

# RECLAIMED ASPHALT AND CONCRETE PAVEMENT

## Storage Time Limits

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# RECLAIMED ASPHALT AND CONCRETE PAVEMENT | STORAGE TIME LIMITS

## ABSTRACT

*In this guidance document, we will detail an option to increase allowable storage times of Reclaimed Asphalt and Concrete Pavement for greater flexibility and reduced material waste.*

Materials suppliers that process concrete and asphalt for reuse can only store this material for a total of 12 months after processing in accordance with California regulations. This guidance document identifies a process that may allow material suppliers to store processed concrete and asphalt for greater than 12 months with approval from the Local Enforcement Agency.

## THE ISSUE

*Material usage needs may not align with storage time limits.*

The construction industry generates millions of tons of recycled concrete and asphalt annually. Recycling facilities are regulated by California's Department of Resources Recycling and Recovery (CalRecycle). Existing CalRecycle regulations require that material suppliers process concrete and asphalt within six months and store processed material no longer than 12 months in accordance with California Code of Regulations (CCR), Title 14, Section 17381.1(e). This regulation exempts materials suppliers that are classified as a 1) Type A inert debris recycling center that is located at an inert debris engineering fill operation, 2) inert debris Type A disposal Facility, or 3) a material production facility\*. Compliance with this regulation is monitored in San Diego County by two Local Enforcement Agencies (LEA): The City of San Diego, within their respective city limits, and the

County of San Diego, Department of Environmental Health for the remainder of the county. The maximum storage time of 12 months for processed concrete and asphalt often limits the amount of material that can be stored by material suppliers thus restricting their flexibility to respond to fluctuating market demands.

### Key Issues:

- Demand for using recycled concrete or asphalt material may not occur within the mandated 12-month storage period
- Materials suppliers may limit the amount of materials stored, which could result in more recycled material ending up in landfills
- Limiting the amount of materials stored restricts the supplier's ability to respond to changes in market demands

\* "Material Production Facility" means a facility that primarily handles raw materials to produce a new product that is a rock product operation (i.e., an "aggregate" operation), a hot mix asphalt plant, or a concrete, concrete product or a Portland cement product manufacturing facility. Title 14, CCR Section 17381(f)

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## THE SOLUTION

*Storage time extensions for RAP can be requested, allowing material suppliers more flexibility and keeping RAP out of local landfills.*

### Storage Time Extension

CalRecycle regulations offer a solution in CCR, Title 14, Section 17384(b), which allows extended storage periods for processed concrete and asphalt at the discretion of the applicable Local Enforcement Agency (LEA). Provided the material supplier submits a storage plan to the LEA that addresses the items identified in Section 17384(b), and the LEA determines that the extended storage period does not increase potential harm to public health, safety, or the environment, the LEA, at their discretion, may extend the amount of time that processed material can be stored on site. The extension request must identify a specified time period

for the extended storage and be approved by the LEA in writing.

This extension to store processed concrete and asphalt for greater time periods does not alter applicable land use regulations for a specific material supplier, which may identify the total amount or area approved for the storage of these materials. Material suppliers that request a storage time extension must also work with the applicable land use authority for their facility, which will typically be the City or County in which the facility resides.

### Key Take-aways

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1. Storage time extensions can be granted by an LEA.
2. The extended storage time must not result in increased potential harm to public health, safety, or the environment as determined by the LEA.
3. LEA granted storage time extensions do not alter land use regulations for material suppliers.
4. Regulation exempts materials suppliers that are classified as a production facility.

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## CONCLUSION

Materials suppliers that are bound by storage time regulations in CCR, Title 14, Section 17381.1(e) that wish to store processed concrete and asphalt for greater than 12 months may request an extension by submitting a storage plan for approval by the LEA that oversees their facility.

## REFERENCES

**California Code of Regulations:**

**Title 14.** Natural Resources

**Division 7.** Department of Resources Recycling and Recovery

**Chapter 3.** Minimum Standards for Solid Waste Handling and Disposal, Article 5.9. Construction and Demolition and Inert Debris Transfer/Processing Regulatory Requirements

**Sections.** 17381.1(e) and 17384(b)