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**To:** Joint Task Force on Municipal Solid Waste in the Willamette Valley

**From:** Kali Sullivan, Senior Legislative and Policy Analyst, DEQ

**Date:** March 4, 2026

**Subject:** DEQ's Role in Solid Waste Management Policies in Oregon Presentation Follow-up

Chair Malone, Vice Chair Mitchell, and members of the Task Force,

During the Department's presentation on DEQ's Role in Solid Waste Management Policies in Oregon to the Joint Task Force on Municipal Solid Waste in the Willamette Valley on January 30, 2026, the Task Force requested information related to permitting, enforcement, and the roles of Air Quality and Water Quality programs. Please see the requested information below:

**1. What is the time frame for permitting and inspections? How often are facilities inspected to ensure they meet compliance standards?**

Once DEQ receives an application for a solid waste disposal permit, the Department conducts a preliminary review of the application within 45 days per Oregon Administrative Rule [340-093-0070](#). During evaluation of the application materials, the Department may request additional information necessary to complete the application and assess the applicant's ability to comply with Department rules. In this case, the Department will notify the applicant and provide a timeline for a response. The timeframe for this process is generally dependent on the nature of the request and communications between the applicant and the Department. Disposal site permits are issued for a period of up to 10 years and are determined by the Department and specified in the permit.

Solid Waste disposal sites are generally inspected annually, such as operating landfills and transfer stations, while inspections at facilities deemed a low-risk disposal site, may be inspected less frequently. Inspections may also be triggered by receiving a complaint or inquiry by a member of the public or another entity if DEQ determines appropriate.

Inspections are an important step in the regulatory process. DEQ staff conduct inspections year-round, and timing is often impacted by resource and staff capacity.

**2. What does enforcement look like for solid waste facilities?**

If violations are discovered at a DEQ permitted facility, the Materials Management Solid Waste staff issue a letter to the permittee citing the violation(s) and the recommended or required corrective action(s). Based on the type of violation, the issue may be referred to DEQ's Office of Compliance and Enforcement for formal enforcement action and may include the issuance of a civil penalty. When DEQ assesses a civil penalty, it calculates the amount of the penalty using criteria set forth in Oregon Administrative Rules [Chapter 340, Division 12](#).

The Department's full enforcement guidance can be found [here](#). Table 5, beginning on page 262, lists the enforcement guidance for solid waste management violations.

### 3. What are the different funding streams for the Land Quality Division?

DEQ's Land Quality Division is funded by Other Funds (91%), Federal Funds (7%), and General Funds (2%). Federal funds are grants for specific purposes; general funds are allocated to specific programs for specific purposes; and Other funds consist of more than 100 separate streams of revenue in both statute and rule paid for by regulated parties for work specifically related to permitting, oversight, or inspections of those regulated entities. There is a large cleanup and cost recovery portion of Other Funds that attempts to recover from responsible parties the cost associated with responding to and or remediating sites that they own or are legally responsible for. "Other Funds" include revenue from:

- Solid Waste Permit Fees established in [ORS 459.235](#). These fees are paid by permitted facilities.
- Solid Waste Disposal Fees established in [ORS 459A.110-120](#) and [OAR 340-097-0110](#). These fees are based on the tonnage of solid waste generated in Oregon for disposal.
- Producer fees designated for specific Extended Producer Responsibility Programs ([Paint Stewardship Program](#), [E-Cycles Program](#), [Drug-Take Back Program](#), [Mattress Recycling Program](#), and [Recycling Modernization Act Program](#)).
- Other Land Quality revenue comes from specific fees for waste tire, environmental cleanup, emergency response, hazardous waste, underground storage tank, heating oil tank, seismic stability programs, and more.

### 4. Does DEQ Air Quality and Water Quality programs play a role in regulating solid waste sites?

#### Air Quality

DEQ's Air Quality Division plays a role in regulating solid waste sites through the landfill gas emission rules. The Landfill Gas Emissions rules ([OAR Chapter 340, Division 239](#)) apply to all landfills with an excess of 200,000 tons of waste-in-place, accept any decomposable waste, are not on federal or tribal land, and are not regulated under Resource Conservation and Recovery Act (RCRA) or the Comprehensive Environmental Response, Compensation and Liability Act. The rules require permitting, recordkeeping, and monitoring. Landfills with emissions greater than 200 ppmv (parts per million by volume) must collect and/or control landfill gas emissions. Municipal Solid Waste Landfills are subject to a Title V federal operating permit administered by DEQ's Air Quality Division.

DEQ Regional staff receive semi-annual reports from landfills and conduct compliance reviews and inspections. If a violation is identified, the Department will initiate corrective actions and may issue penalties. For landfills regulated under a federal operating permit, the EPA may also inspect and conduct compliance activities.

Currently, 17 landfills in Oregon are permitted through the federal Title V program, while Oregon's and 12 additional landfills operate under an Air Contaminate Discharge Permit.

#### Water Quality

DEQ's Water Quality Division plays a role in regulating solid waste sites through the National Pollutant Discharge Elimination System (NPDES) permitting as well as stormwater, dredge and fill permitting for landfills and transfer station facilities. In 2000, EPA promulgated the Landfill Effluent Guidelines and Standards. The regulation ([40 CFR Part 445](#)) covers discharges of landfill wastewater to surface waters. These regulatory requirements are incorporated into individual NPDES permits by DEQ.

Stormwater runoff from land, impervious areas (paved streets, building rooftops, etc.), and construction sites during rainfall or snow events often contain pollutants that could adversely affect water quality. DEQ regulates stormwater discharge through a [1200-Z Industrial Stormwater Permit](#), a [1200C Construction Stormwater Permit](#), and the [401 Water Quality Certification Program](#).

The 1200-Z permit is a regulatory requirement for industrial facilities in Oregon to develop a site-specific stormwater pollution control plan and includes monitoring and reporting requirements. Transfer facilities and recycling centers meet the definition of a facility under the 1200-Z permitting requirements.

The 1200-C permit regulates stormwater discharge from construction activities in Oregon. In the context of a solid waste site, a 1200-C permit may be required for construction projects that disturb the land, such as a new landfill cell or facility building.

Both 1200-Z and 1200-C permits may also be required other activities related to general stormwater management; treatment or disposal of landfill leachate; treatment of industrial stormwater that may contain toxics; storage and use of materials used for daily cover operations; and more.

The 401 Water Quality Certification Program reviews and evaluates the water quality impacts of projects which require a federal permit or license to conduct any activity that may result in a discharge in U.S. waters (including dredge and fill material), per the Clean Water Act (Section 401). In the context of a solid waste site, a 401 Water Quality Certificate may be required if a construction project would discharge into a waterway in Oregon and meet standards in [OAR Chapter 340 Division 41](#). Additionally, [OAR Chapter 340 Division 48](#) provides information specific to the 401 Water Quality Certification Program.

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