

## **DESCRIBE THE TYPE, SOURCE AND LOCATION OF ANY FILL MATERIAL.**

Applicants must use environmental due diligence to ensure that the fill material associated with this project qualifies as Clean Fill and Environmental Due Diligence are provided below. All fill material must be used in accordance with the Department's policy "*Management of Fill*", document number 258-2182-773. A copy of this policy is available online at [www.depweb.state.pa.us](http://www.depweb.state.pa.us). Under the heading Quick Access on the left side of the screen, click on "Forms and Publications." On the left side of the screen click on "Technical Guidance Documents – Final." Then Type the document number 258-2182-773 into the search window and conduct the search. Click on "Management of Fill."

**Clean Fill is defined as:** Uncontaminated, non-water soluble, non-decomposable, inert, solid material. The term includes soil, rock, stone, dredged material, used asphalt and brick, block or concrete from construction and demolition activities that is separate from other waste and is recognizable as such. The term does not include materials placed in or on the waters of the Commonwealth unless otherwise authorized. (The term "used asphalt" does not include milled asphalt or asphalt that has been processed for re-use.)

**Clean Fill affected by a spill or release of a regulated substance:** Fill materials affected by a spill or release of a regulated substance still qualifies as clean fill provided the testing reveals that the fill material contains concentrations of regulated substances that are below the residential limits in Tables FP-1a and FP-1b found in the Department's policy "Management of Fill"

Any person placing clean fill that has been affected by a spill or release of a regulated substance must use form FP-001 to certify the origin of the fill material and the results of the analytical testing to qualify the material as clean fill. The owner of the property receiving the fill must retain form FP-001. A copy of form FP-001 is enclosed herewith.

**Environmental Due Diligence:** The applicant must perform environmental due diligence to determine if the fill materials associated with the project qualify as clean fill. Environmental due diligence is defined as: Investigative techniques, including, but not limited to, visual property inspections, electronic data base searches, review of property ownership, review of property use history, Sanborn maps, environmental questionnaires, transaction screens, analytical testing, environmental assessments or audits. **Analytical testing is not a required part of due diligence unless visual inspection and/or review of the past land use of the property indicates that the fill may have been subjected to a spill or release of regulated substance.** If the fill may have been affected by a spill or release of a regulated substance, it must be tested to determine if it qualifies as clean fill. Testing should be performed in accordance with Appendix A of the Department's policy "Management of Fill."

Fill material that does not qualify, as clean fill is regulated fill. Regulated fill is waste and must be managed in accordance with the Department's municipal or residual waste regulations based on 25 Pa. Code Chapters 287 Residual Waste Management or 271 Municipal Waste Management, whichever is applicable. These regulations are available on-line at [www.pacode.com](http://www.pacode.com).

**Form FP-001**  
**CERTIFICATION OF ORIGIN OF CLEAN FILL**

I, the undersigned, certify that fill material that has been determined to be clean fill has been placed on the following property:

Property Name: \_\_\_\_\_  
Current Owner of Property: \_\_\_\_\_  
Property Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This fill material will be used solely for property improvement or construction purposes.

Copies of the laboratory analyses that confirm that this material is clean fill are attached to this form.

Date: \_\_\_\_\_ Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Phone: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

This form is to be maintained by the owner of the property receiving fill material. If a property received fill from multiple sources, a separate certification form is required for each source.