

# Procedures and Criteria for Solid Waste Disposal Permits



State of Oregon  
Department of  
Environmental  
Quality

Land Quality Division  
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## Background

This fact sheet describes the procedures and criteria the Oregon Department of Environmental Quality (DEQ) uses to review applications and decide whether to approve or deny permits for solid waste disposal sites.

## Applicability

A facility must apply for a Solid Waste Disposal Permit, registration, or letter authorization prior to operation if it plans to store, receive, process, treat, land apply, or landfill any garbage, demolition waste, industrial waste, land clearing debris, or sludge. Permits are issued under Oregon Revised Statutes 459.005 to 105, and 459.205 to 459.385, Oregon Administrative Rules (OAR) 340-093 to 340-097, and 40 Code of Federal Regulations Part 258.

## Facilities that require Solid Waste Disposal Permits include:

- Landfills for municipal solid waste.
- Landfills for non municipal solid waste, including:
  - Wood waste landfills
  - Industrial waste landfills
  - Construction and demolition landfills
- Energy recovery facilities.
- Incinerators receiving solid waste from the public or a collection service.
- Regulated composting facilities.
- Sludge disposal sites.
- Land application disposal sites.
- Transfer stations.
- Non-exempt material recovery facilities.
- Solid waste treatment facilities.

## Solid Waste Permit Fees

Application Processing and Annual Solid Waste Permit Fees vary depending upon the type of facility and volume of material handled. The DEQ office listed on the back can provide you with detailed information about the fees that will be required for your facility. This information can also be

accessed on DEQ's Solid Waste Permitting Fees Web page:  
[www.deq.state.or.us/lq/sw/permitfees.htm](http://www.deq.state.or.us/lq/sw/permitfees.htm)

## Application Process

### The application process for Solid Waste Disposal Permits generally includes:

1. The applicant contacts the appropriate DEQ regional office for answers to questions, and to begin the application process.
2. The applicant completes the Solid Waste Disposal Permit application which can be found at:  
[www.deq.state.or.us/lq/sw/permits.htm](http://www.deq.state.or.us/lq/sw/permits.htm)  
or by contacting your regional DEQ office.

### Supplemental requirements include:

- A Land Use Compatibility Statement signed by the local land use authority.
  - Demonstration of the need for a new, modified or expanded facility.
  - Evidence of compatibility with the local waste management plan.
  - A Site Characterization Report.
  - Detailed plans and specifications.
  - A recommendation from the local solid waste planning authority..
  - A certificate of business registry.
  - Identification of any other known or anticipated permits.
  - Depending on the type of facility to be constructed, other information may also be requested.
3. The applicant submits the application and the required fees to DEQ. If the application is incomplete, DEQ notifies the applicant of missing information or documents. DEQ may reject an incomplete application.
  4. A permit is drafted after receipt of a complete application.
  5. For new disposal sites with a known high level of public interest, a public meeting to solicit input may be held before the permit is in the draft stage.

6. DEQ posts a 30 or 35-day public notice, according to the environmental and public health significance of the proposed facility, inviting the public to comment on the proposed permit. If the public shows significant interest, or if DEQ deems it necessary, a hearing is held.
7. Based on the submitted information and public input, DEQ decides whether to issue, deny, or modify the permit.
8. After construction is finished, DEQ may require a Construction Certification, signed by the project engineer or manager, stating that the construction was completed in accordance with the approved plans.

**Average Processing Time:**

180 days (less time for material recovery facility, transfer station and composting facility permits).

**Criteria for Evaluating a Permit Application**

DEQ uses the criteria in Oregon laws and administrative rules in determining whether to issue or deny a permit application for a disposal site. Chapter 340, Divisions 93 through 97 of Oregon Administrative Rules provide detailed criteria for how disposal sites must be constructed and operated to protect human health and the environment. Criteria include location restrictions, design and operating requirements, and closure and post-closure care requirements.

DEQ will review the application and accompanying documents described above to determine whether the criteria have been satisfied. Your regional DEQ office can provide you with a copy of the statutes and rules that apply to your proposed facility. The applicable statutes and rules are also available on DEQ’s Web site at <http://www.deq.state.or.us/regulations/rules.htm>.

**Typical Permit Requirements**

The Solid Waste Disposal permit may impose requirements to assure the site is protective of human health and the environment.

**Typical requirements imposed by a Permit include:**

- Use of “best management practices” to prevent contamination of the surrounding environment.
- Groundwater monitoring and corrective action.
- Provision of a recycling collection site.
- Vector and bird control.
- Quarterly reporting.
- Gas emissions monitoring and control.
- Closure and post-closure plans
- Financial assurance.

**Note:** A permit from the Division of State Lands may also be required if any part of a disposal site is constructed in a wetland or into any waterway. Contact DSL at (503) 378-3805 for more information.

**Alternative Formats**

*Alternative formats of this document can be made available. Contact DEQ Public Affairs for more information (503) 229-5696.*

**Additional information**

Additional solid waste program information can be found on the DEQ’s Solid Waste Web site, or directly at:

DEQ Northwest Region  
 Solid Waste Permit Coordinator  
 2020 SW Fourth Avenue, #400  
 Portland, OR 97201  
 (503) 229-5353

DEQ Western Region  
 Solid Waste Permit Coordinator  
 750 Front Street NE, Suite 120  
 Salem, OR 97301  
 (503) 378-5047 x85047

DEQ Eastern Region  
 Solid Waste Permit Coordinator  
 400 East Scenic Drive, #307  
 The Dalles, OR 97058  
 (541) 298-7255 x21