



Oregon

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DATE: May 21, 2019

TO: Representative Nathanson, House Committee on Revenue

FROM: Abby Boudouris, Legislative Analyst

SUBJECT: HB 3084 - Alternative Daily Cover

In response to questions raised in the House Committee on Natural Resources at the March 26th Public Hearing, DEQ is providing this memo on alternative daily cover. DEQ has no position on HB 3084.

Solid waste regulations require that landfill operators cover the garbage at the end of each day with 6 inches of earthen material or unless other materials have been approved as an alternative. The purpose of alternative daily cover is to protect the environment and public health by:

- controlling the spread of disease vectors;
- preventing fires, blowing litter and scavenging;
- controlling odors and dust; and
- acting as a moisture barrier by minimizing precipitation infiltration.

Nine of Oregon's landfills are approved to use alternative daily cover. These are generally Oregon's largest landfills, and dispose of close to 85% of the waste disposed in Oregon each year.

During discussion of HB 3084, questions arose as to whether the use of alternative daily cover is considered recycling or disposal. The use of alternative daily cover is considered to be a form of disposal in Oregon rather than of recovery. To the extent that municipal solid waste or certain construction wastes are used as alternative daily cover, they are counted towards the local and the statewide disposal rate rather than contributing to the local or state recovery goal.

Petroleum-contaminated soil makes up the largest component of solid waste used as alternative daily cover in Oregon, and most of this has historically come from outside of Oregon. In 2017, 71 percent of the material that could potentially have been used as alternative daily cover came from other states.

Most of these landfills receive more material that qualifies as alternative daily cover than the amount needed to cover the landfill active area daily with the equivalent of 6 inches of earthen material. In 2017, the nine landfills received 1,388,544 tons of wastes that qualified to be used as alternative daily cover, but those landfills only used 844,391 of those tons as daily cover. The remaining 544,153 tons were simply disposed, and the landfills paid DEQ full disposal fees for those tons since they were not needed or used as alternative daily cover.