



Oregon

Kate Brown, Governor

Department of Environmental Quality

Northwest Region

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August 18, 2021

West Side Quarry LLC
395 Shenandoah Lane NE
Woodburn, OR 97071

**RE: Beneficial Use Determination (BUD #20210727)
Asphalt Roofing Shingles Used As A Parking Lot Pad At West Side Quarry**

Dear Westside Quarry:

The Department of Environmental Quality (DEQ) has reviewed the June 21, 2021 application for a solid waste beneficial use determination for asphalt roofing shingles used as a parking lot pad at West Side Quarry. The application requests that West Side Quarry LLC be able to beneficially use asphalt roofing shingles used as a parking lot pad as feedstock for a hot asphalt batch plant to produce asphalt to be used at Laurlewood Quarry.

DEQ has determined that the beneficial use proposal meets the requirements for a Tier 2 case-specific Beneficial Use Determination (BUD) under Oregon Administrative Rule (OAR) 340-093-0260 through 340-093-0290. This BUD is issued to West Side Quarry LLC and is limited to the materials, approved uses, and conditions specified in Table 1. The conditions of the BUD are intended to prevent adverse effects to human health and the environment.

DEQ's determination is based on a review of West Side Quarry LLC's application for beneficial use of asphalt roofing shingles used as a parking lot pad at West Side Quarry, demonstrating the case-specific beneficial use performance criteria outlined in OAR 340-093-0290 are met for the approved uses. Details of DEQ's review are provided in the attached case-specific evaluation report.

Failing to use the asphalt shingle parking pad in accordance with the BUD approval conditions on use will subject the material to solid waste regulations and fees. If the conditions of approval cannot be met, the asphalt shingle parking pad must be disposed of at a permitted landfill. West Side Quarry LLC must continue to properly characterize their waste to ensure it is not hazardous.


Per OAR 340-093-0290(9), 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.

Table 1

Material	Beneficial Use	Conditions on all Uses
<p>Asphalt roofing shingles that were used as a parking pad at West Side Quarry</p>	<p>The parking pad material from the West Side Quarry will be sent to Laurelwood Quarry to be used as feedstock for a hot asphalt batch plant that is under control of West Side Quarry owner to produce asphalt that is to be used exclusively at Laurelwood Quarry</p>	<ol style="list-style-type: none"> 1. The material must be directly transferred from West Side Quarry to Laurelwood Quarry and placed within the designated "Asphalt Storage Area" and segregated from other materials. 2. All of the parking pad shingle material located at the West Side Quarry must be removed from the West Side Quarry and transferred to the Laurelwood Quarry by October 15, 2021. 3. All of the transferred parking pad shingle material must be used in the production of hot asphalt prior to October 15, 2022. 4. Until the time the material is used under the BUD conditions specified, West Side Quarry LLC must store and manage the material to prevent releases to the environment or nuisance conditions. The material must be managed to prevent windblown dust, runoff and erosion at all times. 5. Organic matter must be removed from the material before it is used in the hot asphalt plant. 6. Material use must comply with all applicable federal, state, and local regulations. 7. The material may not be placed where it will be in contact with or adversely impact groundwater or surface water or be placed in utility trenches for potable water supply lines. 8. West Side Quarry LLC must maintain records documenting the amounts of parking pad shingle material transported, used in the hot asphalt batch plant and locations where the resulting asphalt is placed at the Laurelwood Quarry. Records must be kept for five years and West Side Quarry LLC must make records and reports related to the material available to DEQ upon request. 9. West Side Quarry LLC must use the parking pad shingle material as feedstock for the hot asphalt batch plant at a percentage rate of no greater than 5-6% in the base course and 5% in the top course. The asphalt manufactured from this material will be used to build roads and parking pads at the Laurelwood Quarry exclusively. 10. The use of the material as feedstock in the hot asphalt batch plant must be done in accordance with the Air Contaminant Discharge Permit (AQGP-007) that is issued to the owner of West Side Quarry. The AQ permit contains conditions requiring the permittee to not cause or allow air contaminants from any source related to the operation of the hot asphalt batch plant to cause nuisance conditions. 11. Any uses of the asphalt that is produced from this parking pad shingle material must be done in accordance with DEQ's Air Quality Program, Oregon Department of Geology and Mineral Industries and local zoning regulations.

If you have any questions or concerns please contact Jeremy Fleming by phone at (503) 229-5590 or email at fleming.jeremy@deq.state.or.us. DEQ appreciates your cooperation in protecting Oregon's environment.

Sincerely,

A handwritten signature in black ink that reads "Audrey M O'Brien". The signature is written in a cursive style with a large, looped "A" and "B".

Audrey O'Brien, Manager
Northwest Region, Environmental Partnerships

Enclosure: Beneficial Use of Solid Waste Determination Evaluation Report

Cc: Jeremy Fleming, DEQ Northwest Region
Craig Filip, DEQ Western Region
Susan Elworth, DEQ Office of Compliance and Enforcement
Brian Fuller, DEQ Western Region Manager