Welcome

WAC 173-350- REVISING WASHINGTON'S SOLID WASTE RULE

WAC 173-350 Sections 235 and 995: Soil and sediment criteria and use

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Existing Rules

- Outside of cleanup sites and dangerous waste, no rule exists setting contaminant levels for soil/sediment that has been impacted by a release
  - Safe enough to be unregulated - "clean"
  - Safe enough to be used in particular settings
  - Not safe enough – landfill/treatment
- Agencies make case-by-case decisions on what uses are okay, use guidance that makes enforcement difficult or impossible, statewide inconsistencies
- Industry has set own standards, putting them in the position of handling materials potentially harmful to humans/environment
- Street waste, petroleum contaminated soils, engineered soil, sediment from impacted waterways to go upland, soil impacted by industrial activities or specific releases

Existing Rules

Problems without a standard in place:

- Historical contamination - Old sawmill site proposed for construction of graving dock. Planned to remove soil and manage as clean. Soil contained PCBs, dioxin, petroleum. Ended up being a cleanup site due to contaminant concentrations. Otherwise, would have been difficult to restrict management.

- Engineered soil – several projects have involved soil amended with products that increase the pH of soil, sometimes as high as dangerous waste levels (>12.5). Have been placed or proposed to place in inert waste landfills or reclamation pits – no liner systems or monitoring. Some disposal sites have resulted in high pH surface water discharges.

- Dredge projects – standard for upland disposal now based on meeting open-water disposal limits. These may be too constricting or not safe enough since different contaminants are a concern for aquatic rather than terrestrial enviros. There is also increased need to find appropriate upland locations for use.

- Default is often disposal in landfill to avoid liability when there is some contaminant. Draft rule opens up options for use considerations.

Draft Rule Development

- Stakeholder workgroup of 11 people
  - 2 jurisdictional health agencies
  - Local gov't – one city, one county
  - WA Dept. of Natural Resources
  - Reclamation pit
  - WA Dept. of Transportation
  - Association of General Contractors
  - WA Dept. of Ecology - Water Quality
  - Port of Olympia
  - Topsoil manufacturer

- 12 meetings over ~2 year period beginning April 2014
- WAC 173-350-235 Soil and Sediment Criteria and Use
  WAC 173-350-995 Appendix I – Soil and Sediment Screening Levels
- Workgroup draft changed after internal review and other considerations

Big Picture

- Section will pertain to soil/sediment impacted by some kind of release, but that is not dangerous waste or from a formal cleanup site
- Applies to soil/sediment to be moved and used at terrestrial locations
  - Not undisturbed soil/sediment
  - Not in-water disposal

- Draft rule not intended to regulate movement of all soil/sediment across the state – inadequate resources for this and not justified
- Draft rule is a means for agencies (DNR, Ecology, local health) to address or enforce against unsafe situations, and provide some assurances to industry that they aren't accepting materials harmful to people or the environment

Big Picture

- No permitting. Allowable uses all conditionally permit-exempt, minimal oversight, self-regulating
  - » Exemption similar to other state soil standards which are policy, guidance, or variances that industry largely implements themselves
  - » Responsible agencies/industries have been managing materials based on some sort of risk analysis for placement already

- Section will govern use of "impacted" soil/sediment
  - Impacted = "release" of a "contaminant" at more than "de minimis" amounts

- Impacted soil/sediment is solid waste, as solid waste is defined

Big Picture

- Whether a soil/sediment is impacted tied to "release" of a contaminant
- No release, defined as "clean," not subject to this rule

- Test results are not considered when there is no determination of a release
- Naturally high background at one area is not a contaminant, as defined, so movement of it elsewhere is not captured
- When background concentrations or test results show a potential health concern where there is no indication of a release, other rules/authorities will need to address this.

Big Picture

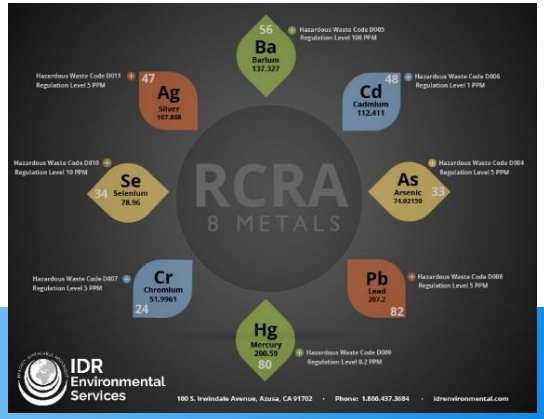
- Many exemptions with minimal conditions on use

- Main focus of rule on one area. For this:

  5 Soil and Sediment Screening Levels (SSLs) based on risks at receiving sites:

  1. Residential/Ag/High Frequency Contact SSLs
  2. Limited Access SSLs (commercial/industrial)
  3. Ecologically-Sensitive SSLs
  4. Groundwater-Sensitive SSLs
  5. Clean SSLs – encompasses protections for all of the above and is excluded from the rule

- SSLs for 218 parameters
- Do not have to test for 218 parameters



What is a release?

"Release" means any intentional or unintentional entry of a **contaminant** into the environment at more than **de minimus** amounts and includes, but is not limited to, spilling, leaking, pouring, emitting, emptying, discharging, adding, applying, amending, injecting, pumping, escaping, leaching, dumping, or disposing of any contaminant. Placement of impacted soil and impacted sediment in conformance with WAC 173-350-235 or placement of clean soil and clean sediment is not a release under this rule.

"**Contaminant**" means any chemical, physical, biological, or radiological substance that does not occur naturally in the environment or occurs at concentrations greater than natural background.

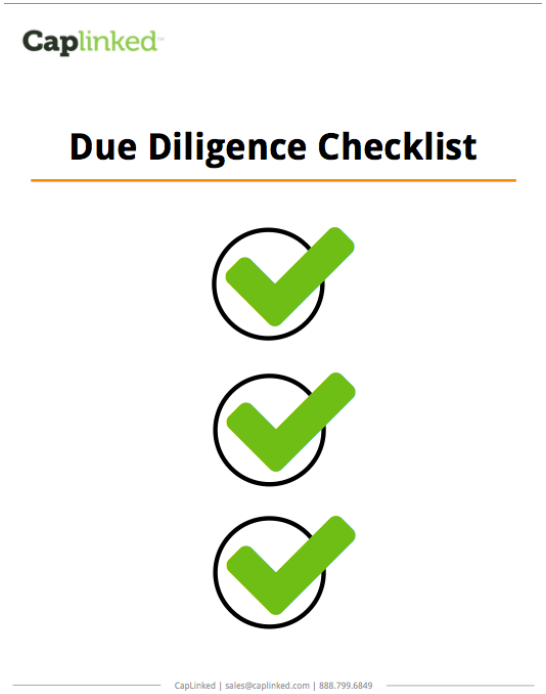
- High natural background at source not a contaminant, as contaminant is defined
- Materials added to adjust soil engineering properties is a contaminant

"**De minimis**" is an amount so small that it has negligible affect on the look, quality, use, or impact to human health or the environment of a material.

- Definition of contaminant is broad, needed to ensure expected bits of wood, concrete dust, equipment engine drips, etc. would not be considered a release

How does one determine if there has been a release?

"Due diligence" means making a good faith effort using investigative techniques to determine whether there may be a release on a property. Investigative techniques may include use of one or more of the following, as warranted by circumstances: review of ownership and use history; visual inspections of property and adjoining properties; review of government records; …..



- The definitions for "clean" and "impacted" are tied to performance of due diligence
- A person must be able to show completion of due diligence
  - Does not mean must keep a record

Due diligence is subjective -

- On one hand, flexibility needed to say visual inspection is fine for soil coming from residential backyard pool project no where near industry.

- On the other, person performing due diligence make the call and unless someone else says different, they can manage soil as "clean."

What is not subject to the draft new section?

- Clean soil/sediment
- Engineered soil used for the same engineering properties at another project is “reuse” (by new definition = not solid waste handling)
- Impacted soil/sediment taken to a limited purpose or MSW landfill
- Impacted soil/sediment taken to a treatment or storage facility meeting other sections of rule, except characterization and use after processing or storage is subject to section

Conditional permit exemptions

The most minimal conditions for the following uses –

- Impacted soil excavated but placed near the location of generation within a project site

- Impacted soil/sediment managed under a DNR permit that addresses substantive conditions
  - DNR does not currently have plans to take this on

- Silica-based spent foundry sand used in accordance with EPA risk assessment

- Soils impacted from routine, legal activity (wood smoke, auto emissions) used at similar locations
  - Urban residential to urban residential, port property to port property with similar uses

More conditions for -

- Use at sites containing the same contaminants at equal or greater concentrations
  - For use of SSLs above those set in rule
  - Not applicable to sites subject to cleanup

The most attention in the rule and conditions for -

- Impacted soil/sediment placed at locations that will not create an adverse impact on human health, groundwater, ecological receptors
  - Depending on risks at receiving site, must adhere to SSLs for all of the following that may apply:
    - Residential, agriculture, or high frequency human contact
    - Commercial or industrial human contact (limited access properties)
    - Groundwater-sensitive – applies when over 2,000 cy will be used as fill over groundwater that is or may be used as potable drinking water
    - Ecologically-sensitive – for sites where the primary purpose is to support natural habitat for native terrestrial organisms

- Requires representative sampling and testing of certain parameters

- Use of correct lab detection limits
  - cadmium, mercury, selenium

- Prevent conveyance to other properties, must not impact quality of surface water, setbacks from surface water, above groundwater leve

- Must keep records of generating site, quantity, and test results

  - Rule tries to ensure redevelopment by allowing 15' of soil cap at closure that matches future land use SSL

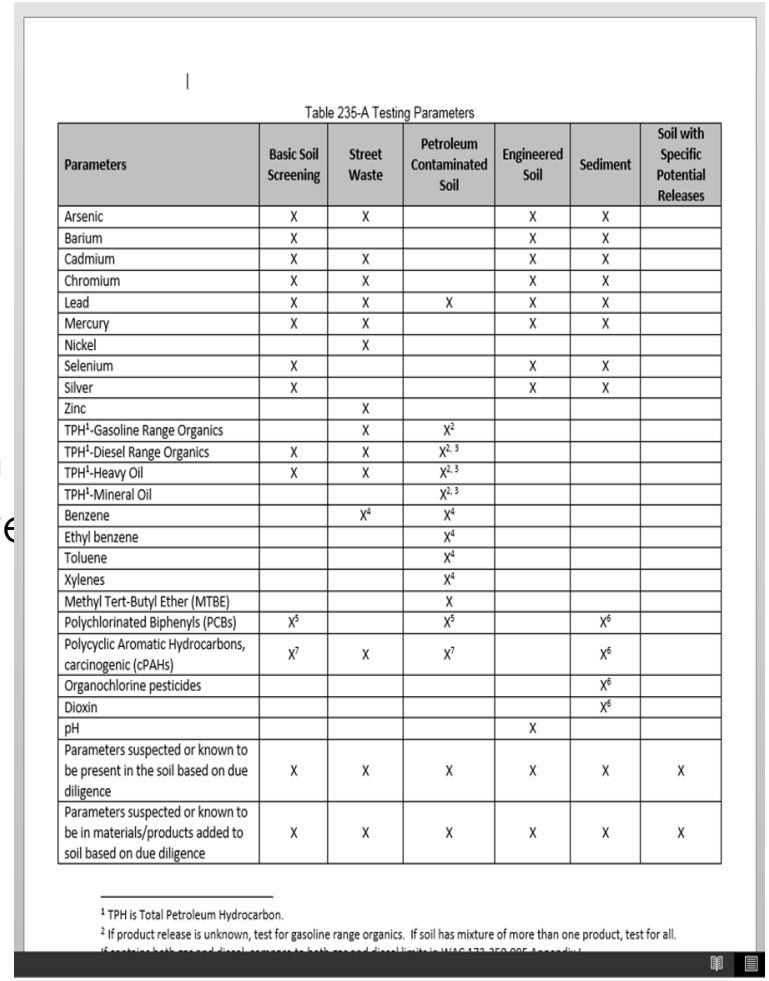


Table 235-A Testing Parameters

Parameters	Basic Soil Screening	Street Waste	Petroleum Contaminated Soil	Engineered Soil	Sediment	Soil with Specific Potential Releases
Arsenic	X	X		X	X	
Barium	X			X	X	
Cadmium	X	X		X	X	
Chromium	X	X		X	X	
Lead	X	X	X	X	X	
Mercury	X	X		X	X	
Nickel		X				
Selenium	X			X	X	
Silver	X			X	X	
Zinc		X				
TPH[1]-Gasoline Range Organics		X	X[2]			
TPH[1]-Diesel Range Organics	X	X	X[2, 3]			
TPH[1]-Heavy Oil	X	X	X[2, 3]			
TPH[1]-Mineral Oil			X[2, 3]			
Benzene		X[4]	X[4]			
Ethyl benzene			X[4]			
Toluene			X[4]			
Xylenes			X[4]			
Methyl Tert-Butyl Ether (MTBE)			X			
Polychlorinated Biphenyls (PCBs)	X[5]		X[5]		X[6]	
Polycyclic Aromatic Hydrocarbons, carcinogenic (cPAHs)	X[7]	X	X[7]		X[6]	
Organochlorine pesticides					X[6]	
Dioxin					X[6]	
pH				X		
Parameters suspected or known to be present in the soil based on due diligence	X	X	X	X	X	X
Parameters suspected or known to be in materials/products added to soil based on due diligence	X	X	X	X	X	X

[1] TPH is Total Petroleum Hydrocarbon.
[2] If product release is unknown, test for gasoline range organics. If soil has mixture of more than one product, test for all.

- Draft rule has another exemption for other uses approved at Ecology's discretion, conditions match most of above, cannot be more onerous

"Residential, agricultural, high frequency contact properties" means lands used for farming, residential housing, recreation, parks, schools, or lands where human contact can be reasonably expected.

"**Limited access property**" includes land that has limited human and animal access due to activities that take place on the property or physical barriers. Examples of such properties may include, but are not limited to, lands along highways and freeways. Limited access properties do not include land used for farming, residential housing, recreation, parks, or lands where human and animal access can be reasonably expected.

- Highway/freeway shoulders, rights of way
- Paving base
- Reclamation pits
- Industrial zoned properties

"Ecologically-sensitive properties" are lands in which the primary function is or will be to support natural habitat for native terrestrial organisms (wildlife, plants, soil biota). Such lands include, but are not limited to, critical areas or habitat identified under the Endangered Species Act, local growth management plans, habitat conservation plans, conservation reserve program, or local shoreline master programs.

"Groundwater-sensitive properties" are lands where 2,000 cubic yards or more of impacted soil/sediment will be used as fill over groundwater sources currently used or reasonably anticipated to be used as a potable source of drinking water for on-site or down-gradient receptors.

Soil/Sediment Screening Levels (SSLs)

- To justify permit exemptions that come with minimal to no oversight, a variety of standards were considered to provide confidence that uses are protective without the need for a site-specific evaluation

- Though heavily influenced by state cleanup levels (MTCA* levels), they were not the only standards considered as they are based on cleaning up a dirty site, not preventing degradation of a clean site

- Acceptance of SSLs above those proposed in rule as conditionally exempt uses are still allowed under other sections of the rule, such as standards for a limited purpose landfill

*Model Toxics Control Act - Cleanup Regulation, Chapter 173-340 WAC

Soil/Sediment Screening Levels (SSLs)

Residential, agricultural, high frequency contact –

Contaminant limits account for highest level of human health protection, no ecological considerations, some groundwater protections

SSL based primarily on lowest of the following standards:
(Exceptions for pH, asbestos)

- MTCA* Method A (unrestricted)
- MTCA* Method B
- EPA SSL
- Raise to background when background exceeds above standards

*Model Toxics Control Act - Cleanup Regulation, Chapter 173-340 WAC

Soil/Sediment Screening Levels (SSLs)

Limited access properties –

Contaminant limits account for lower level of human health protection than residential, no ecological considerations, some groundwater protections

SSL based primarily on lowest of the following standards:
(Exceptions for pH, asbestos, PCB, vinyl chloride)

- MTCA* Method A (industrial)
- MTCA* Method B – only used when no Method A level exists
- Raise to background when background exceeds above standards

*Model Toxics Control Act - Cleanup Regulation, Chapter 173-340 WAC

Soil/Sediment Screening Levels (SSLs)

Ecologically-sensitive properties –

Taking ecological receptors into account, no human health or leaching to groundwater

SSL based on lowest of the following standards:

(Exceptions for pH, asbestos)

- MTCA* Site-Specific Terrestrial Ecological Evaluation
- EPA Eco-SSL
- Raise to background when background exceeds above standards

*Model Toxics Control Act - Cleanup Regulation, Chapter 173-340 WAC

Soil/Sediment Screening Levels (SSLs)

Groundwater-sensitive properties –

Accounts for leaching from soil to groundwater

SSL based primarily on lowest of the following standards:
(Exceptions for pH, asbestos)

- Protection of Groundwater using MTCA* 747-1
  1. EPA chemical specific parameters and groundwater quality standards
  2. Ecology Toxic Cleanup Program chemical specific parameters and potable groundwater cleanup levels
- Raise to background when background exceeds above standards

*Model Toxics Control Act - Cleanup Regulation, Chapter 173-340 WAC

Soil/Sediment Screening Levels (SSLs)

Clean SSLs –

Most protective contaminant limits taking into account human, ecological, and leaching to groundwater

Rule will not apply to soil/sediment meeting clean SSLs

SSL based on lowest of the following standards:

- MTCA* Method A (unrestricted)
- MTCA* Method B
- MTCA* Site-Specific Terrestrial Ecological Evaluation
- EPA Eco-SSL
- EPA SSL
- Protection of Groundwater using MTCA* 747-1
  1. EPA chemical specific parameters and groundwater quality standards
  2. Ecology Toxic Cleanup Program chemical specific parameters and potable groundwater cleanup levels
- Raise to background when background exceeds above standards

*Model Toxics Control Act - Cleanup Regulation, Chapter 173-340 WAC

Background Concentrations

- Where there is background data, most based on US Geological Survey sampling of WA soils from 2007-2010
  - Used 90th percentile as statewide level
  - Tried to address regional differences – 95th percentile in certain counties

- Dioxin based on 2010 memo from Ecology cleanup program establishing background
  - Considered urban, open space, and forest samples

- cPAH newly established for this rule and based on Ecology sampling of urban Seattle soils
  - Exceeds unrestricted cleanup level

Concerns on background (remember that background is only used to raise SSLs):

- Some feel limits are too low and not realistic (e.g. Cd, Pb, Se)
- Differ from MTCA* cleanup levels that are set at background
  - MTCA* background based on early 1990's soil testing, not 2010 USGS sampling
- cPAH, arsenic exceed some cleanup levels

*Model Toxics Control Act - Cleanup Regulation, Chapter 173-340 WAC

APPENDIX I
Soil and Sediment Screening Levels (SSLs) [abc]

Empty cells mean a value has not been determined.

Parameter	CAS Number	Clean Soil and Clean Sediment [d]		Residential/ Agricultural/High Frequency Contact Properties [d]		Limited Access Properties [d]		Ecologically-Sensitive Properties [d]		Groundwater-Sensitive Properties [d]	
		mg/kg	Note	mg/kg	Note	mg/kg	Note	mg/kg	Note	mg/kg	Note
1. acenaphthene	83-32-9	98	F	4800	C	4800	C			98	F
2. acenaphthylene	208-96-8	20	E					20	E		
3. acetone	67-64-1	29	F	72000	C	72000	C			29	F
4. acrolein	107-02-8	40	C	40	C	40	C				
5. acrylonitrile	107-13-1	1.9	D	1.9	D	1.9	D				
6. aldrin	309-00-2	0.003	F	0.059	D	0.059	D	0.1	E	0.003	F
7. allyl alcohol	107-18-6	400	C	400	C	400	C				
8. allyl chloride	107-05-1	48	D	48	D	48	D				
9. aluminum	7429-90-5	92400 *	I	92400 *	I	92400 *	I	92400 *	I		
10. anthracene	120-12-7	24000	C	24000	C	24000	C				
11. antimony	7440-36-0	1.4 *	I	5	H	32	C	1.4 *	I		
12. aroclor 1016	12674-11-2	5.6	C	5.6	C	5.6	C				
13. aroclor 1254	11097-69-1	0.5	D	0.5	D	0.5	D				
14. aroclor 1260	11096-82-5	0.5	D	0.5	D	0.5	D				
15. arsenic, inorganic	7440-38-2	13 *	I	13 *	I	20	B	13 *	I	13 *	I
16. asbestos	NA	1%	K	1%	K	1%	K				
17. atrazine	1912-24-9	4.3	D	4.3	D	4.3	D				
18. barium and compounds	7440-39-3	975 *	I	1600	H	16000	C	975 *	I	975 *	I
19. benzene	71-43-2	0.007	F	0.03	A	0.03	A			0.007	F
20. benzidine	92-87-5	0.0043	D	0.0043	D	0.0043	D				
21. benzo[a]anthracene	56-55-3	1.4	D	1.4	D	1.4	D				
22. benzo[a]pyrene (cPAH) [f]	50-32-8	0.4	I	0.4	I	2	B	1.1	G	0.4	I
23. benzo[b]fluoranthene	205-99-2	1.4	D	1.4	D	1.4	D			3	F
24. benzo[k]fluoranthene	207-08-9	14	D	14	D	14	D				
25. benzoic acid	65-85-0	320000	C	320000	C	320000	C				
26. benzyl alcohol	100-51-6	8000	C	8000	C	8000	C				
27. benzyl chloride	100-44-7	6	D	6	D	6	D				
28. beryllium	7440-41-7	2.7 *	I	2.7 *	I	160	C	10	E	63	F

Parameter	CAS Number	Clean Soil and Clean Sediment [d]		Residential/ Agricultural/High Frequency Contact Properties [d]		Limited Access Properties [d]		Ecologically-Sensitive Properties [d]		Groundwater-Sensitive Properties [d]	
		mg/kg	Note	mg/kg	Note	mg/kg	Note	mg/kg	Note	mg/kg	Note
209. trichlorophenol;2,4,6-	88-06-2	10	E	80	C	80	C	10	E		
210. trichloropropane;1,2,3-	96-18-4	0.03	D	0.03	D	0.03	D				
211. trimethylbenzene;1,3,5-	108-67-8	800	C	800	C	800	C				
212. uranium, soluble salts	7440-61-1	5	E	240	C	240	C	5	E		
213. vanadium	7440-62-2	221 [e]	I	400	C	400	C	221 [e]	I	1600	F
214. vinyl acetate	108-05-4	33	F	80000	C	80000	C			33	F
215. vinyl chloride	75-01-4	0.0001	F	0.01	H	88	M			0.0001	F
216. warfarin	81-81-2	24	C	24	C	24	C				
217. xylenes [j]	1330-20-7	9	A,B	9	A	9	B			120	F
218. zinc	7440-66-6	132 [e]	I	12000	H	24000	C	132 [e]	I	6000	F

Notes:

A. SSL based on chapter 173-340 WAC, Method A Unrestricted Land Use cleanup levels.
B. SSL based on chapter 173-340 WAC, Method A Industrial Properties cleanup levels.
C. SSL based on chapter 173-340 WAC, Method B Non-Cancer cleanup levels.
D. SSL based on chapter 173-340 WAC, Method B Cancer cleanup levels.
E. SSL based on chapter 173-340 WAC, Table 749-3 Site-Specific Terrestrial Ecological Evaluation cleanup levels.
F. SSL based on chapter 173-340 WAC, Equation 747-1 for deriving soil concentrations for protection of groundwater.
G. SSL based on U.S. EPA Ecological Soil Screening Levels.
H. SSL based on U.S. EPA Supplemental Guidance for Developing Soil Screening Levels for Superfund Sites.
I. SSL based on Washington soil background levels.
J. pH SSL based on background pH of Washington soils, and risks to humans, plants, and microorganisms.
K. Asbestos SSL of 1% based on Chapter 296-62 WAC, General Occupational Health Standards.
L. SSL based on Chapter 173-303 WAC, Dangerous Waste Regulations, which requires materials with over 2 mg/kg PCB from transformers, capacitors, or bushings to be managed as special waste.
M. SSL based on Chapter 173-340 WAC, Method C Industrial Properties cleanup levels.

Footnotes are important

J. pH SSL based on background pH of Washington soils, and risks to humans, plants, and microorganisms.
K. Asbestos SSL of 1% based on Chapter 296-62 WAC, General Occupational Health Standards.
L. SSL based on Chapter 173-303 WAC, Dangerous Waste Regulations, which requires materials with over 2 mg/kg PCB from transformers, capacitors, or bushings to be managed as special waste.
M. SSL based on Chapter 173-340 WAC, Method C Industrial Properties cleanup levels.

a. Test methods used for comparison to SSL must be capable of detecting down to the SSL in order to have meaning. Instruction may need to be relayed to the laboratory to ensure the detection limit is as low as the SSL, particularly for cadmium, mercury, and selenium.
b. Protection of surface water has not been factored into SSLs because standards vary between surface waters. Persons may need to adjust SSLs in consideration of surface water quality depending on site-specific circumstances.
c. For parameters and SSL not listed or calculated here, SSLs must be determined following the same methodology as described below.
d. SSLs are based primarily on the lowest levels of the following standards, adjusted up to background limits when applicable:

- Chapter 173-340 WAC, Equation 747-1 for protection of groundwater. Calculated using two sets of inputs:
  - One set of inputs based on Ecology publication #96-02, Implementation Guidance for the Groundwater Quality Standards, Revised October 2005, and EPA Regional Screening Level Chemical-Specific Parameters Supporting Table June 2015.
  - One set of inputs based on chapter 173-340 WAC for protection of potable drinking water and in the vadose zone at 13 degrees Celsius.

Groundwater-sensitive SSLs set at the lowest of the two results above. SSLs in this chapter not calculated for all parameters. Where no SSL has been provided, SSLs need to be calculated using Equation 747-1 and applicable SSL may need to be lowered based on the resulting concentration.

- U.S. EPA Supplemental Guidance for Developing Soil Screening Levels for Superfund Sites, December 2002, OSWER 9355-4-24, December 2002, Appendix A Generic SSLs. Based on residential scenario and human ingestion, inhalation, and protection of groundwater assuming some separation from groundwater. Not available for all parameters.
- Washington background limits based on:
  - *Geochemical and Mineralogical Maps for Soils of the Conterminous United States*, 2014, U.S. Geological Survey Open-File Report 2014-1082 for aluminum, antimony, arsenic, barium, beryllium, cadmium, chromium, cobalt, copper, iron, lead, lithium, manganese, mercury, molybdenum, nickel, phosphorous, selenium, silver, thallium, tin, uranium, vanadium, and zinc. Used Washington-specific test results for C soil horizon at 90th percentile value, with exceptions noted in footnote (f).
  - Dioxin: *Natural Background for Dioxins/Furans in WA Soils – Technical Memorandum #8*, August 2010, WA Dept. of Ecology Publication No. 10-09-053.
  - cPAH: *Urban Seattle Area Soil Dioxin and PAH Concentrations Initial Summary Report*, September 2011, Dept. of Ecology Publication No. 11-09-049, using 90th percentile concentration.
  - pH: *Washington Soil Atlas,* United States Department of Agriculture Natural Resource Conservation Service, http://www.nrcs.usda.gov/wps/portal/nrcs/detail/wa/soils/?cid=nrcs144p2_036334.

e. The following counties had one or more background soil test results showing concentrations above the 90th percentile values used in Appendix I and may adjust the SSL up to these limits, in mg/kg:

Aluminum - 109,000:	Cowlitz, Ferry, Grays Harbor, King, Lewis, Skamania, Stevens, Yakima.
Antimony - 4.9:	Chelan, Cowlitz, Ferry, King, Okanogan, Skagit, Snohomish, Whatcom.
Arsenic - 20:	Asotin, King, Lewis, Lincoln, Okanogan, Skagit, Snohomish, Spokane.
Barium – 1,520:	Asotin, Ferry, King, Okanogan, Pend Oreille, Snohomish.

What the draft rule section does not get at

- No notification of permit exemption or annual reporting
  -Street waste would track under pile permit
- Surface water standards not considered in SSLs, though have at least a 50' setback
- Limited access properties not tied to industrial/commercial zoning

- Few setbacks – none to buildings, wells, property boundaries, etc.
- For fill sites, no well notification to property owners within 1,000'

For your consideration during draft rule review

- SSLs –
  - Look closely at the SSLs and provide justification to change them if they are off

- SSLs in rule vs. guidance to rule –
  - Regulators want SSLs in rule to make enforceable, ensure consistency
  - Industry wants in rule to ensure SSLs do not get changed without a public process
  - Updating SSLs will require rule revision – difficult, likely to become outdated
  - Instead of SSLs in rule, could have methodology in rule, actual numbers in separate document

- "Solid waste" label -
  - Impacted soil/sediment is solid waste by definition
  - Particularly for fill sites, concern over ramifications locally for land use approvals, zoning, landfill siting restrictions
  - UTC allows only certain haulers to transport solid waste
  - Well installation limitations within 1,000' of solid waste landfills
  - Operator certification required for solid waste landfills
  - Could remedy by defining soil/sediment used in accordance with rule as "clean," which is not solid waste and would eliminate concerns

Want more information?

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