



Oregon

John A. Kitzhaber, MD, Governor

Department of Environmental Quality

Northwest Region
2020 SW 4th Ave, Suite 400
Portland, OR 97201
(503) 229-5263
FAX (503) 229-6945
TTY 711

July 15, 2014

Ryan J. Sandhu, PE
Clean Water Services Field Operations Manager
2550 SW Hillsboro Highway
Hillsboro, OR 97123
SandhuR@CleanWaterServices.org

RE: Beneficial Use Determination (BUD-20130829) for Screened Street Sweeping Fines

Dear Mr. Sandhu:

The Department of Environmental Quality (DEQ) has reviewed Clean Water Services' August 29, 2013 application for a case-specific solid waste Beneficial Use Determination (BUD). DEQ has determined the following proposed uses for screened street sweepings meet the requirements for a case-specific BUD described in Oregon Administrative Rule (OAR) 340-093-0260 through 340-093-0290. This BUD approval is limited to the materials, approved uses, and conditions specified in Table 1. The conditions of the BUD are intended to prevent adverse impacts to human health and the environment.

Table 1

Solid Waste	Beneficial Use	Conditions on all Uses
Clean Water Services screened street sweeping fines ¹	<ol style="list-style-type: none"> Nonresidential common construction fill and utility trench fill Nonresidential landscaping fill (e.g., road medians, berms and vegetated areas along parking strips) 	<ol style="list-style-type: none"> Material cannot be used in residential areas (including mixed use commercial/residential) or on, or adjacent to, properties including schools, daycares, or any other property consistently encountered by children or other sensitive populations. Material use must be consistent with applicable engineering and commercial standards. Concentrations of hazardous substances in the material must be below human health occupational risk-based screening levels identified in the most current version of the DEQ Environmental Cleanup and Tanks Program Risk-Based Concentrations for Individual Chemicals (or the Environmental Protection Agency Regional Screening Level Summary Table, if the contaminant of concern is not addressed in the prior DEQ reference). Material must not be stored or used near water or wetland areas in such a way that would allow discharge to groundwater or surface water. Material must be stored and managed to prevent nuisance conditions or releases to the environment such as dust, runoff, objectionable odors and unsightliness. Material use must comply with all applicable federal, state, and local

¹ Street sweeping fines must pass a one-inch screen to remove litter. Litter will be sent to a DEQ-approved landfill.

		<p>regulations.</p> <p>7. Ongoing sampling must be conducted at least annually according to the most current version of the sampling plan originally approved by DEQ on June 19, 2014. The conditions of this BUD are subject to change based on future sample results.</p> <p>8. Records of all uses identifying the user, quantity, location and purpose of use must be kept for a period of five years and submitted to DEQ for review annually by January 31 (for the preceding year), with a \$250 review fee.</p> <p>9. All conditions of use must be provided in writing to end users of the material and owners of the property upon which the material is applied.</p>
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DEQ's determination is based on a review of Clean Water Services' proposed beneficial uses of street sweeping fines demonstrating the case-specific beneficial use performance criteria outlined in OAR 340-093-0290 are met for the approved uses. Details of DEQ's review are provided in the attached case-specific evaluation report.

DEQ has determined that CWS provided insufficient information for approval of street sweeping fines for use as agricultural fill or as a soil amendment. If CWS wishes to pursue these uses please submit a separate beneficial use application identifying how such uses will be both productive and protective of human health and the environment.

Per OAR 340-093-0290(9), DEQ may modify or revoke this case-specific BUD at any time based on new information showing the potential to cause adverse impact to public health, safety, welfare, or the environment.

If you have any questions or concerns please contact Daniel Hough (DEQ BUD project manager for Clean Water Services) by phone at (503) 229-5478, or email at hough.daniel@deq.state.or.us. DEQ appreciates your cooperation in protecting Oregon's environment.

Sincerely,



DEQ Northwest Region Environmental Partnerships

Enclosure: Beneficial Use of Solid Waste Determination Evaluation Form

Cc: Bill Mason, DEQ Groundwater Hydrologist (mason.bill@deq.state.or.us)
 Daniel Hough, DEQ Solid Waste Compliance Specialist (hough.daniel@deq.state.or.us)