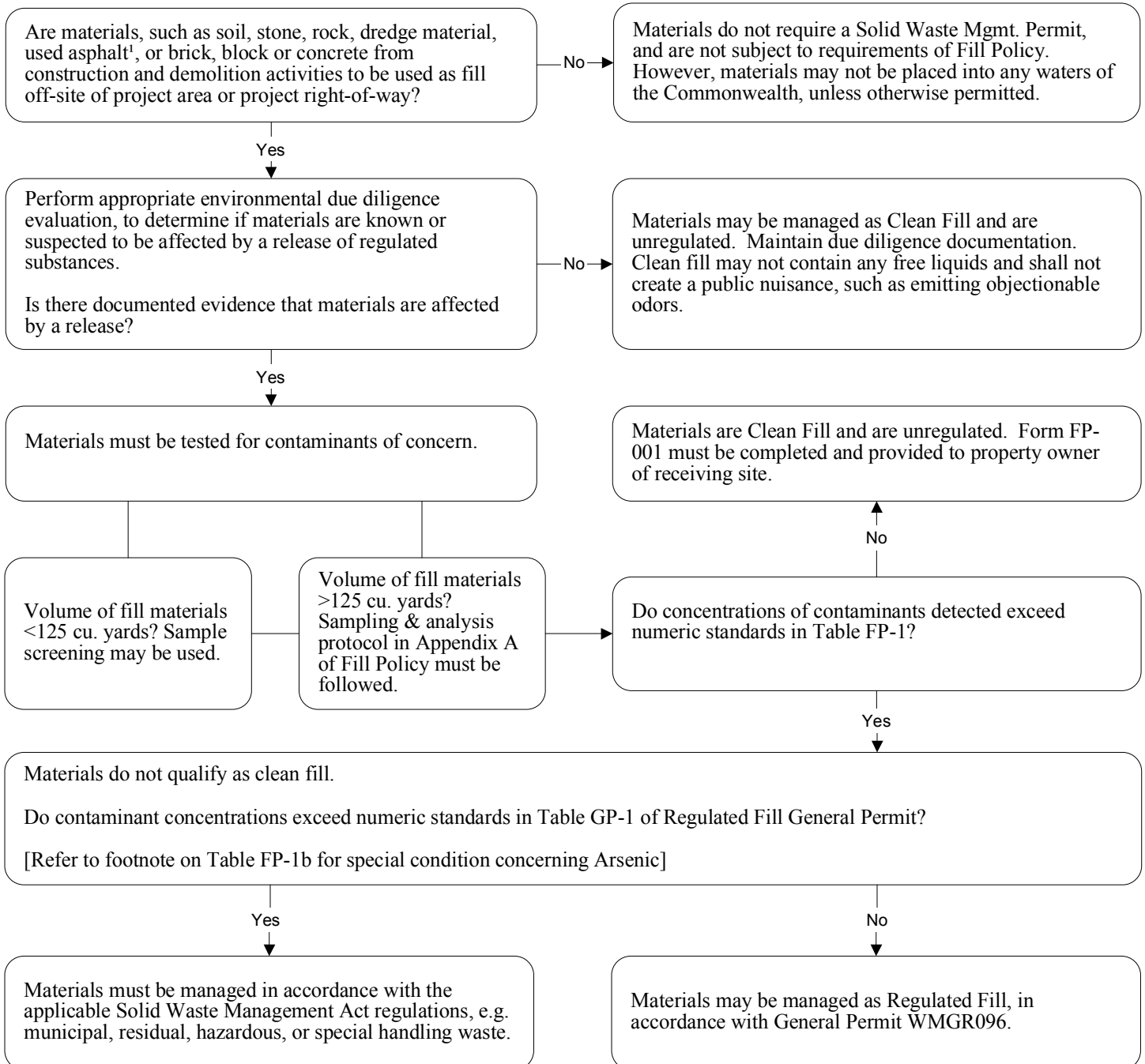


Management of Fill Flow Chart

Asphalt concrete which contains naturally occurring regulated substances and that may exceed the Clean Fill levels, and cement concrete from highways & bridges are considered clean fill, without the need for testing, unless knowledge of a spill or release has occurred.



1 Used Asphalt - Bituminous asphalt pavement that has been excavated without the use of a milling machine. Milling material (RAP) and mixtures of RAP and clean fill may be managed under Industry-Wide Coproduct #1 Reclaimed Asphalt Pavement.

2 Clean Fill Policy also applies to fill brought onto a project area or project right-of-way.

3 Environmental Due Diligence - Investigation techniques that may include, but is not limited to, visual property inspections; electronic data base searches; review of property ownership and historic use; review of Sanborn [fire insurance] maps or aerial photography; environmental questionnaires and transaction screens; environmental assessments or audits; and/or environmental sampling and analysis.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Waste Management

DOCUMENT NUMBER: 258-2182-773

**INTERIM FINAL
EFFECTIVE DATE:** August 7, 2010

TITLE: Management of Fill

AUTHORITY: This document is established in accordance with the Act of July 7, 1980, as amended, 35 P.S. §§ 6018.101 *et seq.*, known as the Solid Waste Management Act (SWMA); the Act of June 22, 1937, as amended, 35 P.S. §§ 691.1 *et seq.*, known as the Clean Streams Law; the Act of April 9, 1929, Section 1917-A of the Administrative Code, 71 P.S. § 510-17; the Act of July 18, 1995, 35 P.S. §§ 6026.101 *et seq.*, known as the Land Recycling and Environmental Remediation Standards Act.

POLICY: This policy is designed to replace the Department's existing Clean Fill Policy dated February 29, 1996.

PURPOSE: This policy provides DEP's procedures for determining whether material is clean fill or regulated fill. Regulated fill may not be used unless a SWMA permit is secured by the individual or entity using the regulated fill.

APPLICABILITY: This policy shall be used to evaluate whether material qualifies as clean fill or regulated fill. This policy does not apply to mine land reclamation activities subject to a permit. Excavation, movement or reuse of fill material within a project area or right-of-way of a project is not an activity that requires a SWMA permit.

DISCLAIMER: The policies and procedures outlined in this guidance document are intended to supplement existing requirements. Nothing in the policies or procedures shall affect regulatory requirements. The policies and procedures herein are not an adjudication or a regulation. There is no intent on the part of the DEP to give the rules in these policies that weight or deference. This document establishes the framework within which DEP will exercise its administrative discretion in the future. DEP reserves the discretion to deviate from this policy statement if circumstances warrant.

PAGE LENGTH: 10 pages

LOCATION: Volume 6, Tab 40(b)

DEFINITIONS:

Act 2 - The Land Recycling and Environmental Remediation Standards Act, Act of May 18, 1995 (P.L. 4, No. 1995-2), 35 P.S. §§ 6026.101 et seq.

Clean fill - Uncontaminated, nonwater-soluble, nondecomposable inert solid material. The term includes soil, rock, stone, dredged material, used asphalt, and brick, block or concrete from construction and demolition activities that is separate from other waste and recognizable as such. (25 Pa. Code §§ 271.101 and 287.101) The term does not include materials placed in or on the waters of the Commonwealth unless otherwise authorized.

Environmental due diligence - Investigative techniques, including, but not limited to, visual property inspections, electronic data base searches, review of ownership and use history of property, Sanborn maps, environmental questionnaires, transaction screens, analytical testing, environmental assessments or audits.

Historic fill - Material (excluding landfills, waste piles and impoundments) used to bring an area to grade prior to 1988 that is a conglomeration of soil and residuals, such as ashes from the residential burning of wood and coal, incinerator ash, coal ash, slag, dredged material and construction and demolition waste. The term does not include iron or steel slag that is separate from residuals if it meets the coproduct definition and the requirements of 25 Pa. Code § 287.8. The term does not include coal ash that is separate from residuals if it is beneficially used in accordance with 25 Pa. Code § 287.661 - 287.666.

Regulated fill - Soil, rock, stone, dredged material, used asphalt, historic fill, and brick, block or concrete from construction and demolition activities that is separate from other waste and recognizable as such that has been affected by a spill or release of a regulated substance and the concentrations of regulated substances exceed the values in Table FP-1a and b.

Regulated substance - The term shall include hazardous substances and contaminants regulated under the Hazardous Sites Cleanup Act, and substances covered by the Clean Streams Law, the Air Pollution Control Act, the Solid Waste Management Act, the Infectious and Chemotherapeutic Waste Law, and the Storage Tank and Spill Prevention Act.

Release - Spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping or disposing of a regulated substance into the environment in a manner not authorized by the Department of Environmental Protection. The term includes the abandonment or discarding of barrels, containers, vessels and other receptacles containing a regulated substance.

Uncontaminated material - Material unaffected by a spill or release of a regulated substance, or if affected by a spill or release, the concentrations of regulated substances are below the concentrations specified in Table FP-1a and b.

REFERENCES:

25 Pa. Code Chapters 287 to 299 (residual waste regulations)

25 Pa. Code Chapters 271 to 285 (municipal waste regulations)

Solid Waste Management Act, 35 P.S. §§ 6018.101 et seq.

Land Recycling and Environmental Remediation Standards Act, 35 P.S. §§ 6026.101 et seq.

TECHNICAL GUIDANCE:

FILL DETERMINATION

- 1) To determine whether fill is clean or regulated, a person must perform environmental due diligence.¹
 - a) If due diligence shows no evidence of a release of a regulated substance, the material may be managed as clean fill under this policy.
 - b) If due diligence shows evidence of a release, the material must be tested to determine if it qualifies as clean fill. Testing must be performed in accordance with Appendix A.
 - i) If testing reveals that the material contains concentrations of regulated substances that are below the residential limits in Table FP-1a and b, the material must be managed as clean fill.
 - ii) If testing reveals that the material contains concentrations of regulated substances that exceed the limits in Table FP-1a and b, the material must be managed as regulated fill.
- 2) A person may not blend or mix materials to become clean fill. Materials that contain regulated substances that are intentionally released may not be managed under this policy.

MANAGEMENT OF REGULATED FILL

- 1) Materials identified as regulated fill are waste and must be managed in accordance with the Department's municipal or residual waste regulations, whichever is applicable, based on 25 Pa. Code §§ 287.2 or 271.2. Regulated fill may be beneficially used under General Permit WMGR096 (proposed) if the materials and the proposed activities for the fill meet the conditions of that permit. A person may apply for an industry-wide beneficial use general permit for the beneficial use of regulated fill in lieu of this general permit.
- 2) Regulated fill may not be placed on a greenfield property not planned for development, or on a property currently in residential use or planned for residential use unless otherwise authorized.
- 3) Fill containing concentrations of regulated substances that exceed the values in Table GP-1 a and b may not be managed under the provisions of this policy or General Permit WMGR096, but must be otherwise managed in accordance with the provisions of the Department's municipal or residual waste regulations.
- 4) A general permit is not required for remediation activities undertaken entirely on an Act 2 site pursuant to the requirements of Section 902 of the Land Recycling and Environmental Remediation Standards Act. A general permit is also not required if regulated fill from an Act 2 site is used as construction material at a receiving site that is being remediated to attain an Act 2 standard as long as the procedural and substantive requirements of Act 2 are met. Regulated

¹ Analytical assessment, testing or sampling is only required if visual inspection or reviews of historic property use indicates evidence of a release of a regulated substance.

substances contained in the regulated fill must be incorporated into the notice of intent to remediate and the final report. Movement of regulated fill between Act 2 sites must be documented in both the sending and receiving sites' cleanup plans and final reports. Placement of the regulated fill may not cause the receiving site undergoing remediation to exceed the selected Act 2 standard.

MANAGEMENT OF CLEAN FILL

- 1) Use of material as clean fill does not require a permit under the Solid Waste Management Act and regulations, and it may be used in an unrestricted or unregulated manner under this Act and its regulations. The use of materials as clean fill is still regulated under other environmental laws and regulations. A person using materials as clean fill under the policy is still subject to and must comply with all applicable requirements governing the placement or use of material as clean fill, such as Chapter 102 (Erosion and Sediment Control) and Chapter 105 (Dam Safety and Waterway Management).
- 2) Any person placing clean fill which has been affected by a release of a regulated substance on a property must certify the origin of the fill material and results of analytical testing to qualify the material as clean fill on Form FP-001. Form FP-001 must be retained by the owner of the property receiving the fill.
- 3) Best management practices (BMP) must be followed prior to demolition activities to remove materials like lead-based paint surface, friable asbestos and hazardous materials such as mercury switches, PCB ballasts and fluorescent light bulbs from a building if the brick, block, or concrete is used as clean fill.
- 4) Clean fill may not contain any free liquids based on visual inspection, and shall not create public nuisances (for example objectionable odors) to users of the receiving property or adjacent properties.

Appendix A

Sampling and Analyses for Regulated Material to be Used as Fill:

Sampling of regulated material proposed to be used as fill shall be done either by composite samples or by discrete samples. Sampling in either case shall be random and representative of the fill material being sampled. Sampling shall be in accordance with the most current version of the EPA RCRA Manual, SW-846 (*Test Methods for Evaluating Solid Waste, Physical/Chemical Methods. Office of Solid Waste and Emergency Response*).

- (a) Sampling based on composite sampling procedures shall include the following:
 - (i) For volumes of material equal to or less than 125 cubic yards, a total of eight samples shall be collected and analyzed as follows:
 - (A) For analysis of all substances other than volatile organic compounds (VOCs), the samples shall be analyzed in two composites of four samples each, in accordance with the most current version of the USEPA Manual, SW-846 (*Test Methods for Evaluating Solid Waste, Physical/Chemical Methods. Office of Solid Waste and Emergency Response*).
 - (B) Two samples shall be selected from the 8 samples for analysis of VOCs. The samples shall be based on field screening of the eight samples to select those samples that are most likely to contain the highest concentrations of VOCs.
 - (C) Two grab samples shall be taken from the same areas in the material from which the two samples used for field screening of VOCs were taken, in accordance with Method 5035 from the most current version of the USEPA Manual, SW-846 (*Test Methods for Evaluating Solid Waste, Physical/Chemical Methods. Office of Solid Waste and Emergency Response*).
 - (ii) For volumes of material greater than 125 cubic yards and less than or equal to 3,000 cubic yards, a total of 12 samples shall be collected and analyzed as follows:
 - (A) For analysis of all substances other than VOCs, the samples shall be analyzed in three composites of four samples each.
 - (B) Three samples shall be selected from the 12 samples for analysis of VOCs. The samples shall be based on field screening of the 12 samples to select those samples that are most likely to contain the highest concentrations of VOCs.
 - (C) Three grab samples shall be taken from the same areas in the material from which the three samples used for field screening of VOCs were taken, in accordance with EPA Method 5035, referenced in subparagraph (i)(C).

- (iii) For each additional 3,000 cubic yards of material or part thereof over the initial 3,000 cubic yards, 12 additional samples shall be collected and analyzed as follows:
 - (A) For analysis of all substances other than VOCs, the samples shall be analyzed in three composites of four samples each.
 - (B) Three samples for analysis of VOCs shall be selected from the 12 samples for analysis of VOCs. The samples shall be based on field screening of the 12 samples to select those samples that are most likely to contain the highest concentrations of VOCs.
 - (C) Three grab samples shall be taken from the same areas in material from which the three samples used for field screening of VOCs were taken, in accordance with EPA Method 5035, referenced in subparagraph (i)(C).
- (b) Sampling based on discrete sampling procedures shall include the following:
 - (i) For volumes of material equal to or less than 125 cubic yards, a minimum of eight samples shall be collected and analyzed. For volumes of material greater than 125 cubic yards and less than or equal to 3,000 cubic yards, a minimum of 12 samples shall be collected and analyzed. For each additional 3,000 cubic yards of material or part thereof over the initial 3,000 cubic yards, a minimum of 12 additional samples shall be collected and analyzed.
 - (ii) For VOCs analysis, grab sampling procedures shall be the procedures described in subsection (a), for the equivalent volumes of material sampled.
- (c) Analyses of results:
 - (i) For a composite sample taken in accordance with subsection (a), the measured numeric value for a parameter shall be less than or equal to the concentration limit listed in Table FP-1a or b for that parameter in order for the material to qualify as clean fill, or in Table GP-1a or b for that parameter in order for the fill material to qualify as regulated fill.
 - (ii) For a grab sample, taken in accordance with subsections (a) and (b), the measured numeric value for a parameter shall be less than or equal to the concentration limit listed in Table FP-1a or b for that parameter in order for the material to qualify as clean fill, or in Table GP-1a or b for that parameter for the fill material to qualify as regulated fill.
 - (iii) For discrete samples required in subsection (b), the measured numeric values for a substance in 75% of the discrete samples shall be equal to or less than the concentration limit listed in Table FP-1a or b, or in Table GP-1a or b for that parameter with no single sample exceeding more than twice the concentration limit for a parameter.
- (d) In lieu of subsection (c), a person may use 95% Upper Confidence Limit (UCL) of the arithmetic mean to determine whether a fill material meets the appropriate concentration limits for use as clean or regulated fill. The calculated 95% UCL of the arithmetic mean must be below the appropriate concentration limit for clean or regulated fill. Sampling shall be random and

representative of the material being sampled. The minimum number of samples shall be determined in accordance with EPA approved methods on statistical analysis of environmental data, as identified in 25 PA. Code, §250.707(e) (relating to statistical tests). The application of the 95% UCL of the arithmetic mean shall comply with the following performance standards:

- (i) The null hypotheses (Ho) shall be that the true fill arithmetic average concentration is at or above the regulated fill appropriate concentration limit, and the alternative hypothesis (Ha) shall be that the true fill arithmetic average concentration is below the regulated fill appropriate concentration limit.
- (ii) The underlying assumptions of the statistical method shall be met, such as data distribution.
- (iii) Compositing cannot be used for volatile organic compounds.
- (iv) The censoring level for each nondetect shall be the assigned value randomly generated that is between zero and the limit related to the PQL.
- (v) Tests shall account for spatial variability, unless otherwise approved by the Department.
- (vi) Statistical testing shall be done individually for each parameter present in the fill.
- (vii) Where a fill has distinct physical, chemical or biological characteristics, or originates from different areas, the statistical testing shall be done separately.
- (viii) The following information shall be documented:
 - (A) A description of the original areas of the fill, and physical, chemical and biological characteristics of the fill.
 - (B) A description of the underlying assumptions of the statistical method.
 - (C) Documentation showing that the sample data set meets the underlying assumptions of the statistical method.
 - (D) Documentation of input and output data for the statistical test, presented in tables or figures, or both, as appropriate.
 - (E) An interpretation and conclusion of the statistical test.

- (e) The Synthetic Precipitation Leaching Procedure (SPLP, per *Technical Guidance Manual*, 253-0300-100/ May 4, 2002 /Page II-26-27), is listed below:

The value for the SPLP is the concentration of a regulated substance in soil at the site that does not produce a leachate in which the concentration of the regulated substance exceeds the groundwater MSC. Since this test must be conducted on the actual site soil, no values for the SPLP could be published in the tables of MSCs in the regulations. The following procedure should be used to determine the alternative soil-to-groundwater value based upon the SPLP:

- (i) During characterization, the remediator should obtain a minimum of ten samples from within the impacted soil area. The four samples with the highest total concentration of the regulated substance should be submitted for SPLP analysis. Samples obtained will be representative of the soil type and horizon impacted by the release of the regulated substance.
- (ii) Determine the lowest total concentration (TC) that generates a failing SPLP result. The alternative soil-to-groundwater standard will be the next lowest TC.
- (iii) If all samples result in a passing SPLP level, the alternative soil-to-groundwater standard will be the TC corresponding to the highest SPLP result. The remediator has the option of obtaining additional samples.
- (iv) If none of the samples generates a passing SPLP, the remediator can obtain additional samples and perform concurrent TC/SPLP analyses to satisfy the above requirements for establishing an alternative soil-to-groundwater standard.

**Table FP-1a
Clean Fill Concentration Limits for Organics**

PARAMETER	CASRN	Clean Fill
		Total Analysis mg/kg
ACENAPHTHENE	83-32-9	2700
ACENAPHTHYLENE	208-96-8	2500
ACEPHATE	30560-19-1	0.9
ACETALDEHYDE	75-07-0	0.23
ACETONE	67-64-1	41
ACETONITRILE	75-05-8	1.9
ACETOPHENONE	98-86-2	200
ACETYLAMINOFLUORENE, 2- (2AAF)	53-96-3	0.069
ACROLEIN	10-702-8	0.00062
ACRYLAMIDE	79-06-1	0.00057
ACRYLIC ACID	79-10-7	0.051
ACRYLONITRILE	107-13-1	0.0087
ALACHLOR	15972-60-8	0.077
ALDICARB	116-06-3	0.12
ALDRIN	309-00-2	0.10
ALLYL ALCOHOL	107-18-6	0.58
AMINOBIHENYL, 4-	92-67-1	0.0012
AMITROLE	61-82-5	0.029
AMMONIA	7664-41-7	360
AMMONIUM SULPHAMATE	7773-06-0	24
ANILINE	62-53-3	0.16
ANTHRACENE	120-12-7	350
ATRAZINE	1912-24-9	0.13
BAYGON (PROPOXUR)	114-26-1	0.057
BENOMYL	17804-35-2	880.00
BENTAZON	25057-89-0	16
BENZENE	71-43-2	0.13
BENZIDINE	92-87-5	0.078
BENZO[A]ANTHRACENE	56-55-3	25
BENZO[A]PYRENE	50-32-8	2.5
BENZO[B]FLUORANTHENE	205-99-2	25
BENZO[GHI]PERYLENE	191-24-2	180
BENZO[K]FLUORANTHENE	207-08-9	250
BENZOIC ACID	65-85-0	2900
BENZOTRICHLORIDE	98-07-7	0.012
BENZYL ALCOHOL	100-51-6	400
BENZYL CHLORIDE	100-44-7	0.051
BHC, ALPHA-	319-84-6	0.046
BHC, BETA-	319-85-7	0.22
BHC, DELTA-	319-86-8	11
BHC, GAMMA (LINDANE)	58-89-9	0.072
BIPHENYL, 1,1-	92-52-4	790
BIS(2-CHLOROETHYL)ETHER	111-44-4	0.0039
BIS(2-CHLORO-ISOPROPYL)ETHER	108-60-1	8.0
BIS(CHLOROMETHYL)ETHER	542-88-1	0.00001
BIS[2-ETHYLHEXYL] PHTHALATE	117-81-7	130
BISPHENOL A	80-05-7	700
BROMACIL (BROMAX)	314-40-9	2
BROMOCHLOROMETHANE	74-97-5	1.6
BROMODICHLOROMETHANE	75-27-4	3.40
BROMOMETHANE	74-83-9	0.54
BROMOXYNIL	1689-84-5	63
BROMOXYNIL OCTANOATE	1689-99-2	360
BUTADIENE, 1,3-	106-99-0	0.0062
BUTYL ALCOHOL, N-	71-36-3	12.00
BUTYLATE	2008-41-5	51.0
BUTYLBENZENE, N-	104-51-8	950
BUTYLEBENZENE, SEC-	135-98-8	350
BUTYLEBENZENE, TERT-	98-06-6	270
BUTYLBENZYL PHTHALATE	85-68-7	10000
CAPTAN	133-06-2	12
CARBARYL	63-25-2	41
CARBAZOLE	86-74-8	21
CARBOFURAN	1563-66-2	0.87
CARBON DISULFIDE	75-15-0	160

Table FP-1a
Clean Fill Concentration Limits for Organics

PARAMETER	CASRN	Clean Fill
		Total Analysis mg/kg
CARBON TETRACHLORIDE	56-23-5	0.26
CARBOXIN	5234-68-4	53
CHLORAMBEN	133-90-4	1.6
CHLORDANE	57-74-9	49
CHLORO-1, 1-DIFLUOROETHANE, 1-	75-68-3	2300
CHLORO-1-PROPENE, 3- (ALLYL CHLORIDE)	107-05-1	0.065
CHLOROACETOPHENONE, 2-	532-27-4	0.0093
CHLOROANILINE, P-	106-47-8	19.00
CHLOROBENZENE	108-90-7	6.1
CHLOROBENZILATE	510-15-6	1.60
CHLOROBUTANE, 1-	109-69-3	2300
CHLORODIBROMOMETHANE	124-48-1	3.20
CHLORODIFLUOROMETHANE	75-45-6	2.6
CHLOROETHANE	75-00-3	5.00
CHLOROFORM	67-66-3	2.50
CHLORONAPHTHALENE, 2-	91-58-7	6200
CHLORO[B]NITROBENZENE, [2]-P-	100-00-5	4.9
CHLOROPHENOL, 2-	95-57-8	4.40
CHLOROPRENE	126-99-8	0.45
CHLOROPROPANE, 2-	75-29-6	21
CHLOROTHALONIL	1897-45-6	15
CHLOROTOLUENE, O-	95-49-8	20
CHLORPYRIFOS	2921-88-2	23
CHLORSULFURON	64902-72-3	25
CHLORTHAL-DIMETHYL (DACTHAL) (DCPA)	1861-32-1	650
CHRYSENE	218-01-9	230
CRESOL(S)	1319-77-3	3.1
CRESOL, O-(METHYLPHENOL, 2-)	95-48-7	64
CRESOL, M-(METHYLPHENOL, 3-)	108-39-4	36
CRESOL, P-(METHYLPHENOL, 4-)	106-44-5	4.2
CRESOL, P-CHLORO-M-	59-50-7	37
CROTONALDEHYDE	4170-30-3	0.00099
CROTONALDEHYDE, TRANS-	123-73-9	0.00099
CUMENE (ISOPROPYL BENZENE)*	98-82-8	780
CYCLOHEXANONE	108-94-1	1400
CYFLUTHRIN	68359-37-5	33
CYROMAZINE	66215-27-8	84
DDD, 4,4'-	72-54-8	6.8
DDE, 4,4'-	72-55-9	41
DDT, 4,4'-	50-29-3	53
DI(2-ETHYLHEXYL)ADIPATE	103-23-1	10000
DIALATE	2303-16-4	0.15
DIAMINOTOLUENE, 2,4-	95-80-7	0.0042
DIAZINON	333-41-5	0.082
DIBENZO[A,H]ANTHRACENE	53-70-3	2.50
DIBROMO-3-CHLOROPROPANE, 1,2-	96-12-8	0.0092
DIBROMOBENZENE, 1,4-	106-37-6	150
DIBROMOETHANE, 1,2- (ETHYLENE DIBROMIDE)	106-93-4	0.0012
DIBROMOMETHANE	74-95-3	3.7
DI-N-BUTYLPHTHALATE, N-	84-74-2	1500
DICHOLOR-2-BUTENE, 1,4-	764-41-0	0.0009
DICHLOROBENZENE, 1,2-	95-50-1	59
DICHLOROBENZENE, 1,3-	541-73-1	61
DICHLOROBENZENE, P-	106-46-7	10
DICHLOROBENZIDINE, 3,3'-	91-94-1	8.3
DICHLORODIFLUOROMETHANE (FREON 12)	75-71-8	100
DICHLOROETHANE, 1,1-	75-34-3	0.65
DICHLOROETHANE, 1,2-	107-06-2	0.10
DICHLOROETHYLENE, 1,1-	75-35-4	0.19
DICHLOROETHYLENE, CIS-1,2-*	156-59-2	1.6
DICHLOROETHYLENE, TRANS-1,2-	156-60-5	2.3
DICHLOROMETHANE (METHYLENE CHLORIDE)	75-09-2	0.076
DICHLOROPHENOL, 2,4-	120-83-2	1
DICHLOROPHENOXYACETIC ACID, 2,4- (2,4-D)	94-75-7	1.8

Table FP-1a
Clean Fill Concentration Limits for Organics

PARAMETER	CASRN	Clean Fill
		Total Analysis mg/kg
DICHLOROPROPANE, 1,2-	78-87-5	0.11
DICHLOROPROPENE, 1,3-	542-75-6	0.12
DICHLOROPROPIONIC ACID (DALAPON), 2,2-	75-99-0	5.30
DICHLORVOS	62-73-7	0.012
DICYCLOPENTADIENE	77-73-6	0.12
DIELDRIN	60-57-1	0.11
DIETHYL PHTHALATE	84-66-2	160
DIFLUBENZIRON	35367-38-5	52
DIMETHOATE	60-51-5	0.28
DIMETHOXYBENZIDINE, 3,3-	119-90-4	16
DIMETHYLAMINOAZOBENZENE, P-	60-11-7	0.037
DIMETHYLANILINE, N,N-	121-69-7	4.1
DIMETHYLBENZIDINE, 3,3-	119-93-7	0.4
DIMETHYLPHENOL, 2,4-	105-67-9	32
DINITROBENZENE, 1,3-	99-65-0	0.049
DINITROPHENOL, 2,4-	51-28-5	0.21
DINITROTOLUENE, 2,4-	121-14-2	0.050
DINITROTOLUENE, 2, 6,- (2,6-DNT)	606-20-2	1.10
DINOSEB	88-85-7	0.290
DIOXANE, 1,4-	123-91-1	0.073
DIPHENAMID	957-51-7	12
DIPHENYLAMINE	122-39-4	12
DIPHENYLHYDRAZINE, 1,2-	122-66-7	0.15
DIQUAT	85-00-7	0.24
DISULFOTON	298-04-4	0.078
DIURON	330-54-1	0.86
ENDOSULFAN	115-29-7	30.00
ENDOSULFAN I (ALPHA)	959-98-8	110
ENDOSULFAN II (BETA)	33213-65-9	130
ENDOSULFAN SULFATE	1031-07-8	70
ENDOTHALL	145-73-3	4.1
ENDRIN	72-20-8	5.5
EPICHLOROHYDRIN	106-89-8	0.056
ETHEPHON	16672-87-0	2.1
ETHION	563-12-2	39
ETHOXYETHANOL, 2- (EGEE)	110-80-5	7.80
ETHYL ACETATE	141-78-6	220
ETHYL ACRYLATE	140-88-5	0.12
ETHYL BENZENE	100-41-4	46
ETHYL DIPROPYL THIOCARBAMATE, S- (EPTC)	759-94-4	65
ETHYL ETHER	60-29-7	53
ETHYLMETHACRYLATE	97-63-2	14
ETHYLENE GLYCOL	107-21-1	170
ETHYLENE THIOUREA (ETU)	96-45-7	0.034
ETHYL P-NITROPHENYL PHENYLPHOSPHOROTHIOATE	2104-64-5	0.12
FENAMIPHOS	22224-92-6	0.17
FENVALERATE (PYDRIN)	51630-58-1	94
FLUOMETURON (FLUORNETRON IN EPA FEB 96)	2164-17-2	2.5
FLUORANTHENE	206-44-0	3200
FLUORENE	86-73-7	3000
FLUOROTROCHLOROMETHANE (FREON 11)	75-69-4	87
FONOFOS	944-22-9	2.9
FORMALDEHYDE	50-00-0	12
FORMIC ACID	64-18-6	210
FOSETYL-AL	039148-24-8	9700
FURAN	110-00-9	0.42
FURFURAL	98-01-1	1.4
GLYPHOSATE	1071-83-6	620
HEPTACHLOR	76-44-8	0.68
HEPTACHLOR EPOXIDE	1024-57-3	1.1
HEXACHLOROBENZENE	118-74-1	0.96
HEXACHLOROBUTADIENE	87-68-3	1.20
HEXACHLOROCYCLOPENTADIENE	77-47-4	91
HEXACHLOROETHANE	67-72-1	0.560

Table FP-1a
Clean Fill Concentration Limits for Organics

PARAMETER	CASRN	Clean Fill
		Total Analysis mg/kg
HEXANE	110-54-3	500
HEXYTHIAZOX (SAVEY)	78587-05-0	820
HYDRAZINE/HYDRAZINE SULFATE	302-01-2	0.000098
HYDROQUINONE	123-31-9	20
INDENO[1,2,3-CD]PYRENE	193-39-5	25
IPIODIONE	36734-19-7	430
ISOBUTYL ALCOHOL	78-83-1	76
ISOPHORONE	78-59-1	1.90
KEPONE	143-50-0	0.56
MALATHION	121-75-5	34
MALEIC HYDRAZIDE	123-33-1	47
MANEB	12427-38-2	2
MERPHOS OXIDE	78-48-8	6.6
METHACRYLONITRILE	126-98-7	0.031
METHAMIDOPHOS	10265-92-6	0.022
METHANOL	67-56-1	58.00
METHOMYL	16752-77-5	3.20
METHOXYCHLOR	72-43-5	630
METHOXYETHANOL, 2-	109-86-4	0.41
METHYL ACETATE	79-20-9	690
METHYL ACRYLATE	96-33-3	27
METHYL CHLORIDE	74-87-3	0.038
METHYL ETHYL KETONE (2-BUTANONE)	78-93-3	54
METHYL ISOBUTYL KETONE	108-10-1	2.90
METHYL METHACRYLATE	80-62-6	26.0
METHYL METHANESULFONATE	66-27-3	0.083
METHYL PARATHION	298-00-0	0.42
METHYL STYRENE (MIXED ISOMERS)	25013-15-4	120
METHYL TERT-BUTYL ETHER (MTBE)	1634-04-4	0.28
METHYLENE BIS(2-CHLOROANILINE), 4,4'-	101-14-4	3.9
METHYLNAPHTHALENE, 2-	91-57-6	2900
METHYLSTYRENE, ALPHA	98-83-9	120
NAPHTHALENE*	91-20-3	25
NAPHTHYLAMINE, 1-	134-32-7	0.30
NAPHTHYLAMINE, 2-	91-59-8	0.01
NAPROPAMIDE	15299-99-7	860
NITROANILINE, M-	99-09-2	0.033
NITROANILINE, O-	88-74-4	0.038
NITROANILINE, P-	100-01-6	0.031
NITROBENZENE	98-95-3	0.79
NITROPHENOL, 2-	88-75-5	5.90
NITROPHENOL, 4-	100-02-7	4.1
NITROPROPANE, 2-	79-46-9	0.000260
NITROSODIETHYLAMINE, N-	55-18-5	0.000018
NITROSODIMETHYLAMINE, N-	62-75-9	0.000041
NITROSO-DI-N-BUTYLAMINE, N-	924-16-3	0.0033
NITROSODI-N-PROPYLAMINE, N-	621-64-7	0.0013
NITROSODIPHENYLAMINE, N-	86-30-6	20.00
NITROSO-N-ETHYLUREA, N-	759-73-9	0.000054
OCTYL PHTHALATE, DI-N-	117-84-0	4400
OXAMYL (VYDATE)	23135-22-0	2.60
PARATHION	56-38-2	130
PCB-1016 (AROCLOR)	12674-11-2	15
PCB-1221 (AROCLOR)	11104-28-2	0.63
PCB-1232 (AROCLOR)	11141-16-5	0.50
PCB-1242 (AROCLOR)	53469-21-9	16
PCB-1248 (AROCLOR)	12672-29-6	9.90
PCB-1254 (AROCLOR)	11097-69-1	4.40
PCB-1260 (AROCLOR)	11096-82-5	30
PEBULATE	1114-71-2	300
PENTACHLORO BENZENE	608-93-5	180
PENTACHLORONITROBENZENE	82-68-8	5.00
PENTACHLOROPHENOL	87-86-5	5.00
PHENACETIN	62-44-2	12.00

**Table FP-1a
Clean Fill Concentration Limits for Organics**

PARAMETER	CASRN	Clean Fill
		Total Analysis mg/kg
PHENANTHRENE	85-01-8	10000
PHENOL	108-95-2	66.00
PHENYLENEDIAMINE, M-	108-45-2	3.10
PHENYLPHENOL, 2-	90-43-7	490
PHORATE	298-02-2	0.41
PHTHALIC ANHYDRIDE	85-44-9	2300
PICLORAM	1918-02-1	7.4
PRONAMIDE	23950-58-5	3.1
PROPANIL	709-98-8	9.2
PROPHAM	122-42-9	17
PROPYLBENZENE, N-	103-65-1	290
PROPYLENE OXIDE	75-56-9	0.049
PYRENE	129-00-0	2200
PYRIDINE	110-86-1	0.11
QUINOLINE	91-22-5	0.018
QUIZALOFOP (ASSURE)	76578-14-8	47
RONNEL	299-84-3	280
SIMAZINE	122-34-9	0.15
STRYCHNINE	57-24-9	0.89
STYRENE	100-42-5	24
TEBUTHIURON	34014-18-1	83
TERBACIL	5902-51-2	2.2
TERBUFOS	13071-79-9	0.12
TETRACHLOROBENZENE, 1,2,4,5-	95-94-3	5.1
TETRACHLORODIBENZO-P-DIOXIN, 2,3,7,8- (TCDD)	1748-01-6	0.00012
TETRACHLOROETHANE, 1,1,1,2-	630-20-6	18
TETRACHLOROETHANE, 1,1,2,2-	79-34-5	0.0093
TETRACHLOROETHYLENE (PCE)	127-18-4	0.43
TETRACHLOROPHENOL, 2,3,4,6-	58-90-2	450.00
TETRAETHYL LEAD	78-00-2	0.0046
TETRAETHYLDITHIOPYROPHOSPHATE	3689-24-5	0.73
THIOFANOX	39196-18-4	0.12
THIRAM	137-26-8	47
TOLUENE	108-88-3	44
TOLUIDINE, M-	108-44-1	0.13
TOLUIDINE, O-	95-53-4	0.32
TOLUIDINE, P-	106-49-0	0.32
TOXAPHENE	8001-35-2	1.20
TRIALATE	2303-17-5	240
TRIBROMOMETHANE (BROMOFORM)	75-25-2	4.4
TRICHLORO- 1,2,2-TRIFLUOROETHANE, 1,1,2-	76-13-1	26000
TRICHLOROBENZENE, 1,2,4-	120-82-1	27
TRICHLOROBENZENE, 1,3,5-	108-70-3	31
TRICHLOROETHANE, 1,1,1-	71-55-6	7.20
TRICHLOROETHANE, 1,1,2-	79-00-5	0.15
TRICHLOROETHYLENE (TCE)	79-01-6	0.17
TRICHLOROPHENOL, 2,4,5-	95-95-4	2300
TRICHLOROPHENOL, 2,4,6-	88-06-2	3.1
TRICHLOROPHENOXYACETIC ACID, 2,4,5- (2,4,5-T)	93-76-5	1.50
TRICHLOROPHENOXYPROPIONIC ACID, 2,4,5- (2,4,5-TP)(SILV	93-72-1	22
TRICHLOROPROPANE, 1,1,2-	598-77-6	3.1
TRICHLOROPROPANE, 1,2,3-	96-18-4	1.6
TRICHLOROPROPENE, 1,2,3-	96-19-5	11
TRIFLURALIN	1582-09-8	0.96
TRIMEHTYLBENZENE, 1,3,4- (TRIMETHYLBENZENE, 1,2,4-)	95-63-6	9
TRIMETHYLBENZENE, 1,3,5-	108-67-8	2.8
TRINITROTOLUENE, 2,4,6-	118-96-7	0.023
VINYL ACETATE	108-05-4	6.50
VINYL BROMIDE (BROMOMETHANE)	593-60-2	0.068
VINYL CHLORIDE	75-01-4	0.03
WARFARIN	81-81-2	2.60
XYLENES (TOTAL)	1330-20-7	990
ZINEB	12122-67-7	29

Table FP-1b**Clean Fill Concentration Limits For Metals and Inorganics**

PARAMETER	Unregulated Fill Total Analysis mg/kg
ANTIMONY	27
ARSENIC ¹	12
BARIUM AND COMPOUNDS	8,200
BERYLLIUM	320
BORON AND COMPOUNDS	6.7
CADMIUM	38
CHLORIDES	na
CHROMIUM III	190,000
CHROMIUM VI	94
COBALT	8.1
COPPER	8,200
CYANIDE FREE	200
LEAD	450
MANGANESE	31,000
MERCURY	10
NICKEL	650
NITRATE NITROGEN	na
NITRITE NITROGEN	na
SELENIUM	26
SILVER	84
SULFATE	na
THALLIUM	14
TIN	240
VANADIUM	1,500
ZINC	12,000

¹ The limit of 12 mg/kg applies to all releases of arsenic. A limit of 20 mg/kg applies to certain construction materials not subject to direct contact upon completion of construction. The limit of 20 mg/kg can only be used if a Department approved Best Management Practices Plan for Earthwork and General Construction is followed by all parties involved in supplying and using materials on the construction project.

General Permit For Processing/Beneficial Use of Residual Waste

Permit No. WMGR096

Date Amended _____

Date Issued April 13, 2004

Date Expires April 13, 2009

The Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Division of Municipal and Residual Waste hereby approves the:

Beneficial Use Processing prior to Beneficial Use Other

of: regulated fill as defined in in Guidance Document 258-2182-773 (Management of Fill)

for use as: construction material

This approval is granted to: Eligible persons or municipalities qualifying for the general permit.

subject to the attached conditions and may be revoked or suspended for any project which the Department of Environmental Protection determines to have a substantial risk to public health, the environment, or cannot be adequately regulated under the provisions of this permit.

The processing of wastes not specifically identified in the documentation submitted for this approval, or the beneficial use of wastes not approved in this permit, is prohibited without the written permission of the Department.

This permit is issued under the authority of the Solid Waste Management Act (35 P.S. §§6018.101-6018.1003), The Pennsylvania Used Oil Recycling Act (58 P.S. §§471-480), The Clean Streams Law (35 P.S. §§691.1-691.1001), Sections 1905-A, 1917-A and 1920-A of the Administrative Code of 1929 (71 P.S. §§510-5, 510-17 and 510-20) and the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§4000.101-4000.1904).

This approval is granted: By: _____

Statewide Regional Title: Environmental Program Manager

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1. *Permitted Activities.* The approval herein granted is limited to the beneficial use of regulated fill when moved offsite or received onsite. Regulated fill may only be moved to a property that is approved for construction and that is zoned and used exclusively for commercial and industrial uses or that is unzoned but is exclusively used for commercial and industrial uses (excluding parks, playgrounds, nursing homes, child care facilities, schools or other residential-style facilities or recreation areas). This permit does not authorize blending or processing of material to meet concentration limits in Table GP-1.
2. *Definitions.* The following terms, when used in this permit, have the following meanings:

“Regulated fill” is soil, rock, stone, dredged material, used asphalt, historic fill, and brick, block or concrete from construction and demolition activities that is separate from other waste and recognizable as such that has been affected by a spill or release of a regulated substance and the concentrations of regulated substances exceed the values in Table FP-1 of the Department’s fill policy.

“Historic fill” is material (excluding landfills, waste piles and impoundments) used to bring an area to grade prior to 1988 that is a conglomeration of soil and residuals, such as ashes from the residential burning of wood and coal, incinerator ash, coal ash, slag, dredged material and construction and demolition waste. The term does not include iron or steel slag that is separate from residuals if it meets the coproduct definition and the requirements of 25 Pa. Code § 287.8. The term does not include coal ash that is separate from residuals if it is beneficially used in accordance with 25 Pa. Code § 287.661- 287.666.
3. *Concentration limits.* Regulated fill may not exceed the values in Table GP-1.
4. *Hazardous waste prohibited.* Material that is hazardous waste under Chapter 261a (relating to identification and listing of hazardous waste) may not be used under this permit.
5. *Proper management of fill.* Regulated fill may not be placed on a greenfield property not planned for development, or on a property currently used for or planned for residential use. Material containing concentrations of regulated substances that exceed the values in Table GP-1 may not be moved under the provisions of this general permit, but must be managed in accordance with the provisions of the Department’s municipal or residual waste regulations.
6. *Proper management of dredged materials.* In addition to meeting the values in Table GP-1, regulated fill consisting of dredged material from tidal streams shall meet 250 mg/l for chlorides based on an SPLP analysis.
7. *Proper management of fill materials containing metals.* Regulated fill containing metals may be moved to a site if those metals concentrations meet either the concentration limits for metals in Table GP-1 or the background concentration, whichever is higher. Fill that exceeds the concentration limits must be placed as part of an approved construction project in such a manner that all direct contact exposure pathways are eliminated. The background concentration is defined as the concentration of a substance that is present at the site before beneficial use activities occur under this permit. Background concentrations may be determined by taking a representative number of samples, based on the size of the site, from each of the receiving site and the fill proposed for beneficial use. The average concentration in the receiving site samples becomes the background concentration.

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8. *Notice to municipalities.* A person that registers for coverage under this general permit shall submit a copy of the registration to each municipality in which the beneficial use activities will be located a minimum of 30 days prior to initiating operations.
9. *Sampling and analysis.* Prior to the beneficial use, the permittee shall perform chemical analysis on representative samples of regulated fill for the appropriate parameters in accordance with the protocol in Appendix A to the Fill Policy. The chemical analyses required in this condition shall be performed by a laboratory accredited or registered for accreditation under the Pennsylvania Environmental Laboratory Accreditation Act of 2002.
10. *Deed Acknowledgment for beneficial use of regulated fill.* The permittee shall provide to the Department proof of a recorded deed notice that includes the exact location of the fill placed on the property, including latitude and longitude descriptions, and a description of the types of fill identified by sampling and analysis. The location and description shall be made a part of the deed for all future conveyances or transfers of the subject property.
11. *Siting limitations.* Regulated fill shall not be beneficially used under this permit unless authorized in writing by the Department:
 - a. in the 100-year floodplain;
 - b. within 100 feet of a sinkhole or area draining into a sinkhole;
 - c. within 50 feet of a dwelling unless the owner has provided a written waiver consenting to the beneficial use being closer than 50 feet;
 - d. within 100 feet of a perennial stream;
 - e. within 300 feet of a water source unless the owner has provided a written waiver consenting to the beneficial use being closer than 300 feet;
 - f. within 300 feet of an exceptional value wetland, an exceptional value water or a high quality water.
 - g. The siting limitations in paragraph 11(a) are not applicable to the placement of regulated fill at a brownfield site provided the placement is in accordance with all other applicable requirements.
12. *Water quality.* Regulated fill shall not be placed in the waters of the Commonwealth.
13. *Nuisances.* Regulated fill shall not contain any free liquids based on visual inspection, and shall not create public nuisances (for example objectionable odors).
14. *Construction material.* The construction activity associated with placement of regulated fill under this permit shall be conducted promptly. At a minimum, construction activity should begin within one year from the date the regulated fill is placed for beneficial use. Upon completion of areas where regulated fill is beneficially used, the areas shall be promptly vegetated or otherwise stabilized to minimize and control erosion if the construction activity is not undertaken within 30 days of fill placement.

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15. *Mixing prohibited.* The regulated fill may not be mixed with other types of solid waste unless otherwise approved by the Department.
16. *Storage and transportation.* The storage and transportation of regulated fill shall be in a manner that does not create a nuisance or be harmful to the public health, safety or the environment. Storage and transportation shall comply with the requirements of 25 Pa. Code Chapters 285 or 299 (relating to storage, collection and transportation of municipal waste and residual waste), whichever is applicable to the waste type being stored or transported.
17. *Discharge of waste prohibited.* This permit does not authorize and shall not be construed as an approval to discharge any other waste, wastewater or runoff from the site where regulated fill originated or the site where regulated fill is beneficially used, to the land or waters of the Commonwealth.
18. *Fugitive emissions.* The permittee shall comply with any applicable fugitive emissions standards adopted under 25 Pa. Code §123.1 and 123.2.
19. *Erosion and sedimentation control.* An erosion and sedimentation control plan shall be implemented that is consistent with the applicable requirements of Chapter 102 (relating to erosion and sedimentation control).
20. *Recordkeeping.* Records of analytical evaluations conducted on the regulated fill under this permit shall be kept by the permittee at the permittee's place of business and shall be available to the Department for inspection. This waste analysis information shall be retained by the permittee for a minimum of 5 years.
21. *Relationship to local law.* Nothing in this permit shall be construed to supersede, amend, or authorize a violation of any of the provisions of any valid and applicable local law, ordinance, or regulation, providing that said local law, ordinance, or regulation is not preempted by the Solid Waste Management Act, 35 PS §6018.101 et seq.; and the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, 53 P.S. §4000.101 et seq.
22. *Inspections.* As a condition of this permit and of the permittee's authority to conduct the activities authorized by this permit, the person receiving the fill hereby authorizes and consents to allow authorized employees or agents of the Department, without advance notice or search warrant, upon presentation of appropriate credentials and without delay, to have access to and to inspect all areas on which solid waste management activities are being, will be, or have been conducted. This authorization and consent shall include consent to collect samples of waste, soils, water, or gases; to take photographs; to perform measurements, surveys, and other tests; to inspect any monitoring equipment; to inspect the methods of operation; and to inspect and/or copy documents, books, and papers required by the Department to be maintained. This permit condition is referenced in accordance with Sections 608 and 610(7) of The Solid Waste Management Act, 35 P.S. § 6018.608 and 6018.610(7). This condition in no way limits any other powers granted under the Solid Waste Management Act.
23. *Prevention of harm or threat of harm.* The activities authorized by this permit shall not harm or present a threat of harm to the health, safety, or welfare of the people or environment of this Commonwealth. The Department may modify, suspend, revoke, or reissue the authorization granted in

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this permit if it deems necessary to prevent harm or the threat of harm to the public health, the environment, or if the activities cannot be adequately regulated under the conditions of this permit.

24. *Individual permits.* The permittee shall comply with the terms and conditions of this general permit and with the environmental protection acts to the same extent as if the activities were covered by an individual permit. The Department may require the permittee to apply for, and obtain, an individual permit or cease operation if the permittee is not in compliance with the conditions of this general permit or is conducting an activity that harms or presents a threat of harm to the health, safety or welfare of the people or the environment.
25. *Incorporation of application.* All activities conducted under the authorization granted in this permit shall be conducted in accordance with the permittee's application. Except to the extent that the permit states otherwise, the permittee shall use the regulated fill as described in the approved application.
26. *Permit application requirements.* Persons or municipalities that propose to beneficially use regulated fill by operating under the terms and conditions of this general permit after the date of permit issuance shall register for each location of beneficial use. The request shall be sent to the Department's appropriate regional office that has jurisdiction for waste-related activities in the county where the regulated fill will be beneficially used. At a minimum, the following registration information shall be submitted on application forms provided by the Department:
 - a. Name and street address of the applicant;
 - b. Names and locations of the regulated fill generating sites;
 - c. Name, location, area and ownership of the location of beneficial use;
 - d. Documentation that the regulated fill meets the conditions of this general permit;
 - e. Number and title of the general permit;
 - f. Proof that the beneficial use management activities are consistent with the general permit, including a description of the construction activity to be conducted within the use of the regulated fill.
 - g. If the size of the receiving site, where the beneficial use takes place, is greater than or equal to one acre, proof that a Pennsylvania Natural Diversity Inventory (PNDI) review at the site has been completed. This review should be in accordance with the Department's policy #400-0200-001, "Policy for Pennsylvania Natural Diversity Inventory Coordination During Permit Review and Evaluation" (Jan. 18, 2003) and all known occurrences must be resolved with the jurisdictional agency. If a PNDI review has been completed at the receiving site under another Department program, the report of that review and approval may be submitted to the Department to satisfy this permit application requirement.
 - h. Signed and notarized statement by the person who seeks "Registration" to accept all conditions and operate under the terms and conditions of this general permit;
 - i. Proof that copies of the "Registration" have been submitted to each municipality, county, county planning agency and county health department where the beneficial use is located;

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- j. Proof that the applicant has legal right to enter the land where the beneficial use will occur and perform the activities approved in Condition 1 of this permit and an irrevocable written consent from the landowner giving the Department permission to enter upon land where the applicant will be conducting waste management activities;
 - k. Information that identifies the applicant (i.e. individual, corporation, partnership, government agency, association, etc.) and related parties, including the names and addresses of every officer who has a financial interest in or controls the facility operation;
 - l. Evidence must be provided by persons operating under this general permit of noncompliance with state and federal environmental laws and regulations
 - m. Independent contractors retained by the applicant to perform any activities authorized under this permit must comply with state and federal laws and regulations relating to environmental protection and transportation safety.
 - n. A \$250.00 registration fee, as specified in the residual waste management regulations, payable to the "Commonwealth of Pennsylvania."
27. *Commencement of activities.* For persons or municipalities that propose to beneficially use regulated fill on nonresidential brownfields, the activities may commence after 15 working days from the date the Registration application is submitted to the Department, unless otherwise instructed by the Department. A "brownfield" is defined as real property where regulated substances have been released and remain present. For persons or municipalities that propose to beneficially use regulated fill for one of the following, the activities may commence after 60 working days from the date the Registration application is submitted to the Department, unless otherwise instructed by the Department:
- a. on nonresidential greenfields;
 - b. on properties where the area subject to regulated fill placement is larger than 10 acres; or
 - c. on properties where waiver or modification of a siting limitation in Condition 11 has been requested.
- A "greenfield" is defined as real property that is not a brownfield.
28. *New sources of fill.* If new sources of regulated fill are to be included at the approved beneficial use location, the permittee shall notify the Department in writing by submitting information in accordance with subparts a - f of Condition 25 above. A permittee may commence with beneficial use of the new source after 10 working days from the date the information is submitted to the Department, unless otherwise instructed by the Department.
29. *Notification of changes in operator.* Any person who is operating under the provisions of this permit shall immediately notify, in writing, the waste program Operations Manager of the appropriate regional office of the Department (address in attached list) within 30 days via certified mail of any changes in: the company name, address, owners, operators, and/or responsible officials of the

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company; the generator(s) of the regulated fill; the compliance status (e.g., violations) of any permit issued by the Department or federal government under the environmental protection acts

30. *Determination that material is no longer waste.* Regulated fill that meets all the terms and conditions of this permit and that does not exceed concentration limits in Table GP-1 shall cease to be waste once the regulated fill is placed. If dewatered regulated fill is subsequently excavated or moved beyond the area permitted for fill placement, it will then be subject to applicable requirements for the use of regulated fill.
31. *Revocation or suspension.* Failure of the measures herein approved to be performed as intended, or as designed, or in compliance with the applicable laws, rules and regulations, and terms and conditions of this permit, for any reason, shall be grounds for the revocation or suspension of the permittee's approval to operate under this permit.

Table GP-1a
Regulated Fill Concentration Limits for Organics

PARAMETER		Regulated Fill
	CASRN	Total analysis mg/kg
ACENAPHTHENE	83-32-9	4700
ACENAPHTHYLENE	208-96-8	6900
ACEPHATE	30560-19-1	3.6
ACETALDEHYDE	75-07-0	0.63
ACETONE	67-64-1	110
ACETONITRILE	75-05-8	3.9
ACETOPHENONE	98-86-2	540
ACETYLAMINOFLUORENE, 2- (2AAF)	53-96-3	0.28
ACROLEIN	10-702-8	0.0014
ACRYLAMIDE	79-06-1	0.0024
ACRYLIC ACID	79-10-7	0.11
ACRYLONITRILE	107-13-1	0.037
ALACHLOR	15972-60-8	0.077
ALDICARB	116-06-3	0.12
ALDRIN	309-00-2	0.44
ALLYL ALCOHOL	107-18-6	1.2
AMINOBIIPHENYL, 4-	92-67-1	0.0046
AMITROLE	61-82-5	0.12
AMMONIA	7664-41-7	360
AMMONIUM SULFAMATE	7773-06-0	24
ANILINE	62-53-3	0.34
ANTHRACENE	120-12-7	350
ATRAZINE	1912-24-9	0.13
BAYGON (PROPOXUR)	114-26-1	0.057
BENOMYL	17804-35-2	970
BENTAZON	25057-89-0	45
BENZENE	71-43-2	0.13
BENZIDINE	92-87-5	0.34
BENZO[A]ANTHRACENE	56-55-3	110
BENZO[A]PYRENE	50-32-8	11
BENZO[B]FLUORANTHENE	205-99-2	110
BENZO[GHI]PERYLENE	191-24-2	180
BENZO[K]FLUORANTHENE	207-08-9	610
BENZOIC ACID	65-85-0	7800
BENZOTRICHLORIDE	98-07-7	0.048
BENZYL ALCOHOL	100-51-6	1100
BENZYL CHLORIDE	100-44-7	0.22
BHC, ALPHA	319-84-6	0.19
BHC, BETA-	319-85-7	0.82
BHC, DELTA-	319-86-8	30
BHC, GAMMA (LINDANE)	58-89-9	0.072
BIPHENYL, 1,1-	92-52-4	2200
BIS(2-CHLOROETHYL)ETHER	111-44-4	0.017
BIS(2-CHLORO-ISOPROPYL)ETHER	108-60-1	8
BIS(CHLOROMETHYL)ETHER	542-88-1	0.000044
BIS[2-ETHYLHEXYL] PHTHALATE	117-81-7	130
BISPHENOL A	80-05-7	2000
BROMACIL	314-40-9	2
BROMOCHLOROMETHANE	74-97-5	1.6
BROMODICHLOROMETHANE	75-27-4	3.4
BROMOMETHANE	74-83-9	0.54
BROMOXYNIL	1689-84-5	170
BROMOXYNIL OCTANOATE	1689-99-2	360
BUTADIENE, 1,3-	106-99-0	0.027
BUTYL ALCOHOL, N-	71-36-3	24
BUTYLATE	2008-41-5	51
BUTYLBENZENE, N-	104-51-8	2600
BUTYLBENZENE, SEC-	135-98-8	960
BUTYLBENZENE, TERT-	98-06-6	740
BUTYLBENZYL PHTHALATE	85-68-7	10000

Table GP-1a
Regulated Fill Concentration Limits for Organics

PARAMETER	Regulated Fill	
		Total analysis
	CASRN	mg/kg
CAPTAN	133-06-2	31
CARBARYL	63-25-2	41
CARBAZOLE	86-74-8	83
CARBOFURAN	1563-66-2	0.87
CARBON DISULFIDE	75-15-0	350
CARBON TETRACHLORIDE	56-23-5	0.26
CARBOXIN	5234-68-4	53
CHLORAMBEN	133-90-4	1.6
CHLORDANE	57-74-9	49
CHLORO-1,1-DIFLUOROETHANE, 1-	75-68-3	4800
CHLORO-1-PROPENE, 3- (ALLYL CHLORIDE)	107-05-1	0.13
CHLOROACETOPHENONE, 2-	532-27-4	0.026
CHLOROANILINE, P-	106-47-8	52
CHLOROBENZENE	108-90-7	6.1
CHLOROBENZILATE	510-15-6	6.3
CHLOROBUTANE, 1-	109-69-3	6400
CHLORODIBROMOMETHANE	124-48-1	3.2
CHLORODIFLUOROMETHANE	75-45-6	2.6
CHLOROETHANE	75-00-3	19
CHLOROFORM	67-66-3	2.5
CHLORONAPHTHALENE, 2-	91-58-7	18000
CHLORONITROBENZENE, P-	100-00-5	18
CHLOROPHENOL, 2-	95-57-8	4.4
CHLOROPRENE	126-99-8	0.97
CHLOROPROPANE, 2-	75-29-6	44
CHLOROTHALONIL	1897-45-6	61
CHLOROTOLUENE, O-	95-49-8	20
CHLORPYRIFOS	2921-88-2	23
CHLORSULFURON	64902-72-3	71
CHLORTHAL-DIMETHYL (DACTHAL) (DCPA)	1861-32-1	650
CHRYSENE	218-01-9	230
CRESOL(S)	1319-77-3	8.9
CRESOL, O- (METHYLPHENOL, 2-)	95-48-7	180
CRESOL, M (METHYLPHENOL, 3-)	108-39-4	100
CRESOL, P (METHYLPHENOL, 4-)	106-44-5	12
CRESOL, P-CHLORO-M-	59-50-7	110
CROTONALDEHYDE	4170-30-3	0.0043
CROTONALDEHYDE, TRANS-	123-73-9	0.0043
CUMENE	98-82-8	1600
CYCLOHEXANONE	108-94-1	2800
CYFLUTHRIN	68359-37-5	33
CYROMAZINE	66215-27-8	240
DDD, 4,4'-	72-54-8	30
DDE, 4,4'-	72-55-9	170
DDT, 4,4'-	50-29-3	230
DI(2-ETHYLHEXYL)ADIPATE	103-23-1	10000
DIALATE	2303-16-4	0.59
DIAMINOTOLUENE, 2,4-	95-80-7	0.016
DIAZINON	333-41-5	0.082
DIBENZO[A,H]ANTHRACENE	53-70-3	11
DIBROMO-3-CHLOROPROPANE, 1,2-	96-12-8	0.0092
DIBROMOBENZENE, 1,4-	106-37-6	410
DIBROMOETHANE, 1,2- (ETHYLENE DIBROMIDE)	106-93-4	0.0012
DIBROMOMETHANE	74-95-3	7.7
DIBUTYL PHTHALATE, N-	84-74-2	4100
DICHLORO-2-BUTENE, 1,4-	764-41-0	0.0039
DICHLOROBENZENE, 1,2-	95-50-1	59
DICHLOROBENZENE, 1,3-	541-73-1	61
DICHLOROBENZENE, P-	106-46-7	10
DICHLOROBENZIDINE, 3,3'-	91-94-1	32

Table GP-1a
Regulated Fill Concentration Limits for Organics

PARAMETER	Regulated Fill	
		Total analysis
	CASRN	mg/kg
DICHLORODIFLUOROMETHANE (FREON 12)	75-71-8	100
DICHLOROETHANE, 1,1-	75-34-3	2.7
DICHLOROETHANE, 1,2-	107-06-2	0.1
DICHLOROETHYLENE, 1,1-	75-35-4	0.19
DICHLOROETHYLENE, CIS-1,2-	156-59-2	1.6
DICHLOROETHYLENE, TRANS-1,2-	156-60-5	2.3
DICHLOROMETHANE (METHYLENE CHLORIDE)	75-09-2	0.076
DICHLOROPHENOL, 2,4-	120-83-2	1
DICHLOROPHENOXYACETIC ACID, 2,4- (2,4-D)	94-75-7	1.8
DICHLOROPROPANE, 1,2-	78-87-5	0.11
DICHLOROPROPENE, 1,3-	542-75-6	0.46
DICHLOROPROPIONIC ACID (DALAPON), 2,2-	75-99-0	5.3
DICHLORVOS	62-73-7	0.052
DICYCLOPENTADIENE	77-73-6	0.26
DIELDRIN	60-57-1	0.44
DIETHYL PHTHALATE	84-66-2	160
DIFLUBENZURON	35367-38-5	52
DIMETHOATE	60-51-5	0.77
DIMETHOXYBENZIDINE, 3,3-	119-90-4	64
DIMETHYLAMINOAZOBENZENE, P-	60-11-7	0.15
DIMETHYLANILINE, N,N-	000121-69-7	11
DIMETHYLBENZIDINE, 3,3-	000119-93-7	1.5
DIMETHYLPHENOL, 2,4-	105-67-9	87
DINITROBENZENE, 1,3-	99-65-0	0.049
DINITROPHENOL, 2,4-	51-28-5	0.46
DINITROTOLUENE, 2,4-	121-14-2	0.2
DINITROTOLUENE, 2,6- (2,6-DNT)	606-20-2	3
DINOSEB	88-85-7	0.29
DIOXANE, 1,4-	123-91-1	0.31
DIPHENAMID	957-51-7	12
DIPHENYLAMINE	122-39-4	12
DIPHENYLHYDRAZINE, 1,2-	122-66-7	0.58
DIQUAT	85-00-7	0.24
DISULFOTON	298-04-4	0.078
DIURON	330-54-1	0.86
ENDOSULFAN	115-29-7	61
ENDOSULFAN I (ALPHA)	959-98-8	260
ENDOSULFAN II (BETA)	33213-65-9	260
ENDOSULFAN SULFATE	1031-07-8	70
ENDOTHALL	145-73-3	4.1
ENDRIN	72-20-8	5.5
EPICHLOROHYDRIN	106-89-8	0.12
ETHEPHON	16672-87-0	5.9
ETHION	563-12-2	110
ETHOXYETHANOL, 2- (EGEE)	110-80-5	17
ETHYL ACETATE	141-78-6	470
ETHYL ACRYLATE	140-88-5	0.5
ETHYL BENZENE	100-41-4	46
ETHYL DIPROPYLTHIOCARBAMATE, S- (EPTC)	759-94-4	180
ETHYL ETHER	60-29-7	120
ETHYL METHACRYLATE	97-63-2	30
ETHYLENE GLYCOL	107-21-1	170
ETHYLENE THIOUREA (ETU)	96-45-7	0.034
ETHYLP-NITROPHENYL PHENYLPHOSPHOROTHIOATE	2104-64-5	0.31
FENAMIPOHOS	22224-92-6	0.17
FENVALERATE (PYDRIN)	51630-58-1	94
FLUOMETURON	2164-17-2	2.5
FLUORANTHENE	206-44-0	3200
FLUORENE	86-73-7	3800
FLUOROTRICHLOROMETHANE (FREON 11)	75-69-4	87

Table GP-1a
Regulated Fill Concentration Limits for Organics

PARAMETER	Regulated Fill	
		Total analysis
	CASRN	mg/kg
FONOFOS	944-22-9	2.9
FORMALDEHYDE	50-00-0	12
FORMIC ACID	64-18-6	460
FOSETYL-AL	39148-24-8	27000
FURAN	110-00-9	0.87
FURFURAL	98-01-1	3.7
GLYPHOSATE	1071-83-6	620
HEPTACHLOR	76-44-8	0.68
HEPTACHLOR EPOXIDE	1024-57-3	1.1
HEXACHLORO BENZENE	118-74-1	0.96
HEXACHLOROBUTADIENE	87-68-3	1.2
HEXACHLOROCYCLOPENTADIENE	77-47-4	91
HEXACHLOROETHANE	67-72-1	0.56
HEXANE	110-54-3	1100
HEXYTHIAZOX (SAVEY)	78587-05-0	820
HYDRAZINE/HYDRAZINE SULFATE	302-01-2	0.00042
HYDROQUINONE	123-31-9	55
INDENO[1,2,3-CD]PYRENE	193-39-5	110
IPRODIONE	36734-19-7	1200
ISOBUTYL ALCOHOL	78-83-1	160
ISOPHORONE	78-59-1	1.9
KEPONE	143-50-0	2.2
MALATHION	121-75-5	34
MALEIC HYDRAZIDE	123-33-1	47
MANEB	12427-38-2	5.8
MERPHOS OXIDE	78-48-8	41
METHACRYLONITRILE	126-98-7	0.067
METHAMIDOPHOS	10265-92-6	0.063
METHANOL	67-56-1	120
METHOMYL	16752-77-5	3.2
METHOXYCHLOR	72-43-5	630
METHOXYETHANOL, 2-	109-86-4	1.1
METHYL ACETATE	79-20-9	1900
METHYL ACRYLATE	96-33-3	77
METHYL CHLORIDE	74-87-3	0.038
METHYL ETHYL KETONE	78-93-3	110
METHYL ISOBUTYL KETONE	108-10-1	6.3
METHYL METHACRYLATE	80-62-6	56
METHYL METHANESULFONATE	66-27-3	0.32
METHYL PARATHION	298-00-0	0.42
METHYL STYRENE (MIXED ISOMERS)	25013-15-4	340
METHYL TERT-BUTYL ETHER (MTBE)	1634-04-4	0.28
METHYLENE BIS(2-CHLOROANILINE), 4,4'-	101-14-4	15
METHYLNAPHTHALENE, 2-	91-57-6	8000
METHYLSTYRENE, ALPHA	98-83-9	250
NAPHTHALENE	91-20-3	25
NAPHTHYLAMINE, 1-	134-32-7	1.1
NAPHTHYLAMINE, 2-	91-59-8	0.046
NAPROPAMIDE	15299-99-7	2300
NITROANILINE, M-	99-09-2	0.091
NITROANILINE, O-	88-74-4	0.1
NITROANILINE, P-	100-01-6	0.086
NITROBENZENE	98-95-3	2.2
NITROPHENOL, 2-	88-75-5	17
NITROPHENOL, 4-	100-02-7	4.1
NITROPROPANE, 2-	79-46-9	0.0011
NITROSODIETHYLAMINE, N-	55-18-5	0.000076
NITROSODIMETHYLAMINE, N-	62-75-9	0.00017
NITROSO-DI-N-BUTYLAMINE, N-	924-16-3	0.014
NITROSODI-N-PROPYLAMINE, N-	621-64-7	0.0051

Table GP-1a
Regulated Fill Concentration Limits for Organics

PARAMETER	Regulated Fill	
		Total analysis
	CASRN	mg/kg
NITROSODIPHENYLAMINE, N-	86-30-6	83
NITROSO-N-ETHYLUREA, N-	759-73-9	0.00022
OCTYL PHTHALATE, DI-N-	117-84-0	10000
OXAMYL (VYDATE)	23135-22-0	2.6
PARATHION	56-38-2	360
PCB-1016 (AROCLOR)	12674-11-2	200
PCB-1221 (AROCLOR)	11104-28-2	2.5
PCB-1232 (AROCLOR)	11141-16-5	2
PCB-1242 (AROCLOR)	53469-21-9	62
PCB-1248 (AROCLOR)	12672-29-6	44
PCB-1254 (AROCLOR)	11097-69-1	44
PCB-1260 (AROCLOR)	11096-82-5	130
PEBULATE	1114-71-2	860
PENTACHLOROBENZENE	608-93-5	660
PENTACHLORONITROBENZENE	82-68-8	20
PENTACHLOROPHENOL	87-86-5	5
PHENACETIN	62-44-2	46
PHENANTHRENE	85-01-8	10000
PHENOL	108-95-2	66
PHENYLENEDIAMINE, M-	108-45-2	8.6
PHENYLPHENOL, 2-	90-43-7	1900
PHORATE	298-02-2	0.88
PHTHALIC ANHYDRIDE	85-44-9	6200
PICLORAM	1918-02-1	7.4
PRONAMIDE	23950-58-5	3.1
PROPANIL	709-98-8	26
PROPHAM	122-42-9	48
PROPYLBENZENE, N-	103-65-1	780
PROPYLENE OXIDE	75-56-9	0.19
PYRENE	129-00-0	2200
PYRIDINE	110-86-1	0.22
QUINOLINE	91-22-5	0.074
QUIZALOFOP (ASSURE)	76578-14-8	47
RONNEL	299-84-3	800
SIMAZINE	122-34-9	0.15
STRYCHNINE	57-24-9	2.5
STYRENE	100-42-5	24
TEBUTHIURON	34014-18-1	83
TERBACIL	5902-51-2	2.2
TERBUFOS	13071-79-9	0.12
TETRACHLOROBENZENE, 1,2,4,5-	95-94-3	14
TETRACHLORODIBENZO-P-DIOXIN, 2,3,7,8- (TCDD)	1746-01-6	0.00053
TETRACHLOROETHANE, 1,1,1,2-	630-20-6	18
TETRACHLOROETHANE, 1,1,2,2-	79-34-5	0.0093
TETRACHLOROETHYLENE (PCE)	127-18-4	0.43
TETRACHLOROPHENOL, 2,3,4,6-	58-90-2	950
TETRAETHYL LEAD	78-00-2	0.012
TETRAETHYLDITHIOPYROPHOSPHATE	3689-24-5	1.5
THIOFANOX	39196-18-4	0.34
THIRAM	137-26-8	130
TOLUENE	108-88-3	44
TOLUIDINE, M-	108-44-1	0.51
TOLUIDINE, O-	95-53-4	1.2
TOLUIDINE, P-	106-49-0	1.3
TOXAPHENE	8001-35-2	1.2
TRIALATE	2303-17-5	660
TRIBROMOMETHANE (BROMOFORM)	75-25-2	4.4
TRICHLORO-1,2,2-TRIFLUOROETHANE, 1,1,2-	76-13-1	53000
TRICHLOROBENZENE, 1,2,4-	120-82-1	27
TRICHLOROBENZENE, 1,3,5-	108-70-3	31

Table GP-1a
Regulated Fill Concentration Limits for Organics

PARAMETER		Regulated Fill
	CASRN	Total analysis mg/kg
TRICHLOROETHANE, 1,1,1-	71-55-6	7.2
TRICHLOROETHANE, 1,1,2-	79-00-5	0.15
TRICHLOROETHYLENE (TCE)	79-01-6	0.17
TRICHLOROPHENOL, 2,4,5-	95-95-4	6100
TRICHLOROPHENOL, 2,4,6-	88-06-2	8.9
TRICHLOROPHOXYACETIC ACID, 2,4,5- (2,4,5-T)	93-76-5	1.5
TRICHLOROPHOXYPROPIONIC ACID, 2,4,5- (2,4,5-TP)	93-72-1	22
TRICHLOROPROPANE, 1,1,2-	598-77-6	8.7
TRICHLOROPROPANE, 1,2,3-	96-18-4	0.82
TRICHLOROPROPENE, 1,2,3-	96-19-5	30
TRIFLURALIN	1582-09-8	0.96
TRIMETHYLBENZENE, 1,3,4- (TRIMETHYLBENZENE, 1,2,4-)	95-63-6	20
TRIMETHYLBENZENE, 1,3,5-	108-67-8	6.2
TRINITROTOLUENE, 2,4,6-	118-96-7	0.023
VINYL ACETATE	108-05-4	14
VINYL BROMIDE (BROMOETHENE)	593-60-2	0.28
VINYL CHLORIDE	75-01-4	0.027
WARFARIN	81-81-2	7.4
XYLENES (TOTAL)	1330-20-7	990
ZINEB	12122-67-7	81

Table GP-1b**Regulated Fill Concentration Limits for Metals and Inorganics**

		Regulated Fill
PARAMETER	CASRN	Total Analysis mg/kg
ALUMINUM	7429-90-5	190000
ANTIMONY	7440-36-0	27
ARSENIC	7440-38-2	53
BARIUM AND COMPOUNDS	7440-39-3	8200
BERYLLIUM	7440-41-7	320
BORON AND COMPOUNDS	7440-42-8	6.7
CADMIUM	7440-43-9	38
CHROMIUM III	16065-83-1	190000
CHROMIUM VI	18540-29-9	190
COBALT	7440-48-4	22
COPPER	7440-50-8	36000
CYANIDE, FREE	57-12-5	200
IRON	7439-89-6	190000
LEAD	7439-92-1	450
MANGANESE	7439-96-5	190000
MERCURY	7439-97-6	10
NICKEL	7440-02-0	650
NITRATE NITROGEN	14797-55-8	na
NITRITE NITROGEN	14797-65-0	na
SELENIUM	7782-49-2	26
SILVER	7440-22-4	84
THALLIUM	7440-28-0	14
TIN	7440-31-5	680
VANADIUM	7440-62-2	72000
ZINC	7440-66-6	12000



FORM FP-001 - CERTIFICATION OF CLEAN FILL

Prior to completing this form and signing this certification, please review the entire Management of Fill policy (#258-2182-773), including the certification requirements. Please note that historic fill, as defined in the Management of Fill policy, may meet the definition of clean fill if the material is limited to uncontaminated soil, rock, stone, dredged material, used asphalt, and brick, block or concrete from construction and demolition activities that is separate from other waste and recognizable as such.

Instructions: Sections 1 and 2 of this form must be completed by the person making the determination of clean fill at the site of origin. Section 3 must be completed by the person using the material as clean fill. Both the person determining clean fill and the user of the clean fill are responsible for maintaining copies of this completed form on site for a period of five (5) years for Department inspection.

Section 1: Person Determining Clean Fill

Name (Print): _____ Title: _____ Date: _____
 Company Name: _____
 Street Address: _____ City: _____ State: _____ Zip Code: _____
 Telephone Number: _____ E-mail Address: _____

Clean Fill Material originated on the following property:

Site Name: _____
 Street Address: _____ City: _____ State: _____ Zip Code: _____

Section 2: Site Characterization

Check the following that applies:

- A. IF the site of origin for the fill material has undergone or is undergoing cleanup or remediation pursuant to a local state or federal regulatory program that requires site characterization, provide the following information along with a copy of the entire site characterization and laboratory analysis for the material to be used as clean fill.**

Name of local, state, or federal agency: _____
 Identification number assigned to the project: _____
 Name of the local, state, or federal contact person: _____
 Telephone Number: _____ E-mail Address: _____
 Name of the Laboratory that conducted the analysis: _____
 Laboratory Accreditation Number: _____

- B. IF the material proposed to be used as clean fill has otherwise been subject to analytical testing or other procedure identified in the definition of "environmental due diligence" contained in the Management of Fill policy, provide or attach the following:**

Copies of **ALL** lab analytical testing performed as part of environmental due diligence (see Management of Fill policy, #258-2182-773).

Name of the Laboratory that conducted the analysis: _____
 Laboratory Accreditation Number: _____

C. IF the proposed material to be used as clean fill was subject to environmental due diligence procedures as defined in the Management of Fill policy other than those listed in A and B, describe those procedures.

I, the undersigned, certify under penalty of law (18 Pa. C.S.A. §4904) that the information provided in Sections 1 and 2 of this form is true and correct to the best of my knowledge, information and belief.

Signature: _____

Section 3: Person Receiving or Placing Clean Fill

Name and address of person completing this form:

Name (Print): _____ Date: _____

Mailing Address: _____ City: _____ State: _____ Zip Code: _____

Telephone Number: _____ E-mail Address: _____

Fill material that has been determined to be clean fill will be placed on the following property solely for property improvement or construction purposes:

Property Address: _____ City: _____ State: _____ Zip Code: _____

Current Owner of Property: _____

Telephone Number: _____ E-mail Address: _____

The quantity of clean fill to be placed on the property is:

<3,000 cubic yards 3,000 cubic yards to 20,000 cubic yards >20,000 cubic yards

I, the undersigned, certify under penalty of law (18 Pa. C.S.A. §4904) that the information provided is true and correct to the best of my knowledge, information and belief.

Signature: _____

* * * * *

Prior to placement of the clean fill, the owner of the property receiving fill material shall provide a copy of this completed form and attachments to the DEP Regional Office serving the county in which the receiving site is located. If a property receives fill from multiple sources, a separate Form FP-001 is required for each source.

Date Prepared/Revised
DEP USE ONLY
Date Received

FORM 20 RF

APPLICATION FOR REGULATED FILL GENERAL PERMIT

This form must be fully and accurately completed and signed by a responsible official of the company requesting approval under this General Permit. A responsible official is defined to be: for corporations, the corporate officers; for limited partnerships, the general partners; for all other partnerships, the partners; for a sole proprietorship, the proprietor; for a municipal, State or Federal authority or agency, an executive officer or ranking elected official responsible for the residual waste activities and facilities of the authority or agency and for compliance with all applicable rules and regulations. No activities are authorized by the submission of this Form; however, the Determination of Applicability is not valid until this Form, properly completed, is received by the Department and the Department's approval to operate under the General Permit is granted. All required information must be typed or legibly printed in the spaces provided. If additional space is necessary, identify each attached 8 1/2 x 11" sheet as Form 20 RF, reference the item number and identify the date prepared. The "date prepared/revised" on any attached sheets needs to match the "date prepared/revised" on this page.

General References: §271.801 - §271.852; §287.601 - §287.652; Fill Management Policy # 258-2182-773; General Permit #WMGR096

SECTION A. SITE IDENTIFIER

Applicant/Permittee:

Site Name:

Facility ID (as issued by DEP):

SECTION B. FEE

Determination of Applicability under General Permit #WMGR096 (issued on April 13, 2009): \$500.00

Payable to the "Commonwealth of Pennsylvania"

(Fee does not apply if adding new source(s) of fill to an existing Permit).

If applying for beneficial use of regulated fill at more than one receiving site, include \$500.00 for each site.

Number of Receiving Sites _____ Check Amount \$ _____ Number of New Sources of Fill _____

SECTION C. TYPE OF APPLICATION

1. Is this application for any of the following:

- A residual waste disposal impoundment. Yes No
- A residual waste landfill, a valley fill, or other fill. Yes No
- The use of residual waste to fill open pits from coal or non-coal mining. Yes No
- The use of residual waste solely to level an area or bring the area to grade. Yes No

If applicant answers "yes" to any of above categories, do not fill out this general permit application. Contact DEP for an appropriate waste disposal application. If answer is "no", go to item 2 below.

2. Is this application for:

- Beneficial use as construction material on nonresidential brownfield. Yes No
- Beneficial use as construction material on nonresidential greenfield. Yes No
 - a. Is the nonresidential greenfield planned for development?¹ Yes No
 - b. Is the property greater than 10 acres? Yes No
 - c. Is a waiver requested for one or more siting limitations? Yes No

If answer is "yes" to any of the above categories, go to items 3 and 4 below.

SECTION C. TYPE OF APPLICATION (continued)

3. Is the receiving site approved for construction? Yes No
 If answer is no, this general permit does not apply.
 If answer is yes, submit a certified copy of the approved plan or construction permit issued by the applicable state, county or municipal authority that has jurisdiction for the property.
4. Is application for new source or sources of fill? Yes No
 If answer is yes, provide the registration number issued for the receiving site, its location and fill out Sections E and F:
 Registration No.: _____ Site name and Location: _____

¹ This general permit does not apply for beneficial use of regulated fill at a nonresidential greenfield property that is NOT planned for development. This general permit prohibits beneficial use of regulated fill on a property currently in residential use or planned for residential use unless otherwise authorized. This general permit also prohibits placement of regulated fill in waters of the Commonwealth.

SECTION D. RECEIVING SITE INFORMATION

Note: Provide the following information for each receiving site.

1. Is the receiving site zoned for residential purposes? Yes No
 If response is yes, STOP. This general permit does not apply.
2. Is the receiving site zoned and used exclusively for commercial/industrial purposes? Yes No
 If response is no, go to item 3.
3. If the receiving site is unzoned, will it be used exclusively for commercial/industrial purposes (excluding parks, playgrounds, nursing homes, child care facilities, schools, or other residential-style facilities or recreation areas)? Yes No
 If response is no, STOP. This general permit does not apply. If response is yes to items 2 or 3, submit documentation that confirms the commercial/industrial zoning or commercial/industrial use of the receiving site.
4. Attach a USGS map that identifies the receiving site with an arrow and a drawing of the receiving site that includes property boundary and proposed fill area(s) on a scale of 1" equals no more than 200 feet.
5. Indicate the approximate volume of regulated fill needed for the construction project. List the source and volume of each fill for a receiving site. _____
6. Provide a plan if mechanical processing for sizing or separation is proposed in accordance with the permit-by-rule provisions of Sections 271.103(g) or 287.102(f).
7. Submit a plan for the temporary storage and management of regulated fill at the receiving site.

Note: This general permit does not authorize blending or processing of material onsite or offsite to meet concentration limits in Table GP-1 of General Permit #WMGR096.

8. Siting limitations
- a. Is the receiving site located:
- i. in the 100-year floodplain; Yes No Requesting Waiver
 - ii. within 100 feet of a sinkhole or area draining into a sinkhole; Yes No Requesting Waiver
 - iii. within 50 feet of a dwelling unless the owner has provided a written waiver consenting to the beneficial use being closer than 50 feet; Yes No Owner's Waiver
 - iv. within 100 feet of a perennial stream; Yes No Requesting Waiver
 - v. within 300 feet of a water source unless the owner has provided a written waiver consenting to the beneficial use being closer than 300 feet; Yes No Owner's Waiver
 - vi. within 300 feet of an exceptional value wetland, an exceptional value water or a high quality water. Yes No Requesting Waiver

SECTION D. RECEIVING SITE INFORMATION (continued)

- b. If a waiver is requested from the Department for any of the above siting limitations, identify that siting limitation and attach justification on a separate 8 ½ x 11" paper. For each waiver request except (a)(iii) or (a)(v), provide detailed documentation why the waiver is necessary and the extraordinary conditions at that site that demands the waiver. The department requires submission of compelling evidence that must show how equal and continuous level of protection to public health, safety and the environment will be provided at that location if the waiver is granted. For (a)(iii) and (a)(v), if an owner has provided a written waiver, submit a notarized copy of that waiver.

The documentation related to waiver requests must be submitted with the permit application.

9. Is the area of the property where beneficial use activities using regulated fill are to be conducted, greater than one acre?
 Yes No

If response is yes, what is the size of the area? _____
 acres square feet

A Pennsylvania Natural Diversity Inventory (PNDI) review of the site must be conducted if the receiving site is greater than one acre in accordance with the Department's policy #400-0200-001, "Policy for Pennsylvania Natural Diversity Inventory Coordination During Permit Review and Evaluation" (Jan. 18, 2003). All known occurrences must be resolved with the jurisdictional agency. Submit the report of the PNDI review with the application.

If a PNDI review has already been conducted for the property as a result of a Federal or state agency requirement for the area of beneficial use under this permit, applicant may submit that PNDI review report along with the requesting agency's approval or denial letter.

Is a PNDI review report attached with this application? Yes No

If answer is no, and if less than one acre, what is the size of the receiving site? _____
 acres square feet

10. Submit proof of the recorded deed notice from the county recorder of deeds office for the receiving site(s) that includes the exact location of where regulated fill will be placed on that property including the latitude and longitude and a description of the types of fill identified by the applicant through sampling and analysis.

Is proof of recorded deed notice submitted with this permit application? Yes No

Note: This information must become part of the deed notice for all future conveyances or transfer of the property.

11. Duration of construction activities:

Describe on 8 ½ x 11" paper, the proposed construction activity in detail for the receiving site and the intended use of the site. Explain how regulated fill will be beneficially used as construction material at that property. Include the time that will be needed to complete placement of regulated fill at that site. Provide proof to show that construction will begin promptly after placement of regulated fill or within one year from the date regulated fill placement begins at that location. The Department will not approve an application where fill placement extends beyond one year or construction is not proposed to start within the one-year time limit. Areas that are completed by fill placement are required to be promptly stabilized by vegetative cover or otherwise stabilized.

SECTION E. OFFSITE SOURCE(S) OF REGULATED FILL

1. Describe the type(s) of materials proposed for beneficial use as construction material. Soil, rock, stone, dredged material, used asphalt, historic fill, and brick, block or concrete from construction and demolition activities that has been segregated using Best Management Practices (BMP) will qualify as regulated fill. If the fill source is construction/demolition structures, certify that brick, block or concrete has been or will be segregated from other construction/demolition waste using BMP. A copy of the BMP manual or other established procedure used should be submitted with this application. Include a short history of the contaminated material, the types of contamination, including the results of the environmental due diligence conducted to identify incidences of spill or release. Provide sufficient information to demonstrate that the fill material is not a listed hazardous waste.
2. On a separate sheet of 8 ½ x 11" paper for each regulated fill material, provide detailed information on:
- the offsite source location including address, originating state, host municipality and weight or volume of each regulated fill for a receiving site.
 - whether the excavation of fill material will take place under a relevant state permit or state authorization.
 - whether the offsite source is a brownfield, greenfield, agriculture land or an active commercial/industrial property.
 - a plan that will be used to ascertain that the fill will not contain free liquids or objectionable odors during placement.
 - sampling and analysis methodology used to determine concentration of contaminants in the fill material.

Note: If a regulated fill is proposed to be used at more than one receiving site, provide the list of receiving sites. Similarly, if more than one source of fill is proposed for a receiving site, provide the list of fill sources.

SECTION E. OFFSITE SOURCE(S) OF REGULATED FILL (continued)

3. If the regulated fill is historic fill, provide its composition.
4. If the regulated fill is dredged material, provide documentation:
 - a. that the material will be drained prior to beneficial use at the receiving site;
 - b. that the material excavated from tidal basins will meet the concentration limits for chlorides using SPLP analysis.

SECTION F. SAMPLING AND ANALYSIS OF REGULATED FILL

1. The sampling and analysis results of the regulated fill material shall be based on procedures described in Appendix A of the Fill Management Policy (#258-2182-773). The analytical methodologies used shall be those set forth in the most recent edition of the USEPA's *Test Methods for Evaluating Solid Waste* (EPA SW-846), *Methods for Chemical Analysis of Water and Wastes* (EPA 600/4-79-020), *Standard Methods for the Examination of Water and Wastewater* (prepared jointly by the American Public Health Association, American Water Works Association, and the Water Environment Federation), or comparable method approved by the USEPA or the Department.

The person taking the samples and performing the analysis shall employ the quality assurance/quality procedures described in USEPA's *Test Methods for Evaluating Solid Waste* (EPA SW-846), or in the *Handbook for Analytical Quality Control in Water and Wastewater Laboratories* (EPA 600/4-79-019). The chemical analysis shall be performed by a laboratory that is in compliance with the Pennsylvania Environmental Laboratory Accreditation Act, Act of 2002, No. 90, 27 Pa C.S. §4101 et seq.

All analyses submitted must specify the method used and any special preparation required, deviation from the method, or other pertinent information. Each analysis sheet must include: date of sampling, date of analysis, name of laboratory performing the analysis, and the laboratory contact person and phone number. A description of the sampling methodologies used should be attached. Analytical determinations should be run on samples as is, unless otherwise specified in the cited method. Report the analysis in mg/kg on a dry weight basis. For chlorides in dredged material from tidal basins, SPLP analysis is required to be reported as mg/L.

2. For each sample, record and submit with the application, the date of sample collection, the date of sample tested, including how samples were stored in the interim period from collection until testing.
3. List all the regulated substances detected in the fill material, analytical data and certification that none of the detected regulated substances exceed the concentration limits in Table GP-1(a) and (b).
4. Regulated fill and receiving site background. One or both of the following may apply:
 - a. If concentration of a metal or inorganic regulated substance in a regulated fill is higher than that in the corresponding background of the receiving site, provide justification with proof that the fill material will not exceed Table GP-1 limits even though it exceeds the receiving site background.
 - b. If a regulated fill exceeds the Table GP-1(b) limits for any metal or inorganic, provide justification with proof that it does not exceed the background concentration for that regulated substance at the receiving property where it will be beneficially used as construction material.

Note: The receiving site background concentrations for metals and inorganics shall be determined taking representative samples which are based on property size and are not related to any release at the property. The average concentration calculated from these representative samples will be considered the background concentration for that metal or inorganic regulated substance for the receiving property. Receiving site background concentration is defined as that concentration that is present at the site before beneficial activities occur at that site. The background concentration of a regulated substance at a receiving site will always be the value determined prior to the first placement of regulated fill at that location.

SECTION G. PUBLIC NOTICE

Supply proof that copies of "Registration" have been submitted to each host municipality, county, county planning agency and county health department where the receiving site is located.

SECTION H. CERTIFICATION

I _____ do hereby certify pursuant to the penalties of 18 Pa. C.S.A. Section 4904 to the best of my knowledge, information, and belief, that the information contained in this document is true and correct.

Print or Type Name of Responsible Official

Signature

Title

Date

IN WITNESS WHEREOF, I have hereunder set my hand and official seal.

**NOTARY
SEAL**

NOTARY PUBLIC

My Commission Expires: _____
DATE