

Position Paper

Street Sweeping, Stormwater Sediment and Catch Basin Disposal

The Florida Stormwater Association (FSA) is a not-for-profit organization whose purpose includes enhancing the effective management and operation of stormwater utilities. The FSA actively monitors issues relevant to stormwater utilities. The purpose of this position paper is to identify issues related to street sweeping, stormwater sediments and catch basin disposal and to define FSA's position on these topics.

Practices of Stormwater Utilities

Stormwater utilities use a variety of practices of structural and nonstructural controls in their management of stormwater. Included in the structural controls are the maintenance of roads, ponds, and conveyances systems.

The removal of sediment and other substances associated with effective street sweepings, stormwater facilities and catch basins is essential to good maintenance practices. Street sweeping serves to minimize the amount of sediment and debris entering stormwater systems. Sediment and debris are removed from structural controls and conveyances to ensure traffic safety and proper infrastructure functioning, and to reduce water quality impairment.

Stormwater utilities employ different methods in collecting and disposing of sediments and sweepings. Some have disposed of sweepings at landfills while others stockpile them for reuse or future disposal. Because collection and disposal practices must be environmentally sound *and* cost effective, these practices are important to managers.

Structural controls are designed to retain sediments that may contain pollutants. Similarly, street sweeping operations may collect pollutants associated with sediments from roadways. These sediments, if allowed to enter a stormwater conveyance system, can reduce the system's storage capacity and create a flood hazard. During recent years, there has been public concern regarding the collection and disposal of sediments in general. The public is concerned that sediments and debris may contain materials hazardous to human and environmental health.

State Regulations

During the past few years, the Florida Department of Environmental Protection (FDEP) has become increasingly involved in the issue of street sweepings and stormwater sediments. The FDEP Water Resources Division (Non-Point Source Section) has conducted studies to characterize street sweepings and sediments collected from structural stormwater controls. Data from these studies indicate that sediments or sweepings are not hazardous or toxic waste.

The FDEP Solid Waste Division has also been involved in this issue as the State's solid waste regulatory agency. The Solid Waste Division has directed local governments to dispose of street sweepings at lined landfills. (The agency also notified County Solid Waste Directors of possibly using sweepings and sediments as cover material.)

Recently, the FDEP Solid Waste Division issued an opinion on their authority to regulate disposal of street sweepings and stormwater sediments. This opinion states that FDEP has the "authority to regulate the storage, disposal, or reuse of street sweepings and stormwater sediments" (FDEP August 17, 1999 memo). The opinion argues that:

- street sweepings and stormwater sediments are solid waste;
- solid waste is regulated by the FDEP;
- solid waste which is disposed must go to either a waste-to-energy facility or a permitted landfill (Class I or II); and
- no general exemptions exist for materials that are recycled.

The opinion indicates that while street sweepings and stormwater sediments are not generally approved for disposal in Class III landfills, they may be approved on a case by case basis.

The opinion defines exemptions for recovered materials, industrial byproducts, and on-site disposal. The opinion identifies that industrial byproducts can be exempted provided they are:

- Sold, used or reused within one year;
- Not discharged, deposited, injected, dumped, spilled, leaked, or placed upon any land or water so that such industrial byproducts, or any constituent thereof, may enter other lands or be emitted into the air or discharged into any waters, including ground waters, or otherwise enter the environment such that they pose a threat of contamination in excess of applicable department standards and criteria; and
- Not a hazardous waste.

The opinion discusses the exemption for on site disposal of a broad range of materials. "On site" disposal is defined to mean "on the same or geographically contiguous property, which may be divided by public or private right-of-way."

Street Sweeping Focus Group

The disposal of sweepings and sediments has become a regulatory issue with a potentially significant financial impact to government operations. A FDEP requirement of disposing this material in lined landfills represents a considerable expense to stormwater utilities. Recognizing the need for an equitable resolution, the FDEP and local governments have established the Street Sweeping Focus Group. The purpose of the focus group is to evaluate the proper management, disposal and possible reuse options for street sweepings and stormwater sediments.

The Focus Group has discussed several activities in an attempt to understand and manage sweepings and sediments. One activity has been a discussion of the general disposal and reuse options. These include:

- 1) landfill,
- 2) landfill cover,

- 3) unlined landfill (Class III),
- 4) reuse - no public contact,

- 5) reuse - restricted public contact, and
- 6) reuse - public contact.

These were discussed in the context that additional leachability or exposure data would be required for options 4, 5 and 6. The reuse applications included road base, medians and highways, and industrial areas.

Another activity discussed by the Focus Group is conducting a stormwater sediments study. A proposal titled "Characterization of Stormwater Sediments, Catch Basin Sediments, and Street Sweeping in Florida for Disposal and Reuse" has been presented to the Focus Group by Timothy Townsend, with the University of Florida. This study proposes collecting several hundred samples and analyzing them for organic compounds and metals. The study would be partially funded by a FDEP grant, with the remaining funds coming from local governments and other organizations. FSA has contributed to the cost of the study.

FSA Position

The Florida Stormwater Association is committed to supporting stormwater management practices that protect public and environmental health, *and* are cost effective. FSA supports the stormwater sediment study that the University of Florida is conducting for FDEP. Further, it is the position of the FSA that:

1. FDEP policy should revert to previous disposal and reuse practices utilized by both local government and the State until new rules are formally adopted pursuant to the findings of the UF stormwater sediments study. If sweepings or sediments from a few isolated areas are found to be hazardous, such materials should be characterized and required to be disposed of in a lined landfill or other appropriate location.
2. Legislative corrections should be pursued by local government and affected parties if FDEP will not permit more reasonable disposal practices prior to the outcome of the UF stormwater sediments study.
3. Any street sweeping or sediment rule developed or adopted by FDEP should be based upon valid, scientific evidence and should balance environmental and public health benefits with the economic impact on local government. FDEP should uphold the study results during the rule making process.
4. When possible, reuse of sediments should be encouraged by FDEP as a best natural resource management practice.