

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: Upon publication as final in the *Pennsylvania Bulletin*

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 the Department to give the rules in these policies that weight or deference. This document establishes the framework within which the Department will exercise its administrative discretion in the future. The Department reserves the discretion to deviate from this policy statement if circumstances warrant.

PAGE LENGTH: 2 pages

POLICY

DEFINITIONS:

As per 25 Pa. Code § 271.1(relating to Municipal Waste Management – General Provisions) construction/demolition waste is defined 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 does not include 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. As per 25 Pa. Code § 271.101(b)(4) (relating to permit requirement), a person or municipality is not required to obtain a permit for use of LCGE waste as clean fill if it is not hazardous and best management practices are implemented. The best management practices applicable to the management of LCGE are provided in the Department’s technical guidance manual, titled *Best Management Practices for the Management of Waste from Land Clearing, Grubbing and Excavation*, Document No. 254-5400-001.

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.

REFERENCES:

SWMA, 35 P.S. Section 6018.101
Best Management Practices (BMP) for the Management of Waste From Land Clearing, Grubbing, and Excavation (LCGE) (254-5400-001)
Management of Fill Policy (258-2182-773)