

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Waste Management

DOCUMENT NUMBER: 254-2000-715

TITLE: Use of Waste from Land Clearing, Grubbing and Excavation (LCGE) and the Use of Concrete or Other Clean Fill Materials Containing Protruding Rebar or Other Metal as Clean Fill.

EFFECTIVE DATE: December 9, 2006

AUTHORITY: Act of July 7, 1980 (P.L. 380, No. 97), known as The Solid Waste Management Act, (35 P.S. 6018.101 et. seq.)

POLICY: This policy provides guidance for the use of waste from land clearing, grubbing and excavation (LCGE) as clean fill, including provisions for the use of concrete containing protruding rebar as clean fill.

PURPOSE: This policy provides guidance on measures to prevent nuisances or safety hazards from the placement of decomposable LCGE as clean fill and the placement of concrete or other clean fill materials that contain protruding rebar or other metal.

DISCLAIMER: The policies and procedures outlined in this guidance 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 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.

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LOCATION: Volume 06, Tab 01

POLICY

DEFINITIONS:

25 Pa. Code § 271.1 defines construction/demolition waste as solid waste resulting from the construction or demolition of buildings and other structures, including, but not limited to, wood, plaster, metals, asphaltic substances, bricks, block, and unsegregated concrete. The term does not include the following if they are separate from other waste and are used as clean fill:

- (i) Uncontaminated soil, rock, stone, gravel, brick and block, concrete, and used asphalt.
- (ii) Waste from land clearing, grubbing and excavation, including trees, brush, stumps, and vegetative material.

PROCEDURES

Use of land clearing, grubbing and excavation waste as clean fill

The definition of construction/demolition waste excludes waste resulting from land clearing, grubbing, and excavation, including trees, brush, stumps, and vegetative material ("LCGE") if it is separate from other waste and used as clean fill. 25 Pa. Code § 271.101 (b) (5) requires LCGE waste to be used and managed in accordance with DEP's technical guidance manual, titled *Best Management Practices for the Management of Waste from Land Clearing, Grubbing and Excavation*, Document No. 254-5400-001. When LCGE is used and managed in accordance with this manual, LCGE waste may be used as clean fill.

Use of concrete slabs or other structures with protruding rebar as clean fill

Uncontaminated concrete containing protruding rebar will be considered clean fill provided the protruding rebar is removed or covered in a manner that does not create or have the potential to create safety hazards.