



Policy #BWP-94-092: Reuse & Disposal of Street Sweepings

This Policy provides guidance on Massachusetts Department of Environmental Protection requirements, standards, and approvals for handling, reuse and disposal of street sweepings.

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1. Policy Statement & Scope

This Policy explains Department of Environmental Protection (MassDEP) requirements for managing street sweepings. Street sweepings are solid waste subject to the Massachusetts solid waste regulations. The options for managing street sweepings are as follows.

1. Use the street sweepings in accordance with the preapproved uses described in Section 4 of this policy.
2. Use the street sweepings for a beneficial use after obtaining prior approval from MassDEP under the provisions of the solid waste regulations, 310 CMR 19.060, Beneficial Use of Solid Wastes.
3. Dispose of street sweepings at a permitted solid waste landfill.

The provisions and requirements for managing street sweepings under these options are the subject of this policy.

2. Applicability

This policy applies to the reuse or disposal of street sweepings that are generated in the ordinary and customary maintenance of roadways. The policy does not apply to catch basin cleanings or street sweepings mixed with catch basin cleanings or other wastes. The policy does not apply to the material generated as the result of the clean up of an oil or hazardous material spill.

Street sweepings are not exempt from the Hazardous Waste Regulations, 310 CMR 30.000, and must be handled as hazardous waste when they exhibit any of the characteristics of a hazardous waste. If there is no evidence of unusual contamination, MassDEP does not require street sweepings to be routinely tested, but, as is the case with any waste, the generator has the ultimate responsibility for determining whether the waste is a hazardous waste.

3. Definitions

Department or means the Massachusetts Department of Environmental Protection (MassDEP).

- *Public Way* means the strip of land over and under a publicly owned, paved road or highway and includes the publicly owned land adjacent to the road or highway.
- *Street Sweepings* means materials consisting primarily of sand and soil generated during the routine cleaning of roadways but may also contain some leaves and other miscellaneous solid wastes collected during street sweeping. *Street sweepings* does not mean the material generated during the clean up of a spill or material from other structures associated with a roadway such as catch basins.
- *Urban center roads* means local roads in central commercial and retail business districts and industrial and manufacturing areas.

4. Pre-Approved Uses, Restrictions & Conditions

This policy allows street sweepings to be used in several applications. No approval from MassDEP is required when the restrictions and conditions identified in this policy are adhered to. However, sweepings shall not be used unless prior approval is obtained from the owner of the location where the sweepings are to be used.

4.1. Use at Landfills

Street sweepings may be used for daily cover at lined or unlined permitted solid waste landfills and need no prior MassDEP approval if the sweepings satisfy the requirements for daily cover material specified at 310 CMR 19.130(15).

4.2. Use as Fill in Public Ways

Street sweepings shall be used for fill in public ways without prior approval from MassDEP only when the following restrictions and conditions are observed:

- The sweepings have not been collected from Urban Center Roads (see definition);
- The sweepings are used under the road surface or as fill along the side of the road within the public way;
- The sweepings are not used in residential areas;
- The sweepings are kept above the level of the groundwater;
- The sweepings are not used in designated "No Salt Areas";
- The following definitions have been taken verbatim from the solid waste regulations and are repeated here for clarity in understanding this policy.
- The sweepings are not used within the 100 foot buffer zone of a wetland or within wetland resource areas including bordering vegetative wetlands and riverfront areas;
- The sweepings are not used within 500 feet of a ground or surface drinking water supply.

4.3. Use As an Additive to Restricted Use Compost

Street sweepings shall be used as an additive to compost without prior approval from MassDEP only when the following restrictions and conditions are observed:

- The sweepings have not been collected from Urban Center Roads (see definition);
- The compost is used only in public ways;
- The compost is not used in residential areas;
- The compost is kept above the level of the groundwater;
- The compost is not used in designated "No Salt Areas";
- The compost is not used within the 100 foot buffer zone of a wetland or within wetland resource areas including bordering vegetative wetlands and riverfront areas;
- The compost is not used within 500 feet of a ground or surface drinking water supply.

5. Other Uses

Any use not pre-approved in the preceding section requires prior MassDEP approval under the Beneficial Use provisions of the *Solid Waste Management Facility Regulations* at 310 CMR 19.060. A "Beneficial Use Determination" or BUD can be made only after the submission of an application characterizing the waste and describing the proposed beneficial use.

6. Disposal

While the beneficial use of street sweepings is strongly encouraged, MassDEP does not prohibit the disposal of street sweepings. Street sweepings may be disposed in either lined or unlined permitted solid waste landfills without prior approval from the Department.

7. Handling

7.1. Collection of Street Sweepings

Although MassDEP does not regulate the collection of street sweepings, collection practices should be compatible with intended uses. For example, sweepings from Urban Center Roads are not approved for the uses allowed for sweepings from other areas. Keeping sweepings from Urban Center Roads separate from sweepings from other areas will make the full benefits of this policy available.

This policy does not cover sweepings known to be contaminated by spills, and such sweepings should be collected separately and kept segregated. Depending on the contamination and circumstances, the handling of contaminated sweepings may be governed by the Massachusetts Contingency Plan, [310 CMR 40](#), the Massachusetts Hazardous Waste Regulations, 310 CMR 30, the Massachusetts Site Assignment Regulations for Solid Waste Facilities, 310 CMR 16 or the Massachusetts Solid Waste Management Facility Regulations, 310 CMR 19.

7.2. Storage

Street sweepings shall be temporarily stored prior to use, only when the following conditions are satisfied:

- Storage must be at the site where the sweepings are generated (in the public way) or at a location, such as a DPW yard, that is under the control of the governmental entity which is doing the sweeping or has contracted for the sweeping;
- The sweepings shall be protected from wind and rain to the extent necessary to prevent dust, erosion and off-site migration;
- The sweepings shall not be stored within the 100 foot buffer zone of a wetland or within wetland resource areas including bordering vegetative wetlands and riverfront areas;
- The sweepings shall not be stored within 500 feet of a ground or surface drinking water supply;
- Storage shall incorporate good management practice and result in no public nuisance;

Storage must be temporary. Street sweepings shall be used within one year of collection unless the MassDEP Regional Office in the region where the sweepings are stored grants a written extension. An extension may be granted when it is demonstrated that all storage conditions will continue to be satisfied and the stored sweepings will be put to a specific identified use prior to the expiration of the extension period.

7.3. Preparation Prior to Use

Solid waste, such as paper, auto parts and other trash, shall be removed from the sweepings prior to use. Leaves, twigs and other organic matter should also be removed when good engineering practice indicates this is necessary to produce a material that is suitable for the intended use.

8. Background

MassDEP has consistently classified street sweepings as solid waste subject to Massachusetts General Law Chapter 111, Section 150A and the Massachusetts Solid Waste Regulations (*Site Assignment Regulations for Solid Waste Facilities*, 310 CMR 16.00 and *Solid Waste Management Facility Regulations*, 310 CMR 19.000). There has been confusion among some in the regulated community about this classification.

Prior to the development of this policy, the options for handling street sweepings were limited to:

1. Disposal at a permitted solid waste landfill,
2. Use as cover at a permitted solid waste landfill or

3. Use in accordance with a Beneficial Use Determination (BUD). BUD decisions are made on a case-by-case basis and require the submittal of a formal application to MassDEP containing data showing the chemical composition of the street sweepings.

The simplest of these options was either to use the sweepings for landfill cover or to dispose of the sweepings at the local landfill. As many local landfills close, these options become less available to many communities. However, transporting sweepings to a distant landfill involves increased transportation costs and possibly payment of tipping fees.

To clarify the requirements and to provide simpler and less expensive alternatives for handling street sweepings, the Department undertook the development of this policy. Because useful studies of the chemical composition of street sweepings could not be found in the literature, MassDEP solicited the help of municipalities and state agencies in conducting a study of the composition of street sweepings from various types of areas. The results showed that sweepings from all areas, except Urban Center Roads, were similar with the main constituents of concern being total petroleum hydrocarbons (TPH) and polynuclear aromatic hydrocarbons (PAHs). Very limited data from Urban Center Roads indicated that sweepings from these areas may be more contaminated than sweepings from other areas.

The test results indicate that sweepings may contain levels of contamination that are unsuitable for unrestricted use. However, except for sweepings from Urban Center Roads, the levels of contamination were consistent and low enough to allow the use of sweepings in restricted applications without requiring testing or pre-approval as long as certain conditions were met. Sweepings from urban areas were excluded from some pre-approved uses. This situation could change when more data are available from Urban Center Roads.

This policy makes it possible for municipalities, state agencies and other governmental entities to handle street sweepings in an environmentally sound manner with a minimum of paperwork and expense.

9. Additional Information

For additional copies of this policy, permit application forms or other MassDEP documents, call any MassDEP Regional Office and ask for the Service Center or visit <http://www.mass.gov/dep>. The permit application numbers for Beneficial Use Determinations are BWP SW 39, 40, 41 and 42.

Copies of all Massachusetts regulations, including the solid waste regulations, may be purchased from the State House Bookstore, 617-727-2834. The solid waste regulations are:

310 CMR 16.000, *Site Assignment Regulations for Solid Waste Facilities*

310 CMR 19.000, *Solid Waste Management Facility Regulations*

Questions about the Provisions of the Policy

If you have technical questions about the policy, please call any MassDEP office and ask to speak with a staff member about the provisions of the policy.