

## Permit Exemptions for Conversion Technology Facilities

### Background

Oregon Administrative Rules ([OAR 340-096-0160 to 340-096-0200](#)) require the owner or operator of a conversion technology facility in Oregon to obtain a solid waste conversion technology permit or registration from DEQ unless their facility meets criteria for an exemption from these permit requirements.

Certain types of facilities are specifically exempted if they meet specified criteria. For facilities not specifically exempted, to claim an exemption, an owner or operator must complete a *conversion technology permit exemption notification form*. This factsheet identifies facilities specifically exempted and summarizes the criteria other facilities must meet to claim a conversion technology facility permit exemption. Consult the rules for specific details.

### What is a conversion technology facility?

A conversion technology facility is one that primarily uses chemical or thermal processes to produce fuels, chemicals or other useful products from separated solid waste such as waste plastic or rubber. These chemical or thermal processes include but are not limited to: distillation, gasification, hydrolysis, pyrolysis, thermal depolymerization, transesterification and animal rendering. These processes do not include melting (changing from solid to liquid through heating without changing chemical composition), direct combustion, composting, anaerobic digestion or mechanical recycling.

Mills that primarily use mechanical recycling or melting to recycle materials back into similar materials are not considered to be conversion technology facilities, even if they use some chemical or thermal processes in the recycling process.

[OAR 340-096-0160\(4\)](#) exempts a conversion technology facility from solid waste disposal site permitting requirements if it meets one or more of the specified exemption criteria and complies with established performance standards, unless DEQ determines the facility may adversely affect human health or the environment. The owner or operator of a facility claiming an exemption must maintain documentation that the facility meets the requirements of the exemption and must provide that documentation to DEQ upon request. If a facility that was exempt under this section no longer meets or cannot promptly

resume meeting the criteria for exemption, the facility owner or operator must, within 30 days, either apply for a conversion technology permit under [OAR 340-093-0070](#) or notify DEQ how they plan to resume meeting the criteria.



*Pacific Biodiesel, Salem, OR*

### Specific permit exemptions

The following conversion technology facilities are specifically exempted from permitting requirements [[OAR 340-096-0160\(4\)](#)] but must still comply with the performance standards in [OAR 340-096-0170](#):

#### Any conversion technology facility

When using less than 20 tons of solid waste per year as feedstock.

#### Used oil processing facilities

When used oil is the only conversion technology activity and the facility is registered as a DEQ used oil processor.

#### Animal rendering facilities

When using animal mortality and byproducts and the facility: 1) holds a valid Oregon Department of Agriculture Rendering License and 2) meets all solid waste requirements in [OAR 340 Divisions 93 – 97](#).

#### Biodiesel production facilities

When using fats, oils and greases and the facility maintains compliance with OAR 340-093-0210 (storage and collection) and [OAR 340-096-0170](#) (performance standards).

#### Certain energy production facilities

When feedstocks are primarily crops grown specifically for the facility and solid waste feedstocks are 5 percent or less of total feedstocks processed by the facility or less than 1,000 tons per year, whichever is smaller.



State of Oregon  
Department of  
Environmental  
Quality

### Materials Management Program

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[www.oregon.gov/deq](http://www.oregon.gov/deq)

## Permit exemption notification

An owner or operator of a facility not specifically exempt can claim an exemption under [OAR 340-096-0160\(4\)\(b\)](#) by completing a *conversion technology permit exemption notification form* to notify DEQ of its intent to construct a conversion technology facility and the location proposed for construction. The form must be submitted to DEQ at least 30 days before facility construction begins.

## Criteria for permit exemption

Exempt conversion technology facilities, not specifically identified above, must satisfy all criteria under [OAR 340-096-0160\(4\) - \(6\)](#); including maintaining compliance with the performance standards in [OAR 340-096-0170](#).

### Exemption criteria

- Less than one percent by weight of the waste received by the facility is putrescible (readily decomposable organic matter).
- The facility does not receive mixed solid wastes, such as auto and appliance shredder wastes. All feedstocks received have been separated from mixed solid waste and are compatible with the conversion technology facility process needs.
- The facility is in compliance with DEQ water quality and solid waste rules.
- The facility is in compliance with DEQ air quality rules.
- The facility does not routinely charge a fee to receive feedstocks used by the conversion technology.
- The facility owner or operator can demonstrate the facility can maintain compliance with performance standards, based on actual operations data.
- The facility maintains documentation showing the facility continues to meet exemption requirements, including compliance with performance standards and makes that documentation available to DEQ upon request.
- Exempt facilities unable to promptly resume meeting exemption criteria must, within 30 days, either: 1) apply for a permit or 2) notify DEQ in writing how they plan to resume meeting the criteria.

### Performance Standards

- The facility is designed, constructed and operated in compliance with DEQ rules for protection of surface water.
- Facilities that manage water in engineered structures maintain compliance with [OAR 340-096-0130](#), unless the structure is covered under a DEQ water quality permit.

- The facility is designed, constructed and operated in compliance with DEQ rules for protection of ground water.
- The facility is designed, constructed and operated in a manner to control and minimize odor and dust.
- The facility is designed, constructed and operated to protect public health by controlling pests such as rats, birds and flies.
- Conversion technology facilities that produce, collect and/ or store oil, biogas or syngases maintain compliance with state and local fire regulations.
- The facility carefully screens and manages incoming feedstocks, separating out feedstocks incompatible with the technology, to ensure facility operations and the materials produced are protective of and safe for human health and the environment.
- The facility provides adequate operational and safety training to staff.
- The facility manages and uses feedstocks in a timely manner that is protective of human health and the environment.
- The facility manages and removes finished products and waste in a timely manner and that is protective of human health and the environment.
- The facility complies with DEQ hazardous waste rules.
- Hazardous substances in the material produced by the facility meet one of two criteria: 1) are similar to concentrations found in a comparable raw material or commercial product or 2) are safe for human health or the environment when used.
- The facility allows DEQ access to the facility and its records.

### Exemption notification process

Step 1: Contact your local DEQ office for assistance with the preparation of the notification form.

Step 2: Mail or email the original signed notification and all attachments to the appropriate regional office. DEQ recommends the applicant keep a full copy of all notification materials.

Step 3: DEQ will contact the applicant acknowledging receipt of the notification. DEQ will contact facility operators if additional information is needed and/or to schedule a site visit.

## **DEQ contact information**

### Eastern Region

541-298-7255, x 221

Baker, Crook, Deschutes, Gilliam, Grant, Harney, Hood River, Jefferson, Klamath, Lake, Malheur, Morrow, Sherman, Umatilla (including Milton-Freewater), Union, Wallowa, Wasco and Wheeler counties

### Northwest Region

503-229-5353

Clackamas, Clatsop, Columbia, Multnomah, Tillamook and Washington counties

### Western Region

541-687-7465

Benton, Coos, Curry, Douglas, Jackson, Josephine, Lane, Lincoln, Linn, Marion, Polk and Yamhill counties.

### **Alternative formats**

Documents can be provided upon request in an alternate format for individuals with disabilities or in a language other than English for people with limited English skills. To request a document in another format or language, call DEQ in Portland at 503-229-5696, or toll-free in Oregon at 1-800-452-4011, ext. 5696; or email [deqinfo@deq.state.or.us](mailto:deqinfo@deq.state.or.us).