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DEPARTMENT OF ENVIRONMENTAL PROTECTION



Bureau of Waste Management

Proposed Revisions to DEP's Management of Fill Policy

Solid Waste Advisory Committee
September 21, 2018

Changes Proposed

- Re-organize document for clarity and ease of use.
 - Provides a stepwise method for making a fill determination.
 - Incorporate information on using Form FP-001.
 - Incorporate many of the FAQs currently on DEP's website into the policy.

Changes Proposed

- Incorporate Act 2 standards by reference, with two exceptions:
 - If total PCB concentration is $>2\text{ppm}$ but $<50\text{ppm}$, further evaluation may be necessary by EPA.
 - Total PCB concentration cannot exceed 50ppm .
- The Act 2 standards are incorporated into the definition of “uncontaminated material.”

Changes Proposed

- Clarify existing definitions
- Provide additional definitions for frequently used terms that are not defined by the existing policy.
- Clarify how the policy applies to fill that has already been used as clean or regulated fill.

Changes Proposed

- Provide guidelines for sampling plan development in Appendix A.
- Provide instructions for sampling fill stored in piles.
 - Clarify existing sampling language
- Provide instructions for sampling in-situ fill.
- Include SPLP as a method to determine alternative soil-to-groundwater value.

Changes Proposed

- Include a mechanism for demonstrating that exceedances of the numeric limits may be due to background concentration.
- Provide instructions for performing a background demonstration.
- Include equivalent site evaluation for fill that exceeds numeric limits due to background.
- Provide instructions for performing an equivalent site evaluation.

Timeline

- DEP plans to publish notice of the proposed changes in the *Pennsylvania Bulletin* in the fourth quarter of 2018.
- DEP will accept public comment for 60 days.
- Targeting the second quarter of 2019 for publishing the final policy.



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Questions?

Ali Tarquino Morris: altarquino@pa.gov

Kevin Beer: kbeer@pa.gov

Jason Dunham: jadunham@pa.gov

717-787-7381