

Request for Comments

Proposed Solid Waste Disposal Permit Renewal for Environmental Protection Services of Oregon

Comments due: 5 p.m., Nov. 1, 2020

Project location: Environmental Protection Services of Oregon, at 8905 Pueblo Avenue NE in Brooks; Marion County

Proposal: The Oregon Department of Environmental Quality proposes to renew a permit for this treatment facility in Marion County. The permit would continue to authorize treatment facility activities at this site in conformance with state requirements, limitations, and conditions. The facility is owned by and operated by Meyer Environmental Services, Inc.

Highlights: The current permit was issued on Dec. 3, 2010, and will expire on Oct. 31, 2020. This facility is open to the public and has been in operation since January 1999.

The renewal permit would continue to authorize this facility to process fluorescent and other mercury-containing lamps into their components of glass, aluminum and fluorescent powder (primarily calcium phosphate containing mercury). The facility is located in an industrial park in Brooks. Operations would not change under the new permit.

The most recent site inspection was conducted on Feb. 2, 2020, and no violations were noted during that inspection. There have been no significant violations documented and no formal enforcement actions taken by DEQ for this site during this permit cycle.

How to comment: Send comments by mail to DEQ Permit Coordinator Denise Miller at 165 E Seventh Ave., Suite 100, Eugene, OR 97401 or by email to miller.denise@deq.state.or.us.

Where can I get more information? Go to <https://www.oregon.gov/deq/Get-Involved/Pages/Public-Notices.aspx> or contact Miller at 541-687-7465 or miller.denise@deq.state.or.us. For questions on the permit, please contact Hugh Gao, DEQ Senior Engineer, at 503-378-4977 or hugh.gao@deq.state.or.us.

If you want to review the application and related documents in person at the DEQ office located in Eugene at 165 E Seventh Ave., Suite 100. Please contact Miller at 541-687-7465 or miller.denise@deq.state.or.us to set up an appointment.

The next step: DEQ considers and responds to all comments received and may modify the proposed permit based on comments.

Alternative formats: DEQ can provide documents in an alternate format or in a language other than English upon request. Call DEQ at 800-452-4011 or email deqinfo@deq.state.or.us.



State of Oregon
Department of
Environmental
Quality

**Western Region
Materials
Management
Program**

165 E Seventh Ave.
Suite 100
Eugene OR 97401
Phone: 541-687-7465
800-849-8477

Contact:
Denise Miller email:
miller.denise@deq.state.or.us

www.oregon.gov/DEQ



SOLID WASTE DISPOSAL SITE PERMIT: Industrial Solid Waste Landfill - Active

Oregon Department of Environmental Quality
165 E. Seventh Ave., Suite 100
Eugene, OR 97401-3049
541-687-7465

Issued in accordance with the provisions of Oregon Revised Statute Chapter 459; Oregon Administrative Rules 340, Divisions 90, 93, 95, 96 and 97; and subject to the Land Use Compatibility Statement referenced below.

Permittee:

Meyers Environmental Services, Inc.
PO Box 21763
Keizer, OR 97307
503-393-1239

Facility name and location:

Environmental Protection Services of Oregon
8905 Pueblo Avenue NE
Brooks, OR 97305
Section 17, T6S, R2W, WM, Marion County

Owner:

Daniel Ronald & Dustin Sullenger
PO Box 9277
Brooks, OR 97305

Operator:

Brian Meyers
8905 Pueblo Avenue NE
Brooks, OR 97305

ISSUED IN RESPONSE TO:

- A solid waste Choose permit type application received May 6, 2020.
- A Land Use Compatibility Statement from Marion County dated June 6, 2000.

The determination to issue this permit is based on findings and technical information included in the permit record.

ISSUED BY THE OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY

Brian Fuller, Manager
Materials Management and Hazardous Waste
Western Region

Date

Permitted Activities

Until such time as this permit expires or is modified or revoked, the permittee is authorized to operate, close and maintain a solid waste land disposal site in conformance with the requirements, limitations, and conditions set forth in this document including all attachments.

DRAFT

TABLE OF CONTENTS

Introduction

This document is a solid waste permit issued by the Oregon Department of Environmental Quality in accordance with Oregon Revised Statutes 459 and Oregon Administrative Rules, Chapter 340.

Section	Topic	Page
PERMIT ADMINISTRATION		3
1	Permit Issuance	3
2	Disclaimers	4
3	Authority	4
4	Permit Modification	4
ALLOWABLE ACTIVITIES		5
5	Authorizations	5
6	Prohibitions	6
OPERATIONS AND DESIGN		6
7	Operations Plan	6
8	Recordkeeping and Reporting – Operations	7
9	Specific Operating Conditions	8
10	Site Development and Design	9
SITE CLOSURE		9
11	Site Closure	9
12	Financial Assurance	10
COMPLIANCE SCHEDULE		10
13	Summary of Due Dates	10

PERMIT ADMINISTRATION

1 Permit Issuance

1.1 Permittee

This permit is issued to Meyers Environmental Services, Inc. for Environmental Protection Services of Oregon.

1.2 Permit number

This permit will be referred to as Solid Waste Permit Number: 1200.

1.3 Permit term

The permit is issued on the date it is signed. The permit's expiration date is Oct. 31, 2030.

1.4 Facility type

The facility is permitted as a solid waste treatment facility.

1.5 Facility owner/operator

The owner of this facility is:

Meyers Environmental Services, Inc.
PO Box 21763
Keizer, OR 97307

The operator of this facility is:

Brian Meyers
8905 Pueblo Avenue NE
Brooks, OR 97305

1.6 Basis for permit issuance

This permit is issued based upon the following documents submitted by the permittee:

- Solid waste permit application received May 6, 2020
- Land Use Compatibility Statements from Marion County dated June 6, 2000

1.7 Definitions

Unless otherwise specified, all terms are as defined in OAR 340-093-0030.

1.8 Legal control of property

The permittee must at all times maintain legal control of the disposal site property, including maintaining a current permit, contract or agreement that allows the operation of the facility if the site is not owned by the permittee.

1.9 Submittal & notification address

All submittals to DEQ, unless otherwise noted, must be sent to:

Oregon Department of Environmental Quality
Manager, Materials Management Program
165 E. Seventh Ave., Suite 100
Eugene, OR 97401-3049

Telephone: 541-687-7465

All submittals must include, at a minimum, one paper copy and one electronic copy in a format that is approved by the DEQ project manager. Note that some submittals may require more paper copies. Therefore, the permittee must confirm with the permit manager how many copies are necessary prior to submittal of a document.

Note: Whenever possible, the permittee must submit two-sided paper copies of all reports. DEQ may accept electronic submittals for portions of some reports, as approved in the Environmental Monitoring Plan or by DEQ.

2 Disclaimers

2.1 Property rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights.

2.2 DEQ liability

DEQ, its officers, agents or employees do not sustain any liability on account of the issuance of this permit or on account of the construction, maintenance, or operation of facilities pursuant to this permit.

3 Authority

3.1 Ten year permit

This permit is issued for a maximum of 10 years as authorized by Oregon Revised Statutes 459.245 (2).

3.2 Documents superseded

This document is the primary solid waste permit for the facility, superseding all other solid waste permits issued to Meyers Environmental Services, Inc. for Environmental Protection Services of Oregon by DEQ.

3.3 Permittee responsibility and liability

Conditions of this permit are binding upon the permittee. The permittee must conduct all facility activities in compliance with the provisions of this permit. The permittee is liable for all acts and omissions of the permittee's contractors and agents in carrying out the operations and other responsibilities pursuant to this permit.

3.4 Other compliance

This permit's issuance does not relieve the permittee from the responsibility to comply with all other applicable federal, state, or local laws or regulations, including the following solid waste requirements, and any future updates or additions to these requirements:

- Solid waste permit application received May 6, 2020
- Oregon Revised Statutes, Chapters 459 and 459A
- Oregon Administrative Rules Chapter 340
- Any documents submitted by the permittee and approved by DEQ

3.5 DEQ access to disposal site

The permittee shall allow representatives of DEQ access to the disposal facility at all reasonable times for the purpose of making inspections, surveys, collecting samples, obtaining data and carrying out other necessary functions related to this permit.

Reference: OAR 340-093-0050(6)

3.6 Penalties

Violation of permit conditions will subject the permittee to civil penalties of up to \$25,000 for each day of each violation.

Reference: ORS 459.995(1)(a)

4 Permit Modification

4.1 Five year review

In the permit's 4th to 6th year, DEQ may review the permit and amend it if necessary. DEQ will consider the following factors in making this determination:

- Compliance history of the facility
- Changes in volume, waste composition, or operations at the facility
- Changes in state or federal rules which should be incorporated into the permit
- A significant release of leachate or contaminated dust to the environment from the facility

- Significant changes to a DEQ -approved site development plan, and/or conceptual design
- Other significant information or events

4.2 Permit modification

DEQ or the permittee may propose to change the permit at any time during the permit term.

Once approved by DEQ, any permit-required plans become part of the permit by reference. DEQ may provide notice and opportunity for review of permit-required plans.

4.3 Modification and revocation by DEQ

The DEQ Director may, at any time before the expiration date, modify, suspend, or revoke this permit in whole or in part, in accordance with Oregon Revised Statutes 459.255, for reasons including but not limited to the following:

- Violation of any terms or conditions of this permit or violation of any applicable statute, rule, standard, or order of the Commission
- Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts
- A significant change in the quantity or character of solid waste received or in the operation of the disposal site

4.4 Modification by permittee

The permittee must apply for a modification to this permit if there is a significant change in facility operations or a deviation from permitted activities.

4.5 Public participation

DEQ will issue a public notice to inform the public of any significant changes to the permit.

4.6 Changes in ownership or address

At least 10 days in advance, the permittee must report to DEQ any change in the facility's ownership or the permittee's or operator's name and/or address.

Reference: OAR 340-093-0070(6)(a)(A)

ALLOWABLE ACTIVITIES

5 Authorizations

5.1 Site activity

The permittee is authorized to process fluorescent and other mercury-containing lamps into their components of glass, aluminum, and mercury-containing powder.

5.2 Waste receipt

This permit authorizes the facility to accept fluorescent and other mercury-containing lamps.

5.3 Maximum storage time

All fluorescent and other mercury-containing lamps must be processed within 24 hours of their receipt at the site. Lamps in transit that cannot be processed within 24 hours must be stored as stated in the Operations Plan.

5.4 Maximum storage quantity

The maximum quantities of waste and processed materials authorized to be stored on-site are:

Waste or Processed Material	Maximum Quantity
mercury-containing lamps mercury-containing phosphate powder spent air filters crushed glass aluminum end caps	25,000 lamps 45 – 55-gallon drums 3 – 55-gallon drums 80 yd ³ 20 yd ³

5.5 Operation shutdown

In the event that facility operations are shut down for any reason, the permittee must immediately cease receiving lamps and notify DEQ at 503-378-5047 within 24 hours.

The facility must not accept any lamps until the reason for shutdown is satisfactorily resolved and the approval to resume operating obtained from DEQ.

5.6 Authorization of activities

All facility activities are to be conducted in accordance with the provisions of this permit. All plans required by this permit become part of the permit by reference once approved by DEQ. Any conditions of the approval are also incorporated into this permit unless contested by the permittee within 30 days of the receipt of a conditional approval.

6 Prohibitions

6.1 Hazardous waste disposal

The permittee must not accept hazardous waste, including hazardous waste from conditionally exempt small quantity generators, except as authorized by permit condition 5.2.

Reference: 40 CFR 258.20 (b) and OAR 340-101.

In the event discovered wastes are hazardous or suspected to be hazardous, the permittee must, within 24 hours, notify DEQ and initiate procedures to identify and remove the waste. Hazardous wastes must be removed within ninety (90) days, unless DEQ approves otherwise. The permittee’s temporary storage and transportation practices must comply with DEQ rules.

6.2 Ballasts

The permittee must not accept fluorescent lamp ballasts.

6.3 Liquid waste disposal

The permittee must not accept liquid waste for disposal.

Definition: Liquid waste is waste that does not pass the paint filter test performed in accordance with EPA Method 9095B.

6.4 Open burning

The permittee must not conduct any open burning at the site.

OPERATIONS AND DESIGN

7 Operations Plan

7.1 Operations plan submittal

The permittee must operate and maintain the facility in accordance with the most current approved Operations Plan and keep a copy of the DEQ-approved Operations Plan in the facility file readily available for DEQ inspection and review.

Within 120 days of the permit issue date, the permittee must review and submit any necessary updates to the site Operations Plan to DEQ for review and approval. The updated plan must be consistent with the conditions of this permit. A DEQ-approved plan becomes an integral part of the permit.

7.2 Plan compliance

The permittee must conduct all operations at the facility (including waste and materials testing) in accordance with the Operations Plan in Section 1 of the Addendum to Permit Application, October, 2000, as revised by the letter of Dec. 18, 2000, and any modification to the plan approved by DEQ.

7.3 Emergency response

The permittee must respond to site emergencies in accordance with the Contingency Plan in Section 2 of the Addendum to Permit Application, October 2000, and any modification to the plan approved by DEQ.

The permittee must provide a copy of the Contingency Plan to the Marion County Sheriff, Brooks Fire Department, and Salem Hospital, including a written description of access to the facility, its layout, and chemical hazards that may be encountered.

7.4 Personnel training

Operating personnel must be thoroughly familiar with proper material and waste handling procedures during all normal and emergency operations. This includes the training and procedures in Employee Protection and Training in Section 3 of the Addendum to Permit Application, October 2000, as well as the Operations Plan and the Contingency Plan.

Documentation of every employee's training must be maintained at the facility.

7.5 Plans maintenance

The permittee must update and revise the Operations Plan, Contingency Plan, and Employee Protection and Training plan as necessary to keep them reflective of current facility conditions and procedures.

The permittee must submit any revisions of these plans for DEQ approval.

8 Recordkeeping and Reporting – Operations

8.1 Non-compliance reporting

The permittee must take immediate corrective action for any violations of permit conditions or DEQ rules and notify DEQ at: 541-687-7465

DEQ response: DEQ may investigate the nature and extent of the compliance problem and evaluate the adequacy of the permittee's corrective action plans.

8.2 Permit display

The permittee must display this permit where operating personnel can easily find it and refer to it.

8.3 Access to records

DEQ must have access, when requested, to all records and reports related to the permitted facility.

8.4 Procedure

The permittee's recordkeeping and reporting procedures are as follows:

Step	Action
1	Keep the Operating Record at the facility or at another DEQ-approved location.
2	During facility operations, record the amount of each waste type received in cubic yards or tons. Record "0" if that waste is not received. At a minimum the following waste types must be separately identified: <ul style="list-style-type: none"> • Number <u>and</u> pounds of lamps received and date of receipt • Pounds of lamps processed • Pounds of aluminum, mercury-containing powder, and glass shipped from site, date shipped, and destination. Compile annual tons of lamps received.

3	Submit the information collected in Step 2 above on the Solid Waste Disposal Report/Fee Calculation form provided by DEQ. Pay solid waste fees as required by OAR 340-097. <u>Date due:</u> Jan. 31 of each year for the previous calendar year.
4	Retain copies of all records and reports for five years after they were created.
5	Update all records to reflect current conditions at the facility.

8.5 Submittal address

Send required submittals to:

Oregon Department of Environmental Quality
 Materials Management Section
 Environmental Solutions Division
 700 NE Multnomah St., Suite 600
 Portland, OR 97232
 503-229-5913

9 Specific Operating Conditions

9.1 Discovery of prohibited waste

If the permittee discovers prohibited waste, the permittee must notify DEQ within 48 hours and begin to isolate or remove the waste. In addition, the permittee must take digital photos of the prohibited waste to document its quantity, nature, identity and source.

In the event discovered wastes are hazardous or suspected to be hazardous, the permittee must, within 7 days, notify DEQ and initiate procedures to identify and remove the waste. Within 90 days following the discovery, the permittee must transport non-putrescible, non-hazardous prohibited waste to a disposal or recycling facility authorized to accept such waste, unless otherwise approved or restricted by DEQ. The permittee must obtain DEQ's written approval to store putrescible, non-hazardous, prohibited waste.

9.2 Dust

Any mercury-containing dust that escapes from a lamp or the processing unit must be cleaned up immediately. Mercury-containing dust must not be visible on any interior surfaces of the facility.

9.3 House-keeping

The permittee must clean the lamp processing room as outlined in Section 1.4 of the Addendum to Permit Application, October 2000.

The permittee must inspect the walls and floor of the facility outside the lamp processing room at least weekly and cleanup as necessary.

9.4 Glass testing and use

A minimum of one representative sample of glass product must be tested using EPA Method 1311 (TCLP) for every 50 yd³ generated. The following end-uses of the glass are authorized:

Maximum Contaminant Concentration, mg/l	Encapsulated	Non-Encapsulated
Mercury (Hg)	0.2	0.002
Antimony (Sb)	--	0.006

Encapsulated uses include filler in asphalt or concrete. Non-encapsulated uses include sand blasting and golf course sand.

Glass must not be shipped off-site until the test results are known.

9.5 Lamp processing rate

Lamps must not be introduced to the processing equipment at a feed rate that causes more than 0.05 mg/m³ of mercury (Hg) vapor to be emitted from the air emission control filter system.

Initially, the lamp feed rate shall not exceed 80 feet of tubes per minute, as averaged over continuous 15-minute operating intervals, provided that mercury vapor readings obtained in accordance with Condition 9.7 remain below 0.05 mg/m³ Hg. Based upon operating experience and demonstrated performance, an alternative feed rate or elimination of a feed rate limit may be approved in writing by DEQ.

9.6 Mercury emission testing

At least twice each operating day, not less than 4 hours apart, the Jerome Mercury Vapor Analyzer must be installed between the second and third sets of charcoal air filters and a reading for mercury obtained. The readings shall be recorded in a log.

If at any time a valid reading ≥ 0.05 mg/m³ Hg is recorded, lamp processing must be suspended until the cause of the exceedence is determined and corrected. If it is determined that the charcoal filter system needs to be serviced, the filters must be replaced or regenerated in accordance with the Operations Plan.

At least once each year, the Jerome analyzer must be calibrated in accordance with the manufacturer's recommendations and the event recorded in the readings log.

9.7 Maintenance of air emission control system

An on-going inspection and maintenance program must be conducted on the baghouse and any HEPA filter or other particulate filters, and on the duct work, as follows:

- At least weekly external inspection of the baghouse and duct system for structural integrity and air leaks.
- At least monthly inspection of the baghouse filtering system, with replacement as necessary.
- Inspection and replacement of any HEPA filter or other similar particulate filters, as necessary.

A log shall be maintained of the weekly and monthly inspections required above, the maintenance performed on the baghouse and ductwork, and the replacement of any other particulate filters.

10 Site Development and Design

10.1 Design plans

At least six months prior to the anticipated construction date for new disposal units, closure of existing units, or development of other ancillary facilities, the permittee must submit engineering design plans to DEQ for review and approval. The design plans must be prepared and stamped by a qualified professional engineer with current Oregon registration.

10.2 Construction requirements

The permittee must construct all improvements in accordance with:

- The approved plans and specifications
- Any DEQ imposed conditions of approval
- Any future DEQ-approved amendments to the plans and specifications

10.3 Approval to use

The permittee must notify DEQ in writing of the completion of any construction, within 90 days, for which plans have been submitted, and must not use the constructed unit until the DEQ has accepted it. If DEQ does not respond to the notification within 30 days of its receipt, the permittee may use the unit.

SITE CLOSURE

11 Site Closure

11.1 Closure plan

The permittee must close the site in accordance with the Closure Plan in Section 5.1 of the Addendum to Permit Application, October 2000.

11.2 Closure requirement

The permittee must remove all wastes and processed materials at closure. The site, including the processing unit, must be cleaned and free of all debris and mercury-containing dust.

12 Financial Assurance

12.1 Financial assurance plan

The permittee must maintain the approved financial assurance plan and provide financial assurance for the costs of site closure, post-closure care, and corrective action (if applicable). The permittee must keep the current financial assurance plan in the facility file.

Reference: The plan must be prepared in accordance with OAR 340-095-0090. Acceptable mechanisms are described in OAR 340-095-0095.

12.2 Recertification of financial assurance

The permittee must review and update financial assurance annually in accordance with OAR 340-095-0090(6)(d). Prior to Feb. 14 of each year, the permittee must submit to DEQ one copy of the Annual Financial Assurance Recertification Report, signed by:

- A permittee representative who possesses the requisite authority to commit the permittee to the certification
- As required by OAR 340-095-0090(4)(a) any changes to the cost estimate for closure, post-closure or corrective action used as a basis for meeting the financial assurance requirement must be prepared and signed and stamped by a professional engineer, with current Oregon registration

12.3 Financial assurance plan

The permittee must implement a financial assurance plan and provide financial assurance for the cost of site closure. The plan must be placed in the facility file.

Reference: The plan must be prepared in accordance with OAR 340-095-0090. Acceptable mechanisms are specified in OAR 340-095-0095.

13.4 Liability insurance

The permittee must provide liability coverage for sudden accidental occurrences in the amount of \$1 million per occurrence with an annual aggregate of \$2 million, exclusive of legal defense costs.

12.5 Use of financial assurance

The permittee must not use the financial assurance for any purpose other than to finance the permitted facility's approved closure, post-closure, and corrective action activities or to guarantee that those activities will be completed.

12.6 Long-term financial responsibility

The permittee must continuously maintain financial assurance for the facility until DEQ no longer requires the permittee or other person owning or controlling the site to demonstrate financial responsibility for closure, post-closure care, or corrective action (if required).

COMPLIANCE SCHEDULE

13 Summary of Due Dates

13.1 Summary

The permittee must comply with the event-driven schedule shown below. This compliance schedule does not apply to many of the routine reporting requirements specified in other sections of the permit.

Due Date	Activity	See section...
Prior to Feb. 14 of each year	Submit financial plan and mechanism	12.2 Financial assurance plan

6 months before construction	Submit site development and design plan	10.1 Site development and design plan
Within 120 days of permit issuance	Submit updated Operations Plan	7.1 Operations plan submittal
Within 24 hours of discovery of hazardous or suspected hazardous waste	Notify DEQ, initiate procedures to identify and remove the hazardous waste	6.1 Hazardous waste disposal
Within 90 days of discovery of hazardous or suspected hazardous waste	Remove hazardous waste	6.1 Hazardous waste disposal
Within 48 hours of discovery of prohibited waste	Notify DEQ of prohibited waste, begin to isolate and remove, take digital photos	9.1 Discovery of prohibited waste
Within 90 days of discovery of prohibited waste	Transport prohibited waste to authorized facility	9.1 Discovery of prohibited waste



Evaluation and Overview

Environmental Protection Services – Permit 1200

Oregon Department of Environmental Quality
Western Region - Eugene Office
165 E. Seventh Ave, Suite 100
Eugene, OR 97401

Sept. 18, 2020

Contact: Hugh Gao, 503-378-4977, hugh.gao@deq.state.or.us

Proposed Permit

The Department of Environmental Quality proposes to issue a solid waste renewal permit for the facility. The facility is a solid waste treatment facility. This permit authorizes the permittee to operate and maintain the facility.

A DEQ solid waste permit for this facility was initially issued on April 17, 2001, and the current permit expires on Oct. 31, 2020.

Permit Writer

Hugh Gao
Western Region –Salem Office
503-378-4977, hugh.gao@deq.state.or.us

Permit Category

Solid waste disposal site – Solid Waste Treatment Facility Permit Application

Activities Covered Under this Permit

The facility is a solid waste treatment facility. This permit authorizes the permittee to establish, operate, and maintain to the facility.

Source Location

8905 Pueblo Ave. NE, Brooks, OR 97305
Section 17, T6S, R2W, WM, Marion County

Coverage and Eligibility

The permit is effective on the date it is signed by DEQ and is proposed to expire on Oct. 31, 2030. The permit is issued in accordance with the provisions of [Oregon Revised Statutes Chapter 459](#); [Oregon Administrative Rules 340 Divisions 93, 95](#) and [97](#) and subject to the Land Use Compatibility Statement issued by Marion County dated June 6, 2000, as referenced in the permit.

Introduction: What is DEQ Proposing?

DEQ is proposing to issue a Solid Waste Disposal Renewal Permit for the solid waste treatment facility.

The facility is a solid waste treatment facility. This permit authorizes the permittee to operate and maintain the facility.

Conditions contained in the permit and DEQ-approved the facility Operation Plan require activities conducted at the facility to be implemented in a manner that protects the environment.

Regulatory Context

[Oregon Revised Statutes Chapter 459](#) requires a DEQ permit for any solid waste disposal site. OAR Chapter 340 Divisions 93-97 provides further clarification of requirements for permitted facilities.

Permit and Site History

The facility is a solid waste treatment facility that processes fluorescent and other mercury-containing lamps into their components of glass, aluminum and fluorescent powder (primarily calcium phosphate containing mercury). The facility is located in an industrial park, east of the Covanta incinerator in Brooks.

The permit was initially issued to Dale A. Laird of Environmental Protection Services on April 17, 2001. Ownership and operator name were changed on Aug. 5, 2005, from Dale A. Laird of Environmental Protection Services to Brian Meyers of Meyers Environmental Services, Inc.

The processing unit breaks the lamps under a vacuum and separates the glass, aluminum end caps, and fluorescent powder. The glass is further crushed to a grit for use in sand blasting, roofing grit, golf course sand, concrete, etc. (depending on test results), or disposed as a solid waste. The fluorescent powder is shipped to a retort facility for mercury recovery or disposed as a hazardous waste, and the aluminum recycled.

The mercury containing lamps are generally assumed to be hazardous waste, but have been given “universal waste” status under rules, OAR 340-113, adopted by DEQ on July 12, 1996. The processed materials can be dealt with as solid waste. The facility is permitted as a solid waste treatment facility as enhanced reporting and financial requirements. With regard to the solid waste rules, the permittee is required to provide financial assurance to cover the site closure and \$1,000,000 per incident/ \$2,000,000 aggregate accident liability insurance.

At this time, the permittee provides a trust fund to fulfill requirements of financial assurance as required in the solid waste permit. In recent years, the permittee completes its financial assurance recertification using a trust fund with a deposit of \$53,736 in Wells Fargo Bank as estimated by a professional engineer registered in the State of Oregon. DEQ accepted the financial assurance mechanism in 2017. It is in compliance with the requirements of financial assurance as specified in the rule.

The facility, at which a particular category of universal waste is only accumulated, is not a destination facility for purposes of managing that category of universal waste.

At maximum capacity, the facility can process 25,000 lamps daily into approximately 500 lbs. aluminum, 125 lbs. powder, and 15,100 lbs. glass.

Compliance History

The most recent site inspection was conducted on Feb. 2, 2020, and no violations were noted during that inspection. There have been no significant violations documented and no formal enforcement actions taken by DEQ for this site during this permit cycle.

DEQ’s Recommendation Regarding the Permit Renewal

Based on a review of all issues and site visits, I recommend the draft permit be placed on public notice for comments.