

# Solid Waste Enforcement: Oregon Department of Environmental Quality Notice of Civil Penalty Assessment Addressing Portland Metal Recycling Facility



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The Oregon Department of Environmental Quality (“ODEQ”) issued a Notice of Civil Penalty Assessment and Order (“Notice”) to PNW Metal Recycling, Inc. d/b/a Rivergate Scrap Metals (“PNW”) addressing an alleged violation of Oregon’ solid waste requirements. See Case No. LQ-SW-NWR-2024-073.

The Notice provides that PNW operates a business:

...accepting, processing, recycling and disposing materials discarded at the Facility by businesses and the public including vehicles, appliances, other materials including vehicles, appliances, and other materials that contain metal and tires (the materials), at 9645 North Columbia Boulevard in Portland, Oregon (the Facility).

The PNW Facility is stated to receive a large volume of discarded materials. This is stated to have included in 2017 approximately 700 tons per day of discarded materials. Further, it is alleged that more than half of the discarded materials the Facility receives is non-vehicles. It is further alleged that the Facility:

- Accepts vehicles and appliances that contain fluids including refrigerants, oils, fuels, and antifreeze.
- Contain hazardous and toxic substances such as metals, oils, lead, mercury, and other materials.

The Facility is stated to process metal in shredders, by cutting with a torch, and with a wire granulator. Further, the Facility is stated to store piles of tires, unprocessed metal, shredded metal, processed non-metallic automotive shredder residue (ASR), outdoors at the Facility. Used oil and automobile fluids at the Facility are stated to be stored under cover.

ASR is disposed at landfills for use as an alternative daily cover. Such ASR is stated to possibly contain tires which have been mixed in with the pre-shedding pile.

A fire at the Facility is stated to have occurred in 2011 and ODEQ is alleged to have received two complaints about the Facility relating to environmental concerns including smoke and airborne waste.

ODEQ is stated to have inspected the Facility on October 1, 2018, and August 15, 2024.

The PNW Facility is stated to not as of the date of the Notice to have a solid waste disposal site permit from ODEQ and there has not been an application for such permit.

The Notice alleges that the Facility violated ORS 459.205(1) and OAR 340-093-0050(1) by allegedly establishing, operating, and maintaining an unpermitted material recovery solid waste disposal site.

The Notice proposes a civil penalty of \$29,447.00. Further, the Facility is required to submit to ODEQ a complete application for a solid waste disposal site permit for the Facility.

Certain appeal rights are provided.

A copy of the Notice can be downloaded [here](#).