

## **ISSUE: Definition of Clean Soil**

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### **Contaminated Materials Management Subgroup**

#### **BACKGROUND**

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*Currently there is no definition for “Clean Soil”. Determining how to define “Clean Soil” has been identified as a key need in directing the management of contaminated materials.*

#### **PROPOSAL**

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*The subgroup proposes determining soil contaminant levels that would be acceptable for soil to be used without restriction. These levels could be used to define the point above which contaminated soil management practices/ approvals/tracking would apply.*

*The subgroup proposed defining acceptable contaminant levels at which soil could be categorized as “clean soil” as referenced in NR 500 for use without restriction, including:*

*Volatile Organic Compounds (VOCs)- below laboratory Practical Quantitation Limits (PQLs)*

*Metals – Below background threshold values unless a release is suspected. A Low Hazard Exemption(LHE) is required to move material from an area of higher concentration to an area of lesser concentration.*

*Polycyclic Aromatic Hydrocarbons (PAHs) – below residential direct contact RCLs and below groundwater RCLs.*

*Polychlorinated Biphenyls (PCBs)-below laboratory PQLs*

*Other non-naturally occurring parameters – below laboratory PQLs*

#### **TYPE OF RECOMMENDATION**

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*Regulatory, Statutory, Administrative, Financial*

Regulatory

#### **BUSINESS CASE**

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*Defining “clean soil” is necessary to provide a baseline at which soil management handling requirements are applicable. Material that contains contaminants at levels less than this baseline could be used without restrictions. Establishing this baseline provides guidelines for property owners, developers, and others so it is know when soil management restrictions apply. This will be useful for ensuring regulatory compliance as well as for forecasting project costs and scheduling related to planned material handling.*

#### **RESOURCES NEEDED**

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*Staff? Funding?*

None

#### **COMMENTS**

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*Any dissenting opinions, additional comments that do not directly fit into the proposal (e.g. “we need to think about...”, comments on process of how to implement the proposal, etc.*

Dissenting opinion from Clean Wisconsin – the proposed use of PQLs for non-naturally occurring parameters (VOCs, PCBs, and others) may have the ability to allow soil containing these contaminants to be labeled as “clean” when, in fact, detects of contaminants are present but not at a level the laboratory is confident quantifying.