



DENVER
THE MILE HIGH CITY

Department of Environmental Health

Division of Environmental Quality
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INTEROFFICE MEMORANDUM

TO: City and County of Denver Department Executive Directors

FROM: Doug Linkhart, Executive Director

DATE: April 29, 2015

SUBJECT: Guidance for Third Party Reuse of Excess Soil from City Projects

There is increasing demand in and around the City and County of Denver (City) for soil available for reuse. City projects sometimes generate excess soil that potentially could be reused. Such reuse offers several benefits to the City including reduced hauling costs, disposal fees, and vehicle emissions. The soil must be adequately characterized based on the intended reuse in order to protect public health and the environment. If contaminated, the soil must be disposed at the City-owned Denver Arapahoe Disposal Site (DADS) in accordance with Executive Order 115. If the soil meets the Colorado Department of Public Health and Environment (CDPHE) regulatory standards and guidance, the Department of Environmental Health (DEH) encourages its reuse.

This guidance provides procedures and criteria by which contractors and third parties may, or may not, reuse excess soil from City projects at non-City sites.

As such, to promote safe and sustainable reuse, it is within DEH's purview to implement the following requirements for City excess soils to be reused:

1. City personnel are responsible for contacting the City's Department of Environmental Health (DEH)¹ when they receive a contractor or third party request to reuse soil. DEH is responsible for promptly informing the contractor or third party of City sampling and analysis requirements, which are designed to promote safe and sustainable reuse.
2. Soil must be adequately characterized by sampling utilizing a sampling plan and methodology sufficient to evaluate the equivalent of at least every 500 cubic yards to be excavated.
3. Analyze those soil samples for, at a minimum:
 - a. Volatile organic constituents

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- b. Semi-volatile organic constituents
 - c. Total petroleum hydrocarbons
 - d. Pesticides
 - e. Herbicides
 - f. PCBs
 - g. Arsenic, barium, cadmium, chromium, lead, mercury, selenium, silver
 - h. Asbestos.
4. The sampling and analysis must be conducted by environmental professionals approved by DEH.
 5. The party requesting the excess soil shall pay all costs associated with the sampling and analysis of the soil.
 6. Before the City will release the soil for reuse, the party requesting the excess soil must demonstrate to DEH's satisfaction that the soil meets either CDPHE's most restrictive criteria for residential soil or applicable CDPHE criteria based on the designated land use of the receiving site.
 7. DEH maintains the documentation for sample collection, analytical results, and the environmental consultant's field notes and evaluation.
 8. The party will be required to sign a release to accept the soil from the City and to release the City from liability.

CC: Jessica Brody, CAO
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