



Oregon

Northwest Region

Kate Brown, Governor

Department of Environmental Quality

700 NE Multnomah Street, Suite 600
Portland, OR 97232
(503) 229-5263
FAX (503) 229-6945
TTY 711

May 12, 2022

Lucinda Moore
State Maintenance and Operations Engineer
Oregon Department of Transportation
445 Airport Road SE, Building K
Salem, Oregon 97301

RE: Beneficial Use Determination (BUD-20211129), Oregon Statewide Street Sweepings

Dear Ms. Moore:

The Department of Environmental Quality (DEQ) has reviewed the November 29, 2021, application for a solid waste beneficial use determination (BUD) for reuse of street sweepings throughout Oregon.

ODOT proposes to reuse street sweepings as fill on ODOT-owned properties, including ODOT rights of way, ODOT maintenance facilities, equipment and vehicle storage areas, utility corridors, and ODOT source material sites (quarries) being reclaimed.

DEQ has determined that the beneficial uses proposal meets the requirements for a case-specific Beneficial Use Determination (BUD) under Oregon Administrative Rule (OAR) 340-093-0260 through 340-093-0290. This BUD is issued to Oregon Department of Transportation (ODOT) and is limited to the materials, approved uses, and conditions specified in this letter. 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 the ODOT's application for beneficial use of street sweepings, 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.

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.

Proposed beneficial uses:

ODOT proposes to reuse street sweepings as fill on ODOT-owned properties, including ODOT rights of way, ODOT maintenance facilities, equipment and vehicle storage areas, utility corridors, and ODOT source material sites (quarries) being reclaimed. Reuse of street sweepings as fill will be restricted to ODOT-owned properties. These properties will include (but may not be limited to) reuse in ODOT rights of way, at ODOT maintenance facilities, equipment and vehicle storage areas, utility corridors, or at ODOT source materials. Proposed beneficial uses vary depending on the physical characteristics of the material (e.g., bearing strength,

quantity of organic material) and include structural fill, trench fill and top dressing for parking or pull-out areas.

Conditions on use. Management of street sweepings shall conform to the following conditions:

1. Concentrations of hazardous substances must be below the higher of DEQ-approved human health occupational risk-based screening levels or naturally occurring background for contaminants of potential concern.
2. Material must not have any indications of contamination (e.g., staining, odor, litter).
3. Material must not have been in proximity to (i.e. has the potential to have been contaminated by) known potential contaminant source areas (e.g., industrial facilities, service stations, pesticide application locations).
4. At least every 5 years ODOT shall re-evaluate data collected during the previous 5-year period. This re-evaluation will be to confirm protectiveness of existing approved beneficial uses and to assess if the data supports additional or modified beneficial uses. One year prior to the end of each 5-year period, ODOT shall submit a workplan for the next 5-year evaluation period for DEQ review and approval. Within 90 days of the date of issuance of this beneficial use determination, ODOT shall submit a workplan for the first 5-year evaluation period for DEQ review and approval.
5. ODOT must ensure the material is covered during transport.
6. Material must be managed in accordance with the current version of ODOT's *ODOT Maintenance Yard Environmental Management System (EMS) Policy and Procedures Manual*.
7. Material must not be used on lots zoned residential, or at ODOT maintenance facilities that house employees and their families. In the event that ODOT proposes to use street sweepings at locations where residential exposure may occur, it must first conduct additional sampling in accordance with a sampling and analysis plan reviewed and approved by DEQ.
8. Material must be managed in accordance with an erosion and sediment control plan and best management practices at all times.
9. Material must be managed to prevent windblown dust, runoff and erosion at all times.
10. Material may not be placed where it will be in contact with or adversely impact groundwater or surface water.
11. Material may not be placed in environmentally sensitive areas or areas with ecological habitat.

12. Material use must comply with all applicable federal, state, and local regulations.
13. Records of all uses identifying the user, quantity, location and purpose of use must be kept for a period of five years and submitted to DEQ for review annually by January 31 (for the preceding year).

If you have any questions or concerns please contact Jeremy Fleming (DEQ project manager) at 503 229-559 or jeremy.fleming@deq.oregon.gov. DEQ appreciates your cooperation in protecting Oregon's environment.

Sincerely,



Lydia Emer
Land Quality Administrator

Enclosure: Beneficial Use of Solid Waste Determination Evaluation Report

Cc: Shawn Rapp, ODOT, shawn.r.rapp@odot.state.or.us
Jeremy Fleming, DEQ NWR, jeremy.fleming@deq.oregon.gov
All MM MANAGERS Statewide

Beneficial Use of Solid Waste Determination Evaluation Form

Applicant: Oregon Dept. of Transportation

BUD#: 20211129

Solid waste: street sweepings

Date: February 3, 2022



State of Oregon Department of Environmental Quality

Beneficial Use of Solid Waste Determination Evaluation Form

Contact: Bob Schwarz
700 NE Multnomah St., Suite 600
Portland, OR 97232-4100

Applicant: Oregon Department of Transportation (ODOT)

BUD#: 20211129

Solid Waste: street sweepings

Summary of proposed beneficial use: ODOT proposes to reuse street sweepings as fill on ODOT-owned properties, including ODOT rights of way, ODOT maintenance facilities, equipment and vehicle storage areas, utility corridors, and ODOT source material sites (quarries) being reclaimed.

Reviewer: Bob Schwarz

Date: February 3 and May 10, 2022

Tier: ☐ One ☒ Two ☐ Three**Beneficial use of solid waste**

Beneficial use of solid waste is a sustainability practice that may involve using an industrial waste in a manufacturing process to make another product or using a waste as a substitute for construction materials.

The environmental benefits of substituting industrial waste materials for virgin materials includes conserving energy, reducing the need to extract natural resources and reducing demand for disposal facilities.

Oregon Administrative Rules (OAR) 340-093-0260 - 0290 establish standing beneficial uses and a process for DEQ review of case-specific beneficial use proposals. Under these rules, DEQ may issue a beneficial use determination as an alternative to a disposal permit for proposals that meet the rule criteria. If approved, once a beneficial use determination is issued, DEQ no longer regulates the waste as a solid waste as long as the waste is used in accordance with the approved beneficial use determination.

Beneficial use determination evaluation summary

- ☒ Yes, the beneficial use of this solid waste meets all the case-specific performance criteria listed below and is approved.
- ☐ No, the beneficial use of this solid waste does not meet all the case-specific performance criteria listed below and is not approved.
- ☐ The beneficial use of this solid waste is approved for a 1-year demonstration project.
-

Beneficial Use of Solid Waste Determination Evaluation Form

Applicant: Oregon Dept. of Transportation

BUD#: 20211129

Solid waste: street sweepings

Date: February 3, 2022

Case-specific beneficial use performance criteria:

DEQ may approve an application for a case-specific beneficial use of solid waste only if all the following performance criteria are addressed:

1. Characterization of the Solid Waste;
2. Productive Beneficial Use of the Solid Waste; and,
3. The effect of the Proposed Beneficial Use on Public Health, Safety, Welfare and/or the Environment.

Did the applicant characterize the solid waste and proposed beneficial use sufficiently to demonstrate compliance with the rules for case-specific beneficial use determinations (OAR 340-093-0280) by submitting required information for the appropriate tier? (See tier sections below for detailed characterization information.)

☒ Yes ☐ No

Was the following information submitted for DEQ review and how adequate was it?

Tier 1: ☒ Applicable ☐ Not applicable

- Did the applicant provide an adequate description of the material proposed for beneficial use, the manner of generation and the estimated quantity to be used beneficially each year?

☒ Yes ☐ No

Notes: The material, street sweepings, is generated during road maintenance and cleaning activities conducted by ODOT. The material consists of soil, organic matter (leaves, twigs, etc.), and rock. In some instances, litter is also swept and collected by the sweepers. Based on estimates only, ODOT generates approximately 6,000 to 10,000 cubic yards of street sweepings annually depending on various factors such as traffic, weather, trees, landslides, local mandates, etc.

ODOT's application states that the proposed BUD pertains to "street sweepings that have been screened and free of visible solid waste (i.e., litter, vehicle debris, etc.)."

- Did the applicant provide an adequate description of the proposed beneficial use and justify how the proposed use is beneficial?

☒ Yes ☐ No

Notes: Reuse of street sweepings as fill will be restricted to ODOT-owned properties. These properties will include (but may not be limited to) reuse in ODOT rights of way, at ODOT maintenance facilities, equipment and vehicle storage areas, utility corridors, or at ODOT source materials. Proposed beneficial uses vary depending on the physical characteristics of the material (e.g., bearing strength, quantity of organic material) and include structural fill, trench fill and top dressing for parking or pull-out areas.

- Did the applicant provide a sufficient comparison of the chemical and physical characteristics of the material proposed for beneficial use with the material it will replace?

☒ Yes ☐ No

Notes:

ODOT's BUD application included sampling results for petroleum hydrocarbons, 11 metals, and polynuclear aromatic hydrocarbons (PAHs). As shown in **Table 1**, characterization of this material across Oregon has involved 83 sampling events. Not all the analytes were tested during every sampling event. The number of samples per analyte ranges from three to 83. This table shows maximum, minimum, and average concentrations,

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Solid waste: street sweepings

Date: February 3, 2022

as well as a 90th percentile upper confidence limit (90th %ile UCL) estimate of the mean concentration for each analyte. These values are compared in the table to the following risk screening levels:

- DEQ's clean fill screening levels
- DEQ's human health risk based concentrations (RBCs) for residential exposure
- DEQ's human health RBCs for occupational exposure
- USEPA's regional screening levels for human health, for residential exposure

With two exceptions, 90th %ile UCL estimates of mean concentrations are below residential RBCs. The two exceptions are:

- The UCL estimate of the mean for **benzo(a)pyrene** is 0.198 mg/kg, roughly twice the residential RBC of 0.11 mg/kg and below the occupational RBD of 2.1 mg/kg.
 - The UCL estimate for **arsenic**, 2.9 mg/kg, exceeds the residential RBC of 0.43 mg/kg. However, this UCL estimate is below default background concentrations for arsenic for all of Oregon's ten physiographic provinces.
- Did the applicant successfully demonstrate compliance of the proposed beneficial use with the performance criteria in OAR 340-093-0280 based on knowledge of the process that generated the material, properties of the finished product, or testing?

☒ Yes ☐ No

Notes: The material consists of soil, organic matter (leaves, twigs, etc.), and rock. Reuse of street sweepings as fill will be restricted to ODOT-owned properties. These properties will include (but may not be limited to) reuse in ODOT rights of way, at ODOT maintenance facilities, equipment and vehicle storage areas, utility corridors, or at ODOT source materials. The material will not be used at ODOT maintenance facilities that include housing for employees and their families. Residential exposure is therefore not an applicable exposure pathway. As discussed above, contaminant concentrations are below residential exposure for all analytes except benzo(a)pyrene (which is below occupational RBC values) and arsenic (which is below default background concentrations).

ODOT agrees to place this material away from ecological habitats so that it will not impact ecological receptors. The application does not include a screening of contaminant concentrations against DEQ's current ecological risk based concentrations, published in 2020. DEQ therefore evaluated this for those contaminants for which UCL estimates exceed clean fill screening levels. The following table presents contaminants for which UCL estimates of the mean concentration exceed clean fill screening levels. This table also shows the lowest of the 2020 ecological RBCs:

**Analytes for which UCL estimates of mean concentrations exceed clean fill screening levels
Including a comparison to lowest ecological RBC, mg/kg**

Analyte	90 th UCL estimate of mean conc, mg/kg	Clean fill screening level	Lowest eco RBC
Benzo(a)pyrene	0.198	0.11	62
Naphthalene	0.229	0.077	1
Pyrene	14.81	10	10

As shown, the UCL estimate of the mean for pyrene exceeds the lowest eco RBC by a factor of 1.4. This eco RBC pertains to invertebrates; the pyrene value is below the eco RBCs for mammal and birds. The UCL estimates for benzo(a)pyrene and naphthalene are below ecological RBCs.

- If required, did the applicant provide any other DEQ required information to evaluate the proposal?

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☐ Yes ☒ No

Notes:

DEQ did not require additional information.

Tier 2: ☒ Applicable ☐ Not applicable

- Did the applicant submit all the information required for a Tier 1 application?

☒ Yes ☐ No

- Did the applicant submit adequate sampling and analysis to make a determination of suitability for beneficial use? (Note: The analysis must provide chemical, physical, and biological characterization of the material proposed for beneficial use and identify potential contaminants in the material or the end product, as applicable.)

☒ Yes ☐ No

Notes: Contaminant concentrations are sufficiently low, based on the sampling results provided and the proposed uses. Sample results are discussed above.

- When applicable, did the applicant provide a risk screening comparing the concentration of hazardous substances in the material to existing, DEQ approved, risk-based screening level values, and demonstrate compliance with acceptable risk levels?

☒ Yes ☐ No

Notes: Contaminant concentrations were compared to human health risk screening levels and were found to be sufficiently low for the proposed beneficial uses. Applicant did not compare contaminant concentrations to ecological risk based concentrations. DEQ evaluated contaminants against DEQ 2020 ecological risk screening values and did not identify significant exceedances. The material is proposed for use at ODOT facilities, at locations without significant ecological habitat.

- When applicable, did the applicant supply the location or type of land use where the material will be applied, consistent with the risk scenarios used to evaluate risk?

☒ Yes ☐ No ☐ NA

Notes: Reuse of street sweepings as fill will be restricted to ODOT-owned properties. These properties will include (but may not be limited to) reuse in ODOT rights of way, at ODOT maintenance facilities, equipment and vehicle storage areas, utility corridors, or at ODOT source materials. The material will not be used at ODOT maintenance facilities that have housing for employees and their families. Residential exposure is therefore not an applicable exposure pathway. As discussed above, contaminant concentrations are below residential exposure for all analytes except benzo(a)pyrene and arsenic (which is below default background concentrations). ODOT agrees to place this material away from ecological habitats so that it will not impact ecological receptors. In addition, a comparison of UCL estimates of mean concentrations indicate there are no significant exceedances of ecological RBCs, as discussed above.

When applicable, did the applicant supply contact information of property owner(s) if this is a site-specific land application proposal, including name, address, phone number, email, site address and site coordinates (latitude and longitude)?

☐ Yes ☒ No ☐ NA

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Solid waste: street sweepings
Date: February 3, 2022

Notes: Reuse of street sweepings as fill will be restricted to ODOT-owned properties. Specific properties have not been identified.

- Did the applicant supply an adequate description of how the material will be managed to minimize potential adverse impacts to public health, safety, welfare, or the environment?

☒ Yes ☐ No

Notes:

ODOT will generate, manage, and reuse the screened street sweepings on ODOT-owned and controlled properties. Reused sweepings will be managed so that they will not create an adverse impact on groundwater, surface water, or public health or safety. Street sweepings, regardless of which location and use is determined to be the most appropriate, will not be placed in wetlands, in areas that will contact seasonal high groundwater, or adjacent to surface water bodies.

If street sweepings are to be stockpiled for future use by ODOT, stockpiles will be screened of debris, and maintained on ODOT-controlled property. Stockpiles will be managed in accordance with the procedures and best management practices outlined in the ODOT Routine Road Maintenance Program *2020 Water Quality and Habitat Guide for Best Management Practices* (July 2020)

(https://www.oregon.gov/odot/Maintenance/Documents/blue_book.pdf), and EMS Manual (2019).

If accumulated street sweepings are to be transported via truck to a fill or storage location, transport will be conducted in accordance with ODOT Motor Carrier Division Rules and Regulations.

Tier 3: ☐ Applicable ☒ Not applicable

- Did the applicant submit all the information required for a Tier 1 and Tier 2 application?

☐ Yes ☐ No

- Did the applicant provide an adequate discussion of the justification for the proposal?

☐ Yes ☐ No

- Is there an estimated length of time that would be required to complete the project, if it is a demonstration?

☐ Yes ☐ No

- If it is a demonstration project, are their methods proposed to ensure safe and proper management of the material?

☒ Yes ☐ No

2. Productive beneficial use of the solid waste

Has the applicant demonstrated that the proposed beneficial use is a productive use of the material by providing information substantiating the criteria listed below?

☒ Yes ☐ No

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Notes: ODOT proposes to reuse street sweepings as fill on ODOT-owned properties. These properties will include (but may not be limited to) reuse in ODOT rights of way, at ODOT maintenance facilities, equipment and vehicle storage areas, utility corridors, or at ODOT source materials.

- Did the applicant successfully identify or demonstrate a reasonably likely proposed beneficial use for the material that is not speculative?

☒ Yes ☐ No

See above

This criterion consists of three parts.

1. Identified use:

Has the applicant clearly stated what the waste is going to be used for, that the waste is compatible with that use and the proposed quantity is necessary?

☒ Yes ☐ No

ODOT estimates that they generate 6,000-10,000 cubic yards of street sweepings annually. Given the many ODOT facilities throughout Oregon that may have use for this quantity, we anticipate that ODOT will have adequate use for this material.

2. Reasonably likely use:

Has the applicant identified, with supporting documentation, the timeframe within which this use is likely to occur (e.g., zoning info, master plan for development, letters from local jurisdictions, etc)?

☒ Yes ☐ No

Notes:

Generation and use of this material are anticipated to be ongoing. Locations include non-residential ODOT facilities and roadside turnouts and rights of way, which generally do not have zoning designations.

3. Not speculative:

For land application - has this material been used at other sites for the same purpose, is the material feasible for use at this site for this purpose, or has the applicant identified a known potential for this use at this site?

☒ Yes ☐ No ☐ N/A

Notes:

ODOT has identified several proposed uses for this material throughout the state.

For uses other than land application - has the material been used in a product before, is the material feasible for use in a product, or has the applicant identified a known potential for use in this product?

☐ Yes ☐ No ☒ N/A

- Is the use a valuable part of a manufacturing process, an effective substitute for a valuable raw material or commercial product, or otherwise authorized by the Department and does not constitute disposal?

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☒ Yes ☐ No

Notes:

The street sweepings would take the place of soil, which is a valuable raw material.

- Is the use in accordance with applicable engineering standards, commercial standards, and agricultural or horticultural practices?

☒ Yes ☐ No

Notes:

The proposed uses conform to ODOT's road maintenance standards.

3. Effect of proposed beneficial use on public health, safety, welfare and/or the environment

Has the applicant demonstrated the proposed beneficial use will not create an adverse impact to public health, safety, welfare, or the environment, by providing information substantiating compliance with the criteria listed in the bullet list below?

☒ Yes ☐ No

Notes:

As discussed above, chemical testing of this material over many years indicates that it would not pose a risk to people or animals, if used as described in the application.

- Has the applicant demonstrated that the material is not a hazardous waste under ORS 466.00?

☒ Yes ☐ No

Notes:

Contaminant concentrations are below applicable human health and ecological screening levels with the minor exception noted above.

- Has the applicant demonstrated that until the time this material is used according to a beneficial use determination, the material will be managed, including any storage, transportation, or processing, to prevent releases to the environment or nuisance conditions?

☒ Yes ☐ No

Notes:

ODOT will generate, manage, and reuse the screened street sweepings on ODOT-owned and controlled properties. Reused sweepings will be managed so that they will not create an adverse impact on groundwater, surface water, or public health or safety. Street sweepings, regardless of which location and use is determined to be the most appropriate, will not be placed in wetlands, in areas that will contact seasonal high groundwater, or adjacent to surface water bodies.

If street sweepings are to be stockpiled for future use by ODOT, stockpiles will be screened of debris, and maintained on ODOT-controlled property. Stockpiles will be managed in accordance with the procedures and best management practices outlined in the ODOT Routine Road Maintenance Program *2020 Water Quality and Habitat Guide for Best Management Practices* (July 2020) (https://www.oregon.gov/odot/Maintenance/Documents/blue_book.pdf), and EMS Manual (2019). If accumulated street sweepings are to be transported via truck to a fill or storage location, transport will be conducted in accordance with ODOT Motor Carrier Division Rules and Regulations.

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- Has the applicant demonstrated that hazardous substances in the material, if any, meet one of the criteria in the bulleted list below?

☒ Yes ☐ No

- Hazardous substances do not significantly exceed the concentration in a comparable raw material or commercial product;
- Hazardous substances do not exceed naturally occurring background concentrations; or
- Hazardous substances will not exceed acceptable risk levels, including persistence and potential bioaccumulation, when the material is managed according to a beneficial use determination.

Notes:

Testing results indicate that the hazardous substances in the street sweepings do not significantly exceed the concentration in a comparable raw material (soil).

- Has the applicant demonstrated that the proposed beneficial use will not result in the increase of a hazardous substance in a sensitive environment, such as a park, wildlife refuge or wetland?

☒ Yes ☐ No

Notes:

The material will not be placed in a sensitive environment. In addition, mean contaminant concentrations meet clean fill screening levels for most contaminants and exceedances are minor for those above clean fill values.

- Has the applicant demonstrated that the proposed beneficial use will not create objectionable odors, dust, unsightliness, fire, or other nuisance conditions?

☒ Yes ☐ No

Notes:

The application states that, if street sweepings are to be stockpiled for future use by ODOT, stockpiles will be screened of debris, and maintained on ODOT-controlled property. Stockpiles will be managed in accordance with the procedures and best management practices outlined in the ODOT Routine Road Maintenance Program *2020 Water Quality and Habitat Guide for Best Management Practices* (July 2020)

(https://www.oregon.gov/odot/Maintenance/Documents/blue_book.pdf), and EMS Manual (2019).

If accumulated street sweepings are to be transported via truck to a fill or storage location, transport will be conducted in accordance with ODOT Motor Carrier Division Rules and Regulations.

- Has the applicant indicated that the proposed beneficial use will comply with any other applicable federal, state, and local regulations?

☒ Yes ☐ No

4. Public Involvement Evaluation (Note: this is not a beneficial use evaluation criterion)

Determine a public involvement recommendation using the current Guidance to DEQ Solid Waste Program Staff and Managers on Public Notice and Participation.

- Is public notice and participation being recommended for this application?

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☒ Yes ☐ No

Notes:

DEQ will issue a public notice seeking comment from the public for a three week period.

On February 11, 2022, DEQ issued a public notice requesting comment on the draft Beneficial Use Determination (BUD) that would allow ODOT to reuse road sweepings as fill on ODOT properties. DEQ sent a link to the public notice, draft BUD and BUD Evaluation Memo to those interested parties that have requested that DEQ notify them via email of public notices for DEQ Solid Waste Beneficial Use Determinations.

The DEQ received one comment during the comment period from the City of Prairie City asking that ODOT's material be available to Prairie City to use. DEQ has responded to the comment suggesting that DEQ can work with Prairie City to obtain a beneficial use but that this beneficial use only approves use of the ODOT material on ODOT property. DEQ did not make any changes to the BUD approval in response to the comment.

Attachment A

RESPONSE TO COMMENT TO PUBLIC NOTICE FOR THE DRAFT BENEFICIAL USE DETERMINATION (BUD-20211129) FOR OREGON DEPARTMENT OF TRANSPORTATION-STREET SWEEPINGS

Public Comment Period:
February 11, 2022 to March 3, 2022

On February 11, 2022, DEQ issued a public notice requesting comment on the draft DEQ solid waste material Beneficial Use Determination (BUD) for the Oregon Department of Transportation (ODOT) to reuse road sweepings as fill on ODOT properties. DEQ posted the public notice to DEQ's website. DEQ sent a link to the public notice, the draft BUD and the BUD evaluation memo to those interested parties that have requested that DEQ notify them via email of public notices on draft solid waste BUDs. The public comment period closed at 5 pm on March 3, 2022.

DEQ received comment from the Public Works department of Prairie City, Oregon shortly after the public comment period closed. DEQ responded to the comment received. The written comment is included as an attachment to this document.

Chris Camarena, Prairie City Director of Public Works

Comment: I am the Director of Public Works for a small Municipality in Eastern Oregon with a very restrictive budget. I would like to request DEQ to consider allowing local government entities like mine to reuse some of the road sweepings ODOT removes from the highway shoulders. The sanding rock can be screened and although it no longer meets specifications for highway use it does for my 20 to 25 MPH city streets and would be a great cost savings to us and I believe a suitable way to recycle and reuse the spoils. We could also use any of the bigger spoils to overlay the gravel road to our Animal Composting Facility that we have teamed up with ODOT to complete last year. This would be a beneficial use for the City and ODOT because they use the gravel road and currently assist with overlaying it with new rock when needed which is another great cost savings for both entities. If you have any questions for me or concerns, please contact me. Thank you for your time.

DEQ Response: The approval for beneficial re-use of street sweepings, at this time, is for ODOT properties only due to the specific conditions under which the material can be used. DEQ is available to work with Prairie City to obtain a beneficial use as appropriate.