



Matt Blunt, Governor • Doyle Childers, Director

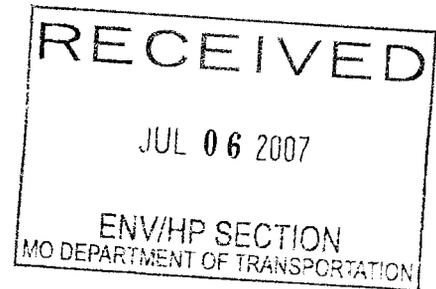
DEPARTMENT OF NATURAL RESOURCES

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JUL 02 2007

CERTIFIED MAIL #: 7005-2570-0002-1585-5886
RETURN RECEIPT REQUESTED

Mr. William J. Wilder
Missouri Department of Transportation
105 West Capitol Avenue
P.O. Box 270
Jefferson City, MO 65102



RE: General Beneficial Use Exemption for Screened Street Sweepings

Dear Mr. Wilder:

I am writing in regards to your February 13, 2007, request to classify Screened Street Sweepings (SSS) as clean fill material. The Solid Waste Management Program (SWMP) agrees that diverting the sweepings from disposal at a sanitary landfill is a desirable goal. The program does not agree, however, that the sweepings generated on an ongoing basis meet the definition of clean fill. The likely variability of potential contaminants contained in such a diverse material precludes its classification as clean fill. The SWMP has determined that the street sweepings, as identified in your request, qualify for statewide beneficial reuse and are subject to the terms contained herein.

This letter authorizes the statewide beneficial use of Screened Street Sweepings (SSS) produced by the Missouri Department of Transportation (MoDOT). Under this approval, SSS may be used for structural fill, road base construction, or as a soil amendment. The terms and conditions of this approval are based on the requirements of the Missouri Solid Waste Management Law, the Missouri Clean Water Law, and the Missouri Hazardous Waste Law, and authorizes the beneficial use of the specified materials pursuant to these statutes.

The beneficial reuse of SSS produced by the MoDOT is hereby approved for the above purposes subject to the following conditions. These conditions are an integral part of this approval.

CONDITIONS:

1. Under this approval, SSS may be used as a direct replacement or substitute for other materials on MoDOT owned property or highway right-of-way.
2. This approval is only for the beneficial use of SSS when levels of inorganic and organic contaminants of concern are below the Missouri Risk-Based Corrective Action For Underground Storage Tank Guidance (MRBCA) - Table 3.1 Default Target Levels (DTLs). Analytical methods and reporting limit requirements for the determinations of inorganic and organic constituent levels are outlined in Table 5-3 of MRBCA. A copy of MRBCA Tables 3-1 and 5-3 are enclosed for your use.

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3. Street sweepings must be processed as outlined in the February 13, 2007, submittal to be eligible for beneficial use. Should the processed street sweepings contain excessive amounts of solid waste, additional processing should be employed, or the material must be disposed of as solid waste in a permitted sanitary landfill.

It is the responsibility of MoDOT to verify, through analytical testing, that the Table 3-1 DTLs are not exceeded. A minimum of one (1) grab sample analysis shall be performed for each five hundred (500) cubic yards of material generated. More frequent sampling may be warranted should visual or olfactory cues identify impacted material during the screening process. The SWMP does not require the routine submittal of test results for review. However, upon request, records of SSS analytical testing must be available for SWMP review.

This approval should not be construed as compliance with any existing federal or state laws other than Missouri's Solid Waste Management Law, Clean Water Law, and Hazardous Waste Law, nor should this be construed as a waiver for any other regulatory requirements. This approval is not to be construed as compliance with any existing local permitting or zoning ordinances, nor does it supersede any local permitting and/or zoning requirements.

The department reserves the right to revoke, suspend, or modify this approval after due notice should the producer fail to comply with the terms and conditions of this approval. We also expressly reserve the right to require appropriate corrective action if pollution, a public nuisance, or a health hazard is created.

If you have any questions concerning this letter, please contact Mr. Eric Gramlich of my staff at (573) 526-3940 or at P.O. Box 176, Jefferson City, Missouri 65102. Thank you for your interest in protecting Missouri's natural resources.

Sincerely,



Jim Bell
Chief, Engineering Section

JB:egl

Enclosure

- c: Kansas City Regional Office
Northeast Regional Office
St. Louis Regional Office
Southeast Regional Office
Southwest Regional Office