CASE STUDY
UTILITY SECTOR REMEDIATION WASTE

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Background

- As a result of upgrading substation, utility company generated waste excavated soils.
- The excavated soils were accumulated in piles and then sampled for determination.
- The soil piles were found to be above regulatory levels (TCLP) for lead.
- The substation generated Large Quantity Generator amounts of D008 hazardous (>2,200 lbs./month).
- As per RCRA, generators of hazardous can accumulate hazardous waste for less than 90 days without applying for Part A/Part B RCRA permit. Generators can only accumulate in containers, tanks, containment buildings and drip pads.

LSRP / Utility Co. Response

- Excavated soil was handled in accordance with the linear construction guidance document which allows soil to be stockpiled and contained while being tested for disposal.
- These sites are undergoing remediation and RCRA requirements are not applicable.
- Linear Construction Technical Guidance

  http://www.nj.gov/dep/srp/guidance/srra/lc_guidance.pdf

Inspection Findings

- Excavated soils from the substation are not subject to the Linear Construction Technical Guidance but are a traditional LSRP case which would link to the linear construction project.
- Contamination found must be reported to the DEP Hotline.
- Since excavated soils were found to be above regulatory levels (TCLP) for lead, the substation is a hazardous waste generator and all applicable RCRA requirements apply.
- Notice of Violation was issued

Notice of Violation Issued

- Failed to determine the waste excavated soils were D008 hazardous waste prior accumulation in waste piles.
- Failed to place Waste lead contaminated soil (D008 hazardous waste) in containers instead of waste piles.
- Constructed and accumulated Waste lead contaminated soil (D008 hazardous waste) in waste piles without obtaining or submitting a Part A or Part B permit application.
- Settlement was reached with Company after the violations corrected.