

Memorandum of Agreement Between New York State Department of Environmental Conservation and New York City Office of Environmental Remediation Regarding the New York City Clean Soil Bank Program

I. Purpose

In February 2013, the New York State Department of Environmental Conservation (“NYSDEC” or “DEC”) authorized the New York City Office of Environmental Remediation (“NYCOER” or “OER”), via Beneficial Use Determination (“BUD”) No. 1051-2-31, to operate the New York City Clean Soil Bank (“CSB”) program. Established pursuant to Section 15(e) of the New York City Charter and Subchapter 4 of Title 43 of the Rules of the City of New York (“RCNY”), the CSB is an OER-administered program that coordinates the need for clean soil as fill on public and private construction projects with excess, clean excavated soil generated by city- or state-overseen minor to moderate remediation projects.¹ The excavated soil must be verified by OER as unimpacted soil excavated as a consequence of remedial action or development at these sites. Since 2013, the CSB program has coordinated 625 transfers between generating and receiving sites and to the City Stockpile under the BUD involving more than 983,725 tons of clean soil.

In 2017 and again in 2023, DEC revised the state’s solid waste regulations in the Part 360 series (“Part 360”) of Title 6 of the New York Codes, Rules, and Regulations (“NYCRR”). The current Part 360, effective July 22, 2023, includes a pre-determined BUD (“pre-BUD”) for the beneficial use of excavated material used pursuant to a municipal soil reuse program approved by DEC and administered by the municipality under an agreement with DEC (6 NYCRR 360.12(c)(3)(xiii)). CSB protocols and practices, memorialized as a Standard Operating Procedure (SOP) approved by DEC under BUD No. 1051-2-31, and revised as part of the Memorandum of Agreement dated October 1, 2020, have been newly revised March 9, 2026, and are attached as an appendix and incorporated hereto by reference. The SOP details how CSB protocols and practices will conform with requirements in Part 360 for beneficial use of excavated material as fill, while also meeting corresponding transport and tracking requirements in 6 NYCRR Part 364.

Therefore, OER and DEC (collectively known as the “Government Entities”) enter into this Memorandum of Agreement (“MOA” or “Agreement”) to facilitate the administration of the CSB program by OER and to promote the beneficial reuse of excavated material as fill in New York City. This MOA is not a delegation of any program from DEC to OER.

II. Applicability

- a. This Agreement is applicable to OER, and parties accepted into OER’s CSB program for which eligibility is established under regulations promulgated by OER and

¹ For this MOA, “clean soil” refers to excavated soil, sand or gravel containing no anthropogenic material and unimpacted by spills or releases of petroleum products, pesticides or hazardous wastes. Clean soil must also meet analytical criteria pursuant to this MOA and the Standard Operating Procedure for use as CSB fill.

authorized by New York City local law. The terms of this Agreement apply to sites that generate clean excavated material, sites that receive clean fill, and sites that store stockpiles of clean excavated material for OER's CSB program. This Agreement only covers the topics expressly set forth herein.

- b. This Agreement does not in any way grant or otherwise create any rights, obligations, responsibilities, expectations, or benefits for any person and does not in any way affect either DEC's or OER's authority under state or federal law.

III. General Provisions for New York City Clean Soil Bank Program

- a. OER must administer the CSB program in accordance with the applicable requirements for the beneficial use of excavated material as fill pursuant to 6 NYCRR 360.12 and comply with the following requirements:
 - i. Provide administrative oversight of the CSB program, exercise regulatory authority over the CSB program, and supply adequate resources to ensure that reuse under the CSB program will be protective of human health and the environment and is conducted in accordance with applicable federal, state, and local law.
 - ii. Maintain records regarding transport, analytical sampling results, fill types, and quantities for every CSB transfer, for the duration of this Agreement or three years after completion of a transfer, whichever is later. DEC may inspect these records upon request.
 - iii. Notify DEC promptly if transfers of unauthorized excavated material are intercepted by OER during implementation of the CSB.
- b. The SOP outlines the approved protocols and practices to be used by OER and CSB participants to manage excavated material for use as fill in an equally protective manner to 6 NYCRR 360.13 including the following:
 - i. Sampling and analysis requirements for excavated material;
 - ii. Notification requirements in the City of New York; and
 - iii. Construction and demolition ("C&D") debris tracking requirements.
- c. Vehicles transporting excavated material approved for use as fill under the CSB program must be registered with DEC pursuant to 6 NYCRR Part 364.
- d. DEC agrees that OER can receive notification prior to transfers in place of DEC, and that OER's manifest system can replace 364-5.1 Waste Tracking requirements. Clean soils meeting DEC Fill Type 2² reuse criteria may be used in all locations and applications allowed for Fill Type 2 pursuant to 6 NYCRR 360.13(f); those exceeding Fill Type 2 criteria, but eligible for the CSB, may be used under restrictions described in Section 5.2 of the SOP. DEC furthermore agrees that excavated materials in the CSB cease being regulated as solid waste pursuant to 6 NYCRR Part 360 when characterized at the site

² *Fill Type 2* is soil, sand, gravel and rock containing no anthropogenic material meeting the lower of Subpart 375-6.8 Protection of Public Health-Residential and Protection of Groundwater SCOs (see 6 NYCRR 360.13(f)).

of generation and determined as eligible for transfer through the CSB, provided CSB notification and manifest procedures are followed for all CSB excavated material transfers as outlined in the SOP.

- e. Nothing herein limits DEC's authority to take action where it deems appropriate.

IV. Implementation

- a. OER must allow DEC to perform periodic audits of its implementation of the CSB program for the purpose of determining conformance with the terms of this Agreement and the approved SOP.
- b. OER must provide DEC with an annual report on the status of the CSB program for the previous calendar year by March 1st of each year. All correspondence must be sent to the following two recipients:
 - i. Regional Materials Management Engineer
NYSDEC Hunters Point Plaza
47-40 21st Street
Long Island City, NY 11101
R2DMM@dec.ny.gov
 - ii. Director, Bureau of Solid Waste Management
Division of Materials Management
New York State Department of Environmental Conservation
625 Broadway
Albany, NY 12233-7060
benuse@dec.ny.gov
- c. The annual report must include a listing of all CSB transfers including the origin and destination of the material, a breakdown of the quantity of each material in a transfer, and the quantity of material stored at Sites for Interim Storage at year's end.
- d. OER must make all CSB program records available to DEC upon request. The Government Entities will, in a timely manner, keep each other informed of proposed modifications to its statutory or regulatory authority that may affect the CSB program or the reuse of excavated material as fill.

V. Modification and Termination

- a. This Agreement will be in effect for five years following its effective date of execution.
- b. OER may request an extension of this Agreement within 3 months prior to the expiration of this Agreement.
- c. DEC will not unreasonably withhold an extension.

- d. Terms of this Agreement and the SOP can only be modified in a writing signed by an authorized representative of both Government Entities.
- e. This Agreement can be terminated after 90 days upon notice by either party or with less than 90 days of notice if the DEC determines that 90 days of notice will not be sufficient to protect public health or the environment.

Amanda Lefton, Commissioner
New York State Department of Environmental Conservation

By:

Dated: June 4, 2026

Shaminder Chawla, Director
New York City Office of Environmental Remediation

By:

Dated: 6/5/26

Shaminder Chawla

**Appendix to Memorandum of Agreement Between
the New York State Department of Environmental Conservation and
the New York City Office of Environmental Remediation**

New York City Clean Soil Bank Program

Standard Operating Procedure

Revised March 9, 2026

New York City Clean Soil Bank Program Standard Operating Procedures (“SOP”)

Table of Contents

1.0 Background	8
2.0 Purpose of the New York City Clean Soil Bank Program.....	8
3.0 General Requirements for the New York City Clean Soil Bank Program.....	9
3.1 Characterization of Sites for Participation in Clean Soil Bank Program	10
4.0 Responsibilities under the New York City Clean Soil Bank Program.....	12
4.1 Required Coordination between OER and DEC.....	12
4.2 Material Generator Obligations.....	13
4.3 Material Transporter Obligations.....	13
4.4 Material Recipient Obligations.....	14
4.5 Sites Established by OER for Interim Storage of Soils.....	14
4.6 OER Coordination of Site-To-Site Soil Transfer	15
4.7 Forms.....	15
5.0 Steps for Operation of the New York City Clean Soil Bank Program.....	17
5.1 Evaluate a site’s soil eligibility for reuse in the Clean Soil Bank (by OER)	17
5.2 Evaluate eligibility of sites to receive clean soil from CSB (by OER)	18
5.3 Establish terms and authorization to transfer (by Generator and Recipient)	18
5.4 Conduct a logistics call (by Generator, Recipient and OER).	19
5.5 Complete removal of all contaminated media prior to load-out of CSB material (by Generator).....	19
5.6 Confirm excavation into clean soil and perform field screening and material verification before load-out of CSB material at the generating site (by Generator).....	19
5.7 Complete and maintain use of CSB transfer manifest form (by Generator and Recipient).....	19
5.8 Perform field screening of CSB material at the receiving site (by Recipient)	20
5.9 Conduct all required daily reporting (by Generator and Recipient)	20
5.10 Perform final reporting and reporting to DEC (by OER).....	21
Attachments:	
Clean Soil Bank Availability Form.....	22
Clean Soil Bank Request Form.....	25
Clean Soil Bank Manifest (Tracking) Form.....	28
References.....	30

1.0 Background

The New York City Office of Environmental Remediation (“OER”) was established by Local Law No. 27 of 2009 to administer the New York City Voluntary Cleanup Program (“City VCP”) under the authority of the 2009 New York City Brownfield Law (Section 15(c) of the New York City Charter) and Chapter 9 of Title 24 of the New York City Administrative Code, regulations contained in Chapter 14 of Title 43 of the Rules of the City of New York, and a 2010 Memorandum of Agreement (“VCP MOA”) with the New York State Department of Environmental Conservation (“DEC”). In February 2013, DEC authorized OER, via Beneficial Use Determination (“BUD”) No. 1051-2-31, to operate the New York City Clean Soil Bank (“CSB”) program, which was established pursuant to Section 15(e) of the New York City Charter and Subchapter 4 of Title 43 of the Rules of the City of New York. The CSB Memorandum of Agreement was revised and executed October 1, 2020, to include protocols and practices, memorialized as a Standard Operating Procedure (SOP) that was approved by DEC under BUD No. 1051-2-31.

In 2023, DEC revised the state’s solid waste regulations in the Part 360 series (“Part 360”) of Title 6 of the New York Codes, Rules, and Regulations (“NYCRR”) to include a pre-determined BUD (“pre-BUD”) for excavated material *“meeting specifications of and used pursuant to a municipal soil³ reuse program approved by [DEC] and administered by the municipality under an agreement with [DEC]”* as fill. This Standard Operating Procedure (“SOP”) lays out requirements for excavated material at CSB generation sites to meet City specifications that have been approved by DEC for use for grade adjustment, backfill or cover at appropriate construction and development sites as described herein. This SOP also provides the protocols and practices for the CSB program to conform with the transport and tracking protocols equivalent to 6 NYCRR Part 364 for excavated material in New York City.

2.0 Purpose of the New York City Clean Soil Bank Program

Developers on City VCP or brownfield projects, as well as City and private development construction projects, commonly encounter and excavate clean soil once overlying, contaminated⁴ fill has been removed, in order to develop basements and cellars. Excavated material⁵ in New York City, including contaminated fill and underlying soil, is subject to regulation under Part 360 as a type of construction and demolition C&D debris that is solid waste and subject to proper handling or disposal. Although the clean soil has economic value, developers usually have no immediate use for this material and discard it for a fee by sending it to a Subpart 361-5 registered or permitted construction and demolition debris handling and recovery facility (“C&D facility”). These facilities process and re-sell this material as fill for new development or capital construction projects. Alternatively, this soil may be shipped out of state to comparably permitted facilities for disposal.

³ *Soil* as defined in 6 NYCRR 360.2(b)(261) *Soil* means naturally occurring unconsolidated, granular material consisting of variable proportions of rock fragments, sand, silt, clay and organic matter, the latter derived from plants and animals living within or upon the soil.

⁴ *Contaminated* soil, fill or material is excavated material that does not meet the physical and chemical criteria outlined in Section 5.2.

⁵ *Excavated material* as defined in 6 NYCRR 360.2(b)(99) is “soil, rock or other material excavated during construction or maintenance activities.”

OER administers the CSB program to coordinate the need for fill⁶ on public and private construction projects with city- or state-oversight (e.g. City VCP or New York State Brownfield Cleanup Program (NYS BCP) sites), as well as City Agency and private development construction sites that will generate excess clean soil. The excavated material must be verified by OER as clean soil excavated as a consequence of remedial action or approved development at such sites. To be eligible for the CSB BUD, the excavated material must meet 6 NYCRR Subpart 375-6.8 Track 1 Unrestricted Use Soil Cleanup Objectives (“SCOs”) or Track 2 Residential SCOs and Protection of Groundwater SCOs (Fill type F2). Material meeting Track 2 Restricted-Residential SCOs and Protection of Groundwater SCOs can be transferred and placed under restrictions described in Section 5.2.

Under the CSB program, the soil is moved from generating site to receiving site at no cost, except for the cost of trucking, thus creating significant savings for generators and recipients of such soil alike. There are no tipping or soil purchase fees, and the material avoids transfer through registered or permitted facilities. For sites in OER remedial programs, Agency projects, and other construction sites, the CSB program serves as a government-regulated, non-profit alternative to private, for-profit management of excavated material as fill. The requirements established for the CSB program under this SOP must meet or exceed the regulatory requirements established by Part 361-5 for both registered or permitted C&D facilities and the pre-BUD requirements in Part 360 for the reuse of excavated material as fill in New York City. This CSB program has many other important potential advantages:

- Reducing cost of disposal of clean surplus excavated material can help to lower the barriers to site remediation and redevelopment;
- Reducing New York City’s capital construction costs for the purchase of clean fill, the CSB program can help government financial resources go further to meet the extensive needs and obligations of City government;
- Matching projects that are in close proximity, greatly reduces truck transport mileage and associated vehicular emissions;
- Transporting soil directly between construction sites, the CSB program eliminates the potential double, triple, or quadruple handling of the same material, transfer of this material through Part 361-5 registered or permitted facilities that may be clustered in communities of disproportionate impact, and reduces truck traffic and emissions in these communities.

3.0 General Requirements for the New York City Clean Soil Bank Program

To participate in the CSB program, a site generating excavated material must either:

- A. Be in a remedial program under the authority of OER or DEC where the party generating material has performed a Remedial Investigation (“RI”) of the proposed site that will provide information delineating clean soil from contaminated fill, and undertake all necessary contaminant removal actions that will effectively separate contaminated fill before excavating the clean underlying soil for use in the CSB program. Note that OER will not include a site from the NYS Brownfield Cleanup Program without DEC’s prior approval; or

⁶ *Fill* is defined under 6 NYCRR 360.2(b)(110) as “excavated material including soil or other granular, compactible material...” that is beneficially used for grade adjustment, backfill or cover.

- B. Be a City Agency project or a private construction project not in a remedial program, where the party generating material has performed a site characterization that demonstrates compliance with pre-BUD requirements outlined in Part 360 (Section 360.13) (for purposes of this SOP, *non-remedial site characterization*) and satisfaction of all of the requirements in this SOP.

Upon acceptable demonstration that the clean soil from a site meets CSB reuse criteria as outlined in Section 5.2 of this SOP, OER will consider such sites for participation in the CSB program. Steps to demonstrate eligibility for the CSB are detailed further below.

3.1 Characterization of Sites for Participation in Clean Soil Bank Program

- A. For generating sites in the City VCP, any Remedial Investigation (RI) used to determine whether material is appropriate for reuse in the CSB program must be performed under OER's direct oversight according to the requirements of DEC's DER-10 Technical Guidance and consistent with the VCP MOA. Investigations must at least include sampling of soil, groundwater, and soil vapor media at all sites. Alternatively, for City Agency projects and private construction projects that are not in a remedial program and where a Remedial Investigation Report (RIR) is not available, it is acceptable to perform a site characterization that will demonstrate excavated soils proposed for use under the CSB will meet CSB requirements. The following minimum requirements must be provided for all remedial investigations used to determine whether a material qualifies for reuse as clean soil in the CSB program:

For remedial sites where an RI is conducted:

Site description. The RI must include a physical description of the site and identify sensitive land uses or ecological resources near the site.

Description of material to be excavated. The RI must take into account the proposed development of the generating site and consider the depth of the excavation for development purposes, especially what material will need to be removed from the site.

Phase I and site inspection. Every RI must show the preceding performance of a Phase I investigation and site inspection to establish the historical usage of the generating property and features of environmental concern. Phase I Environmental Site Assessments (ESA) will evaluate the presence or likely presence of any hazardous substance or petroleum products on a site under conditions that indicate an existing release, past release, or a material threat of release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property. Spills identified during site characterization must be reported to DEC. Phase I studies must include a review of available fire insurance maps and governmental databases to help establish proper density of sampling and enable biased direction of sample collection to identify contaminant sources. A property's historic use can also be established by other means, including information from knowledgeable individuals.

Sampling of soil. For generating sites in the City VCP, sampling of shallow and deep soil must be performed at multiple boring or test pit locations consistent with DER-10. Generally, sampling locations must be biased toward worst case site conditions and include shallow samples (0-2 foot depth) and at least one deep sample per boring or test

pit. A variety of sampling approaches must be used to determine the appropriate depth of the deep samples (sampling at locations of real-time instrument detections, sampling base of development depth, sampling top of the water table, etc.).

Sampling of groundwater and soil vapor: For projects in the City VCP or State BCP, groundwater sampling of the uppermost aquifer and soil vapor sampling in the sub-slab horizon (if a slab exists), or at a depth greater than five feet (typically the depth of the proposed base of the new building slab) must be performed on each site. These samples will be used to identify if a significant contaminant source area is present on site and to determine the elements of the remedial action. Generally, a minimum of 3 groundwater samples must be collected for each property, with greater numbers for larger properties. Monitoring well and groundwater sample collection methodology must comply with DER-10. Soil vapor sample collection must conform with New York State Department of Health (“DOH”) soil vapor sampling guidance. Similar to groundwater, a minimum of 3 soil vapor samples must be performed for each property, with higher numbers of samples for larger properties. All data must be reported in the remedial investigation report.

- B. For generating sites that are City Agency projects or private construction projects that are not in a remedial program: the above will be conducted at OER’s discretion and as dictated by site conditions, with all field and laboratory data reported in a non-remedial site characterization report.

For both categories of sites (remedial and non-remedial), any soil that is considered potentially eligible for the CSB program must be sampled at this stage at a frequency consistent with 6 NYCRR 360.13(e), Table 1. All samples used in a remedial investigation will be grab samples from discrete depths within a boring. However, in some instances, composite samples may also be collected for disposal characterization and may include additional composite samples for consideration by the site receiving CSB material. In addition to soil sampling for chemical analytical testing, soil must be continuously sampled from the ground surface to the bottom of the boring and logged by a geologist or engineer. All boring logs and chemical results must be included in the RI report or non-remedial site characterization report.

For both categories of sites (remedial and non-remedial), chemical analysis must be performed at an Environmental Laboratory Approval Program (“ELAP”) certified lab. Chemical analysis for soil and other environmental media must be performed by a New York State DOH ELAP-certified chemical labs. Soil analyses must always be performed for expanded parameters including TAL metals, TCL organics including VOCs and SVOCs, pesticides, and PCBs. The analytical results must meet appropriate minimum detection levels sufficient to allow comparison to Subpart 375-6.8 Protection of Public Health-Residential or Protection of Public Health Restricted-Residential and Protection of Groundwater SCOs. At OER’s discretion, minimum detection levels sufficient to allow comparison to Subpart 375-6.8 Unrestricted Use and Protection of Ecological Resources SCOs may also be required.

Remedial Investigation or Non-Remedial Site Characterization Report. A report must be prepared upon the completion of the above remedial investigation or non-remedial site characterization for OER review.

- A. **For remedial sites** the RIR must summarize all data and information obtained for the property, including all soil, groundwater, and soil vapor sampling data. Data tables must be presented with comparisons to applicable standards, including Subpart 375-

6.8 SCOs. Typical report figures include a site location map, site boundary map, redevelopment plan, surrounding land use plan, site plan, the locations of soil exceedances of SCOs, groundwater exceedances of state groundwater standards, and soil vapor detections; and groundwater flow direction diagram. In addition to the analytical results data tables, other typical report tables include construction details for soil borings, groundwater monitoring wells, and soil vapor probes, as well as depth to groundwater measurements.

- B. **For City Agency projects and private construction projects that are not in a remedial program and where an RIR is not available**, it is acceptable to submit to OER a comparable site characterization report in compliance with pre-BUD requirements outlined in Section 360.13.

For purposes of the CSB, regardless of whether the generating site is in a remedial program, it is essential that the investigation or site characterization report must contain sufficient information to enable OER to determine the distribution of the vertical and aerial extent of contaminated material and underlying clean soil.

4.0 Responsibilities under the New York City Clean Soil Bank Program

OER must administer the CSB program according to the following:

4.1 Required Coordination between OER and DEC

Under VCP MOA: All City VCP projects are subject to evaluation by OER to assess the potential for significant threat to the environment and public health. OER regularly meets with DEC's Division of Environmental Remediation ("DER") to discuss City VCP projects and remedial site evaluations. Generally, OER does not handle sites that may have significant threats to the environment unless specifically approved by DEC. Under the VCP MOA, OER must also coordinate with DEC on petroleum spills at City VCP sites.

Under CSB MOA: For City VCP projects in the CSB program, OER must maintain detailed records of all remedial activities undertaken at projects and sites authorized by OER to transfer clean excavated material for use as fill under this MOA, and make this information available to DEC.

Availability of CSB to DEC remedial projects - OER will not include a site from the NYS Brownfield Cleanup Program or other NYS remedial program site as a generator site without DEC's prior approval. A DEC remedial site may receive CSB soil provided the soil meets importation criteria in 6 NYCRR 375-6.7(d), DER-10 and the site-specific remedial decision document.

OER must submit an annual report to DEC that summarizes activities for all projects and sites that transferred clean soil under the CSB MOA, including a list of all generating and receiving sites, addresses for those sites with tax block and lot numbers, and the quantity of material transferred. Annual reports must be transmitted to DEC by March 1 of each year for the previous reporting year. The annual report must include a listing of all CSB transfers including the origin and destination of the material, a breakdown of the quantity of each material in a transfer, and the quantity of material stored at Sites for Interim Storage at year's end.

Soil Storage: Sites established by OER for storage of soils used under the Clean Soil Bank must comply with all applicable federal, state and local requirements and must provide for separate receipt, storage and distribution of soils intended for general use versus those with some restriction (see Section 5.2 of this SOP). Prior to establishing a Site for Interim Storage of soils, OER will provide DEC notification of intent.

Soil received at Sites established by OER for storage of soils used under the Clean Soil Bank may perform soil processing only to remove rock and incidental boulders received in loads of soil. Rock and incidental boulders that are generated through screening at an OER storage Site is also subject to this MOA and is subject to the same waste cessation as the soil from which it was separated.

4.2 Material Generator Obligations

Generators of clean soil for the CSB program must certify that each load contains only clean excavated material and must originate a manifest for each load sent to a receiving site. OER must establish a CSB number for each project to be included in the manifests. The requirements for these documents are listed in Section 5.7 below. The generating site must designate a qualified environmental professional (“QEP”)⁷ who must be responsible for the transfer of excavated material for use as fill. This individual’s contact information must be supplied to OER before any transfer.

The qualified environmental professional must review and confirm that sampling and analysis conducted *in-situ* during the RI or other site characterization, or subsequent to excavation, is representative of the material to be included in the CSB transfer. The QEP further must screen all excavated material to be included in the CSB transfer for potential contamination by visual and olfactory means and through real-time instrumentation. The CSB transfer soil must be reported to OER in a daily report or in the remedial report required under OER’s remedial program. The daily report must, at least, provide information on the number of trucks, the approximate quantity of soil loaded, the geographical location of the receiving facility or site, and any issues encountered. In the case of any problem or emergency, the qualified environmental professional must promptly notify OER of these events by phone. Emergency conditions must be managed according to the facility’s or site’s Safety Plan.

No boulders or rocks greater than 12 inches in size can be included in CSB loads. Smaller tolerances on maximum rock size may be established between a CSB generator and recipient.

4.3 Material Transporter Obligations

Vehicles transporting excavated material approved for use as fill under the CSB program must be registered with DEC pursuant to 6 NYCRR Part 364.

The transporter must operate in conformance with the transport and tracking protocols equivalent to 6 NYCRR Part 364 for excavated material in New York City.

Truck drivers involved in a CSB transfer must follow the rules established by the generating and receiving facilities or sites. Truck drivers must display appropriate placards on their trucks as required by state transportation regulations. Drivers must be prepared to show the CSB manifest, if necessary, to DEC or other law enforcement.

⁷ QEP requirements are defined similarly in 6 NYCRR 360.2(b)(225) and in 6 NYCRR 375-1.2(ak).

The truck operator must confirm whether the information contained in the CSB transfer manifest is correct and sign the manifest accordingly.

4.4 Material Recipient Obligations

Prior to planning for transfer of material, the receiving site must relay to OER the proposed end use of the soil subject to OER's BUD. Soil must be compatible with the proposed end use at the receiving site.

The receiving site must identify an onsite project manager that is responsible for managing the transferred clean soil upon its delivery to the receiving site. Contact information for the project manager must be supplied to OER before any transfer occurs.

The onsite project manager must inspect each load of transferred material for evidence of contamination at the time of receipt. The individual must then confirm whether the information contained in the manifest is correct and sign the manifest accordingly. The recipient taking possession of the CSB material must secure it at the receiving site in compliance with all applicable laws, rules, or regulations. The onsite project manager must ensure that the received soil is placed in accordance with any restrictions on the end use of the material. No material can be stockpiled on site for more than 365 days without prior DEC approval. Records showing where the transferred soils were placed must be kept at the receiving site. Further requirements for the manifest document are listed in Section 5.7 below.

In the case of a major problem or emergency, the onsite project manager or the qualified environmental professional must promptly alert OER of such events by phone. Emergency conditions must be addressed according to the facility's Safety Plan.

No boulders or rocks greater than 12 inches in size can be included in CSB loads, but the recipient may establish a smaller tolerance on the maximum rock size and must communicate this to the CSB generator prior to the start of transfer. In addition, the receiving facility should establish any special rules for truck drivers on its property prior to the start of the transfer.

4.5 Site(s) established by OER for interim storage of soils

Site(s) established by OER for interim storage of excavated materials used under the Clean Soil Bank must comply with all applicable federal, state and local requirements.

Prior to establishing a Site for Interim Storage of soils, OER will provide DEC notification of intent. DEC may require changes to proposed site plan or location, or deny establishment of any additional Site for Interim Storage, based on considerations of protection of public health and the environment.

For the purpose of maintaining soil transfer records, storage sites are both recipients of excavated material and generators of soil.

The storage site(s) must provide for separate receipt, storage and distribution of soils intended for use without restrictions versus those with end use restrictions (see Section 5.2 of this SOP). The onsite Site manager must inspect each load of transferred material for evidence of contamination at the time of receipt. The individual must then confirm whether the information contained in the manifest is correct and sign the manifest accordingly.

Excavated material transferred through the CSB and received at Sites established by OER for storage may be processed at the Site. Processing may include screening of material to remove rock and incidental boulders received in loads of soil. Rock, boulders, and incidental fine material (“overs”) that are generated through screening at an OER storage site are also subject to this MOA and are subject to the same waste cessation as the soil from which these were separated.

Storage Sites generating clean soil through the CSB program must certify that each load contains only clean excavated material and must originate a manifest for each load sent to a receiving site. OER will create and assign a CSB number for each transfer. The CSB transfer number will be included in the manifests. Full requirements for CSB manifests are listed in Section 5.7 below.

4.6 OER Coordination of Site-To-Site Soil Transfer

OER offers participation in the Clean Soil Bank program to parties seeking OER approval of land cleanup plans, as well as to City Agency projects and private construction projects that are not in a remedial program, that anticipate generating surplus clean soil during construction. OER also meets with parties requiring fill material for project construction. Typically, these discussions occur when a party meets with OER to discuss a conceptual cleanup or construction plan, which is usually about 30-45 days before approval of a cleanup plan or construction start. As of that time, the remedial investigation or site characterization must have been completed, and the development plan must have been well defined, so that the need to either dispose of excess clean soil or receive clean backfill can be determined. Once a party expresses interest in the CSB, parties will fill out a Clean Soil Availability Form or a Clean Soil Request Form (see Appendices). At this point, OER attempts to match sites for a specific soil transfer.

Several factors are important in establishing a soil exchange. These include, but are not limited to, the following factors: (1) the timing and need of soil availability; (2) the relative proximity of sites that seek to exchange soil; (3) the quantity of soil that is available and required; (4) the soil's geotechnical properties; and (5) the proposed end use of the soil at the receiving site. Once a possible match is established, OER shares contact information between the parties. The parties, in turn, negotiate the exchange before working with OER to prepare for the soil transfer.

The above coordination is also applicable to transfer of soil to or from sites established by OER for soil storage.

4.7 Forms

4.7.1 Clean Soil Availability Form (Attachment 1)

Parties generating excavated material who want to participate in the CSB must fill out a Clean Soil Availability Form. For generating sites, the form must include the location of the potential generating site, including address, borough, and tax block and lot; the OER remedial project number, if applicable; the primary contact including name, phone number, and email address; the quantity of verified clean soil available for transfer through the CSB; the time period when the soil will be available; general soil characteristics; and any other information required by OER. See Attachment 1.

4.7.2 Clean Soil Request Form (Attachment 2)

Parties seeking to receive clean soil from the CSB are required to fill out a Clean Soil Request Form. This form requires the following information about the receiving site: the location of the site, including address, borough, and tax block and lot; the primary contact including name, phone number, and email address; the quantity of clean soil needed; site ownership information (if City-owned, the agency with site control); the time period during which soil is needed; any site-specific requirements for soil requested including geotechnical requirements; whether the receiving site is under an OER-approved Site Management Plan; whether the site is subject to an E-Designation⁸ or an environmental deed restriction; the general plan for use of soil on the property; and top and bottom depths that soil will be placed at below street grade. See Attachment 2.

4.7.3 Clean Soil Transfer Manifest Form (Attachment 3)

Participants in the CSB must provide manifests tracking the movement of material from one site to another. Attached to this SOP is a Municipal Soil Reuse Program Tracking Form for the CSB, based on DEC's "Part 360 Series Waste Tracking Document – Construction & Demolition Debris" form. This tracking form will accompany each truckload of material. The generator or their representative in charge of the generating site's remedial program, or soil management for non-remedial construction projects, must complete the details and signature fields within the "Generator" section. A designated representative of the transporter and receiving site, respectively, must complete the "Transporter" and "Receiving Facility" sections. The receiving site representative must scan and electronically deliver copies of all completed manifests to the generator and OER program managers within time frames stated on the form, following a transfer of material.

4.7.4 Agreements between Generating and Receiving Parties (Minimum Provisions)

Parties that participate in a soil transfer under the CSB must negotiate their own terms of transfer. No tipping fee for disposing of soil at a receiving site is allowed. However, responsibility for transporting soil, soil transfer rates, the timing of delivery, the sharing of costs associated with a transfer, and other issues will be negotiated without OER's involvement. Other issues subject to negotiation between the parties may include supplemental sampling; location of soil placement; quantity of soil transfer; terms of load rejection, coarse fraction size restrictions, and insurance. OER will not be subject to agreements between the generating and receiving parties. However, all agreements must comply with requirements of this SOP and identify the Generator and Recipient who will be responsible for the action items in the Steps below.

⁸ An E-Designation means that a tax lot has environmental requirements, established under the City's land use review program, regarding hazardous materials, air quality or noise. Developers of E-designated lots must work with OER to address and satisfy a site's environmental requirements before they obtain a building permit and later a certificate of occupancy from the New York City Department of Buildings.

5.0 Steps for Operation of the New York City Clean Soil Bank Program

The New York City Clean Soil Bank program must operate in accordance with the following ten-step process (Note: when a Site established by OER for Interim Storage of soils is utilized, applicable steps will apply to it as a Generator or Recipient):

- 5.1 Evaluate a site's soil eligibility for reuse in the Clean Soil Bank program (by OER);
- 5.2 Evaluate eligibility of sites to receive clean soil in the Clean Soil Bank program (by OER);
- 5.3 Establish the terms of a transfer and authorization to transfer under the CSB (by Generator and Recipient);
- 5.4 Conduct a logistics call (by Generator, Recipient, and OER);
- 5.5 Complete removal of any contaminated media prior to load-out of CSB material (by Generator);
- 5.6 Confirm excavation into clean soil and perform field screening and material verification before load-out of CSB material at the generating site (by Generator);
- 5.7 Complete and maintain Clean Soil Transfer Manifest form (by Generator and Recipient);
- 5.8 Perform field screening of CSB material at the receiving site (by Recipient);
- 5.9 Conduct all required daily reporting (by Generator and Recipient);
- 5.10 Perform final reporting and reporting to DEC (by OER).

A detailed description of these steps follows:

5.1 Evaluate a site's soil eligibility for reuse in the Clean Soil Bank (by OER).

OER must review the soil sampling results for representativeness pursuant to 360.13(e). OER must evaluate the chemical quality of the soil from a potential generating site as revealed in the site remedial investigation or site characterization report and any other site investigation information to determine if the material meets Subpart 375-6.8 Track 1 Unrestricted Soil Cleanup Objective or Track 2 Residential or Restricted-Residential Soil Cleanup Objectives, and Protection of Groundwater SCOs. Only clean soil that is verified through sampling and analysis to meet these criteria may be eligible for transfer to a receiving property under the CSB.

5.2 Evaluate eligibility of sites to receive clean soil from CSB (by OER).

Soil classifications for use under the CSB are as follows:

Soil Classification	Equivalent in 360.13(f)	Equivalent in Part 375	Use Restrictions
CSB Fill	Fill Type 2	Track 1; Track 2 meeting Residential and Groundwater SCOs	See "Using CSB Fill"
CSB-RR Fill	---	Track 2 meeting Restricted-Residential and Groundwater SCOs	Must be covered; see "Using CSB-RR Fill"

***Using CSB Fill:** OER must vet the receiving site for its proximity to ecological resources including wetlands and whether it is agricultural land used for raising livestock or producing animal products for human consumption. Sites that exhibit these characteristics are not eligible to receive material under the CSB. However, DEC case-specific approval may be sought for sites with or adjacent to ecological resources requiring protection, and for wetlands augmentation projects; if DEC approval is obtained, these sites may be included as recipient sites under the CSB.

***Using CSB-RR Fill:** soil, sand, gravel and rock, not containing anthropogenic material and meeting Protection of Public Health – Restricted-Residential SCOs and Protection of Groundwater SCOs may be used under the CSB, but must be covered at the receiving site with a minimum of six inches of soil meeting Fill Type 2 criteria OR with pavement (asphalt, concrete, or crushed stone).

The following types of sites will have priority for the receipt of clean excavated material as fill from the CSB in decreasing order of preference: New York City-owned sites with capital construction projects or other operations requiring clean soil; projects funded by New York City where clean soil will be used to improve climate resilience; and private properties in OER and State BCP remedial programs. In addition, the geotechnical properties of soil requested by receiving sites will be an important factor in matching soil to receiving sites.

5.3 Establish terms and authorization to transfer (by Generator and Recipient).

OER must share all relevant data and information with potential generators and recipients of soil in the CSB including the timing of transfer, the quantity of soil to be exchanged, the location of generating and receiving sites, and the soil's chemical and geotechnical properties. Once a match is made between a site generating eligible soil and a site eligible to receive this material, including a determination that the geotechnical properties are acceptable to the receiving property, parties will negotiate the terms of soil transfer, including the location to receive the material, the proposed end use of the material, the hours of operation, the daily volume of transfer, the total quantity of soil, additional sampling requirements, transportation costs, and any other issues of interest to the parties. No tipping fees can be charged. OER must be informed of the tentative agreement terms and, at this point, OER must determine whether to authorize the transfer of soil under the CSB. Upon approval, the parties will then finalize the terms of the soil exchange and establish a date for the start of soil transfer.

The parties must identify their respective project managers and their contact information must be exchanged. The receiving party must grant site access to the generator's trucks. The soil is the responsibility of the generator until it is accepted at the recipient's site and becomes the recipient's sole responsibility upon acceptance.

5.4 Conduct a logistics call (by Generator, Recipient and OER). Before any transfer of soil, OER and all parties involved in generation, transport, and receipt of soil must attend a logistics call. The call will be held to ensure that all parties understand their roles and CSB program procedures including: timeframes for delivery, limits on quantity of delivery, hours of operation at each facility, truck size, trucking limits for local bridges, receiving facility rules, receiving site access restrictions, frequency of loads, hours of operation, acceptance/rejection criterion, tolerance for coarse fraction, contact information for key parties, communication expectations, required managerial involvement, and the overall expectations of the parties. If the parties agree on any supplemental sampling (i.e. geotechnical testing), a sampling protocol will be finalized and may include sampling frequency and location, stockpile size, delivery of data, timing of analytical work and analytical methods.

5.5 Complete removal of all contaminated media prior to load-out of CSB material (by Generator). In most cases, clean soil in New York City is overlain by light to moderately contaminated fill. This contaminated material must be completely removed in accordance with an OER-approved cleanup plan prior to excavation and load-out of the underlying clean soil for use in the CSB. A qualified environmental professional (QEP) must confirm that overlying contaminated material has been completely removed and that the site has been over-excavated to a depth of approximately one-foot depth into clean soils. Any contaminated material must be transported and disposed as a regulated waste in accordance with the OER-approved cleanup plan and 6 NYCRR Parts 360-364. All activities must comply with requirements in existing environmental laws, regulations, and where applicable, the City VCP MOA.

5.6 Confirm excavation into clean soil and perform field screening and material verification before load-out of CSB material at the generating site (by Generator). A QEP, in consultation with OER, must make the determination that clean soil has been encountered during the excavation of the site. During excavation for load-out and delivery, clean soil must be screened by the qualified environmental professional by means of a Photo-Ionization Detector (PID) and by visual and olfactory means for evidence of contamination. Contaminated soil will not be transferred under the CSB. The generator must certify that each load of soil that leaves the generating facility is compliant with all CSB material requirements. Acceptable certification must document that the load: (1) contains only clean soil; (2) was screened using visual, olfactory, and real-time instrumentation and revealed no evidence of contamination; and (3) is compliant with this CSB SOP and any project-specific stipulations. Acceptable certification must also include the date, time, and load number that it pertains to. OER will periodically inspect the load out and transfer of clean soil.

5.7 Complete and maintain use of CSB transfer manifest form (by Generator and Recipient). Trucks that are utilized for transport of soil in the CSB must use the attached Municipal Soil Reuse Program Tracking Form to document the time and

location of each load of clean soil. Each load must be tracked and accompanied by the Tracking Form as a trucking manifest. The tracking document must include the following minimum information:

- Clean Soil Bank program transfer number;
- A load number;
- Capacity of the truck;
- Approximate quantity of the load;
- City VCP project number for the originating site (if any);
- Hauling company name;
- City VCP project number for the destination site (if any);
- Date of transport;
- Time of departure from the generating facility;
- Name and signature of the driver;
- License plate number of the truck;
- Date and time of arrival at the designated receiving facility;
- Name and signature of the receiving party; and
- Verification that the soil was inspected when unloaded.

Manifests will be maintained at the receiving property.

5.8 Perform field screening of CSB material at the receiving site (by Recipient).

Once clean soil arrives at the receiving site, it must be inspected for evidence of contamination by representatives of the receiving property. This inspection must be performed prior to sign-off on the manifest by a representative of the receiving facility. It is anticipated that soil will be staged only briefly prior to final placement at the receiving facility; however, if it is necessary to store soil for a longer period, piles or containers must be covered and run-on/ run-off controls employed to prevent wind or water dispersion. The recipient may not store soils longer than 365 days before final placement (time limit not applicable to storage at Sites established by OER for Interim Storage of soils).

5.9 Conduct all required daily reporting (by Generator and Recipient). The receiving site representative is responsible for scanning and electronically delivering copies of all completed manifests to the generator and OER program managers each day following a transfer of material.

For OER Projects operating under terms of a Remedial Action Work Plan, daily reports must be submitted to OER's project manager via a project management database as directed by OER. These reports must include a summary of all completed transfers each day and be submitted promptly, by the end of each day following transfer of material. Photographic documentation must also be provided. Trucking manifests must be maintained and included in the Remedial Action Report submitted to OER at the end of the project.

For recipient projects not participating in one of OER's cleanup programs, are not required. However, routine check-ins and submission of completed tracking tickets to OER by the end of each day following transfer of material is required. OER maintains discretion to require daily reporting from generating sites if it deems these necessary. Daily reporting correspondence will be submitted in most situations to OER through a

specified project management database and in some circumstances may be provided via e-mail.

OER will maintain all reports for DEC inspection upon request for minimum timeframes in accordance with the Clean Soil Bank MOA. The Generator and the Recipient must keep relevant records for a minimum of three years following completion of soil transfer for DEC or OER inspection on request.

5.10 Perform final reporting and reporting to DEC (by OER). OER must provide an annual report that summarizes activity for all projects that transferred soil under the CSB, including a list of generating and receiving sites identified by address and tax block and lot number, and the quantity of soil transferred. This reporting must be prepared and certified by a qualified environmental professional. OER must prepare an annual report for each calendar year and submit it to DEC by March 1 of the year following the reporting period.

Attachments:

Clean Soil Bank Availability Form

Clean Soil Bank Request Form

Clean Soil Bank Manifest (Tracking) Form

References

NEW YORK CITY CLEAN SOIL BANK

Clean Soil Availability Form

{Insert Form Here}

NEW YORK CITY CLEAN SOIL BANK

Clean Soil Availability Form

Consult the [guidance on submitting waste characterization data](#) before submitting site information to OER.

PRIMARY CONTACT		☐ Contractor ☐ Consultant ☐ Developer	Date:
NAME			
ADDRESS			
CITY		STATE	ZIP CODE
PHONE	FAX	E-MAIL	

PROPERTY/SITE INFORMATION			
NYC OER PROJECT NUMBER(s) (IF APPLICABLE) and OER Project Manager			
NYSDEC PROJECT NUMBER (IF APPLICABLE) and NYSDEC Project manager info			
OTHER PROJECT ☐ Yes ☐ No			
PROJECT NAME			
ADDRESS		BOROUGH	ZIP CODE
PROJECT AREA	Acres	or	Square Feet
ANTICIPATED TOTAL CLEAN SOIL GENERATION		☐ Tons ☐ Yards (choose one)	
LIST ALL TAX BLOCK AND LOT NUMBERS			

OER APPROVALS		
Excavation to be performed under an OER and/or NYSDEC approved RAWP or RAP?	☐ Yes	☐ No
TIME PERIOD AND QUANTITY OF SOIL AVAILABILITY		
QUANTITY OF CLEAN SOIL TO BE DELIVERED TO THE CLEAN SOIL BANK OR CLEAN SOIL STOCKPILE (CUBIC YARDS IN PLACE)		
EXPECTED TIME PERIOD THAT SOIL WILL BE DELIVERED TO THE SOIL BANK OR STOCKPILE		
ANTICIPATED EXCAVATION START DATE:		ANTICIPATED EXCAVATION END DATE:

Other Details

SOIL PHYSICAL CHARACTERISTICS FOR EXPORT TO CLEAN SOIL BANK OR CLEAN SOIL STOCKPILE (830 FORBELL STREET)

DEPTHS THAT CLEAN SOIL WILL BE OBTAINED (BELOW ADJACENT STREET GRADE)

ESTIMATED TOP DEPTH OF CLEAN HORIZON (BELOW ADJACENT STREET GRADE):

ESTIMATED BOTTOM DEPTH (BELOW ADJACENT STREET GRADE):

ESTIMATED GROUNDWATER DEPTH:

Type of Soil (check all that apply)

- | | |
|---|--|
| ☐ gravel | ☐ silty sand |
| ☐ coarse sand and gravel | ☐ silt |
| ☐ coarse sand | ☐ silt and clay |
| ☐ coarse and fine sand | ☐ clay |
| ☐ fine sand | ☐ till |

Are boring logs for clean soil on file with OER in a final RIR or Phase 2?

☐ Yes

☐ No

Are soil samples available for geotechnical testing?

☐ Yes

☐ No

Are geotechnical test results available?

☐ Yes

☐ No

SOIL CHEMICAL CHARACTERISTICS

Chemical tests performed on soil? (TCL/TAL and/or Waste Classification)

☐ Yes

☐ No

Soil meets Track 1 Unrestricted Use Soil Cleanup Objectives (SCOs)?

☐ Yes

☐ No

Soil meets Part 360 Fill Type 2 standards (Part 375 Residential SCOs and Groundwater Protection SCOs)?

☐ Yes

☐ No

Soil meets Part 375 Restricted-Residential SCOs and Groundwater Protection SCOs?

☐ Yes

☐ No

Soil meets more than one classification listed above?

☐ Yes

☐ No

EXPORT LOGISTICS

Direct soil loading to trucks from excavation?

☐ Yes

☐ No

Loading to trucks from segregated clean soil stockpile?

☐ Yes

☐ No

What is the expected rate of clean soil export?

Average: _____

☐ Tons per day ☐ Yards per day (choose one)

Maximum: _____

☐ Tons per day ☐ Yards per day (choose one)

Email this form to your Project Manager and Stockpile@OER.NYC.GOV

NEW YORK CITY CLEAN SOIL BANK

Clean Soil Request Form

{Insert Form Here}

NEW YORK CITY CLEAN SOIL BANK

Clean Soil Request Form

PRIMARY CONTACT		☐ Contractor ☐ Consultant ☐ Developer	Date:
NAME			
ADDRESS			
CITY		STATE	ZIP CODE
PHONE	FAX	E-MAIL	
Property Owner Information (entity name and contact information)			

PROPERTY/SITE INFORMATION		
NYC OER/NYSDEC PROJECT NUMBER (IF APPLICABLE) and Agency project manager		
OTHER PROJECT (not in City/State Cleanup programs)		
PROJECT NAME		
ADDRESS	BOROUGH	ZIP CODE
LIST ALL TAX BLOCK AND LOT NUMBERS		

TYPE OF SOIL REQUESTED		
Unrestricted Use Soil (meets Part 375-6.8(a))	☐ Yes	☐ No
Residential Soil (Part 375) / Part 360 Fill Type 2	☐ Yes	☐ No
Restricted-Residential Soil (Part 375) – must be placed under clean soil cover or pavement	☐ Yes	☐ No
Specific Geotechnical requirements	☐ Yes	☐ No
Specific Material Composition / Organic requirements	☐ Yes	☐ No
Provide Details		
TIME PERIOD AND QUANTITY OF SOIL NEED		
QUANTITY OF CLEAN SOIL NEEDED (CUBIC YARDS): (IF MORE THAN ONE TYPE OF MATERIAL IS DESIRED, LIST EACH TYPE AND VOLUME)		
WHEN SOIL IS NEEDED AND HOW MANY LOADS PER DAY CAN BE PICKED UP:		
ANTICIPATED START DATE FOR LOADING: ____ / ____ / ____ ANTICIPATED LOADING END DATE: ____ / ____ / ____		
LOADS PER DAY: ____		

PROPOSED SOIL USAGE (explain why soil requested is appropriate for the use).

SOIL PHYSICAL CHARACTERISTICS REQUIRED FOR IMPORTED MATERIAL:

Email this form to your Project Manager and Stockpile@OER.NYC.GOV

NEW YORK CITY CLEAN SOIL BANK

CSB Tracking Document

{Insert Form Here}



Part 360.12(c)(3)(xiii) Municipal Soil Reuse Program Tracking Form

This form may be used for New York City's (NYC) Clean Soil Bank (CSB) Program to satisfy the tracking document requirements of sections 361-5.6 and 364-5.1 and the NYS DEC-NYC OER Memorandum of Agreement for fill transport.



CSB Transfer # (CCSB)		Manifest Number	
TYPE OF FILL:	Part 375-6.8 Soil Cleanup Objectives (SCOs) ☐ CSB Fill-UU (F2; UUSCOs & PGW SCOs) ☐ CSB Fill-F2 (F2; RSCOs & PGW SCOs) ☐ CSB-RR Fill (RRSCOs & PGW SCOs) Other (specify): _____		
WASTE QUANTITY:	_____ Tons _____ Cubic Yards Check box to indicate quantity is estimated: ☐ Waste Class Cell(s): _____ Stockpile Bin No(s): _____		
LOCATION WHERE WASTE WAS PICKED UP:	Source Name: _____ Address: _____ City: _____ State: _____ Zip Code: _____ Departure Time: _____		

GENERATOR: Name: _____ DEC Permit/Reg. No. (if applicable): _____
 Address: _____ City: _____ State: _____ Zip: _____
 Authorized Representative of Generator: _____ Phone: _____
 Transporter Name: _____
 Receiving Facility Name: _____ ☐ Chosen by Transporter
 Address: _____ City: _____ State: _____ Zip: _____

(Generator) I have completed this tracking document describing the waste and identifying the transporter and receiving facility. I certify, under penalty of law, that the information provided in this waste tracking document has been prepared under my direction and supervision and further certify that the information contained herein is true and accurate. I am aware that any false statement made on this document is punishable pursuant to Section 210.45 of the Penal Law.

Signature: _____ Date: _____

TRANSPORTER: *(To be completed by Transporter)* DEC Permit/Registration No.: _____ NYC BIC No.: _____
 Transporter Company Name: _____ Plate No.: _____ Truck No.: _____
 Describe all Discrepancies in type or quantity of waste: _____

 Driver Name (print): _____ Phone: _____
 Signature: _____ Date: _____

RECEIVING FACILITY: <i>(To be completed by Receiving site)</i> DEC Permit/Reg. No. (if applicable): _____ Name: _____ Address: _____ City: _____ State: _____ Zip Code: _____ Arrival Time: _____ Describe all Discrepancies in type or quantity of waste: _____	Put [X] for: ☐ interim storage or ☐ final site
--	---

(Recipient) I certify, under penalty of law, that the information contained herein is true and accurate.
 I am aware that any false statement made on this document is punishable pursuant to Section 210.45 of the Penal Law.

Print Name: _____ Phone: _____
 Signature: _____ Date: _____

The completed tracking document for all waste types must be returned to the Generator within one week of receipt of the waste.
 A copy of the completed tracking document **must also be provided to NYC OER within 3 days** of waste delivery to the receiving facility.

ref: 6 NYCRR 364-5.1(b)(5) modified for NYC Clean Soil Bank

References

City VCP MOA between OER and DEC-DER available at
<https://www1.nyc.gov/site/oer/about/authority.page>

New York City Brownfield Program Regulations available at
<https://www1.nyc.gov/site/oer/about/authority.page>

New York City Clean Soil Bank information available at
<https://www.nyc.gov/site/oer/safe-land/clean-soil-bank.page>

New York State Solid Waste Management Facilities Regulations, Effective July 22, 2023:
<https://dec.ny.gov/regulatory/regulations/adopted-parts-360-366-369-371-377-effective-july-22-2023>