



# Oregon

John A. Kitzhaber, MD, Governor

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July 29, 2013

Ryan Kackley  
Oregon Green Pros LLC and Freres Lumber Co., Inc.  
602B Front Street  
Silverton, Oregon 97381

**Re:** Oregon Green Pros LLC/Freres Lumber Co., Inc  
Beneficial Use Determination Approval  
BUD-20121017-OrGreenProsFreresLmbr  
Linn County, SW Project 6137

Dear Mr. Kackley:

The Department of Environmental Quality (DEQ) has completed its review of your application for a solid waste beneficial use determination. Oregon Green Pros proposes to market their biomass wood ash for beneficial use for garden and landscape as a soil additive and soil amendment. The biomass wood ash is generated from the Freres Lumber Mill in Lyons, Oregon.

DEQ has determined that the biomass wood ash beneficial use proposal meets the requirements for a Tier 2 case-specific Beneficial Use Determination (BUD) under OAR 340-093-0260 through 0290. The BUD is based on a review of whether the proposed biomass wood ash meets the case-specific beneficial use performance criteria outlined in OAR340-093-0280. Details of the review for the biomass wood ash beneficial use are provided in the attached BUD evaluation form.

The BUD approval is limited to the wood ash generated from the Freres Lumber Mill in Lyons, Oregon only and the use described herein. The conditions (specified in the table below) of this BUD approval are intended to prevent adverse impacts to public health, safety, welfare, or the environment from the use of the material.

Solid waste material	Case-specific beneficial use	Conditions of use
Biomass wood (bottom/fly) ash from co-generation system in Freres Lumber Mill	Use in gardens and landscapes as soil additive and soil amendment	<ol style="list-style-type: none"><li>1. The material is only authorized for the biomass wood ash generated from the co-generation system in Freres Lumber Mill in Lyons, Oregon.</li><li>2. The material must not contain concentrations of hazardous substances above Oregon Department of Agricultural limits for non-nutritive metals.</li><li>3. The material must be processed with trammel screens for ½ inches or less.</li><li>4. The material to be sold in stores must be placed and sealed in waterproof bags. Full instructions and safety information must be printed on the bags and the website. When sold in bulk, the full instructions and safety information must be provided to the buyer with the printed receipt, or similar documentation of the transaction.</li><li>5. The material may be used only for soil additive or soil</li></ol>

		amendment in gardens and landscapes.
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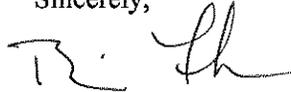
Solid waste material	Case-specific beneficial use	Conditions of use (continued)
Biomass wood (bottom/fly) ash from co-gen system in Freres Lumber Mill	Use in gardens and landscapes as soil additive and soil amendment	<ol style="list-style-type: none"> <li>6. The material must not be stored near water or wetland areas and must not be stored in ways that would allow discharge into groundwater, surface water, or wetland areas.</li> <li>7. In accordance with OAR 340-093-0280(3)(b), until the time the material is used according to this beneficial use determination, the material must be managed, including any storage, transportation, or processing, to prevent releases to the environment or nuisance conditions.</li> <li>8. Every year, a report must be submitted to DEQ identifying the volume sold, to whom, and for what purpose (as stated by the purchaser). Per OAR 340-097-0120(2)(f), a fee of \$250 must be included for reviewing of the annual report.</li> <li>9. The applicant must keep records of sales containing the information in #8 above for five years.</li> </ol>

If no material is sold for beneficial use under the conditions of this BUD approval within eighteen (18) months from the date of approval, DEQ may:

- re-evaluate this approval and may withdraw this approval, and
- require that you manage the material in a different manner or dispose of the material at a permitted solid waste disposal site.

If you have any questions regarding this BUD, please call Bill Mason at 541-687-7427 or Hugh Gao at 503-378-4977.

Sincerely,



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

Enc: Beneficial Use of Solid Waste Determination Evaluation Form

cc: Bill Mason, DEQ-Eugene  
 Hugh Gao, DEQ-Salem