## What will the Rico Land Use Code Soil Management Regulations require?

These Regulations apply to any excavation, digging, landscaping, or similar activity that disturbs more than 1 cubic yard of soil on properties in Rico (with certain exceptions). This flow chart is intended as a general guide to the most common situations under these Regulations, and does not cover all possible circumstances or requirements. The Rico Soils Management Program will help you comply with these requirements by answering questions and providing technical support, advice, and materials. You will be reimbursed by the Soils Management Program for costs incurred to comply with the Regulations, based on a schedule of incremental costs.

Does soil sampling at the property\* show lead levels above the action level of 761 mg lead/kg soil (which has been approved by CDPHE)?

NO NO

Has this property already been remediated to remove lead-contaminated soil?



Will the excavation activity go below the 12-inch clean soil cover and the fabric marker beneath it?

You must apply for and obtain a Residential No-Action Confirmation from the Rico Soils Management Program.

NO

You are not required to obtain a Soils Excavation Permit, and your excavation activity is exempt from these Regulations. Future excavation activities will be exempt as well.

However, if you encounter exposed mine waste on the property, you must comply with the provisions of these Regulations concerning disposal of mine waste.

\*If sampling data does not exist for a property, you will need to perform sampling to determine eligibility for the No-Action Confirmation or whether remediation is required. Sampling data may not exist if a property owner refused to allow access for sampling in Phase I or under certain other conditions.

You must apply for and obtain a Soils Excavation Permit from the Rico Soils Management Program.

After completing the excavation, you must return the excavated soil to the excavation (to the extent space is available), to a depth up to 12 inches below final surface grade. Any soil that cannot be returned that was removed to make space for the 12-inch clean soil cover (described below) may be brought to the lead soil repository location(s) maintained by Atlantic Richfield without additional testing. Any additional soil that cannot be returned must be tested by the Rico Soils Management Program. Soil that tests above the lead action level may be brought to the repository location(s).

After filling the excavation to 12 inches below grade, you must install a commercial-grade fabric marker and 12 inches of clean soil. Both the marker and the clean soil may be obtained from the Rico Soils Management Program.

You must submit a Cleanup Completion Report to the Rico Soils Management Program, which will issue a Cleanup Completion Certification if satisfied the activity complied with the Soils Excavation Permit. You will also work with the Rico Soils Management Program to obtain a NFA from CDPHE.

You must apply for and obtain a Conditional Cleanup Completion Certification from the Rico Soils Management Program.

When you conduct the excavation activity, you must be sure that the fabric marker and soils beneath it are not disturbed.

After completing the excavation activity, you must schedule and complete an inspection with the Rico Soils Management Program to ensure the clean soil cover and fabric marker were not disturbed. The Cleanup Completion Certification will then become final instead of conditional.

You must apply for and obtain a Soils Excavation Permit from the Rico Soils Management Program.

When you conduct the excavation activity, you must first remove the 12-inch clean soil cap and stockpile it onsite.

After completing the excavation, you must return the excavated soil to the excavation. Any soil that cannot be returned must be tested by the Rico Soils Management Program. Soil that tests above the lead action level may be brought to the lead soil repository location(s) maintained by Atlantic Richfield.

After filling the excavation to 12 inches below grade, you must install a commercial-grade fabric marker (obtained from the Rico Soils Management Program) and the 12-inch clean soil cover stockpiled at the property.

You must submit a Cleanup Completion Report to the Rico Soils Management Program, which will issue a Cleanup Completion Certification if satisfied the activity complied with the Soils Excavation Permit.