



AN RT REGULATORY SUMMARY

MANAGEMENT OF FILL POLICY EFFECTIVE DATE JANUARY 1, 2020

RT Environmental Services, Inc. is pleased to present key highlights from the recent update to the PA DEP Management of Fill Policy, which becomes effective on January 1, 2020. Originally issued in April 2004, the Management of Fill Policy, also commonly known as the "Clean Fill" Policy, defines what is and is not "clean fill" as defined in municipal and residual waste regulations. Key highlights which are important to those involved in highway and earthwork construction include:

- The policy describes the types of fill that qualify as clean fill or regulated fill. Regulated fill requires PA DEP approval if moved to a receiving property.
- The Policy does not apply to mine land reclamation activities nor fill used within the same project area or project right-of-way. Further, excavation, movement or reuse of fill within a project area or right-of-way of a project is not an activity that requires a Solid Waste Management Act permit.
- This policy does not apply to fill that has been determined to be clean or regulated fill prior to the implementation of revised clean fill concentration limits or regulated fill concentration limits unless the fill has been moved to a new receiving site or off the project area or project right of way after the effective date of revised limits.
- The previously referenced Clean Fill limits have been removed from the Policy and the updated Policy makes reference to the current Statewide Health Standards as promulgated by Act 2 of 1995 and its revisions.

DEFINITIONS

We enclose at the end of this document definitions included in the updated Management of Fill Policy. Important definition defines what is considered uncontaminated or uncontaminated material - the term means either of the following 1- Fill unaffected by a release or regulated substance or 2- Fill affected by release of a regulated substance, if the concentrations of regulated substances in the fill do not exceed the clean fill concentration limits, as the term is defined in this Policy. Analysis should be carried out for only those regulated substances that are suspected to be present due to a release. **[A common list of substances which is included in the Reclamation Fill policy and Best Management Practice Guidance issued by leading construction contractor organizations includes the following list of substances.]** Most recent release of the Best Management Practices for Highway and Earthwork Construction is available from the Pennsylvania Asphalt Pavement Association, and is dated January 2017.

SCREENING PARAMETER LIST

Aldrin	Anthracene	Xylenes (Total)
Benzene	Benzo(a)anthracene	Barium
Benzo(a)pyrene	Benzo(b)fluoranthene	Chromium
Benzo(ghi)perylene	Chrysene	Mercury
Cumene (Isopropyl benzene)	DDD, 4,4	Silver
DDE, 4,4	DDT, 4,4	Arsenic
Dichloroethylene, cis-1,2-	Dieldrin	Cadmium
Ethylbenzene	Fluorene	Lead
Indeno(1,2,3-cd)pyrene	Napthalene	Selenium
PCB-1254 (Aroclor)	Phenanthrene	
Pyrene	Toluene	
Trichloroethane, 1,1,1-	Trichloroethylene (TCE)	

COMMENT RESPONSE DOCUMENT

Following the Definitions can be found excerpts from the PA DEP Comment Response Document, and we have included the most important comments and responses, in particular those which received the most interest and are most used by those completing highway and earthwork construction projects.

A copy of the full paper can be found [here](#).



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