



Oregon

Tina Kotek, Governor

Department of Environmental Quality

Western Region Eugene Office

165 East 7th Avenue, Suite 100

Eugene, OR 97401

(541) 686-7838

FAX (541) 686-7551

TTY 711

June 12, 2024

Travis Webster, Port Manager
Port of Brookings Harbor
PO Box 848, 16330 Lower Harbor Rd
Brookings, Oregon 97415

Re: SW-Permit Exemption for Clean Fill
Dredge Sediment-Port of Brookings Harbor
Curry County

Dear Mr. Webster,

We have reviewed your application for a solid waste permit exemption determination, received by the Department of Environmental Quality on May 23, 2024. The application requests DEQ: 1) evaluate whether the sediments dredged and to be dredged from the Port of Brookings Harbor before December of 2026 from the area studied in the report attached to this application are substantially the same as "clean fill" as described in OAR 340-093-0030(18) and, 2) if determined to be substantially like "clean fill", is the disposal of the material exempt from DEQ permitting regulation as authorized in OAR 340-093-0050(3)(c) and OAR 340-093-0080(2). The application includes details pertaining to: 1) disposal location, 2) how the waste will be managed/disposed, 3) process generating the waste, and 4) sampling results.

Based on our review of the application, we conclude that the approximately 120,000 yards of sediment that has been and will be dredged from Boat Basin 1, Boat Basin 2, and the Ice House Inlet as part of the maintenance of the Port of Brookings Harbor project are substantially the same as clean fill when disposed of in upland areas, therefore the disposal activity is exempt from solid waste permitting regulation. This exemption determination is made for the specific proposal outlined in your application as does not apply to any other dredged sediments. Disposal should take place in upland locations and not in wetlands or flood plains without explicit permission of all appropriate regulating entities

This exemption will be void and the waste subject to regulation as solid waste for any of the following reasons:

- Change to the processing method
- Change/addition to the materials described
- Additional information indicating environmental contamination

Thank you for providing us with a complete application. Please feel free to contact Seth Sadofsky at 541-446-7397 or seth.sadofsky@deq.oregon.gov if you have any questions concerning this permit exemption determination.

Sincerely,

Becky Williams

Becky Williams, Manager

Western Region Materials Management and Hazardous Waste

cc: File, C/O Denise Miller – DEQ Eugene
Jack Akin – EMC Engineers and Scientists, emc@emcengineersscientists.com