

DEPARTMENT OF ENVIRONMENTAL QUALITY
NOTICE OF PROPOSED RULEMAKING, HEARING

A Statement of Need and Fiscal Impact accompanies this form.

Department of Environmental Quality

Agency and Division

OAR Chapter 340

Administrative Rules Chapter Number

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Beneficial Use of Solid Waste

DEQ approval of proposals to beneficially
use solid wastes rather than dispose of them

HEARINGS

November 17, 2009, 6 PM Informational Meeting Followed by the Hearing

DEQ Office
PORTLAND, 811 SW Sixth Ave., 10th Floor,
Room EQC-A,

Hearing Date

Time

Location

Tom Roick, DEQ

Hearings Officer

November 17, 2009, 6 PM Informational Meeting Followed by the Hearing

DEQ Office
EUGENE, 165 E. 7th Ave,
Willamette Meeting Room

Hearing Date

Time

Location

Bob Barrows, DEQ

Hearings Officer

November 17, 2009, 6 PM Informational Meeting Followed by the Hearing

DEQ Office
BEND, 475 NE Bellevue Dr.
(corner of Highway 20 and Dalton Rd.)
Main Conference Room

Hearing Date

Time

Location

Bruce Lumper, DEQ

Hearings Officer

Auxiliary aids for persons with disabilities are available at hearings upon advance request.

RULEMAKING ACTION

ADOPT: OAR 340-093-0260, 340-093-0270, 340-093-0280, 340-093-0290

AMEND: OAR 340-093-0030, 340-097-0120

REPEAL: N/A

RENUMBER: N/A

AMEND AND RENUMBER: N/A

10/5/09

Stat. Auth.: ORS 459.045, 459.215, 459.235, 459A.025, 468.065

Other Authority: N/A

Stats. Implemented: ORS 459.045, 459.215, 459.235

RULE SUMMARY

The purpose of these rules is to establish a process for Oregon Department of Environmental Quality (DEQ) review of proposals to use solid wastes beneficially as an alternative to disposal. Currently, DEQ does not have an appropriate process or funding mechanism for evaluating requests by generators to use wastes beneficially. The rules will allow DEQ to issue beneficial use determinations (BUDs) rather than disposal permits for appropriate uses. Examples of solid waste uses are:

- Spent foundry sand from the steel industry used as a substitute for virgin sand in making concrete;
- Scrap asphalt roofing shingles used as a component of asphalt pavement; and
- Dredged sediments used for upland construction fill.

Beneficial use of solid waste conserves energy, reduces the need to extract resources, reduces demand for disposal facilities, and promotes sustainability. Requests for approval of beneficial uses have increased in Oregon as awareness of the potential opportunities to convert wastes to resources increases.

To submit comments or request additional information, please contact:

Tom Roick at the Department of Environmental Quality, 811 SW Sixth Avenue, Portland, OR 97204-1390, call toll free in Oregon 800-452-4011 or 503-229-5502, fax 503-229-6977, or visit DEQ's public notices webpage at <http://www.deq.state.or.us/news/publicnotices/PN.asp>

5 pm, Tuesday, November 24, 2009

Last day to receive public comments

ORS 183.335(2)(b)(G), The Department of Environmental Quality requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

Signature and Date

Printed name

The *Oregon Bulletin* is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00pm on the preceding workday.