



Oregon

Kate Brown, Governor

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Oct. 22, 2020

Christopher Stapleton, President
American Gypsum Recycling - 1 LLC
PO Box 1155
Turner, OR 97392

RE: Beneficial Use Determination Modification Approval
[BUD No. 20200423 – Amended (old – BUD-20180205AGR)]
AGR, Reclaimed Wallboard
Marion County, Project 8931

Dear Mr. Stapleton:

DEQ reviewed American Gypsum Recycling’s application for a modification to an existing solid waste Beneficial Use Determination, received electronically at our Eugene office on Sept. 4, 2020. AGR requested to modify the BUD to recognize an additional recovered wallboard product as a soil amendment. The original AGR Reclaimed Wallboard BUD recognizes the following wastes and uses: **asbestos-free** new construction (clean) wallboard, and asbestos-free used (painted and/or textured) wallboard waste material to be beneficially used as concrete feedstock; new wallboard feedstock; soil amendment and compost feedstock. Reclaimed gypsum is used as a substitute for gypsum mined from quarries; and reclaimed paper backing is used as livestock bedding materials and compost feedstock. The proposed BUD amendment would recognize an agricultural mineral product composed of ground gypsum from wallboard and shredded waste paper backing from “clean” wallboard.

DEQ has determined that AGR’s proposal to amend the original AGR Reclaimed Wallboard BUD meets the requirements for a Tier 2 case-specific Beneficial Use Determination under OAR 340-093-0260 through 0290. Approval of this BUD indicates DEQ will not treat the approved wallboard materials or products as solid waste as long as the conditions of this BUD are met. DEQ’s determination is based on a review of whether AGR’s proposed beneficial uses of waste wallboard meet the case-specific beneficial use performance criteria outlined in OAR 340-093-0280. Details of our review are provided in the attached, amended AGR Reclaimed Wallboard Beneficial Use of Solid Waste Determination Evaluation Form.

This BUD approval is limited to the materials, approved uses, 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 and the environment from the use of reclaimed wallboard wastes.

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)]. DEQ appreciates your cooperation in protecting Oregon’s environment.

AGR may transfer materials reclaimed from wallboard to the public for the uses identified below:

Solid Waste	Case-Specific Beneficial Use	Conditions of Use
<u>1. New construction and manufacturer waste</u>	#1: Feedstock substitute for concrete production #2: Feedstock substitute for new	<ol style="list-style-type: none"> 1. The reclaimed gypsum must not contain concentrations of hazardous substances above DEQ approved human health occupational risk-based screening levels. 2. AGR must conduct analyses on reclaimed gypsum for the presence of asbestos on a monthly basis. 3. The waste wallboard and reclaimed gypsum must not be stored near water or wetland areas and must not be stored in

Solid Waste	Case-Specific Beneficial Use	Conditions of Use
<p><u>wallboard gypsum</u> Reclaimed gypsum from asbestos-free new construction wallboard (clean: unpainted, untextured, uncontaminated)</p>	<p>wallboard production #3: Soil amendment in agricultural applications</p>	<p>ways that would allow discharge to groundwater, surface water, or wetland areas.</p> <ol style="list-style-type: none"> 4. AGR must provide written instructions to users of the conditions of storage and product use to prevent ground and surface water contamination and nuisance conditions. Instructions should indicate appropriate agricultural use levels for soil applications and include a copy of this BUD approval. 5. Any soil amendment or agricultural mineral product must maintain Oregon Department of Agriculture Registrations and conform to all ODA requirements.

Solid Waste	Case-Specific Beneficial Use	Conditions of Use
<p>2. <u>Demolition wallboard gypsum</u> Reclaimed gypsum from asbestos-free demolition wallboard (may be painted, textured, or contain other contaminants from standard construction practices: such as fasteners, caulks, insulation)</p>	<p>#1: Feedstock substitute for concrete production #2: Feedstock substitute for new wallboard production #3: Soil amendment in agricultural applications</p>	<ol style="list-style-type: none"> 1. The reclaimed gypsum must not contain concentrations of hazardous substances above DEQ-approved human health occupational risk-based screening levels. 2. AGR must conduct analyses on reclaimed gypsum for the presence of asbestos on a monthly basis. 3. The waste wallboard and reclaimed gypsum must not be stored near water or wetland areas and must not be stored in ways that would allow discharge to groundwater, surface water, or wetland areas. 4. AGR must provide written instructions to users of the conditions of storage and product use to prevent ground and surface water contamination and nuisance conditions. A copy of this BUD approval must be provided. 5. Any soil amendment or agricultural mineral product must maintain Oregon Department of Agriculture Registrations and conform to all ODA requirements.

Solid Waste	Case-Specific Beneficial Use	Conditions of Use
<p>3. <u>Paper backing from new construction wallboard</u> Reclaimed paper backing from asbestos-free new construction wallboard (clean: unpainted, untextured, uncontaminated)</p>	<p>#1: Compost feedstock #2: Bedding material substitute for livestock</p>	<ol style="list-style-type: none"> 1. The reclaimed paper backing must not contain concentrations of hazardous substances above DEQ approved human health occupational risk-based screening levels. 2. The reclaimed paper backing must not be stored near water or wetland areas and must not be stored in ways that would allow discharge to groundwater, surface water, or wetland areas. 3. AGR must provide written instructions to users of the conditions of storage and product use to prevent ground and surface water contamination and nuisance conditions. A copy of this BUD approval must be provided.

Solid Waste	Case-Specific Beneficial Use	Conditions of Use
and NOT to include “greenboard” which may contain other un-evaluated constituents such as fungicides or any quantities of gypsum greater than incidental amounts		

Solid Waste	Case-Specific Beneficial Use	Conditions of Use
<p>4. Gypsum/paper agricultural mineral</p> <p>Reclaimed gypsum mixed with paper-backing from asbestos-free new construction wallboard (clean: unpainted, un-textured, uncontaminated)</p>	<p>#1: Soil amendment in agricultural applications</p>	<ol style="list-style-type: none"> 1. The reclaimed gypsum-paper blend 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. AGR must conduct monthly analyses for the presence of asbestos on reclaimed gypsum used in the gypsum/paper agricultural mineral product. 3. The reclaimed gypsum-paper blend must not be stored near water or wetland areas and must not be stored in ways that would allow discharge to groundwater, surface water or wetland areas. 4. AGR must provide written instructions to users of the conditions of storage and product use to prevent ground and surface water contamination and nuisance conditions. Instructions should indicate appropriate agricultural use levels for soil applications and include a copy of this BUD approval. 5. Any soil amendment or agricultural mineral product must maintain Oregon Department of Agriculture Registrations and conform to all ODA requirements.

AGR will separate paper backing from used (unclean) demolition wallboard and the paper backing from “greenboard” from clean material at the MRF and dispose both types of waste papers at a disposal site approved by DEQ to accept that type of waste. Those materials are not approved for re-use under this BUD.

All approved uses must also comply with applicable federal, state and local regulations.

No other uses are approved. AGR must apply for a new BUD for any additional uses. If the characteristics of the wallboard material or products change, AGR must inform DEQ and obtain DEQ approval that the material meets the BUD criteria.

Annual Report - Every year, AGR must submit a report to DEQ identifying the amount of both “clean” and mixed clean and/or demolition wallboard received, the total amount of reclaimed gypsum generated, the amount of “clean” reclaimed paper backing generated, the amount of reclaimed gypsum and reclaimed paper-gypsum blend transferred/sold to others for re-use, and to whom and for what purpose. This report must also include

monthly analytical data for asbestos. Per OAR 340-097-0120(2)(f), AGR must include the \$250 reviewing fee with the annual report. The report is due on Feb. 1 of each year. AGR must keep records containing the information in reports submitted to DEQ for five years.

If you have any questions about this BUD, please contact Craig Filip at 541-686-7868 or filip.craig@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

cc: Craig C. Filip, DEQ – Eugene: filip.craig@deq.state.or.us
Denise Miller, DEQ – Eugene: miller.denise@deq.state.or.us