

Draft October 14, 2021

Waldport All Metals Recycling (WAMR) LLC – 1057 Forestry Lane Waldport, Oregon 97394



Background

- City of Waldport initiated a complaint (Number 21-812) for this site concerning the management of wastes generated from auto dismantling.

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- At approximately 11:45 a.m. on October 13, 2021, I and City of Waldport Code Enforcement officer Holly Hamilton arrived at WAMR LLC for a joint inspection of WAMR LLC.
 - For DEQ, I was conducting a hazardous waste inspection and, for Waldport, Holly Hamilton was inspecting for code compliance.
 - I knocked on the office door of WAMR LLC but no one answered.
- With no success, I attempted to reach a member of WAMR LLC after a friend (i.e., Robert Johnson) of Rick Fidlin (a WAMR LLC member) - who was waiting at the entrance of WAMR LLC - provided me Rick Fidlin's phone number.
 - The phone number was invalid and I did not have a number for the registered agent Jeremy Wayne Gainer.
- I contacted and spoke with DEQ's Environmental Law Specialists to obtain guidance on inspecting WAML LLC when the owner/registered agent is not present.
 - Since I was not denied access by the owner and it was during normal business hours, I was advised to enter the yard area for WAMR LLC if there were no locked gates or I did not observe "no trespassing" signs to make observations, collect photos. Alternatively, I was advised to view the yard from the property boundary or along access ways to private property where it is reasonable to assume the public is provided access to WAML LLC.
 - At approximately 3:45 p.m., I followed this advice and collected the photos and information presented below.
 - Holly Hamilton joined me in this effort to gather information to identify compliance issues.
- October 14, 2021, I reached the owner Rick Fidlin at 541-270-5678.
 - This phone number was available on a Better Business Bureau web posting for Coast Towing Inc. under their previous address of 425 NW Cedar Street Waldport, Oregon 97394.
 - This property is currently undergoing a Phase I and II investigation due to contamination according to the City of Waldport.
 - Rick Fidlin told me that he is advising and assisting Jeremy Wayne Gaines the registered agent of WAMR LLC to obtain a license for auto dismantling and that WAMR LLC is not "pulling auto parts" but only storing towed vehicles for ODOT and the State Police and, periodically, transferring these vehicles to Pacific Recycling in Eugene, Oregon after obtaining a lien on a vehicle at an expense. According to Rick Fidlin, the vehicles transferred to Pacific Recycling are transferred with all their fluids – this can be verified.
 - The land clearing on the western side of the property where WAMR LLC is located is associated with this effort to secure an auto dismantling license.
 - The land is being prepared to construct a slab and building to remove fluids and parts from autos so that auto parts can be removed from vehicles and marketed for sale.
 - Oregon Secretary of State's (SOS) database shows an Administrative Dissolution for WAMR LLC on October 15, 2020.
 - However, Coast Towing Inc. delivers towed vehicles to the yard at WAMR LLC and, as I observed on 10/13/21, a Coast Town driver was actively moving in and out of the property where WAMR LLC registered its business with the Oregon SOS.

A Used Waste Tire Permit is Needed for This Site

- Photos taken show that more than 100 waste tires are stored at this facility. Photo provided below show the majority of these waste tires.

Need for Another Site Visit with Owner's Cooperation and Access to the Buildings for this Facility

- For other land quality requirements, another site visit with cooperation from the owner or manager of this facility is needed to determine:
 - The contents in the containers shown in the photos below to rule out the storage of used oil or hazardous waste (HW).
 - How used oil is managed.
 - How anti-freeze (a potential hazardous waste) is managed.
 - How lead acid batteries are managed.
 - How mercury containing equipment is managed.
 - If used oil, UW, and/or HW is stored in the building associated with the facility.
- For water quality requirements, the photos below also show the need for another site visit to determine the following:
 - If coverage under a National Pollutant Discharge Elimination System general permits (NPDES 1200-C and NPDES 1200-Z).
 - As built information, if available, from the City of Waldport's Public Works Department may be helpful for making a determination if this permit coverage is required.
 - If a the owner of the property is operating an underground injection control (UIC) facility, to determine if this facility is complying with UIC requirements under the Safe Drinking Water Act.

Photos from October 13, 2021 Site Visit:









Photo 1: View from Copeland Lumber Company property line. Adjacent property recently purchased and



Photo 2: View from the Copeland Lumber Property Line. Red arrow shows a discharge point potentially associated with



Photo 3: View from the Copeland Lumber Property line. Deep trench in background that has flexible pipe discharging to it

<p>cleared/land disturbed by WAMR. May need a NPDES 1200-C Permit but further inspection to determine stormwater collection system and discharge points needed.</p>	<p>the land clearing for this site or the stormwater inlet and collection system shown in Photo 10.</p>	<p>(Photo 4 and 5) as well as potential surface drainage from the cleared area shown in Photo 1. Although difficult to determine without closer inspection and inquiring about city/ODOT local knowledge on potential connection to public stormwater collection systems, this deep trench may be subject to the Safe Drinking Water Act's underground injection control (UIC) requirements as it appears deeper than it is wide and may not have a connection to a stormwater collection system.</p>
		
<p>Photo 4: Deep trench noted in Photo 3 with a flexible pipe discharging to it. Another view of this pipe is shown in Photo 5.</p>	<p>Photo 5: View from Highway 101. Another view of discharge pipe to deep trench (potentially a UIC) that is shown in Photo 5.</p>	<p>Photo 6: Lead acid batteries appear used but have not been marked to show purchase date (see Photo 7). If used, not managed in accordance with Universal Waste rules and, therefore, are hazardous waste (HW) not managed in compliance with 40 CFR 262 for HW generators. According to City Planner, wetland noted on the National Wetland Inventory (NWI) is in the background with fill placed in it as well as other debris noted in Photo 8.</p>
		




<p>Photo 7: Close-up of the top of batter show in Photo 6. This is the battery on the far left of the truck ramp.</p>	<p>Photo 8: Fill placed in wetland noted in Photo 6 as well as other debris which would be a violation of Oregon’s Removal-Fill Law. The waste placed in a wetland (or waters of the state) would likely be a violation of a statewide narrative criterial in Oregon’s water quality standards developed in response to the federal Clean Water Act.</p>	<p>Photo 9: One of several debris piles in the yard that is comprised of some scrap metal as well as organic and plastic waste.</p>
		
<p>Photo 10: Possible stormwater inlet in the storage yard that may be connected to the pipes shown in Photos 2 and 4. If this is a stormwater inlet and the stormwater entering this inlet is discharged to waters of the state, a NPDES 1200-Z permit is needed for this facility. However, more investigation is needed as well as any “as-built” information from Waldport Public Works Department.</p>	<p>Photo 11: Another debris pile of plastic and organic waste mixed with scrap metal.</p>	<p>Photo 12: Full 55-gallon blue plastic drum – see red arrow. Contents unknown. No labels on drum.</p>



Photo 13: One of two tire piles in yard when combined with tires scattered throughout yard exceed 100 waste tires and, therefore, trigger the need for a waste tire permit.



Photo 14: Close-up of drum shown **Photo 12**.



Photo 15: Another waste tire storage pile in background with other waste tires stored randomly in the foreground.



Photo 16: Full 35-gallon blue plastic drum near drum shown in **Photo 14**. Contents unknown and drum unlabeled. Rusted metal drum behind this 35-gallon drum is empty.



Photo 17: 55-gallon blue plastic drums in background (shown by red arrows). I did not attempt to reach these containers to determine if these containers were full. The door for the building in background has an opening a fluorescent light indicating that this building may be in use.



Photo 18: Lead acid battery not managed as universal waste and, therefore, is hazardous waste not managed in accordance with 40 CFR 262.



Photo 19: 270 gallon tote approximately 1/8 full with a dark brown liquid (possibly used oil) located on the far western side of the WAMR LLC.

