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USACE / NAVFAC / AFCEA UFGS-01355A (February 2005)

Preparing Activity: USACE Superseding  
UFGS-01355A (February 2002)

## UNIFIED FACILITIES GUIDE SPECIFICATIONS

References are in agreement with UMLR dated 22 December 2004

Latest change indicated by CHG tags

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02/05

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SECTION 01355A

ENVIRONMENTAL PROTECTION  
02/05

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NOTE: This guide specification covers the requirements for environment protection during construction activities.

Comments and suggestions on this guide specification are welcome and should be directed to the technical proponent of the specification. A listing of technical proponents, including their organization designation and telephone number, is on the Internet.

Recommended changes to a UFGS should be submitted as a Criteria Change Request (CCR).

Use of electronic communication is encouraged.

Brackets are used in the text to indicate designer choices or locations where text must be supplied by the designer.

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PART 1 GENERAL

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NOTE: This specification serves as a general environmental section for construction contracts. It reflects an integration of superseded CEGS 01410 ENVIRONMENT PROTECTION and CEGS 01354 ENVIRONMENTAL PROTECTION FOR CIVIL WORKS. The specification also integrates the DOD Pest Management Program and DA Environmental Program policies and requirements for USACE construction activities that occur on military installations and/or are funded under the military construction/O&M funding. Army Environmental Program policies are promulgated in the following regulations, DA AR 200-1 (Environmental Protection

and Enhancement), DA AR 200-2 (Environmental Effects of Army Actions), DA AR 200-3 (Natural Resources - Land, Forest and Wildlife Management), and DA AR 200-5 (Pest Management). Department of Defense Instruction 4150.7 promulgates Pest Management policies for the component services, as implemented by their respective regulations. USACE civil works pest management activities are not regulated by DOD policies but by ER 1130-2-540 and EP 1130-2-540. Chemistry and Industrial Hygiene Designers are required to edit this portion of the specification when an air pathway analysis indicates perimeter air monitoring and controls are warranted.

Designers need to ensure that the project design and contemplated methods of construction comply with all applicable laws, including: Clean Air Act (CAA), Clean Water Act (CWA), Coastal Zone Management Act (CZMA), Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), Emergency Planning and Community Right to Know Act (EPCRA), Endangered Species Act (ESA), Fish and Wildlife Coordination Act (FWCA), Marine Protection, Research, and Sanctuaries Act (MPRSA), National Environmental Policy Act (NEPA), National Historic Preservation Act (NHPA), National Pollutant Discharge Elimination System (NPDES), Oil Pollution Act (OPA), Research and Sanctuaries Act, Native American Graves Protection and Repatriation Act (NAGPRA), Resource Conservation and Recovery Act (RCRA), Rivers and Harbors Act of 1899 (R&H), Safe Drinking Water Act (SDWA), Toxic Substance Control Act (TSCA), Wild & Scenic Rivers Act (WSRA), Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), and Subsequent Executive Orders. Many construction contracts contain paragraphs in the technical provisions that discuss specific operations which provide for the prevention of pollution. Because specialists familiar with problems in their field of activity are to prepare individual sections of the technical provisions, those sections should contain specifications for the control of pollution when applicable to the operation covered by the section.

This guide specification addresses hazardous waste only to the extent that it is Contractor generated. For clean up and removal of Government generated hazardous waste, UFGS-01351A SAFETY, HEALTH, AND EMERGENCY RESPONSE (HTRW/UST), UFGS-02120 TRANSPORTATION AND DISPOSAL OF HAZARDOUS MATERIALS or other appropriate specifications must be included in the project.

Land resources which are to be protected by the Contractor should be identified on the contract drawings. Any special protective actions for land resources should be specified in this section or in other appropriate sections.

This guide specification contains environmental requirements for many different types of projects. The Designer will delete, add, or modify these requirements to assure that only applicable or possible applicable environmental conditions specific to the project are addressed. The Designer, when deleting requirements in the body of the specification, should also delete the applicable definition and references.

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## 1.1 REFERENCES

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NOTE: Issue (date) of references included in project specifications need not be more current than provided by the latest guide specification. Use of SpecsIntact automated reference checking is recommended for projects based on older guide specifications.

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The publications listed below form a part of this specification to the extent referenced. The publications are referred to within the text by the basic designation only.

### U.S. AIR FORCE (USAF)

AFI 32-1053 (1999) Pest Management Program

### U.S. ARMY (DA)

DA AR 200-5 (1999) Pest Management

### U.S. ARMY CORPS OF ENGINEERS (USACE)

EM 385-1-1 (2003) Safety -- Safety and Health Requirements

WETLAND MANUAL Corps of Engineers Wetlands Delineation Manual Technical Report Y-87-1

### U.S. NATIONAL ARCHIVES AND RECORDS ADMINISTRATION (NARA)

33 CFR 328 Definitions of Waters of the United States

40 CFR 152 - 186 Pesticide Programs

40 CFR 260 Hazardous Waste Management System: General

40 CFR 261 Identification and Listing of Hazardous Waste

40 CFR 262 Standards Applicable to Generators of Hazardous Waste

40 CFR 279 Standards for the Management of Used Oil

40 CFR 302 Designation, Reportable Quantities, and

## Notification

40 CFR 355

Emergency Planning and Notification

40 CFR 68

Chemical Accident Prevention Provisions

49 CFR 171 - 178

Hazardous Materials Regulations

## 1.2 DEFINITIONS

### 1.2.1 Environmental Pollution and Damage

Environmental pollution and damage is the presence of chemical, physical, or biological elements or agents which adversely affect human health or welfare; unfavorably alter ecological balances of importance to human life; affect other species of importance to humankind; or degrade the environment aesthetically, culturally and/or historically.

### 1.2.2 Environmental Protection

Environmental protection is the prevention/control of pollution and habitat disruption that may occur to the environment during construction. The control of environmental pollution and damage requires consideration of land, water, and air; biological and cultural resources; and includes management of visual aesthetics; noise; solid, chemical, gaseous, and liquid waste; radiant energy and radioactive material as well as other pollutants.

### 1.2.3 Contractor Generated Hazardous Waste

Contractor generated hazardous waste means materials that, if abandoned or disposed of, may meet the definition of a hazardous waste. These waste streams would typically consist of material brought on site by the Contractor to execute work, but are not fully consumed during the course of construction. Examples include, but are not limited to, excess paint thinners (i.e. methyl ethyl ketone, toluene etc.), waste thinners, excess paints, excess solvents, waste solvents, and excess pesticides, and contaminated pesticide equipment rinse water.

### 1.2.4 Installation Pest Management Coordinator

Installation Pest Management Coordinator (IPMC) is the individual officially designated by the Installation Commander to oversee the Installation Pest Management Program and the Installation Pest Management Plan.

### 1.2.5 Project Pesticide Coordinator

The Project Pesticide Coordinator (PPC) is an individual that resides at a Civil Works Project office and that is responsible for oversight of pesticide application on Project grounds.

### 1.2.6 Land Application for Discharge Water

The term "Land Application" for discharge water implies that the Contractor shall discharge water at a rate which allows the water to percolate into the soil. No sheeting action, soil erosion, discharge into storm sewers, discharge into defined drainage areas, or discharge into the "waters of the United States" shall occur. Land Application shall be in compliance with

all applicable Federal, State, and local laws and regulations.

#### 1.2.7 Pesticide

Pesticide is defined as any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest, or intended for use as a plant regulator, defoliant or desiccant.

#### 1.2.8 Pests

The term "pests" means arthropods, birds, rodents, nematodes, fungi, bacteria, viruses, algae, snails, marine borers, snakes, weeds and other organisms (except for human or animal disease-causing organisms) that adversely affect readiness, military operations, or the well-being of personnel and animals; attack or damage real property, supplies, equipment, or vegetation; or are otherwise undesirable.

#### 1.2.9 Surface Discharge

The term "Surface Discharge" implies that the water is discharged with possible sheeting action and subsequent soil erosion may occur. Waters that are surface discharged may terminate in drainage ditches, storm sewers, creeks, and/or "waters of the United States" and would require a permit to discharge water from the governing agency.

#### 1.2.10 Waters of the United States

All waters which are under the jurisdiction of the Clean Water Act, as defined in 33 CFR 328.

#### 1.2.11 Wetlands

Wetlands means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, and bogs. Official determination of whether or not an area is classified as a wetland must be done in accordance with WETLAND MANUAL.

### 1.3 GENERAL REQUIREMENTS

The Contractor shall minimize environmental pollution and damage that may occur as the result of construction operations. The environmental resources within the project boundaries and those affected outside the limits of permanent work shall be protected during the entire duration of this contract. The Contractor shall comply with all applicable environmental Federal, State, and local laws and regulations. The Contractor shall be responsible for any delays resulting from failure to comply with environmental laws and regulations.

### 1.4 SUBCONTRACTORS

The Contractor shall ensure compliance with this section by subcontractors.

### 1.5 PAYMENT

No separate payment will be made for work covered under this section. The Contractor shall be responsible for payment of fees associated with

environmental permits, application, and/or notices obtained by the Contractor. All costs associated with this section shall be included in the contract price. The Contractor shall be responsible for payment of all fines/fees for violation or non-compliance with Federal, State, Regional and local laws and regulations.

#### 1.6 SUBMITTALS

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NOTE: Submittals must be limited to those necessary for adequate quality control. The importance of an item in the project should be one of the primary factors in determining if a submittal for the item should be required.

A "G" following a submittal item indicates that the submittal requires Government approval. Some submittals are already marked with a "G". Only delete an existing "G" if the submittal item is not complex and can be reviewed through the Contractor's Quality Control system. Only add a "G" if the submittal is sufficiently important or complex in context of the project.

For submittals requiring Government approval on Army projects, a code of up to three characters within the submittal tags may be used following the "G" designation to indicate the approving authority. Codes for Army projects using the Resident Management System (RMS) are: "AE" for Architect-Engineer; "DO" for District Office (Engineering Division or other organization in the District Office); "AO" for Area Office; "RO" for Resident Office; and "PO" for Project Office. Codes following the "G" typically are not used for Navy projects.

Submittal items not designated with a "G" are considered as being for information only for Army projects and for Contractor Quality Control approval for Navy projects.

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Government approval is required for submittals with a "G" designation; submittals not having a "G" designation are for [Contractor Quality Control approval.] [information only. When used, a designation following the "G" designation identifies the office that will review the submittal for the Government.] The following shall be submitted in accordance with Section 01330 SUBMITTAL PROCEDURES:

##### SD-01 Preconstruction Submittals

Environmental Protection Plan[; G][; G, [\_\_\_\_\_]]

The environmental protection plan.

#### 1.7 ENVIRONMENTAL PROTECTION PLAN

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NOTE: The Environmental Protection Plan is to be edited to include any additional environmental concerns or plans that may be required for the construction Contractor to protect the environment during construction of the project. The Designer should coordinate the requirements with the Facility, Installation, or Project Environmental Offices in addition to the Federal, State Regional and Local governing agencies.

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Prior to commencing construction activities or delivery of materials to the site, the Contractor shall submit an Environmental Protection Plan for review and approval by the Contracting Officer. The purpose of the Environmental Protection Plan is to present a comprehensive overview of known or potential environmental issues which the Contractor must address during construction. Issues of concern shall be defined within the Environmental Protection Plan as outlined in this section. The Contractor shall address each topic at a level of detail commensurate with the environmental issue and required construction task(s). Topics or issues which are not identified in this section, but which the Contractor considers necessary, shall be identified and discussed after those items formally identified in this section. Prior to submittal of the Environmental Protection Plan, the Contractor shall meet with the Contracting Officer for the purpose of discussing the implementation of the initial Environmental Protection Plan; possible subsequent additions and revisions to the plan including any reporting requirements; and methods for administration of the Contractor's Environmental Plans. The Environmental Protection Plan shall be current and maintained onsite by the Contractor.

#### 1.7.1 Compliance

No requirement in this Section shall be construed as relieving the Contractor of any applicable Federal, State, and local environmental protection laws and regulations. During Construction, the Contractor shall be responsible for identifying, implementing, and submitting for approval any additional requirements to be included in the Environmental Protection Plan.

#### 1.7.2 Contents

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Any unnecessary or inapplicable plans or requirements are to be deleted.

Brackets in item j. should be replaced with the name of the Facility, Installation, or Project Office where the project is located; the title of their spill control plan; and where it may be reviewed by the Contractor. Instead of referencing their plan, the Designer could add specific requirements of the plan to this paragraph.

The pesticide paragraph (item q.) should not be deleted since an unforeseen site condition could require a pesticide treatment. The pesticide treatment plan serves two purposes. It provides a mechanism for early coordination with the appropriate installation personnel through the

Contracting Officer and provides a mechanism for reporting pesticide use information to the Installation as required by the Federal Insecticide Fungicide and Rodenticide Act (FIFRA). For military construction, this information must be provided to the Installation under DoDI 4150.7 DoD Pest Management Instruction, under DA AR 200-5 Pest Management or under Air Force Instruction AFI 32-1053 Pest Management Program. The Designer should coordinate this section with others sections requiring pesticide application (02921 SEEDING, 02922 SODDING, 02923 SPRIGGING, 02930 EXTERIOR PLANTS, and 02935 LANDSCAPE ESTABLISHMENT) and with the Installation's Pest Management organization for any additional requirements.

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The environmental protection plan shall include, but shall not be limited to, the following:

- a. Name(s) of person(s) within the Contractor's organization who is(are) responsible for ensuring adherence to the Environmental Protection Plan.
- b. Name(s) and qualifications of person(s) responsible for manifesting hazardous waste to be removed from the site, if applicable.
- c. Name(s) and qualifications of person(s) responsible for training the Contractor's environmental protection personnel.
- d. Description of the Contractor's environmental protection personnel training program.
- e. An erosion and sediment control plan which identifies the type and location of the erosion and sediment controls to be provided. The plan shall include monitoring and reporting requirements to assure that the control measures are in compliance with the erosion and sediment control plan, Federal, State, and local laws and regulations. A Storm Water Pollution Prevention Plan (SWPPP) may be substituted for this plan.
- f. Drawings showing locations of proposed temporary excavations or embankments for haul roads, stream crossings, material storage areas, structures, sanitary facilities, and stockpiles of excess or spoil materials including methods to control runoff and to contain materials on the site.
- g. Traffic control plans including measures to reduce erosion of temporary roadbeds by construction traffic, especially during wet weather. Plan shall include measures to minimize the amount of mud transported onto paved public roads by vehicles or runoff.
- h. Work area plan showing the proposed activity in each portion of the area and identifying the areas of limited use or nonuse. Plan should include measures for marking the limits of use areas including methods for protection of features to be preserved within authorized work areas.
- i. Drawing showing the location of borrow areas.

j. The Spill Control plan shall include the procedures, instructions, and reports to be used in the event of an unforeseen spill of a substance regulated by 40 CFR 68, 40 CFR 302, 40 CFR 355, and/or regulated under State or Local laws and regulations. The Spill Control Plan supplements the requirements of EM 385-1-1 [and the [\_\_\_\_]]. This plan shall include as a minimum:

1. The name of the individual who will report any spills or hazardous substance releases and who will follow up with complete documentation. This individual shall immediately notify the Contracting Officer and [the local Fire Department] [Facility Fire Department] [Facility Response Personnel] [Facility Environmental Office] in addition to the legally required Federal, State, and local reporting channels (including the National Response Center 1-800-424-8802) if a reportable quantity is released to the environment. The plan shall contain a list of the required reporting channels and telephone numbers.

2. The name and qualifications of the individual who will be responsible for implementing and supervising the containment and cleanup.

3. Training requirements for Contractor's personnel and methods of accomplishing the training.

4. A list of materials and equipment to be immediately available at the job site, tailored to cleanup work of the potential hazard(s) identified.

5. The names and locations of suppliers of containment materials and locations of additional fuel oil recovery, cleanup, restoration, and material-placement equipment available in case of an unforeseen spill emergency.

6. The methods and procedures to be used for expeditious contaminant cleanup.

k. A non-hazardous solid waste disposal plan identifying methods and locations for solid waste disposal including clearing debris. The plan shall include schedules for disposal. The Contractor shall identify any subcontractors responsible for the transportation and disposal of solid waste. Licenses or permits shall be submitted for solid waste disposal sites that are not a commercial operating facility. Evidence of the disposal facility's acceptance of the solid waste shall be attached to this plan during the construction. The Contractor shall attach a copy of each of the Non-hazardous Solid Waste Diversion Reports to the disposal plan. The report shall be submitted on the first working day after the first quarter that non-hazardous solid waste has been disposed and/or diverted and shall be for the previous quarter (e.g. the first working day of January, April, July, and October). The report shall indicate the total amount of waste generated and total amount of waste diverted in cubic meters yards or tons along with the percent that was diverted.

1. A recycling and solid waste minimization plan with a list of measures to reduce consumption of energy and natural resources. The plan shall detail the Contractor's actions to comply with and to participate in Federal, State, Regional, and local government sponsored recycling programs to reduce the volume of solid waste at the source.

m. An air pollution control plan detailing provisions to assure that dust, debris, materials, trash, etc., do not become air borne and travel off the project site.

n. A contaminant prevention plan that: identifies potentially hazardous substances to be used on the job site; identifies the intended actions to prevent introduction of such materials into the air, water, or ground; and details provisions for compliance with Federal, State, and local laws and regulations for storage and handling of these materials. In accordance with EM 385-1-1, a copy of the Material Safety Data Sheets (MSDS) and the maximum quantity of each hazardous material to be on site at any given time shall be included in the contaminant prevention plan. As new hazardous materials are brought on site or removed from the site, the plan shall be updated.

o. A waste water management plan that identifies the methods and procedures for management and/or discharge of waste waters which are directly derived from construction activities, such as concrete curing water, clean-up water, dewatering of ground water, disinfection water, hydrostatic test water, and water used in flushing of lines. If a settling/retention pond is required, the plan shall include the design of the pond including drawings, removal plan, and testing requirements for possible pollutants. If land application will be the method of disposal for the waste water, the plan shall include a sketch showing the location for land application along with a description of the pretreatment methods to be implemented. If surface discharge will be the method of disposal, a copy of the permit and associated documents shall be included as an attachment prior to discharging the waste water. If disposal is to a sanitary sewer, the plan shall include documentation that the Waste Water Treatment Plant Operator has approved the flow rate, volume, and type of discharge.

p. A historical, archaeological, cultural resources biological resources and wetlands plan that defines procedures for identifying and protecting historical, archaeological, cultural resources, biological resources and wetlands known to be on the project site: and/or identifies procedures to be followed if historical archaeological, cultural resources, biological resources and wetlands not previously known to be onsite or in the area are discovered during construction. The plan shall include methods to assure the protection of known or discovered resources and shall identify lines of communication between Contractor personnel and the Contracting Officer.

q. A pesticide treatment plan shall be included and updated, as information becomes available. The plan shall include: sequence of treatment, dates, times, locations, pesticide trade name, EPA registration numbers, authorized uses, chemical composition, formulation, original and applied concentration, application rates of active ingredient (i.e. pounds of active ingredient applied), equipment used for application and calibration of equipment. The Contractor is responsible for Federal, State, Regional and Local pest management record keeping and reporting requirements as well as any additional Installation Project Office specific requirements. The Contractor shall follow [DA AR 200-5 Pest Management, Chapter 2, Section III "Pest Management Records and Reports" for data required to be reported to the Installation] [AFI 32-1053 Sections 3.4.13 and 3.4.14 for data required to be reported to the Installation].

### 1.7.3 Appendix

Copies of all environmental permits, permit application packages, approvals to construct, notifications, certifications, reports, and termination documents shall be attached, as an appendix, to the Environmental Protection Plan.

### 1.8 PROTECTION FEATURES

This paragraph supplements the Contract Clause PROTECTION OF EXISTING VEGETATION, STRUCTURES, EQUIPMENT, UTILITIES, AND IMPROVEMENTS. Prior to start of any onsite construction activities, the Contractor and the Contracting Officer shall make a joint condition survey. Immediately following the survey, the Contractor shall prepare a brief report including a plan describing the features requiring protection under the provisions of the Contract Clauses, which are not specifically identified on the drawings as environmental features requiring protection along with the condition of trees, shrubs and grassed areas immediately adjacent to the site of work and adjacent to the Contractor's assigned storage area and access route(s), as applicable. This survey report shall be signed by both the Contractor and the Contracting Officer upon mutual agreement as to its accuracy and completeness. The Contractor shall protect those environmental features included in the survey report and any indicated on the drawings, regardless of interference which their preservation may cause to the Contractor's work under the contract.

### 1.9 SPECIAL ENVIRONMENTAL REQUIREMENTS

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NOTE: The special environmental requirements with which the Contractor must comply must be developed during the design process, included in the bidding documents, and made a part of the contract. The special environmental requirements must be developed by the Designer from such documents as the National Environmental Policy Act (NEPA) compliance measures specified in the Environmental Assessment (EA) or the Environmental Impact Statement (EIS), the Installation Master Plan, or the Installation Storm Water Management Plan. For Civil Works projects, the Environmental commitments made during planning are usually tracked by Project Management. Coordination with the Project Manager is essential in developing the special requirements.

Attachments referenced below and in paragraph ENVIRONMENTAL PERMITS AND COMMITMENTS, which require Contractor's actions, should be listed in the blank provided and attached at the end of this Section. Remove this paragraph if not required in the project after coordination with paragraph ENVIRONMENTAL PERMITS AND COMMITMENTS.

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The Contractor shall comply with the special environmental requirements listed here [\_\_\_\_\_] and included at the end of this section.

#### 1.10 ENVIRONMENTAL ASSESSMENT OF CONTRACT DEVIATIONS

Any deviations, requested by the Contractor, from the drawings, plans and specifications which may have an environmental impact will be subject to approval by the Contracting Officer and may require an extended review, processing, and approval time. The Contracting Officer reserves the right to disapprove alternate methods, even if they are more cost effective, if the Contracting Officer determines that the proposed alternate method will have an adverse environmental impact.

#### 1.11 NOTIFICATION

The Contracting Officer will notify the Contractor in writing of any observed noncompliance with Federal, State or local environmental laws or regulations, permits, and other elements of the Contractor's Environmental Protection plan. The Contractor shall, after receipt of such notice, inform the Contracting Officer of the proposed corrective action and take such action when approved by the Contracting Officer. The Contracting Officer may issue an order stopping all or part of the work until satisfactory corrective action has been taken. No time extensions shall be granted or equitable adjustments allowed to the Contractor for any such suspensions. This is in addition to any other actions the Contracting Officer may take under the contract, or in accordance with the Federal Acquisition Regulation or Federal Law.

#### 1.12 HTRW PERIMETER AIR MONITORING

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NOTE: The following paragraph pertains to HTRW construction when the Designer has determined that the need to protect Air Quality during HTRW remedial action is necessary and appropriate. The paragraph applies to contaminant emissions to the air from HTRW remedial action construction area sources. The Designer should coordinate the editing of UFGS-01450A CHEMICAL DATA QUALITY CONTROL so that the Chemistry Data Package, FSP and QAPP meet air monitoring reporting and instrument/sample collection and analysis needs.

An air pathway analysis needs to be conducted prior to specifying the items in the subparagraphs below. The Designer is referred to EP 1110-1-21 Air Pathway Analysis (APA) for the Design of HTRW Remedial Action Project. Design perimeter air monitoring requirements (action levels for the contaminants of concern, monitoring/sampling frequency) based on APA results. Specify monitoring/sampling and analytical requirements in section 01450A, CHEMICAL DATA QUALITY CONTROL. Specify airborne contaminants of concern, action levels, monitoring/sampling locations below. See 40 CFR 300.430(e)(9) of the National Contingency Plan.

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For the protection of public health, the Contractor shall monitor and control contaminant emissions to the air from HTRW remedial action area sources to minimize short term risks that might be posed to the community during implementation of the remedial alternative in accordance with the

following.

1.12.1 Perimeter Air Contaminant of Concern

[\_\_\_\_\_].

1.12.2 Time Averaged Perimeter Action Levels

[\_\_\_\_\_].

- a. Concentration [\_\_\_\_\_].
- b. Time [\_\_\_\_\_].

1.12.3 Perimeter Sampling/Monitoring Location[s]

[\_\_\_\_\_].

1.12.4 Monitoring Instruments/Sampling and Analysis Methods

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NOTE: UFGS-01450A CHEMICAL DATA QUALITY CONTROL  
should be edited to reflect appropriate  
instruments/sampling and analytical methods which  
meet required action levels.  
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[\_\_\_\_\_].

1.12.5 Staffing

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NOTE: See staffing requirements in UFGS-01450A  
CHEMICAL DATA QUALITY CONTROL and assure that it is  
edited so that qualified personnel are used to  
operate instruments, take samples, and perform  
analysis.  
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PART 2 PRODUCTS (NOT USED)

PART 3 EXECUTION

\*\*\*\*\*  
NOTE: Edit and/or delete the following paragraphs  
to reflect project requirements only.  
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3.1 ENVIRONMENTAL PERMITS AND COMMITMENTS

\*\*\*\*\*  
NOTE: The terms and conditions contained in any  
environmental permits and environmental commitments  
obtained by the Government must be made a part of  
the contract. The design must be in accordance with  
these permits and commitments. The title and  
requirements of this paragraph may be changed to  
include environmental reviews and approvals, if  
pertinent. This paragraph shall be coordinated with

the SPECIAL ENVIRONMENTAL REQUIREMENTS paragraph.  
If the Government has not obtained any environmental  
permits, commitments, approvals, etc., the first  
paragraph should be deleted and the second paragraph  
should be used.

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[This paragraph supplements the Contractor's responsibility under the contract clause "PERMITS AND RESPONSIBILITIES" to the extent that the Government has obtained the [\_\_\_\_]. The Contractor shall comply with the terms and conditions of the attached [\_\_\_\_] at the end of this section.]

[The Contractor shall be responsible for obtaining and complying with all environmental permits and commitments required by Federal, State, Regional, and local environmental laws and regulations.]

### 3.2 LAND RESOURCES

The Contractor shall confine all activities to areas defined by the drawings and specifications. Prior to the beginning of any construction, the Contractor shall identify any land resources to be preserved within the work area. Except in areas indicated on the drawings or specified to be cleared, the Contractor shall not remove, cut, deface, injure, or destroy land resources including trees, shrubs, vines, grasses, topsoil, and land forms without approval. No ropes, cables, or guys shall be fastened to or attached to any trees for anchorage unless specifically authorized. The Contractor shall provide effective protection for land and vegetation resources at all times as defined in the following subparagraphs. Stone, soil, or other materials displaced into uncleared areas shall be removed by the Contractor.

#### 3.2.1 Work Area Limits

Prior to commencing construction activities, the Contractor shall mark the areas that need not be disturbed under this contract. Isolated areas within the general work area which are not to be disturbed shall be marked or fenced. Monuments and markers shall be protected before construction operations commence. Where construction operations are to be conducted during darkness, any markers shall be visible in the dark. The Contractor's personnel shall be knowledgeable of the purpose for marking and/or protecting particular objects.

#### 3.2.2 Landscape

Trees, shrubs, vines, grasses, land forms and other landscape features indicated and defined on the drawings to be preserved shall be clearly identified by marking, fencing, or wrapping with boards, or any other approved techniques. The Contractor shall restore landscape features damaged or destroyed during construction operations outside the limits of the approved work area.

#### 3.2.3 Erosion and Sediment Controls

\*\*\*\*\*

**NOTE:** This paragraph must be edited to reflect the specific requirements of the project. In place of the blank brackets, enter the name of the Installation, Facility, or Project Office.



If the National or State Pollutant Discharge Elimination System Permit for Storm Water Discharges from Construction Sites over 5 acres of Land Disturbance is not required, but the project site is covered under an existing NPDES Industrial Storm Water Permit, the requirements of that permit will be added to this paragraph, shown on the drawing, and/or attached to this specification.

\*\*\*\*\*

The Contractor shall be responsible for providing erosion and sediment control measures in accordance with Federal, State, and local laws and regulations. The erosion and sediment controls selected and maintained by the Contractor shall be such that water quality standards are not violated as a result of the Contractor's construction activities. The area of bare soil exposed at any one time by construction operations should be kept to a minimum. The Contractor shall construct or install temporary and permanent erosion and sediment control best management practices (BMPs) [as indicated on the drawings] [as specified in Section 01356A STORM WATER POLLUTION PREVENTION MEASURES]. BMPs may include, but not be limited to, vegetation cover, stream bank stabilization, slope stabilization, silt fences, construction of terraces, interceptor channels, sediment traps, inlet and outfall protection, diversion channels, and sedimentation basins. [The Contractor's best management practices shall also be in accordance with the [\_\_\_\_\_] National Pollutant Discharge Elimination System (NPDES) Storm Water Pollution Prevention Plan (SWPPP) which may be reviewed at the [\_\_\_\_\_] Environmental Office.] Any temporary measures shall be removed after the area has been stabilized.

#### 3.2.4 Contractor Facilities and Work Areas

The Contractor's field offices, staging areas, stockpile storage, and temporary buildings shall be placed in areas designated on the drawings or as directed by the Contracting Officer. Temporary movement or relocation of Contractor facilities shall be made only when approved. Erosion and sediment controls shall be provided for on-site borrow and spoil areas to prevent sediment from entering nearby waters. Temporary excavation and embankments for plant and/or work areas shall be controlled to protect adjacent areas.

#### 3.3 WATER RESOURCES

The Contractor shall monitor construction activities to prevent pollution of surface and ground waters. Toxic or hazardous chemicals shall not be applied to soil or vegetation unless otherwise indicated. All water areas affected by construction activities shall be monitored by the Contractor. For construction activities immediately adjacent to impaired surface waters, the Contractor shall be capable of quantifying sediment or pollutant loading to that surface water when required by State or Federally issued Clean Water Act permits.

##### 3.3.1 Cofferdams, Diversions, and Dewatering Operations

\*\*\*\*\*

**NOTE: Edit the first sentence by removing items not included in the project.**

\*\*\*\*\*

Construction operations for dewatering, removal of cofferdams, tailrace

excavation, and tunnel closure shall be controlled at all times to maintain compliance with existing State water quality standards and designated uses of the surface water body. The Contractor shall comply with [the State of [\_\_\_\_\_] water quality standards and anti-degradation provisions] [and] [the Clean Water Act Section 404, Nation Wide Permit No. [\_\_\_\_\_] ].

### 3.3.2 Stream Crossings

Stream crossings shall allow movement of materials or equipment without violating water pollution control standards of the Federal, State, and local governments. [Construction of stream crossing structures shall be in compliance with Clean Water Act Section 404, Nation Wide Permit No. [\_\_\_\_\_] ].]

### 3.3.3 Wetlands

\*\*\*\*\*

NOTE: All wetlands on the site or adjacent to the site must be identified on the drawings and this paragraph edited accordingly. If the wetlands on site must be disturbed, the Designer is responsible for the coordination with the regulatory agencies during design for identification of Section 404 of the Clean Water Act permits whether the permit is an Individual, Nationwide, Regional, State, or Local 404 or similar permit. All permit requirements are to be included in the ENVIRONMENTAL PERMITS, REVIEWS, AND APPROVALS paragraph and attached to this specification. In addition, the Designer must coordinate any mitigation requirements for the project.

If no wetlands are onsite or adjacent to the site, delete this paragraph in its entirety. The first sentence should normally remain intact with the first bracketed item. This will require the Contractor to be cognizant of the responsibility to protect wetlands regardless of whether they are identified on drawings or in the event site conditions have changed since design.

\*\*\*\*\*

The Contractor shall not enter, disturb, destroy, or allow discharge of contaminants into any wetlands[.] [except as authorized herein. The Contractor shall be responsible for the protection of wetlands shown on the drawings in accordance with paragraph ENVIRONMENTAL PERMITS, REVIEWS, AND APPROVALS. Authorization to enter specific wetlands identified shall not relieve the Contractor from any obligation to protect other wetlands within, adjacent to, or in the vicinity of the construction site and associated boundaries.]

### 3.4 AIR RESOURCES

Equipment operation, activities, or processes performed by the Contractor shall be in accordance with all Federal and State air emission and performance laws and standards.

#### 3.4.1 Particulates

\*\*\*\*\*  
NOTE: This is a general performance type requirement for particulate control. For projects where special construction activities, such as concrete batch plants, or extensive earthwork are involved, the Designer should consider the need for a more descriptive specification giving methods, frequency of application, and monitoring methods for controlling particulates.  
\*\*\*\*\*

Dust particles; aerosols and gaseous by-products from construction activities; and processing and preparation of materials, such as from asphaltic batch plants; shall be controlled at all times, including weekends, holidays and hours when work is not in progress. The Contractor shall maintain excavations, stockpiles, haul roads, permanent and temporary access roads, plant sites, spoil areas, borrow areas, and other work areas within or outside the project boundaries free from particulates which would cause the Federal, State, and local air pollution standards to be exceeded or which would cause a hazard or a nuisance. Sprinkling, chemical treatment of an approved type, baghouse, scrubbers, electrostatic precipitators or other methods will be permitted to control particulates in the work area. Sprinkling, to be efficient, must be repeated to keep the disturbed area damp at all times. The Contractor must have sufficient, competent equipment available to accomplish these tasks. Particulate control shall be performed as the work proceeds and whenever a particulate nuisance or hazard occurs. The Contractor shall comply with all State and local visibility regulations.

#### 3.4.2 Odors

Odors from construction activities shall be controlled at all times. The odors shall not cause a health hazard and shall be in compliance with State regulations and/or local ordinances.

#### 3.4.3 Sound Intrusions

\*\*\*\*\*  
NOTE: Insert State's name or remove last sentence when State rules are not applicable. The Designer should further address any facility specific requirements such as operational hours around base housing etc.  
\*\*\*\*\*

The Contractor shall keep construction activities under surveillance and control to minimize environment damage by noise. The Contractor shall comply with the provisions of the State of [\_\_\_\_\_] rules.

#### 3.4.4 Burning

\*\*\*\*\*  
NOTE: Edit the paragraph after coordinating with the governing agencies.  
\*\*\*\*\*

[Burning shall be prohibited on the Government premises.] [Burning will not

be allowed on the project site unless specified in other sections of the specifications or authorized in writing by the Contracting Officer. The specific time, location, and manner of burning shall be subject to approval.] [Fires shall be confined to a closed vessel, guarded at all times, and shall be under constant surveillance until contents have burned out or have been extinguished.] [Burning shall completely reduce the materials to ashes.]

### 3.5 HTRW AIR EMISSION CONTROL

\*\*\*\*\*  
NOTE: Edit the paragraphs below so the Contractor controls emissions to the air if action levels are exceeded. Use air pathway analysis results to help edit paragraphs/specify requirements. The following paragraphs should be used when an air pathway analysis has been conducted for HTRW remedial action.  
\*\*\*\*\*

The Contractor shall implement the following control(s) to meet or exceed performance levels identified in HTRW PERIMETER AIR MONITORING.

#### 3.5.1 Air Emission Control to Meet Action Levels

[\_\_\_\_].

#### 3.5.2 Excavation/Production/Processing Rate Reduction

[\_\_\_\_].

#### 3.5.3 Exposed Surface Area Reduction

[\_\_\_\_].

### 3.6 CHEMICAL MATERIALS MANAGEMENT AND WASTE DISPOSAL

Disposal of wastes shall be as directed below, unless otherwise specified in other sections and/or shown on the drawings.

#### 3.6.1 Solid Wastes

\*\*\*\*\*  
NOTE: Select appropriate disposal alternative. In some states certain quantities of clearing debris may be classified as solid waste. The Designer should include appropriate language to comply with State requirements. Remove non-applicable bracketed options.  
\*\*\*\*\*

Solid wastes (excluding clearing debris) shall be placed in containers which are emptied on a regular schedule. Handling, storage, and disposal shall be conducted to prevent contamination. Segregation measures shall be employed so that no hazardous or toxic waste will become co-mingled with solid waste. [The Contractor shall transport solid waste off Government property and dispose of it in compliance with Federal, State, and local requirements for solid waste disposal. A Subtitle D RCRA permitted landfill shall be the minimum acceptable off-site solid waste disposal option. The Contractor shall verify that the selected transporters and disposal

facilities have the necessary permits and licenses to operate.] [Waste materials shall be hauled to the Government landfill site [shown on the drawings] [designated by the Contracting Officer].] [The Contractor shall comply with [site procedures] [Federal, State, and local laws and regulations] pertaining to the use of landfill areas.]

### 3.6.2 Chemicals and Chemical Wastes

Chemicals shall be dispensed ensuring no spillage to the ground or water. Periodic inspections of dispensing areas to identify leakage and initiate corrective action shall be performed and documented. This documentation will be periodically reviewed by the Government. Chemical waste shall be collected in corrosion resistant, compatible containers. Collection drums shall be monitored and removed to a staging or storage area when contents are within 150 mm 6 inches of the top. Wastes shall be classified, managed, stored, and disposed of in accordance with Federal, State, and local laws and regulations.

### 3.6.3 Contractor Generated Hazardous Wastes/Excess Hazardous Materials

Hazardous wastes are defined in 40 CFR 261, or are as defined by applicable State and local regulations. Hazardous materials are defined in 49 CFR 171 - 178. The Contractor shall, at a minimum, manage and store hazardous waste in compliance with 40 CFR 262 [and shall manage and store hazardous waste in accordance with the [Installation] [Project Office] hazardous waste management plan]. The Contractor shall take sufficient measures to prevent spillage of hazardous and toxic materials during dispensing. The Contractor shall segregate hazardous waste from other materials and wastes, shall protect it from the weather by placing it in a safe covered location, and shall take precautionary measures such as berming or other appropriate measures against accidental spillage. The Contractor shall be responsible for storage, describing, packaging, labeling, marking, and placarding of hazardous waste and hazardous material in accordance with 49 CFR 171 - 178, State, and local laws and regulations.

The Contractor shall transport Contractor generated hazardous waste off Government property within [60] [\_\_\_\_\_] days in accordance with the Environmental Protection Agency and the Department of Transportation laws and regulations. The Contractor shall dispose of hazardous waste in compliance with Federal, State and local laws and regulations. Spills of hazardous or toxic materials shall be immediately reported to the Contracting Officer[ and the Facility Environmental Office]. Cleanup and cleanup costs due to spills shall be the Contractor's responsibility. [The disposition of Contractor generated hazardous waste and excess hazardous materials are the Contractor's responsibility.] [The Contractor shall coordinate the disposition of hazardous waste with the [Facility's] [Project Office's] Hazardous Waste Manager and the Contracting Officer.]

### 3.6.4 Fuel and Lubricants

Storage, fueling and lubrication of equipment and motor vehicles shall be conducted in a manner that affords the maximum protection against spill and evaporation. Fuel, lubricants and oil shall be managed and stored in accordance with all Federal, State, Regional, and local laws and regulations. Used lubricants and used oil to be discarded shall be stored in marked corrosion-resistant containers and recycled or disposed in accordance with 40 CFR 279, State, and local laws and regulations. [There shall be no storage of fuel on the project site. Fuel must be brought to the project site each day that work is performed.] [Storage of fuel on the project site shall be accordance with all Federal, State, and local laws

and regulations.]

### 3.6.5 Waste Water

\*\*\*\*\*

NOTE: Edit the following paragraphs after coordination with the Facility, Installation, or Project Office. Usually, a permit to discharge is not required for Land Application but the Designer will be responsible for identifying and including the requirements of the governing agencies. Insert or delete the brackets with the name of process producing the wastewater. If there is an area on the project site for a retention pond, a choice may be given for disposal in a retention pond. If there is a possibility that the water is contaminated, then appropriate analytical testing should be identified by the Designer.

\*\*\*\*\*

Disposal of waste water shall be as specified below.

- a. Waste water from construction activities, such as onsite material processing, concrete curing, foundation and concrete clean-up, water used in concrete trucks, forms, etc. shall not be allowed to enter water ways or to be discharged prior to being treated to remove pollutants. The Contractor shall dispose of the construction related waste water [off-Government property in accordance with all Federal, State, Regional and Local laws and regulations.] [or by collecting and placing it in a retention pond where suspended material can be settled out and/or the water can evaporate to separate pollutants from the water. The site for the retention pond shall be coordinated and approved with the Contracting Officer. The residue left in the pond prior to completion of the project shall be removed, tested, and disposed off-Government property in accordance with Federal, State, and local laws and regulations. The area shall be backfilled to the original grade, top-soiled and seeded/sodded. [The water in the retention pond shall be tested for [\_\_\_\_\_] and the results reviewed and approved by the Contracting Officer, prior to being discharged or disposed off-Government property].]
- b. For discharge of ground water, the Contractor shall [obtain a State or Federal permit specific for pumping and discharging ground water prior to surface discharging.] [surface discharge in accordance with all Federal, State, and local laws and regulations.] [surface discharge in accordance with the requirements of the NPDES or State STORM WATER DISCHARGES FROM CONSTRUCTION SITES permit.] [land apply on the project site. Land application shall be in accordance with all Federal, State, Regional, and/or Local laws and regulations for pumping and land applying ground water.]
- c. Water generated from the flushing of lines after [disinfection or disinfection in conjunction with hydrostatic testing] [hydrostatic testing] shall be [land applied in accordance with all Federal, State, and local laws and regulations for land application] [discharged into the sanitary sewer with prior approval and/or notification to the Waste Water Treatment Plant's Operator].

### 3.7 RECYCLING AND WASTE MINIMIZATION

\*\*\*\*\*

NOTE: See Executive Order 13101, September 14, 1998, GREENING THE GOVERNMENT THROUGH WASTE PREVENTION, RECYCLING, AND FEDERAL ACQUISITION and DoD Instruction 4715.4 Pollution Prevention. For Air Force projects, the Designer should see Non-Hazardous Solid Waste Diversion Rate Measure of Merit (MoM) dated 26 JAN 1999. For Military Construction projects, the Designer should contact the Using Service's Environmental Office for additional recycling requirements.

Consider the following items to be include in the paragraph:

(1) Generally, fallen trees should not be openly burned or buried. Consider requiring the Contractor to shred and use as mulch in a metropolitan area. (If trees are to be piled in lakes or on land as refugia for fish or wildlife, this should be shown on the drawings and specified elsewhere and may be referenced in this paragraph.)

(2) Composting.

(3) Recovery of metal from debris and sale to recycling operation with Contractor retaining any money derived from the sale.

(4) Collection of aluminum cans at the job site for recycling.

(5) Old concrete to be recycled as riprap, road base etc.

Coordinate the requirements in this paragraph with UFGS-01572 CONSTRUCTION AND DEMOLITION WASTE MANAGEMENT and UFGS-02220 DEMOLITION.

\*\*\*\*\*

The Contractor shall participate in State and local government sponsored recycling programs. [The Contractor is further encouraged to minimize solid waste generation throughout the duration of the project.] [The Contractor shall participate in the following recycling and waste minimization activities to divert non-hazardous solid waste:[\_\_\_\_]].

### 3.8 NON-HAZARDOUS SOLID WASTE DIVERSION REPORT

\*\*\*\*\*

NOTE: The Designer must edit the Non-hazardous Solid Waste Diversion Report to reflect the Using Service's requirements.

\*\*\*\*\*

The Contractor shall maintain an inventory of non-hazardous solid waste diversion and disposal of construction and demolition debris. The

Contractor shall submit a report to [\_\_\_\_\_] through the Contracting Officer on the first working day after each fiscal year quarter, starting the first quarter that non-hazardous solid waste has been generated. The following shall be included in the report:

- a. Construction and Demolition (C&D) Debris Disposed = [\_\_\_\_\_] in cubic meters, cubic yards or tons, as appropriate.
- b. Construction and Demolition (C&D) Debris Recycled = [\_\_\_\_\_] in cubic meters, cubic yards or tons, as appropriate.
- c. Total C&D Debris Generated = [\_\_\_\_\_] in cubic meters, cubic yards or tons, as appropriate.
- d. Waste Sent to Waste-To-Energy Incineration Plant (This amount should not be included in the recycled amount) = [\_\_\_\_\_] in cubic meters, cubic yards or tons, as appropriate.

### 3.9 HISTORICAL, ARCHAEOLOGICAL, AND CULTURAL RESOURCES

\*\*\*\*\*  
**NOTE: If there are known historical, archaeological, or cultural resources on the project site, the bracketed sentences should be included and the resource(s) should be shown on the drawings along with their required protection measures.**  
\*\*\*\*\*

[Existing historical, archaeological, and cultural resources within the Contractor's work area are shown on the drawings. The Contractor shall protect these resources and shall be responsible for their preservation during the life of the Contract. ]If during excavation or other construction activities any previously unidentified or unanticipated historical, archaeological, and cultural resources are discovered or found, all activities that may damage or alter such resources shall be temporarily suspended. Resources covered by this paragraph include but are not limited to: any human skeletal remains or burials; artifacts; shell, midden, bone, charcoal, or other deposits; rock or coral alignments, pavings, wall, or other constructed features; and any indication of agricultural or other human activities. Upon such discovery or find, the Contractor shall immediately notify the Contracting Officer so that the appropriate authorities may be notified and a determination made as to their significance and what, if any, special disposition of the finds should be made. The Contractor shall cease all activities that may result in impact to or the destruction of these resources. The Contractor shall secure the area and prevent employees or other persons from trespassing on, removing, or otherwise disturbing such resources.

### 3.10 BIOLOGICAL RESOURCES

\*\*\*\*\*  
**NOTE: The Designer must specify any special protection requirements and specifically describe how the Contractor is to protect the resources. This paragraph should be used when the Government knows of resources which should be protected and there are no requirements under Federal, State or local laws or regulations which would ensure that the Contractor would provide protection. If there**



are known Endangered or Threatened Species onsite or in the area including their habitat, this paragraph must identify the species and/or their habitat and must include any requirements or methods for protection.

\*\*\*\*\*

The Contractor shall minimize interference with, disturbance to, and damage to fish, wildlife, and plants including their habitat. The Contractor shall be responsible for the protection of threatened and endangered animal and plant species including their habitat in accordance with Federal, State, Regional, and local laws and regulations.

### 3.11 INTEGRATED PEST MANAGEMENT

\*\*\*\*\*

NOTE: DoD Installations are required under DoDI 4150.7 to develop an integrated pest management plan (IPMP). The Facility IPMP has been developed by the installation to identify potential pest-related risks of damage to installation properties as well as approaches to be used to limit these risks. The Designer should coordinate with the Installation Pest Management Coordinator early in the design process to address structural, landscaping and other pest damage reduction alternatives to pesticide applications when cost effective. This effort may be multidisciplinary in scope (i.e. planner/landscape architect, natural resource manager etc.). The pest management plans and strategies developed during design and construction should be reviewed and approved by DoD pest management professionals and coordinated with IPMC as required by DA AR 200-5 and DoDI 4150.7.

The following paragraph is to be used when the application of pest management chemicals is OR is NOT anticipated. These requirements must be included as a plan within the Environmental Protection Plan. When a pest is known to be in the soil, the Designer should identify the pest and the area to be treated. This paragraph should be left intact to cover pesticide applications not anticipated by the Designer. When termiticide is required, the Designer should include the bracketed sentence and include Section 02630 STORM DRAINAGE in the contract specifications. Delete last sentence when not applicable. The "installation pest management coordinator" is a term used in DA AR 200-5 Pest Management. DA AR 200-5 is not applicable to USACE Civil Works activities. Appropriate USACE personnel should be referenced when this specification is used for civil works. See CECW-ON EP 1130-2-540 ENVIRONMENTAL STEWARDSHIP OPERATIONS AND MAINTENANCE GUIDANCE AND PROCEDURES, Chapter 3 - Pest Control Program for Civil Works Projects.

\*\*\*\*\*

In order to minimize impacts to existing fauna and flora, the Contractor, through the Contracting Officer, shall coordinate with the Installation Pest Management Coordinator (IPMC) Project Pesticide Coordinator (PPC) at the earliest possible time prior to pesticide application. The Contractor shall discuss integrated pest management strategies with the [IPMC] [PPC] and receive concurrence from the [IPMC] [PPC] through the COR prior to the application of any pesticide associated with these specifications. Installation Project Office Pest Management personnel shall be given the opportunity to be present at all meetings concerning treatment measures for pest or disease control and during application of the pesticide. [For termiticide requirements see Section 02360 SOIL TREATMENT FOR SUBTERRANEAN TERMITE CONTROL.] The use and management of pesticides are regulated under 40 CFR 152 - 186.

#### 3.11.1 Pesticide Delivery and Storage

Pesticides shall be delivered to the site in the original, unopened containers bearing legible labels indicating the EPA registration number and the manufacturer's registered uses. Pesticides shall be stored according to manufacturer's instructions and under lock and key when unattended.

#### 3.11.2 Qualifications

For the application of pesticides, the Contractor shall use the services of a subcontractor whose principal business is pest control. The subcontractor shall be licensed and certified in the state where the work is to be performed.

#### 3.11.3 Pesticide Handling Requirements

The Contractor shall formulate, treat with, and dispose of pesticides and associated containers in accordance with label directions and shall use the clothing and personal protective equipment specified on the labeling for use during all phases of the application. Material Safety Data Sheets (MSDS) shall be available for all pesticide products.

#### 3.11.4 Application

Pesticides shall be applied by a State Certified Pesticide Applicator in accordance with EPA label restrictions and recommendation. The Certified Applicator shall wear clothing and personal protective equipment as specified on the pesticide label. Water used for formulating shall only come from locations designated by the Contracting Officer. The Contractor shall not allow the equipment to overflow. Prior to application of pesticide, all equipment shall be inspected for leaks, clogging, wear, or damage and shall be repaired prior to being used.

#### 3.12 PREVIOUSLY USED EQUIPMENT

The Contractor shall clean all previously used construction equipment prior to bringing it onto the project site. The Contractor shall ensure that the equipment is free from soil residuals, egg deposits from plant pests, noxious weeds, and plant seeds. The Contractor shall consult with the USDA jurisdictional office for additional cleaning requirements.

#### 3.13 MAINTENANCE OF POLLUTION FACILITIES

The Contractor shall maintain permanent and temporary pollution control

facilities and devices for the duration of the contract or for that length of time construction activities create the particular pollutant.

### 3.14 MILITARY MUNITIONS

\*\*\*\*\*  
NOTE: Remove this paragraph if not needed in the  
project.  
\*\*\*\*\*

In the event the Contractor discovers or uncovers military munitions as defined in 40 CFR 260, the Contractor shall immediately stop work in that area and immediately inform the Contracting Officer.

### 3.15 TRAINING OF CONTRACTOR PERSONNEL

The Contractor's personnel shall be trained in all phases of environmental protection and pollution control. The Contractor shall conduct environmental protection/pollution control meetings for all Contractor personnel prior to commencing construction activities. Additional meetings shall be conducted for new personnel and when site conditions change. The training and meeting agenda shall include: methods of detecting and avoiding pollution; familiarization with statutory and contractual pollution standards; installation and care of devices, vegetative covers, and instruments required for monitoring purposes to ensure adequate and continuous environmental protection/pollution control; anticipated hazardous or toxic chemicals or wastes, and other regulated contaminants; recognition and protection of archaeological sites, artifacts, wetlands, and endangered species and their habitat that are known to be in the area.

### 3.16 CONTAMINATED MEDIA MANAGEMENT

\*\*\*\*\*  
NOTE: Remove this paragraph if not needed in the  
project.  
\*\*\*\*\*

Contaminated environmental media consisting of, but not limited to, ground water, soils, and sediments shall be managed in accordance with Section [\_\_\_\_].

### 3.17 POST CONSTRUCTION CLEANUP

The Contractor shall clean up all areas used for construction in accordance with Contract Clause: "Cleaning Up". The Contractor shall, unless otherwise instructed in writing by the Contracting Officer, obliterate all signs of temporary construction facilities such as haul roads, work area, structures, foundations of temporary structures, stockpiles of excess or waste materials, and other vestiges of construction prior to final acceptance of the work. The disturbed area shall be graded, filled and the entire area seeded unless otherwise indicated.

-- End of Section --