



Oregon

Kate Brown, Governor

Department of Environmental Quality

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February 14, 2019

Dustin McCluskey
Lane Forest Products
2111 Prairie Rd.
Eugene, OR

RE: Amended Beneficial Use Determination (BUD-20181221) for Composted Street Sweepings

Dear Mr. McCluskey:

Thank you for your email dated November 29, 2018 requesting amending the Lane Forest Products Street Sweeping Waste BUD to clarify the allowed beneficial uses and eliminate the notification to users of the conditions of use for the composted material. In support of this request you provided a summary table of analytical test results for the past six years. Seth Sadofsky and Bob Barrows received an on-site tour of the composting operation from you and other Lane Forest Products staff. Thanks for providing the tour.

The following summarizes street sweepings composting operations. Street sweepings are delivered to the Lane Forest Products' JC Compost Yard where staff remove by hand, obvious solid waste contaminants, such as plastic and metal. Street sweepings are then loaded into a mechanical screen where more contaminants are removed both by the screen and air lift separator. Screened sweepings are then placed in a pile for composting where they are turned periodically over the course of a year. Finished material is re-screened a second time before placement in a finished pile ready for delivery to customers.

Finished material is tested at least annually for a list of contaminants of concern identified in the original application which include: 1) selected metals (arsenic, barium, cadmium, chromium, lead, mercury, silver); 2) diesel and heavy oil; and 3) polycyclic aromatic hydrocarbons. Review of analytical test results over the past six years shows that this material has met all applicable risk-based concentrations.

For those batches showing evidence of constituents of concern between residential and industrial RBCs, DEQ has determined that Lane Forest Products' beneficial use proposal continues to meet the requirements for a Case-Specific BUD under Oregon Administrative Rule (OAR) 340-093-0260 through 340-093-0290. **The request to amend the BUD is granted.** The BUD has been altered and is limited to the materials, approved uses and conditions specified in the table below. The conditions of the BUD are intended to prevent adverse effects to human health and the environment.

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 [OAR 340-093-0290{9}]. If you have any questions or concerns regarding this BUD, please contact Seth Sadofsky by phone at (541) 687-7329 or via email at sadofsky.seth@deq.state.or.us. DEQ appreciates your cooperation in protecting Oregon's environment.

Solid Waste	Beneficial Use	Conditions on all uses
Lane Forest Products composted street sweepings	<ol style="list-style-type: none"> 1. Soil and compost mixes on non- food-crop agricultural lands 2. Nonresidential bioswale soil mixes for stormwater settling basins in commercial and industrial parking lots, 3. Nonresidential landscaping fill (e.g., road medians, road shoulders, berms, seeding medium for landfills or highways, and vegetated areas along parking strips). 	<ol style="list-style-type: none"> 1. Material with analytical results indicating constituents of concern are present above residential RBCs, cannot be applied 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. 2. Material use must be consistent with applicable engineering standards, commercial standards, and agricultural or horticultural practices. 3. Material cannot be used as a soil amendment for food crops. Material used for agricultural fill cannot be placed directly below areas to be planted with food crops. 4. Concentrations of hazardous substances in the material must be below human health occupational direct contact risk-based screening levels. Please use the most up-to-date risk-based concentrations available here: https://www.oregon.gov/deq/Hazards-and-Cleanup/env-cleanup/Pages/Risk-Based-Decision-Making.aspx#item5 with the exception for inorganic metals with background concentrations above screening levels for which screening will be background concentrations for the South Willamette Valley. https://www.oregon.gov/deq/FilterDocs/DebORbackgroundMetal.pdf 5. Material must be stored and managed to prevent nuisance conditions or releases to the environment such as dust, runoff, objectionable odors and unsightliness. 6. Material use must comply with all applicable federal, state and local regulations. 7. Ongoing sampling of contaminants of concern must be conducted no less frequently than annually and analytical results submitted to DEQ. Contaminants of concern include: 1) selected metals (arsenic, barium, cadmium, chromium, lead, mercury, silver); 2) diesel and heavy oil; and 3) polycyclic aromatic hydrocarbons. 8. Records of all uses identifying the user and quantity, location and purpose of use must be kept for a period of five years and submitted to DEQ for review annually with a \$250 review fee.



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

Enc: Beneficial Use of Solid Waste Determination Evaluation Form

cc: Seth Sadofsky, DEQ-Eugene, sadofsky.seth@deq.state.or.us
Bob Barrows, DEQ-Eugene, barrows.bob@deq.state.or.us