



# Oregon

Kate Brown, Governor

## Department of Environmental Quality

Northwest Region

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June 22, 2015

Chris Heiler, Representative  
NW Processing Solar & Electronics LLC  
6949 N Cutter Circle  
Portland, OR 97217

RE: Beneficial Use Determination Approval  
BUD No. BUD-20141105  
NW Processing Solar & Electronics LLC  
Washington County

Dear Mr. Heiler:

The Department of Environmental Quality (DEQ) has reviewed the November 4, 2014, application for a Tier II case-specific solid waste beneficial use determination (BUD) received from NW Processing Solar & Electronics LLC. NW Processing Solar and Electronics LLC proposes to market used garnet tailings, the washed fine fraction of garnet used in water-jet cutting, for beneficial use as fill at the Baker Rock and Tigard Sand and Gravel mine-reclamation sites. The garnet waste is generated from multiple water-jet-cutting facilities in the Portland area.

DEQ has determined that the proposed beneficial use of used garnet tailings for mine reclamation meets the performance standards and requirements for a Tier 2 case-specific Beneficial Use Determination (BUD) under OAR 340-093-260 through -290. The BUD approval is based on a review that determined that the proposed garnet waste use meets the case-specific beneficial use performance criteria outlined in OAR 340-093-280. Details of the review for the garnet waste beneficial use are provided in the attached BUD evaluation form.

The BUD approval is limited to the materials, approved uses, and conditions specified in Table 1. The conditions of this BUD approval are intended to prevent adverse impacts to public health, safety, welfare, or the environment from the use of the material. Oregon Department of Geology and Mining Industry regulates reclamation sites in Oregon. DOGAMI has reviewed the proposed beneficial use application for use at Baker Rock and Tigard Sand and Gravel reclamation sites. If NW Processing Solar and Electronics LLC identifies additional reclamation sites, the proposed use of garnet waste as reclamation fill must be approved by DOGAMI for each specific reclamation site and must comply with OAR 632-030-0025, and the operating permit and fill/reclamation plan for the specific reclamation site.

Table 1

Solid waste material	Case-specific beneficial use	Conditions of use
Used garnet tailings from the washed fine fraction of garnet used in water-jet cutting	Use as fill at mine-reclamation sites	<ol style="list-style-type: none"> <li>1. The only material authorized by this beneficial use determination approval is the used garnet tailings waste processed by NW Processing Solar &amp; Electronics LLC.</li> <li>2. The material may be used beneficially at mine-reclamation sites only after site-specific land-use approval is obtained from the local government in which the mine-reclamation is sited. Washington County has provided a land use compatibility statement for use of the garnet waste at Baker Rock and Tigard Sand and Gravel reclamation sites.</li> <li>3. Oregon Department of Geology and Mining Industry must approve the use of garnet waste at each specific reclamation site where garnet waste is proposed to be used for reclamation fill. The proposed use of garnet waste must meet the conditions of the reclamation site Operating Plan and fill/reclamation plan.</li> <li>4. NW Processing Solar &amp; Electronics LLC must follow the operations plan provided with the BUD application or any future revisions of the plan approved in writing by DEQ.</li> <li>5. Material use must comply with all applicable federal, state, and local regulations.</li> <li>6. 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 and DOGAMI for review annually by January 31 (for the preceding year), with a \$250 review fee.</li> <li>7. 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.</li> </ol>

Per OAR 340-093-290(9), DEQ may modify or revoke this case-specific BUD at any time based on new information showing the potential for the material to cause adverse impacts to public health, safety, welfare, or the environment.

June 22, 2015

Mr. Heiler

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If you have any questions or concerns, please contact me at (503) 229-5072 or via email at obrien.audrey@deq.state.or.us or Bill Mason (DEQ BUD project manager for NW Processing) by phone at (541) 697-7427 or via email at mason.bill@deq.state.or.us. DEQ appreciates your cooperation in protecting Oregon's environment.

Sincerely,



Audrey O'Brien, Manager  
Northwest Region Environmental Partnerships

enc: Beneficial Use of Solid Waste Determination Evaluation Form

cc: Damon Doelger, NW Processing, d.doelger@nw-processing.com  
Daniel Hough, DEQ-Portland, hough.daniel@deq.state.or.us  
Bob Houston, DOGAMI, bob.houston@state.or.us  
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