

BLUFF CITY MATERIALS, INC.  
2252 Southwind Blvd.  
Bartlett, IL 60103  
PROCEDURES for ACCEPTING and RECEIVING  
CLEAN FILL MATERIAL  
MAY, 2004  
Environmental Department  
Bluff City Materials, Inc.

REVISED August 2005  
Overview:

This Procedure Manual (Manual) has been developed to produce an operational program for the acceptance of non-contaminated or "clean" fill material at Bluff City Materials, Inc. (BCM or Bluff City) properties. The recent creation of an Illinois law provides conditions for the acceptance of clean construction and demolition debris (CCDD) for fill and recycling purposes. These procedures have been outlined to protect Bluff City, define environmental parameters, and establish operational procedures to be maintained at Bluff City.

#### **Objective:**

The overall objective of this Manual is to outline the protocols and criteria for accepting fill material at Bluff City facilities. The specific objectives of the material acceptance procedures are to:

- 1) ensure materials received in the facility meet definitions of clean construction and demolition debris,
- 2) limit potential future liabilities associated with receiving fill material,
- 3) minimize processing time by maintaining trained personnel on site,
- 4) ensure that the receiving process does not hinder normal mining/quarry operations, and
- 5) minimize variability and obstruction to mineral reserves.

#### **BUSINESS JUSTIFICATION**

Illinois regulations allow for the acceptance of clean construction debris for recycling and fill purposes. The acceptance of clean construction and demolition debris enables Bluff City and its customers to engage in a mutually beneficial program. The disposition of excess fill material is a significant cost of construction, and historical landfill sites previously available to receive material are continually restricted and require excess trucking costs. By supplying a cost effective alternative, Bluff City provides additional incentive to valuable contract business. Additionally, material received will enable the eventual reclamation of Bluff City property, increasing property values.

#### **Tipping Fees**

Revenue from acceptance of fill material will enable laboratory testing, personnel, and operating costs generated by material acceptance to be absorbed by generated revenues. Material acceptance will provide additional benefit in operating profit, reclaimed land, recyclable materials, and material for retention walls, roads, and berms. Having an effective fill material acceptance program enables Bluff City to compete in a marketplace dominated by minimizing costs, while the precautions elaborated in this manual minimize risk to the company and ensure the quality of material received.

#### **Purchase of Stone**

Many projects are contingent on the removal of excavated materials, enabling Bluff City to more effectively compete for business, and add a "value added service" to customers. Illinois legislation allows competing material companies to offer similar incentive programs. The legislature allows Bluff City the opportunity to add additional revenue, while maintaining appropriate safeguards to protect the company. The material acceptance program also provides the sales department with an effective tool in the promotion of Bluff City as a leader in the industry.

### **CORPORATE POLICY**

**Subject:** Acceptance of clean construction and demolition debris and fill material generated off-site by third parties, at Bluff City facilities for permanent deposit or recycling.

**Scope:** This policy applies to all Bluff City facilities.

**General:** Acceptance of clean construction and demolition debris generated off-site by third parties at Bluff City facilities for permanent deposit or recycling is regulated by laws and regulations. Even when authorized by applicable state laws and regulations, the acceptance of such material at the Company's facilities without proper and adequate planning and management has the potential to create undesired environmental effects. Construction debris and fill material may be contaminated with hazardous substances and/or may intrinsically contain hazardous substances that may be released from the material and cause damage to ground water resources and the environment.

**Policy:** For the reasons stated above, acceptance of construction debris and fill material generated off-site by third parties at Bluff City facilities for permanent deposit or recycling shall be governed by the following rules:

- 1) Clean construction and demolition debris generated off-site by third parties shall not be accepted at a Bluff City facility unless that facility has been authorized by an officer of the Company, the operations manager, the engineering manager or the sales manager to receive such material. Authorization will occur when Bluff City has determined that clean construction and demolition debris is necessary for reclamation or recycling activities.
  - a) Benefits of receiving clean construction materials as well as costs, additional equipment and personnel necessary to operate, and any effect on mining/quarry operations or access to mineral reserves will be analyzed.
  - b) All incoming loads will be manifested through a ticketing system.
  - c) All incoming loads will be inspected by a Bluff City Inspector prior to acceptance.
  - d) Bluff City reserves the right to visit a site where a third party is generating construction debris and/or fill material to determine the likelihood of hazardous substances being present.
  - e) Bluff City reserves the right to request warranties that hazardous substances are not present in the incoming material and may request indemnification to Bluff City in the event hazardous substances are present.
  - f) Any incoming load that has been determined to be hazardous or contain hazardous substances will be rejected.
  - g) The generator and/or owner is responsible for proper disposal of all rejected material.
2. Bluff City facilities may accept for short-term storage pending recycling, the following construction debris:
  - a) Reclaimed Asphaltic Pavement (RAP) - as needed for road base, grindings and/or plant pads.

- b) Concrete Rubble - as needed for recycling into aggregate.
- c) Ready Mix Washout and Waste Ready Mix Concrete - from customer ready mix trucks for recycling into aggregate.
- d) Brick Bat/Cinder Block - as needed for road base, temporary pavement, plant pads and/or retaining walls.

#### PROGRAM ADMINISTRATION

##### INDEMNIFICATION AGREEMENT:

The generator of material must have an officer of the company, authorized to bind the company, sign an indemnification agreement.

Any contaminated material placed on Bluff City property shall be cleaned up and removed at once by the customer responsible for such dumping, and any resulting contamination to Bluff City's premises shall be remediated at the customer's expense. The customer agrees to indemnify and hold Bluff City, its affiliates, employees, and agents harmless from and against any and all liability associated with placing material contaminated with hazardous wastes or substances on the premises or with the processing for sale of such material. Bluff City reserves the right to request additional soil sampling at any time to confirm soil characteristics and/or contaminants. All costs associated with soil tests will be borne by the generator of the material and/or Bluff City's customer. Bluff City reserves the right to refuse any load of material for any reason, at any time, and to require that any load which has already been deposited in violation of the rules and guidelines be removed from the premises at the customer's expense.

The customer agrees to indemnify and hold Bluff City, its affiliates, employees and agents harmless from and against any and all damages and injuries of every kind (including death) resulting from the presence of the trucks on Bluff City's premises and regardless of whether Bluff City's own negligence contributes to such damages or injuries.

#### RULES and REGULATIONS

FEDERAL definitions of special and hazardous waste will be used as an initial screen for source material. Specifically, source material can *NOT* be any of the following:

- A hazardous waste as defined by hazardous waste characteristics (e.g., pH, flashpoint, TCLP limits);
- Derived from a RCRA listed waste;
- From a radioactive source or meet definition of radioactivity, and
- Contain asbestos, PCBs, lead-based paint residues or petroleum products.

The STATE of Illinois has promulgated a law defining conditions for the acceptance clean construction material for fill and recycling purposes. The Illinois clean construction definition is provided below.

415 ILCS Sec 5/3.160. "Clean construction or demolition debris" means: uncontaminated broken concrete without protruding metal bars, bricks, rocks, stone, reclaimed asphalt pavement, or dirt or sand generated from construction or demolition activities. To the extent allowed by federal law, clean construction or demolition debris shall not be considered "waste" when (1) used as fill material below grade outside of a setback zone if covered by sufficient uncontaminated soil to support vegetation within 30 days of the completion of filling or if covered by a road or structure, (2) separated or processed and returned to the economic mainstream in the form of raw materials or products, provided it is not speculatively accumulated, or (3) solely broken concrete without protruding metal bars is used for erosion control. BLUFF CITY standards for fill material acceptance provide an additional conservative level of acceptance. Material to be accepted by Bluff City as fill material must not contain large quantities of concrete pipe, recyclable general construction or demolition debris, or debris processed for use as fuel. Excessive wood, metal, or large pieces of concrete with protruding metal, tires, yard waste or landscaping debris and foreign debris will also be excluded from fill brought to Bluff City. Acceptable clean fill materials will be separated from acceptable recyclable material prior to placement on Bluff City property.

#### BLUFF CITY SITE PROCEDURES

Trucks delivering fill material to Bluff City property will be requested to comply with an approved delivery route, Bluff City's safety rules, material acceptance procedures, and applicable truck and tarp laws. Equipment operated by

Bluff City Materials personnel has the right-of-way at all times. The customer will be responsible for compliance with all applicable load limit laws or violation of laws involving trucks loaded with excavated materials from their source site. The customer will be responsible for the disbursement and proper use of Bluff City's fill tickets. Bluff City's superintendent, director of safety and environmental directors will be responsible to implement safety rules and procedures.

#### **FILL TICKET PROCEDURES**

Truckers entering the premises to place fill material will check-in at the designated inspection tower on the premises. Upon approval to proceed, the driver will be issued a "material type ticket" and will follow the designated traffic patterns established on the premises. The load will be deposited in the previously approved area and the truck will proceed to the scale house for a manifest load ticket. The driver will present the scale house operator with the "material type ticket" in order to receive a manifest ticket for the load. The manifest ticket will contain the truck number and company name, the time and date of issue and the source site job name/number/location information.

#### **PHOTO IONIZATION SCREENING**

Fill material will be examined by a Bluff City Inspector prior to acceptance of the material. A Photo Ionization Detector (PID) will be used on site to screen incoming material at the inspection tower and in the quarry after unloading. The PID detects volatile organic compound (VOC) vapors. Contamination sensed by a PID meter may be caused by petroleum products or diesel fuel spraying of truck beds, or by the environmental contaminants from the source site. Material with a reading on the PID will be rejected and returned at the customers' expense. PID instruments will be calibrated daily according to the manufacturer's specifications.

#### **VISUAL INSPECTION**

Each load will be inspected by a Bluff City load inspector at the receiving area. After the load has been released from the truck bed, the contents will be assessed for unacceptable foreign materials and exceedence of acceptable VOC levels. Bluff City will require that any load which has been dumped and is found to be in violation of rules and

guidelines will be loaded back onto the truck and removed from the premises at the customers' expense.

#### **REJECTION OF UNACCEPTABLE MATERIAL**

Material found to be set off the PID meter or containing metal, tires, wood, large quantities of concrete pipe, water pipe containing transite (Asbestos), other foreign material, or found to be outside the definition of CCDD will not be accepted. Bluff City reserves the right to refuse any load of material for any reason at any time and to require that any load which has already been dumped in violation of rules and guidelines be loaded back onto the dumping truck and removed from the premises at the customers' expense. The reloading fee will be \$50 per occurrence. All rejections will be recorded and archived by Bluff City load inspectors. Any truck driver that fails to abide by these rules and the applicable environmental regulations may be subject to arrest. Additional fees may be incurred for the interruption of business.

A log book will be maintained to archive rejections at check-in and at the fill reception site. Rejection records will contain the operator name, date, time, customer name, trucking company, truck number, location of source material (job name), reason for rejection, and the operator's signature.

#### **ROUTING and SEPARATION of MATERIALS**

After checking in at the inspection tower, trucks will be instructed to proceed to the designated receiving area. Trucks will place material only in areas designated by the Bluff City Plant Superintendent. All acceptable clean construction debris will be separated from broken concrete prior to placement on Bluff City property. Recyclable material will be placed in a separate location from fill. If applicable, fill capable of being redistributed as landscaping or clay liner material may be segregated.