

**Concrete and Solid Waste Action Item Follow-up**  
**June 13, 2018 CVP/SRAG meeting**

**Concrete is a solid waste when:**

The Solid Waste rules provide that concrete containing concentrations of contaminants exceeding the more stringent of the residential or non-residential soil remediation standards is solid waste, unless it is otherwise approved for beneficial reuse. Concrete that does not contain concentrations of contaminants that exceed the more stringent of the residential or non-residential standards may also be considered a solid waste if it is disposed of in accordance of N.J.A.C. 7:26-1.6(c). Therefore, if the concrete (a non-water-soluble, non-decomposable, inert solid) does not exceed the more stringent of the residential or non-residential soil remediation standards, but is stored for excessive periods of time with no apparent market, is abandoned, or is used in an improper way (i.e., placed without regard to proper particle sizing and compaction), it may be regulated as solid waste.

N.J.A.C. 7:26-1.6(c) provides that concrete is a solid waste "if it is 'disposed of' by being discharged, deposited, injected, dumped, spilled, leaked or placed into or on any land or water so that such material or any constituent thereof may enter the environment or be emitted into the air or discharged into ground or surface waters."

**Concrete is not a solid waste when:**

The concrete is not a "solid waste" if contaminant concentrations are less than the more stringent of the residential or non-residential direct contact soil remediation standards and it is not disposed of in a manner described at N.J.A.C. 7:26-1.6(c), or if the concrete exceeds the more stringent of the residential or non-residential soil remediation standards and has been approved for beneficial reuse.