrees, and known as field K18

The composting will be in windrows on approximately $\frac{3}{4}$ of the existing field. The feed stocks used will be from the plant material left after our distillation process of peppermint, spearmint, dill and lavender, we refer to as "slugs". We will also use raw manure from the Colds Springs Dairy located approximately 2 miles from the site.

Our intended use for the compost will be as fertilizer going back onto the fields farmed by JSH Farms, Inc. In the future, if there were enough compost remaining after our own needs are met, we would sell wholesale to other area farmers.

As with all of our projects, the compost site will be in compliance with all local and state applicable agencies. We are seeking a permit from the Department of Environmental Quality.

84186 Highway 37
Hermiston, OR 97838
Office: 541 564-1000 Fax: 541-564-6000



State of Oregon Department of Environmental Quality Land Use Compatibility Statement

What is a Land Use Compatibility Statement?

A LUCS is a form developed by DEQ to determine whether a DEQ permit or approval will be consistent with local government comprehensive plans and land use regulations.

Why is a LUCS required?

DEQ and other state agencies with permitting or approval activities that affect land use are required by Oregon law to be consistent with local comprehensive plans and have a process for determining consistency. DEQ activities affecting land use and the requirement for a LUCS may be found in Oregon Administrative Rules (OAR) Chapter 340, Division 18.

When is a LUCS required?

A LUCS is required for nearly all DEQ permits and certain approvals of plans or related activities that affect land use prior to issuance of a DEQ permit or approval. These permits and activities are listed in section 1.D on p. 2 of this form. A single LUCS can be used if more than one DEQ permit or approval is being applied for concurrently.

Permit modifications or renewals also require a LUCS when any of the following applies:

1. Physical expansion on the property or proposed use of additional land;
2. Alterations, expansions, improvements or changes in method or type of disposal at a solid waste disposal site as described in OAR 340-093-0070(4)(b);
3. A significant increase in discharges to water;
4. A relocation of an outfall outside of the source property; or
5. Any physical change or change of operation of an air pollutant source that results in a net significant emission rate increase as defined in OAR 340-200-0020.

How to complete a LUCS:

Step	Who does it?	What happens?
1.	Applicant	Applicant completes Section 1 of the LUCS and submits it to the appropriate city or county planning office.
2.	City or County Planning Office	City or county planning office completes Section 2 of the LUCS to indicate whether the activity or use is compatible with the acknowledged comprehensive plan and land use regulations, attaches written findings supporting the decision of compatibility, and returns the signed and dated LUCS to the applicant.
3.	Applicant	Applicant submits the completed LUCS and any supporting information provided by the city or county to DEQ along with the DEQ permit application or approval request.

Where to get help:

For questions about the LUCS process, contact the DEQ staff responsible for processing the permit or approval. DEQ staff may be reached at 1-800-452-4011 (toll-free, inside Oregon) or 503-229-5630. For general questions, please contact DEQ land use staff listed on our [Land Use Compatibility Statement page](#) online.

Cultural resources protection laws:

Applicants involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction, or alteration of an archeological site or object or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking, to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, ext. 232.

New Solid Waste Disposal Site Applications

Facility Compatibility With Local Solid Waste Management Plan



State of Oregon
Department of
Environmental
Quality

Oregon Administrative Rules OAR 340-093-0070 addresses the process of submitting applications to the Department of Environmental Quality for Solid Waste Disposal Site Permits, including materials to be submitted. Applications for new facilities must include submittal of the following materials to DEQ:

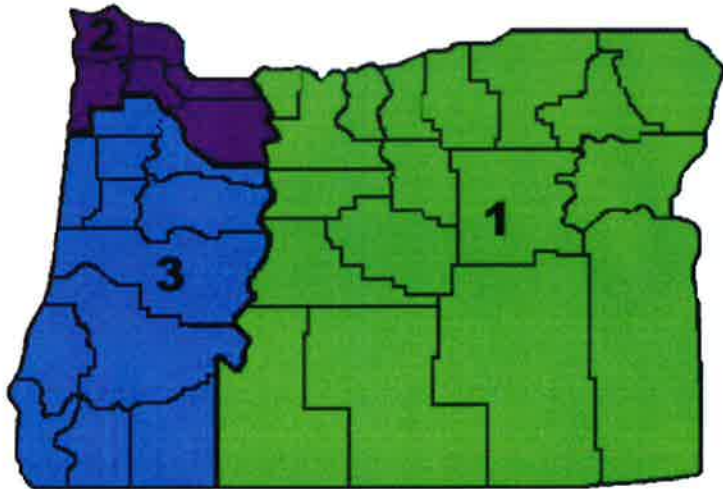
- Three copies of the application form,
- A Land Use Compatibility Statement signed by the local planning department,
- Copies of other DEQ permits or permit applications,
- Payment of the appropriate application fees,
- Necessary site characterization report(s) and
- Necessary detailed plans and specifications.

In addition to the above, OAR 340-096-0080(1)(d) requires the applicant to submit written comments from local solid waste planning authorities regarding the proposed new solid waste disposal facility's compatibility with the local solid waste management plan. Planning authorities are typically the county solid waste management departments, although some cities have their own solid waste management departments.

To comply with our Rules, DEQ requires the solid waste disposal site applicant to submit a document from the appropriate county and/or city solid waste planning authority. The document should address the need for the proposed facility and its compatibility with the local solid waste management plan. For your convenience a form is included with this letter. All comments received will be taken into consideration when evaluating the application.

For more information about the application process, please contact the following offices:

1. Eastern Region
Oregon Department of Environmental Quality
Solid Waste Program
400 E Scenic Drive, Ste 307
The Dalles, OR 97058
(541) 298-7255 ext. 21
2. Northwest Region
Oregon Department of Environmental
Quality
Solid Waste Program
2020 SW Fourth Ave. Ste 400
Portland, OR 97201
(503) 229-5353
3. Western Region
Oregon Department of Environmental
Quality
Solid Waste Program
165 E 7th Ave, Ste 100
Eugene, OR 97401
(541) 687-7465



Oregon Administrative Rules can be found on the Internet at the following address:
http://arcweb.sos.state.or.us/rules/OARs_300/OAR_340/340_093.html

Land Use Compatibility Statement

Section 1 – To be completed by the applicant

1A. Applicant Name: JSH Farms, Inc.	1B. Project Name: Compost Site
Contact Name: Gail Andreas	Physical Address: 84186 Hwy 37
Mailing Address: 84186 Hwy 37	City, State, Zip: Hermiston, OR. 97838
City, State, Zip: Hermiston, OR. 97838	Tax Lot #: 1304
Telephone: 541-564-1000	Township: 5N Range: 30E Section: 27
Tax Account #: 130887	Latitude: 45.876920
	Longitude: 119.040944 Degrees

1C. Describe the project, include the type of development, business, or facility and services or products provided (attach additional information if necessary):

This will be a site to compost the plant material that remains after we distill Mint, Dill and Lavandin Grosso into essential oils. The plant materials, and possibly manure, will be composted in windrows. This compost will be used on our crop fields, and sold wholesale to other local farmers. We will not sell compost to the general public. The proposed site is already used to store piled manure.

1D. Check the type of DEQ permit(s) or approval(s) being applied for at this time.

<input type="checkbox"/> Air Quality Notice of Construction	<input type="checkbox"/> Clean Water State Revolving Fund Loan Request
<input type="checkbox"/> Air Contaminant Discharge Permit	<input type="checkbox"/> Wastewater/Sewer Construction Plan/ Specifications (includes review of plan changes that require use of new land)
<input type="checkbox"/> Air Quality Title V Permit	<input type="checkbox"/> Water Quality NPDES Individual Permit
<input type="checkbox"/> Air Quality Indirect Source Permit	<input type="checkbox"/> Water Quality WPCF Individual Permit (for onsite construction-installation permits use the DEQ <u>Onsite LUCS form</u>)
<input type="checkbox"/> Parking/Traffic Circulation Plan	<input type="checkbox"/> Water Quality NPDES Stormwater General Permit (1200-A, 1200-C, 1200-CA, 1200-COLS, and 1200-Z)
<input type="checkbox"/> Solid Waste Land Disposal Site Permit	<input type="checkbox"/> Water Quality General Permit (all general permits, except 600, 700-PM, 1700-A, and 1700-B when they are mobile)
<input type="checkbox"/> Solid Waste Treatment Facility Permit	<input type="checkbox"/> Water Quality 401 Certification for federal permit or license
<input checked="" type="checkbox"/> Solid Waste Composting Facility Permit (includes Anaerobic Digester)	
<input type="checkbox"/> Conversion Technology Facility Permit	
<input type="checkbox"/> Solid Waste Letter Authorization Permit	
<input type="checkbox"/> Solid Waste Material Recovery Facility Permit	
<input type="checkbox"/> Solid Waste Energy Recovery Facility Permit	
<input type="checkbox"/> Solid Waste Transfer Station Permit	
<input type="checkbox"/> Waste Tire Storage Site Permit	
<input type="checkbox"/> Pollution Control Bond Request	
<input type="checkbox"/> Hazardous Waste Treatment, Storage or Disposal Permit	

This application is for: Permit Renewal New Permit Permit Modification Other:

Section 2 – To be completed by city or county planning official

Applicant name: JSH Farms, Inc. Project name: Compost Site

Instructions: Written findings of fact for all local decisions are required; written findings from previous actions are acceptable. For uses allowed outright by the acknowledged comprehensive plan, DEQ will accept written findings in the form of a reference to the specific plan policies, criteria, or standards that were relied upon in rendering the decision with an indication of why the decision is justified based on the plan policies, criteria, or standards.

2A. The project proposal is located: Inside city limits Inside UGB Outside UGB

2B. Name of the city or county that has land use jurisdiction (the legal entity responsible for land use decisions for the subject property or land use): Umatilla County

2C. This project is not within the jurisdiction of any other land use, zoning, or planning entity
 This project is also within the jurisdiction of the following land use, zoning, or planning entity _____

2D. Is the activity allowed under Measure 49 (2007)? No, Measure 49 is not applicable Yes, if yes, then check one:

Express; approved by DLCD order #:

Conditional; approved by DLCD order #:

Vested; approved by local government decision or court judgment docket or order #:

2E. Is the activity a composting facility?

No Yes; Senate Bill 462 (2013) notification requirements have been met. *Meeting held 02/17/21

2F. Is the activity or use compatible with your acknowledged comprehensive plan as required by OAR 660-031? Please complete this form to address the activity or use for which the applicant is seeking approval (see 1.C on the previous page). If the activity or use is to occur in multiple phases, please ensure that your approval addresses the phases described in 1C. For example, if the applicant's project is described in 1C. as a subdivision and the LUCS indicates that only clearing and grading are allowed outright but does not indicate whether the subdivision is approved, DEQ will delay permit issuance until approval for the subdivision is obtained from the local planning official.

The activity or use is specifically exempt by the acknowledged comprehensive plan; explain:

Yes, the activity or use is pre-existing nonconforming use allowed outright by (provide reference for local ordinance):

Yes, the activity or use is allowed outright by (provide reference for local ordinance):

Activity is an outright permitted use (UCDC Section 152.056)

Yes, the activity or use received preliminary approval that includes requirements to fully comply with local requirements; findings are attached.

Yes, the activity or use is allowed; findings are attached.

No, see 2D. above, activity or use allowed under Measure 49; findings are attached.

No, (complete below or attach findings for noncompliance and identify requirements the applicant must comply with before compatibility can be determined):

Relevant specific plan policies, criteria, or standards:

Provide the reasons for the decision:

Additional comments (attach additional information as needed):

Planning Official Signature: Robert T Waldher Title: Director

Print Name: Robert T Waldher Telephone #: 541-278-6251 Date: 03/04/21

If necessary, depending upon city/county agreement on jurisdiction outside city limits but within UGB:

Planning Official Signature: Title:

Print Name: Telephone #: Date:

Alternative formats

DEQ can provide documents in an alternate format or in a language other than English upon request. Call DEQ at 800-452-4011 or email deqinfo@deq.state.or.us.

Solid waste disposal site compatibility with solid waste management plan



Oregon Administrative Rules OAR 340-096-0080(1)(d) requires applicants for new or existing solid waste disposal sites to submit written recommendations of local solid waste planning authorities. This document is provided for your convenience. Please submit this form to the local solid waste planning authority having jurisdiction for the geographic area in which the facility is located. Then include the signed form in the DEQ Solid Waste disposal site application and submit to DEQ at the appropriate address.

The proposed new or expansion of an existing solid waste disposal site **is compatible** with the local solid waste Management Plan and there **is a need** for the facility.

The proposed new or expansion of an existing solid waste disposal site **is not compatible** with the local solid waste Management Plan and/or there **is no need** for the facility. Please briefly describe reasons:

Name of Solid Waste Management Plan

Effective Date

Name of Solid Waste Management Authority Responsible for Plan Implementation

Title

Signature of Solid Waste Management Authority for Plan Implementation

Date