

Bureau of Sustainable Materials Management

Disposal of Waste From Abandonment of Buildings, Structures, and Other Facility Components

May 2019

This document is intended to provide guidelines for the disposal of material from buildings, foundations, ponds, pipelines, and other structures and components at industrial facilities at the time of abandonment in accordance with applicable solid waste disposal regulations. For more detailed information please refer to the Nevada Administrative Code (NAC) 444.570-7499.

Pursuant to NAC 444.622 (ref NRS 444.490), debris taken from abandoned structures is classified as solid waste and is, therefore, subject to applicable regulations relating to the disposal thereof, including, but not limited to:

- free-standing building framework (once demolished)
- foundations (if broken)
- lined ponds
- lined channels
- pipelines

All such material, if determined to be non-hazardous, must be disposed of in a Class I or III permitted landfill or a Class III waived landfill (see NAC 444.731), even if abandoned in situ. The following guidelines may be used to ensure proper disposal:

1. Hazardous Waste Determination – If any part of the structure has been in contact with hazardous waste, the affected portions, once demolished, may be hazardous waste and, if so, may not be disposed of in a Class I or III landfill (permitted or waived), unless excluded by the provisions of the RCRA Bevill amendment. Where possible, the generator may render the material to be non-hazardous. This may, in some cases, be accomplished by triple rinsing of the materials, with proper containment, collection, and disposal of the rinse water. Toxicity Characteristic Leaching Procedure (TCLP) screening may be required to verify the waste determination. Any material which is determined to be hazardous, and cannot be rendered non-hazardous, may not be placed in a Class I or III solid waste landfill and must be disposed of as hazardous waste in accordance with applicable regulations.
2. Landfill Disposal of Non-Hazardous Debris – Construction and Demolition (C&D) debris that is determined to be non-hazardous may be disposed of in a Class I or III landfill which has been authorized to accept this type of waste. Depending on the nature of the material, this may be managed in one of the following ways:
 - a. *Transportation to a permitted Class I or III landfill which has been approved to accept C&D waste of this type* – It is recommended that the landfill be contacted prior to transport to verify that they will accept the specific waste types.
 - b. *Disposal at an on-site Class III waived landfill* – If the industrial operation of which the abandoned structures are a part has been granted a waiver to operate a

Class III landfill for solid waste generated by the associated industrial process(es), the C&D debris from the structures may be disposed of therein, provided the prior approved Plan of Operations lists C&D waste from these specific sources as an accepted waste.

- c. *In situ disposal of broken concrete foundations, pond/channel liner, pipelines or similar materials* – material of these types may be disposed of in situ subject to the following restrictions:
- I. The method of in situ disposal must have been previously reviewed and approved as part of the facility's Closure and/or Reclamation Plan pursuant to the facility permits issued by the Bureau of Mining Regulation and Reclamation or the Bureau of Water Pollution Control;
 - II. Prior to disposal, the operator shall obtain a Class III waiver for the location(s) proposed for in situ disposal. One waiver per facility showing locations of all components that will be disposed of in this manner may be granted by the Bureau of Sustainable Materials Management (BSMM) for this purpose;
 - III. The waiver described in Part II above may not be combined with normally operating Class III waived landfills;
 - IV. The waivers granted under this subsection for in situ disposal may not be used to dispose of other waste normally associated with Class III waived landfills. Only the in situ materials are to be disposed of therein;
 - V. Final cover over the disposal site shall consist of a minimum of 24 inches of compacted soil meeting the requirements of NAC 444.6891; and
 - VI. Normal requirements for signage, access control, weekly cover, etc., do not apply to this type of Class III waived site.

Note that if sampling of the subsoil is required as part of a closure, reclamation, or corrective action plan enforced by other Division Bureaus or outside agencies, all required samples must be taken, and results evaluated, prior to disposal of the C&D material in order to avoid potential for re-excavation and re-burial.

Application forms for Class III waived landfills (parts 1 and 2) can be found at:

<https://ndep.nv.gov/land/waste/solid-waste/forms-guidance>

Class III landfill waivers do not require a fee and typically take approximately 1-2 weeks to process, once a complete application is received. Once established, each waiver must be reviewed and renewed every 5 years until terminated. Additional questions about the waiver process may be directed to Paul Eckert in the BSMM at (775) 687-9477 or PEckert@ndep.nv.gov.