

Sediment EAC Issue Paper

09/28/2017

Issue:

Outline the regulatory and management process for the upland disposal of dredged material, including sediment.

Background:

Dredged material (including sediment) is a solid waste as it can be discarded or salvaged material and, following excavation and dewatering, is generally managed like soil. Sediment can be managed as an “other solid waste” under ch. NR 718. Recently published guidance documents used to help customers manage soil could also benefit upland management of sediment and improve consistency when managing similar materials containing similar contaminants and concentrations.

- “Exempting Low-Hazard Waste from Solid Waste Regulations” DNR pub. WA-1645, and
- “Management of Contaminated Soils and Other Solid Wastes” DNR pub. RR-060

Sediment and soil can both form under the same processes and from the same materials. Sediment is often soil that has eroded into a waterway at some point in time. The geologic, physical, and chemical characteristics of dewatered sediment are similar to soil. They both can range from sand, to clay, to muck and from clean, to mildly, or significantly contaminated. The difference is soil is above the ordinary high water mark (OHWM) and sediment is below the OHWM. The state legislature recently defined sediment as “particles in the bed of a navigable water up to the ordinary high-water mark that are derived from the erosion of rock, minerals, soil, and biological materials and from chemical precipitation from the water column and that are transported or deposited by water”.

Proposal/Decision:

The Waste and Materials Management (WMM) and Remediation and Redevelopment (RR) Programs propose dredged material (including sediment) be managed as follows:

- Evaluation and management options should follow an approach similar as that used for soil.
- Applicable statute, code, and guidance from both the WMM and RR Programs will be considered when reviewing requests for upland disposal.
- It may be eligible for a WMM low-hazard waste grant of exemption, a RR NR 718.15 exemption, or exemption under NR 500.08(3).
- Once it is permanently placed into the site landscape, subsequent management may be conducted as soil including management of contaminated soil.

This process will improve consistency and efficiency for both customers and staff in the evaluation and management of dredged material (including sediment).

Type of changes (admin, legislative, rule, etc): None

Resources needed to implement:

Outreach to inform DNR staff and customers of this decision could include a statement in related guidance documents as they are revised, and posting of a policy/decision statement on the DNR website in areas such as Waterway Program's dredging/chapter 30 permit and RR program pages.

Comments: None