

Soil Reuse

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Bureau of Recycling and Hazardous Waste Management

Soil Is:

- An environmental media
- Not considered a waste until generated (excavated)
- Once excavated, determine through waste classification process
- Classification dictates management & use/reuse

Waste Determination

- Use generator knowledge
- Document the knowledge (very important)
- Sample and analyze

Sampling and Analysis

- Remediation Standards, N.J.A.C. 7:26D
- Technical Regulations, N.J.A.C. 7:26E
- New Jersey certified labs
- Field Sampling Procedures Manual
- EPA's SW - 846 Manual
- Relevant tests

Solid Waste vs. Hazardous Waste

- Contaminated soil may be a hazardous waste if:
 - Exhibits a characteristic of HW
 - Contaminated with listed hazardous waste
- If not a HW, is it a SW?
 - Meets the more stringent of RDCSRS/NRDCSRS?
 - If Yes, not a SW
 - If No, a SW

Use/Re-use of Soil

- If HW – Must be managed and disposed of as HW
- If SW – A BUD approval needed for use/reuse unless an LSRP approves for a specific site
- Not a SW –
 - For remediation sites, contact the LSRP, may not be “Clean Fill” under SRP Guidance, site specific standards may apply
 - For non-remediation sites, no BUD approval needed

Exemptions/Exclusions from SW Regs.

- NOT SOLID WASTE
 - N.J.A.C. 7:26-1.1(a)1 Exclusions
- CLASS B RECYCLING CENTER
 - Processed Petroleum Contaminated Soil
- BURDEN of PROOF, N.J.A.C. 7:26-1.13

NJ BUD Program

- NJDEP encourages beneficial use of materials
- NJ SW rules exempt beneficial use [N.J.A.C. 7:26-1.7(g)]
- BUD program started in 1992
- Case-by-case determination
- Categorical exemptions

NJ BUD Program (Contd.)

- BUD APPLICATION FORM
 - <http://www.nj.gov/dep/dshw/rrtp/bud.htm>
- N.J.A.C. 7:26-1.7(g)
 - Background, Analyses, Certification, Fee
 - Cert. of Authority to Operate
 - Specific Requirements for Out-of-State BUDs
 - Management Conditions
 - Transport, On-site Management
 - Issued for a specified time (2 years)

NJDEP Contact for BUDs

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