


Delivery and Operations Division

Project Delivery Operational Notice

Operational Notice Number PD-10	Original Effective Date 1/1/2002	Revised Effective Date 3/1/2022	Review or Rescind Date 6/1/2024	Reviewing Position Statewide Project Delivery Manager 
Operational Notice Title Disposal of Excess Excavation Materials			Topic or Program Construction	

Purpose

Guidelines to project development teams (PDT) in managing and disposing excess excavation materials during construction of a project. This guidance will cover the typical larger construction excavations such as for road cuts, new roadway alignments, and foundation excavations. The [ODOT HazMat Program Manual](#), Section 6: Clean Fill and Shoulder Soil addresses excavations of shallow roadside soils with potential contamination due to highway use.

Management of excess excavation materials on a project can increase the sustainability of a project while reducing construction costs through the reuse of materials; reducing the need to disturb additional land for borrow material and reducing fuel consumption during excavation and hauling of the material. Reduced equipment hours and hauling can result in lower construction costs.

Overview and Direction

These guidelines will help PDTs identify how disposal of excess excavation materials are to be incorporated into the Plans and Special Provisions for a project. Excess excavation materials on construction contracts have historically been, and are currently handled a number of ways within ODOT. These methods include:

1. **Reuse of materials within the project design.**
2. **Use on ODOT operational right of way.**
3. **Provision of prospective disposal or mandatory excess excavation material placement site(s).**
4. **Making excess excavation material the property of the contractor** as noted in the [ODOT HazMat Program Manual](#), Section 6: Clean Fill and Shoulder Soil.



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Process or Action Required

PDTs should consider the following methods for the disposition of materials produced during highway construction:

1. **Reuse materials** within the project design. PDTs should first look for and identify how excess materials can be reused within the project design such as needed borrow materials or shoulder slope flattening or slope coverings. This will require an investigation by an engineering geologist to determine the suitability of the excess materials for reuse on the project.
2. **Use ODOT operational right of way.** Assess disposal sites within ODOT operational right of way such as backfill behind guardrail runs, shoulder flattening or infill of roadway gore areas, or other material needs of the maintenance district. Dispose of potentially contaminated roadside surface soils in accordance with the [ODOT HazMat Program Manual](#), Section 6: Clean Fill and Shoulder Soil.
3. **Provide prospective disposal or mandatory disposal site(s)** in the Plans and Special Provisions. If the project involves more than 5,000 cubic yards of excess material and/or the project is located in an environmentally sensitive area¹, assess if ODOT owned or controlled sites can be designated as prospective or mandatory disposal sites. Excess materials to be placed within these sites typically need to meet DEQ clean fill parameters. A mandatory disposal site will require a Letter of Public Interest Finding (LPIF) to document the need for a mandatory disposal site such as to avoid environmentally sensitive areas, cost savings to the project, or other ODOT uses of the material. Materials placed in these designated disposal sites should be identified as stockpiles for future use on other projects, for maintenance use, or for site reclamation materials.

Prior to Preliminary Plans, the PDT must decide to offer prospective or mandatory disposal sites, identify viable site(s), and a project environmental coordinator (ODOT or consultant) will perform an initial resources review of the potential disposal site(s). If the PDT decides to move forward with offering a prospective or mandatory disposal site, coordination with an engineering geologist for the

¹ An environmentally sensitive area has, or has the potential to contain, resources that should not be disturbed unless regulatory and resource authorities have been conferred with and agreement documented "Resources" in this context refers to threatened, endangered, or sensitive species of plants, animals, or their habitats; wetlands; waterways; archaeological sites; historic structures or sites; floodplains or floodways; and visual features., among other natural and human-made features.



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development of Plans and Special Provisions for the disposal sites(s) is required. The project environmental coordinator will then coordinate with the appropriate specialists to perform the additional work to have the site(s) environmentally cleared for inclusion into the contract Plans and Special Provisions prior to Advanced Plans.

Other available public or private property may be considered for designated disposal sites if properly vetted for environmental clearances and needed local and/or state permits.

4. **Make excess material the property of the contractor.** If no ODOT sites are available; the project has less than 5,000 cubic yards of excess material; or the project is not located in an environmentally sensitive area; consider making the excess material the property of the contractor. The contractor should be allowed to obtain disposal sites within the parameters of Standard Specifications for Highway Construction, Section 00330.41(a)(5), 00290.20(c)(2), and in accordance with ODOT HazMat Program Manual, Section 6: Clean Fill and Shoulder Soil.