

# Public Notice: Request for Comments

## Proposed Issuance of Solid Waste Compost Registration Permit for Dirt Hugger, LLC

The purpose of this notice is to invite you to make written comments on the proposed issuance of this compost registration permit.

### DEQ's Role:

The Oregon Department of Environmental Quality (DEQ) is responsible for protecting and enhancing Oregon's water and air quality, for cleaning up spills and releases of hazardous materials, and for managing the proper disposal of hazardous and solid wastes. One way DEQ does this is by requiring permits for certain activities. DEQ issues permits to regulate the type and amount of solid waste collected and produced at a regulated facility.

**Notice issued:** July 16, 2010.

### Comments due:

Written comments due: 5 p.m., August 16, 2010.

### Where can I send my comments or get technical information?

Lawrence Brown – Solid Waste Environmental Health Specialist  
541-633-2025 or Toll Free: 866-863-6668  
475 NE Bellevue Drive, Suite 110  
Bend, OR 97701  
Fax Number: 541-388-8283  
E-mail: [Larry Brown](mailto:Larry.Brown@deq.state.or.us)

### Where can I get background information?

Information about this project is viewable online by clicking the following link(s):

[Draft Permit](#)  
[Evaluation Report](#)

You can review hard copies of the draft permit and related documents at the Columbia Gorge DEQ office located at 400 E Scenic Dr., Suite #307, The Dalles, Oregon. For a review appointment, call Liz Clark at (541) 278-7255, ext. 221.

### What is proposed?

Dirt Hugger, LLC is proposing to develop and operate a new compost facility using Type 1, 2 (yard debris, lawn trimmings, brush and manure) and potentially type 3 feedstocks in the future, which would include pre and post consumer food waste. Authorization for use of Type 3

feedstocks would occur after the approval of an updated Operations Plan.

Dirt Hugger, LLC made application to the Department for an environmental screening to determine the type of oversight needed for their proposed operations.

Based on the Department's current information, Dirt Hugger, LLC's proposed compost operations, if setup in accordance with their approved engineering design and Operations Plan, would pose a low risk to the environment and public health. Low risk facilities are required to operate under a Compost Registration Permit.

DEQ proposes to issue Dirt Hugger, LLC a Compost Registration Permit and is inviting public comment on this proposed permitting action. During the comment period the public is invited to make comments related to specific conditions within the proposed permit.

### Permit expiration

Oregon law requires facilities with a Solid Waste permit to renew that permit every 10 years. Upon issuance, this permit will be effective for 10 years, expiring on August 15, 2020.

### Who is the applicant?

Dirt Hugger, LLC.

### Where will the Compost facility be located?

Port of The Dalles  
4350 River Trail Way  
The Dalles, OR 97058

### Who might have an interest?

People who work, live, and recreate in the area.

### What does Dirt Hugger, LLC do that can affect land quality?

Dirt Hugger, LLC will manage a biological process through which organic materials such as leaves, yard debris, manure and food waste are converted into a more homogeneous, fine-particle material called compost. Composting can produce significant environmental benefits. If not conducted in a proper manner or conducted at an improper location, composting can present potential environmental problems.



State of Oregon  
Department of  
Environmental  
Quality

Land Quality  
Solid Waste  
Eastern Region: Bend

475 NE Bellevue Dr. Suite 110  
Bend, OR 97701

Phone: (541) 633-2025  
(866) 863-6668  
Fax: (541) 388-8283

Contact: Lawrence Brown  
E-mail:  
[brown.larry@deq.state.or.us](mailto:brown.larry@deq.state.or.us)

Website:  
[www.oregon.gov/DEQ](http://www.oregon.gov/DEQ)

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Notice Issued: 07/16/2010  
By: Liz Clark

Dirt Hugger LLC, however, has submitted to DEQ an Operations Plan showing how the facility would be operated in order to protect the environment and public health.

### **What legal requirements apply?**

Oregon Revised Statute (ORS) 459.205 requires a DEQ permit for any solid waste disposal site. ORS 459.245 authorizes the Department to issue solid waste disposal site permits. Oregon Administrative Rules, Chapter 340, Divisions 93-97 provide further clarification of permit issuance requirements.

### **How does DEQ determine what requirements go in the permit?**

Various federal and state regulations apply to a facility depending on the type of industry, the type and amount of solid waste, and the location of the facility. All applicable regulations must be contained in the permit, including the appropriate recordkeeping, monitoring and reporting requirements to ensure compliance with these rules.

### **What are the known health effects or environmental impacts of the permitted substances that would be stored, disposed, discharged, etc. by Dirt Hugger, LLC?**

Improperly managed compost operations have the potential to pollute surface and groundwater and can create objectionable odors.

Dirt Hugger, LLC, however, has submitted an Operations Plan showing that the compost operations will occur on a paved area on the property which will prevent groundwater pollution. In addition, Dirt Hugger, LLC will construct a lined stormwater and leachate retention basin to collect stormwater and leachate runoff. Odors will be controlled through proper material management.

### **How are the permitted substances measured?**

By the ton or by the cubic yard.

### **Compliance history:**

This is a new permit. There is no compliance history at this site.

### **What are the special conditions of this permit?**

Dirt Hugger, LLC must meet performance standards as stated in Oregon Administrative Rules 340-096-0070 and submit an annual report to DEQ.

Furthermore, Dirt Hugger, LLC must construct their stormwater and leachate control system(s) in conformance with their engineered design plans that have been approved by the Department. The Permittee must also maintain their stormwater retention basin to account for a 25 year – 24 hour storm event.

Types 1 and 2 feedstocks are authorized to be accepted. However, Type 3 feedstocks can be accepted after the Department reviews and approves an updated Operations Plan. If odors, noise, dust or litter become a problem the Permittee may be required to submit, for approval, an updated Operations Plan in accordance with OAR 340-096-0090.

The Permittee is exempt from financial assurance requirements at this time, but financial assurance may be required in the event the site loses its low-risk designation.

### **What other DEQ permits are required?**

None

### **What similar activities take place in the vicinity of the facility?**

No similar activities occur in the general vicinity of this facility.

### **What happens next?**

DEQ will review and consider all comments received during the comment period. Following this review, DEQ may modify provisions in the proposed Registration Permit, but the permit writers can only modify conditions of the Registration Permit in accordance with the rules and statutes under the authority of DEQ.

Participation in the rulemaking or the legislative process is the only way to change the rules or statutes. Ultimately, if this proposed facility permit application meets all legal requirements, DEQ will issue the Composting Facility Registration Permit.

### **Accessibility information**

DEQ is committed to accommodating people with disabilities at our hearings. Please notify DEQ of any special physical or language accommodations or if you need information in large print, Braille or another format. To make these arrangements, contact DEQ Communications & Outreach (503) 229-5696 or toll free in Oregon at (800) 452-4011; fax to 503-229-6762; or e-mail to [deqinfo@deq.state.or.us](mailto:deqinfo@deq.state.or.us) .

People with hearing impairments may call 711.

