



Guidelines for Beneficial Reuse of Excess Soils from Regulated Properties

**North Carolina Department of Environmental Quality
Division of Waste Management**

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1.0 Introduction

The North Carolina Department of Environmental Quality (DEQ) Division of Waste Management (DWM) is addressing concerns expressed by its stakeholders for management of import and export of soil to and from regulated properties in these guidelines. It is the goal of DEQ DWM to operate in as sustainable a manner as possible. In this context, sustainability includes reducing the volume of uncontaminated soils transported for disposal in landfills by supporting their reuse at properties in need of suitable fill material.

The goal of these guidelines is to provide predictability and consistency for properties regulated by the DWM by outlining the process for soils proposed for import to, or export from, a regulated property. These guidelines may also be utilized as a tool to gain a beneficial fill or unrestricted use determination from DEQ DWM for soils which are not from a regulated property.

All sampling required under these guidelines should be conducted by or under the supervision of a North Carolina licensed professional engineer or geologist. Sampling methodologies should be consistent with the latest versions of the applicable [USEPA Region IV's Quality System and Technical Procedures for LSASD Field Branches](#). In addition, the Underground Storage Tank (UST) Section also has guidelines including methodologies for sampling of soil stockpiles in their [Guidelines for Sampling](#). A report signed and sealed by a North Carolina licensed professional Geologist or Engineer summarizing the resulting data shall be submitted to the regulating DEQ DWM program.

1.1 Applicability

This guidance document necessarily does not apply to soils that are required to be removed as a result of a directed remedial effort by any of the regulatory sections within the DWM. Remedial efforts are driven by specific statutes and rules that cannot be overwritten by guidance. This document is geared toward the management of soils as a result of property redevelopment and construction for other purposes as opposed to directed removals of contaminated soils.

1.2 Hazardous Waste Considerations

These guidelines do not apply to soils contaminated with listed and/or characteristic hazardous waste(s). Prior to using this document, a hazardous waste determination in accordance with [40 CFR 262.11](#) must be performed and the contaminated soil must be found to be non-hazardous (i.e., does not contain listed hazardous waste (described at [40 CFR 261 Subpart D](#)) and/or characteristic hazardous waste (described at [40 CFR 261 Subpart C](#))). Below is additional information that may be useful:

- Hazardous waste determinations should be conducted prior to using this document. If, during the assessment required by these guidelines, it is discovered that the soil contains listed and/or characteristic hazardous waste, then the soil must be managed/disposed of by all applicable hazardous waste requirements. This document does not describe the process for making a hazardous waste determination or how to manage soils contaminated with hazardous waste.
- The [Hazardous Waste Generator Manual](#) provides additional information on hazardous waste determinations.
- For soil contaminated only with listed hazardous waste, this Guidelines for Soil Management document can be used once a “contained-out” determination is achieved (see [Contained-In Policy](#)).
- When soil is contaminated with hazardous waste and is not eligible to use the Contained-In Policy (e.g., the soil is characteristic or listed and characteristic), or the contaminated soil contains listed only hazardous waste and cannot achieve a contained-out determination, see the [Hazardous Waste Generator Closure guidelines](#). This document does not apply to soils that must be managed under the Hazardous Waste Generator Closure Guidelines.
- Hazardous waste must be managed/disposed of in compliance with all applicable hazardous waste requirements including (but not limited to) containerizing soil contaminated with hazardous waste once it is excavated. One exception exists for the management of hazardous waste that is actively managed as part of a CERCLA cleanup: hazardous waste in an Area of Contamination (AOC) may be managed under the CERCLA cleanup plan with specific Applicable or Relevant and Appropriate Requirements (ARARs) for the site. A hazardous waste determination still must be made at the point of generation (when the soil is excavated), but hazardous waste requirements for management do not apply until after the environmental media is removed from the Area of Contamination at the site.
- For samples taken with the intent to make a hazardous waste determination or to remove soil from the site, contact Hazardous Waste Section for sampling protocol.
- Contact the Hazardous Waste Section for reuse of soils at or from any RCRA hazardous waste regulated facility.
- Contact the [Hazardous Waste Section Hydrogeologists](#) (see Compliance Branch Regional Map) for questions on the above information.

1.3 Underground Storage Tank Section Considerations

The Underground Storage Tank (UST Section) has permitted remediation facilities that treat and manage petroleum impacted soils and allow for reuse of petroleum impacted soils on their properties upon the completion of treatment. Details regarding the requirements for permitted soil remediation facilities are presented in the [Guidelines for Ex Situ Petroleum Contaminated Soil Remediation](#). A waste profile must be provided to the remediation facility for each 200 cubic yards (300 tons) of soil per source. Where generator knowledge is relied on to characterize the waste (e.g., soil removed beneath petroleum fuel USTs), the generator must provide a waste profile with soil analyses for total petroleum hydrocarbons (TPH). Where the source of petroleum contamination is unknown, and composite sampling is employed to characterize the waste, the soil must be analyzed for the constituents associated with the applicable contaminant class (e.g., low boiling point fuels, medium/high boiling point fuels, heavy fuels, and used/waste oil). Non-petroleum non-hazardous soils (in permitted remediation facilities) may require additional

analyses. Reach out to the UST Section for more details as this document does not apply to these permitted remediation facilities.

1.4 Superfund Section Considerations

Soil imported to, and exported from, a property containing a hazardous substance site must meet risk that is acceptable for unrestricted use and the soil to groundwater leachability criterium, unless the property is also regulated by a Notice of Brownfields Property.

The import of fill material that originates from an off-site source must be approved by the regulatory program overseeing the work in cooperation with the Brownfields Redevelopment Section if the property is also regulated by a Notice of Brownfields Property. If not also regulated by the Brownfields Redevelopment Section, imported fill must meet the acceptable risk for unrestricted property use and the leachability criterium outlined in this document. If metals are not present at leachable concentration, but they exceed levels suitable for unrestricted use, a demonstration must show that metals are within the receiving site's naturally occurring background levels before importing to the property.

2.0 Soil Import

Soil import in this document is related to construction, grading, and/or other reuse opportunities that are not related to remedial efforts on a regulated property. These guidelines should not be used for soil imported to a regulated hazardous waste site. Prior to import of soils, approval should be obtained from the DEQ DWM regulating program. In the event of oversight from multiple regulating programs, approval must be obtained from all involved programs. The sampling protocol for soil import may vary based on the source of the soil but should generally be based on the protocol outlined below. Sampling density approaches listed below should be considered guidance only, and program specific determinations may be needed based on site specific criteria. Please contact your specific program as needed.

2.1 Permitted Quarries

If the soil or other material proposed for import to a DWM regulated property is virgin overburden or non-rock material (i.e. sand or soil) from a quarry permitted by the North Carolina Division of Energy, Mineral, and Land Resources (DEMLR), then a minimum of one sample for Volatile Organic Compounds (VOCs), Semi-Volatile Organic Compounds (SVOCs), and Resource Conservation and Recovery Act (RCRA) metals plus hexavalent chromium analyses is required per site, per phase of work. Depending on the receiving site contaminants of concern, additional analyses may be required.

The analytical sample should be from the material in the area of the property planned for export. The sample should be composited from 3-5 points for SVOC and metals analyses, and one grab sample analyzed for VOCs. If the soil is needed at a regulated property where the contaminant of concern is a potentially naturally occurring metal, then additional samples may be required by the regulating program. The [*Background Metals in Soil and Sediment at North Carolina CERCLIS Sites dashboard*](#)¹ (Dashboard) may be used as a baseline with which to compare these data; however, in the instance where insufficient data exists in the Dashboard, additional site-specific data may be needed to ensure background metals are consistent with the regulated property background metals.

If the regulating program has historical data for specific quarries available from previous assessments, they may, at their discretion, waive any or all these sampling requirements. Please consult with your regulating project manager for further guidance.

Rock products (such as crush & run, stone, gravel, construction aggregate, etc.) from a permitted quarry are not required to be sampled. However, these should be virgin materials, not recycled and brought in from off-site; therefore, this would not include recycled brick and concrete.

The DEMLR Mining Inventory is available here: <https://deq.nc.gov/about/divisions/energy->

¹ Matthew C Ogwu, Frances M Nilsen, William F Hunneke, Landon Norris, Robert J Kelley, Paul P Goodwin, Matthew A Nichols, Alexis R VanVenrooy, James T Bateson, A Statistical Summary and Visualization Tool for a 30-year Background Soil and Sediment Metals Data from North Carolina Superfund Sites, *Integrated Environmental Assessment and Management*, 2025;:, vjaf120, <https://doi.org/10.1093/inteam/vjaf120>

2.2 Unpermitted Borrow Source

If fill soil is to be obtained from a source other than a permitted quarry and imported to a DWM regulated property, then the historical uses and location of the proposed borrow source should be established and documented in a sampling plan, which will be submitted in advance of the sampling for DEQ review and approval. The sampling plan should include a scope of work consistent with the following guidance, based on the available history of the borrow source. Samples may either be collected in situ or from an existing stockpile, but the sample frequency should be based on the volume of material needed as outlined in the tables below.

If the history of the property is known and it has not been developed, or the developed history does not indicate an environmental concern:

<u>Volume of Material Needed</u>	<u>Samples per Volume¹</u>
Up to 1,000 cubic yards	1 composite sample
1,000 to 5,000 cubic yards	3 composite samples
>5,000 cubic yards ²	3 composite samples for the first 5,000 cubic yards plus 1 composite sample for each additional 5,000 cubic yards

Notes

1) Each composite sample will consist of 3-5 aliquots from varying depths. VOC samples shall be grab samples.

2) For larger volumes, consult your regulating program.

If the material is from an unknown source, from a previously developed property where limited available data exists, or is recycled material of unknown origin:

<u>Volume of Material Needed</u>	<u>Samples per Volume¹</u>
Up to 1,000 cubic yards	2 composite samples
1,001 to 5,000 cubic yards	2 composite samples for each 1,000 cubic yards
>5,000 cubic yards ²	10 composite samples for the first 5,000 cubic yards plus 1 composite sample for each additional 5,000 cubic yards

Notes:

1) Each composite sample will consist of 3-5 aliquots from varying depths. VOC samples shall be grab samples.

2) For larger volumes, consult your regulating program.

3) Composite sample nodes should be collected at regularly spaced intervals throughout the material

proposed for import.

At a minimum, analyses should include VOCs, SVOCs, and RCRA Metals plus hexavalent chromium. However, additional analyses may be required, depending on the program or contaminant of concern at the DWM regulated property. For example, if pesticides are the COC, import soils should also be sampled for pesticides to ensure the import is not contributing to the site impacts. Analytical methods should be consistent with those outlined in the most recent version of the Inactive Hazardous Sites Branch (IHSB) [*Guidelines for Assessment and Cleanup of Contaminated Sites*](#), unless otherwise approved in advance by the regulating program. The analyzing laboratory shall be NC-Certified for the applicable analyses. The laboratory should set reporting limits at or below the lowest IHSB PSRGs. Estimated values between the method detection limit and reporting limit (or J-Flags) should also be reported by the laboratory.

Reports summarizing sampling events must be submitted to the regulating program and signed and sealed by an NC-licensed professional engineer or geologist. Analytical results will be entered in the DEQ Risk Calculator to confirm concentrations are below acceptable risk targets. Metals concentrations will be compared to background soil concentrations either using site-specific background sampling, the Dashboard, or a combination of the two. If concentrations yield acceptable risk calculations for the given property use and metals concentrations of import soils are consistent with background metals within the state and/or at the receiving site, the borrow material will be approved by the regulating program for use as fill at the property.

3.0 Soil Export from a Regulated Facility

This document is not provided for the management of soils which are subject to a DEQ-directed removal action, nor can it be used for the management of soil contaminated with listed and/or characteristic hazardous waste (see Section 1.2). Soil may not be exported from a hazardous waste regulated site without prior approval. The purpose of these Guidelines is to ensure that soils generated from regulated properties are appropriately segregated and managed.

This guidance is to be utilized where a regulated property needs to export soil as a result of general construction activity as part of redevelopment. DEQ DWM understands that it is common for a regulated property to have areas of both impacted soil and those with uncontaminated soils.

In using these guidelines, bear in mind that the DEQ DWM's charge is protecting public health and the environment. This means that any property which exports soils must ultimately fit into one of three categories:

- 1) Exported soils must be sent to a facility permitted to accept such soils; or
- 2) Exported soils must be determined to meet unrestricted use criteria for export to unregulated properties; or
- 3) Exported soils must be determined to meet the criteria for the intended use or reuse of the receiving property.

It is important to note that all permitted disposal facilities referenced in this document can deny material which they believe does not meet their permit requirements. DWM cannot require a facility to accept any specific material. DWM will assist as needed in providing regulated facilities the documentation to ensure that, should they choose to accept material from a regulated facility, such as a Brownfields Property, they will remain in compliance with their permit(s).

The following outlines the general procedures necessary to gain DEQ DWM approval for export of soils. The process requires that: 1) the soils are characterized and delineated as needed; 2) the analytical sample results are reviewed and approved by DWM; and 3) the specifics of export oversight are provided to DWM in a properly documented, signed and sealed report. Please contact your programs' Project Manager for any additional program-specific guidance related to the use of these guidelines.

3.1 Export Soil Characterization

After a hazardous waste determination is made as outlined above, the Environmental Professional should determine the ideal destination of the soil. While the analytical results of the characterization will ultimately determine the destination of the material, if the goal of the export is not identified prior to sampling, insufficient samples may be collected to make the desired determination. If the goal of the export is simply to characterize the material for disposal at a permitted facility, then the criteria for sampling should be evaluated in regards to the chosen facility's permit requirements. Permitted, lined municipal solid waste (MSW) landfills will have differing requirements for accepting soil than do unlined facilities such as construction and demolition (C&D) landfills, land clearing and inert debris (LCID) landfills, or permitted treatment

facilities. A summary of what soils may generally go to what type of facility based on sampling results is outlined in Section 3.2 below and in **Attachment A**. For MSW landfills the individual regulating program(s) need not be involved in such acceptance by an individual facility. However, for the benefit of decision makers at other facilities, we have developed a best practice soil characterization guidance that is set forth below.

If the goal of the characterization is not only to establish which permitted facility is appropriate, but that the soil is uncontaminated soil suitable for beneficial fill, the following guidance must be followed and a sampling plan must be submitted to the regulating program prior to sampling.

If soil is to be exported to any destination other than a MSW landfill facility, the regulating program should be sent a sampling plan in advance of the sampling for DEQ approval that covers the following:

- 1) **Sample Representativeness:** Best efforts should be undertaken to design the locations, depths, and number of samples of the material to be representative of the actual cut area. In doing so, the sampling party should prepare a Proposed Sample Location Map overlaying the anticipated grading plans. Grid, composite, and/or multi-incremental sampling approaches should be utilized to determine the sample locations.
- 2) **Sampling Density:** In general, samples should be collected at a density of approximately one sample per 300 to 1,000 cubic yards, depending on site-specific factors discussed below. The ultimate sampling density for your site will be determined and approved by the DEQ Project Manager with jurisdiction over the project. These samples may be taken through compositing or incremental sampling methodologies (except for VOC analyses, which will be grab samples). DEQ DWM will consider the following site-specific factors affecting the sampling density:
 - a. The level of existing data from previous investigations. If the cut area has been assessed during previous investigations and historical laboratory data is of sufficient quality, the sampling density may be on the lower end;
 - b. The site history, including location of known or potential sources relative to the cut area;
 - c. The volume of the soils that will be exported;
 - d. The nature of the receiving site's use of the soils when exported;
 - e. The configuration of the soils when sampled (stockpile or in-situ); and
 - f. Other considerations/requirements imposed by a permitted receiving facility.
- 3) **Sample Analytes:** In general, samples will be analyzed for VOCs, SVOCs, and RCRA Metals and hexavalent chromium. Other metals or contaminants of concern (pesticides, polychlorinated biphenyls (PCBs), dioxins, 1,4-dioxane, cyanide, PFAS etc.) should be considered, and may be required, based on the site history and previous environmental data. Analytical methods should be consistent with those outlined in the most recent version of the Inactive Hazardous Sites Branch (IHSB) [*Guidelines for Assessment and Cleanup of Contaminated Sites*](#), unless otherwise approved in advance by the regulating program. The analyzing laboratory shall be NC-Certified for the applicable analyses. The

laboratory should set reporting limits at or below the lowest IHSB PSRGs. Estimated values between the method detection limit and reporting limit (or J-Flags) should also be reported by the laboratory. If the samples are excessively diluted or the method detection limits exceed the lowest PSRGs, the data may not be accepted by DEQ. Please note, for metals, EPA Method 6020 achieves lower detection limits and is preferable to ensure method detection limits reach the Preliminary Soil Remediation Goals. Similarly, EPA Method 7199 is currently the preferable analytical method for hexavalent chromium.

- 4) **Sampling Methodology:** Field sampling should be done in compliance with the most recent version of the U.S. Environmental Protection Agency (EPA) Quality System and Technical Procedures for LSASD Field Branches.
- 5) **Stockpile Sampling:** If soils are in a stockpile, sampling methodology should be consistent with those outlined in the [Guidelines for Ex Situ Petroleum Contaminated Soil Remediation](#) (Figures 3 and 4) protocol:
- 6) **Hazardous Waste Assurance:** There should be an accompanying statement affirming that the site soils are not listed waste nor characteristically hazardous waste.

3.2 DEQ Review of Characterization

Upon receipt of the analytical data, the Environmental Professional should prepare a report for DEQ DWM review. This report will need to be signed and sealed by a NC-licensed professional engineer or geologist. The data should be compared to the most recent version of the IHSB PSRGs – including Protection of Groundwater, Residential, and Industrial/Commercial uses. In addition, data should be compared to the naturally occurring metals concentrations at the site, either based on site-specific background soil samples or by comparison with published NC background soil data. This information should be summarized in a table with the soil analysis report and submitted to DEQ for initial review. The report should also outline the recommended destination for the soil, based on the data as outlined below. The request for export should include the receiving facility type and permit number (if applicable), or a request for unrestricted use determination with proposed destination.

Property-specific approvals will be based on review of the export property's analytical data collected under a DEQ DWM-approved work plan completed in accordance with this guidance. The following is provided as a guideline on what can be expected based on the results of the characterization sampling efforts.

Prior to determining the Type of Soil (below), the soil must not contain any listed hazardous waste and/or exhibit any hazardous waste characteristics. The hazardous waste determination should be done prior to using this document, but if, for some reason, during the use of these guidelines it is discovered that the soil contains listed and/or characteristic hazardous waste, then the soil must be managed/disposed of by all applicable hazardous waste requirements.

- 1) **Type 1 Soils: All contaminants analyzed are below the Unrestricted Use PSRGs.**

Unrestricted Use PSRGs are the lower of either the Protection of Groundwater or Residential PSRGs. If these conditions are met, and no concentrations exceed the 20:1 rule for characteristic waste, the soil can be managed without DEQ restrictions, including but not limited to, fill under the Beneficial Fill (15A NCAC 13B .0562) rule, or acceptance for disposal and/or cover material at a LCID Landfill.

If DEQ DWM reviews the data and concurs, the DEQ DWM program reviewing the characterization will issue a letter documenting that the export is determined to meet unrestricted use criteria under the above referenced rules.

2) Type 2 Soils: Only metal detections exceed the Unrestricted Use PSRGs

- a. Contaminated soil is soil to which contaminants have been released. Therefore, contaminated soil does not include soil with elevated naturally occurring metals. If metals concentrations exceed the PSRGs, DEQ will first review site history and use to determine if there are any potential sources of metals contamination and/or compare the detected concentrations to either the receiving sites-specific background metals and/or the average concentrations in the Dashboard. If there are no potential sources and/or concentrations are consistent with state-wide average background levels, the soil may be considered uncontaminated.
- b. If DEQ DWM determines the soil is contaminated with metals that are not considered naturally occurring, or has insufficient data to make that determination, then the soils must be managed based on sampling results in one of the five ways set forth below. All off-site management is also subject to acceptance by the facility.
 1. The soil may be managed on site (subject to the approval of the regulating program);
 2. The soil may be disposed of in a permitted MSW landfill;
 3. The soil may be disposed of in a permitted C&D facility if soil leachability testing under the Synthetic Precipitation Leaching Procedure (SPLP) exhibits leaching results below the then current North Carolina Administrative Code Title 15A Subchapter 2L Standards (2L)/Interim Maximum Allowable Concentrations (IMACs); concentrations are below the 20x rule (Section 6.1.1.2 of the IHSB *Guidelines for Assessment and Cleanup of Contaminated Sites*); or if site-specific aquifer data (e.g., porosity, bulk density, and organic carbon content) are available, the DEQ Risk Calculator can be used to calculate the risk of site-specific leachability; and subject to prior DEQ DWM approval.
 4. The soil may be utilized at another DEQ regulated property or disposed of at a permitted LCID facility if soil leachability testing under the SPLP exhibits leaching results below the current 2L Standards/IMACs. However, to ensure protection of public health and to ensure that naturally occurring metals do not become a contaminant at a receiving facility, DEQ will require that the

proposed receiving facility be tested for metals. The receiving site samples (which may also include an LCID facility) must show the presence of elevated naturally occurring metals consistent with (or lower than) those from the export site prior to receiving approval from DEQ DWM for export.

5. Beneficial Fill. If metals are found to exceed the protection of groundwater standard, and if soil leachability testing under the SPLP exhibits leaching results below the current 2L Standards/IMACs; concentrations below the 20x rule (Section 6.1.1.2 of the IHSB Guidelines for Assessment and Cleanup of Contaminated Sites); or if site-specific aquifer data (e.g., porosity, bulk density, and organic carbon content) are available, the DEQ Risk Calculator can be used to calculate the risk of site-specific leachability. soils may be managed off-site. However, the destination must be identified, and the prior approval of the Solid Waste Section must be obtained. Imported material cannot be a hazardous waste, it cannot significantly increase the environmental risk at the receiving property, nor increase an environmental risk for nearby receptors, and the type and level of contaminants must be comparable between the two properties.

6. Brownfields Soil Management (Section 3.3 below)

3) Type 3 Soils: Detected contaminants of concern exceed the residential use and groundwater protection PSRGs

These soils may be addressed in the same manner as Type 2 soils, except that there is not the possibility of them being determined to be uncontaminated.

- a. If the residential health based and protection of groundwater PSRGs are exceeded, the soils may be managed as follows:
 1. Soil may be disposed of at a C&D Facility if soil leachability testing under the SPLP exhibit leaching results below the current 2L Standards/IMACs; if concentrations are below the 20x rule (Section 6.1.1.2 of the IHSB Guidelines for Assessment and Cleanup of Contaminated Sites); or if site-specific aquifer data (e.g., porosity, bulk density, and organic carbon content) are available, the DEQ Risk Calculator can be used to calculate the risk of site-specific leachability.
 2. Soils must be disposed of at a MSW Landfill if the analytical results from SPLP analysis exceed the current 2L Standards/IMACs.
 3. The results of the above leachability evaluations would be reviewed by DEQ DWM and submitted by the Environmental Professional to the receiving facility for review prior to export.
 4. Beneficial Fill. If metals or Polycyclic Aromatic Hydrocarbons (PAHs) are found to exceed the protection of groundwater standard, and if soil leachability testing under the SPLP exhibits leaching results below the current 2L

Standards/IMACs; concentrations below the 20x rule (Section 6.1.1.2 of the IHSB *Guidelines for Assessment and Cleanup of Contaminated Sites*); or if site-specific aquifer data (e.g., porosity, bulk density, and organic carbon content) are available, the DEQ Risk Calculator can be used to calculate the risk of site-specific leachability. soils may be managed off-site. However, the destination must be identified, and the prior approval of the Solid Waste Section must be obtained. Imported material cannot be a hazardous waste, it cannot significantly increase the environmental risk at the receiving property, nor increase an environmental risk for nearby receptors, and the type and level of contaminants must be comparable between the two properties.

5. Brownfields Soil Management (Section 3.3 below)

4) Type 4 Soils: Detected contaminants of concern exceed the Industrial/Commercial PSRGs

- a. If impacts are identified above Industrial/Commercial PSRGs, no suitable brownfields property can be located, and soil is characterized as non-hazardous, the material must be managed at a permitted MSW Landfill or permitted treatment facility that is suitable for the contaminants of concern.

- b. Brownfields Soil Management (Section 3.3 below)

3.3 Brownfields Soil Management by Agreement

Collaborative efforts between developers of brownfields properties may allow for more sustainable management of certain soils falling under these guidelines when included in publicly noticed brownfields agreements. Within the context of a brownfields agreement, soils which have exceedances of PSRGs may also be managed on another Brownfields Property with appropriate engineering controls, land use restrictions, and the prior approval of the Brownfields Redevelopment Section. Imported material may not be a hazardous waste or significantly increase environmental risk at the receiving Brownfields Property, nor increase environmental risk for nearby receptors, and the type and level of contaminants must be comparable between the two properties.

3.4 Soil Management by Impact

If only a portion of the proposed cut area is identified to be impacted as a result of the above assessment and evaluation, DEQ DWM will work with the project team to appropriately delineate unimpacted from impacted soils. Additional sampling may be required to establish different determinations for each particular soil area or grid. In addition, details related to field delineation would need to be provided as outlined in Section 3.5 below.

3.5 Oversight Plan/Environmental Management Plan

During grading activities, the Environmental Professional will conduct periodic oversight that includes field screening of site soils at a frequency of not less than once per week, with equipment appropriate for the contaminants of concern at the property. In addition, the plan should include details for training of grading contractors in the identification of potentially impacted soils (i.e. odors, staining, tanks, drums, etc.).

Export must cease immediately if any changes in anticipated soil conditions are observed. The regulating DEQ program must be notified within 48-hours, and a path forward will be determined in collaboration with the Environmental Professional and DEQ before export can be resumed.

The proposed scope of work for oversight shall be provided in an Oversight Plan or Environmental Management Plan (EMP), as required by the regulating program. For Brownfields Properties, all proposed oversight efforts should be outlined in the Brownfield Property's EMP. The EMP shall be submitted for review and approval by the Brownfields Redevelopment Section prior to beginning site work.

3.6 Soil Management Summary Report

Upon completion of soil export activities, the site work shall be documented to DEQ DWM in a Soil Management Summary Report. This will be similar to the Redevelopment Summary Report which is required by the Brownfields Redevelopment Section in most Brownfields Agreements and Environmental Management Plans, and will include a summary of the volume of soil moved, its destination, and the appropriate approvals and manifest documentation of soils sent to a permitted facility. Even if material is approved as unrestricted use, the destination of the soil will need to be documented in the Soil Management Summary report.

For the Brownfields Program, the Redevelopment Summary Report already required by most EMPs and Brownfields Agreements may be considered in lieu of the Soil Management Summary Report, so long as the appropriate information is included.