



Oregon

Kate Brown, Governor

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April 1, 2015

Mr. Kenny Camp
ODOT Region 3 HazMat Coordinator
3500 Stewart Parkway
Roseburg, OR 97470

RE: Beneficial Use Determination Approval
BUD No. BUD-20150326-ODOT
Petroleum Contaminated Soil – OR 62: Corridor Solution Unit 2 Phase 1
Jackson County, Project #6934

Dear Mr. Camp:

The DEQ has reviewed ODOT's application for a solid waste beneficial use determination that was received in our office on December 15, 2014. ODOT proposes to beneficially use petroleum contaminated soils found within or adjacent to the Hwy. 62 by-pass/Coker Butte overpass as road-base material.

DEQ has determined that ODOT's beneficial use proposal meets the requirements for a Tier 2 case-specific Beneficial Use Determination (BUD) under OAR 340-093-0260 through 0290. DEQ's determination is based on a review of whether ODOT's proposed beneficial use of petroleum contaminated soil meets the case-specific beneficial use performance criteria outlined in OAR 340-093-0280. Details of our review are provided in the attached Beneficial Use of Solid Waste Determination Evaluation form.

This BUD approval is limited to the materials, approved use, and conditions specified in this letter and in the table below. The conditions of this BUD approval are intended to prevent adverse impacts to public health, safety, welfare or the environment from the use of ODOT's petroleum contaminated soil.

ODOT may use the petroleum contaminated soil as identified below:

Solid Waste	Case-Specific Beneficial Use	Conditions of Use
Petroleum Contaminated Soil	Construction fill for road base within the OR 62 Corridor Solution Unit 2 Phase 1	<ol style="list-style-type: none">1. The PCS must not contain concentrations of hazardous substances above DEQ approved human health occupational risk-based screening levels or naturally occurring background, whichever is higher.2. The PCS may be used only for road base that will not come into contact with or adversely impact groundwater or surface water.3. The PCS must not be stored or used in drainage applications or near water or wetland areas and must not be stored or used in ways that would allow discharge to groundwater, surface water or wetland areas.

		<ol style="list-style-type: none">4. After being beneficially used, the PCS must be covered by asphalt, concrete, clean fill or equivalently covered to minimize exposure to human and ecological receptors.5. ODOT must place in the Environmental Project File pertinent information regarding the placement/existence of the PCS to include but not be limited to: exact location, volume, thickness, depth beneath surface, and analytical data of in-place PCS.6. In accordance with OAR 340-093-0280(3)(b), until the time the material is used under the BUD conditions specified, ODOT and any assignee's, agents or contractors that excavate, transport, store or place the PCS must store and manage the material to prevent releases to the environment and nuisance conditions.7. If additional (previously uncharacterized or undisclosed) contaminated soils are encountered during the project, and/or end uses are modified, ODOT must first have the material re-evaluated prior to beneficial use.
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If you have any questions about this BUD, please contact David Esch at 541-776-6148 or via e-mail at esch.david@deq.state.or.us

Sincerely,



Brian Fuller, Manager
Western Region Hazardous and Solid Waste
Permitting and Compliance

encl: Beneficial Use of Solid Waste Determination Evaluation Form

ec: David Esch, DEQ-Medford, esch.david@deq.state.or.us
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