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UNIFIED FACILITIES GUIDE SPECIFICATIONS

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DIVISION 01 - GENERAL REQUIREMENTS

SECTION 01 57 19.00 20

TEMPORARY ENVIRONMENTAL CONTROLS

02/09

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PART 1 GENERAL

1.1 REFERENCES

NOTE: This paragraph is used to list the publications cited in the text of the guide specification. The publications are referred to in the text by basic designation only and listed in this paragraph by organization, designation, date, and title.

Use the Reference Wizard's Check Reference feature when you add a RID outside of the Section's Reference Article to automatically place the reference in the Reference Article. Also use the Reference Wizard's Check Reference feature to update the issue dates.

References not used in the text will automatically be deleted from this section of the project specification when you choose to reconcile references in the publish print process.

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. ENVIRONMENTAL PROTECTION AGENCY (EPA)

EPA 530/F-93/004	(1993; Rev O; Updates I, II, IIA, IIB, and III) Test Methods for Evaluating Solid Waste (Vol IA, IB, IC, and II) (SW-846)
EPA 833-R-060-04	(2000) Developing Your Storm Water Pollution Prevention Plan, a Guide for Construction Sites

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

29 CFR 1910	Occupational Safety and Health Standards
29 CFR 1910.120	Hazardous Waste Operations and Emergency Response
40 CFR 112	Oil Pollution Prevention
40 CFR 122.26	Storm Water Discharges (Applicable to State NPDES Programs, see section 123.25)
40 CFR 241	Guidelines for Disposal of Solid Waste
40 CFR 243	Guidelines for the Storage and Collection of Residential, Commercial, and Institutional Solid Waste

40 CFR 258	Subtitle D Landfill Requirements
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 263	Standards Applicable to Transporters of Hazardous Waste
40 CFR 264	Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities
40 CFR 265	Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities
40 CFR 266	Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities
40 CFR 268	Land Disposal Restrictions
40 CFR 270	EPA Administered Permit Programs: The Hazardous Waste Permit Program
40 CFR 271	Requirements for Authorization of State Hazardous Waste Programs
40 CFR 272	Approved State Hazardous Waste Management Programs
40 CFR 273	Standards For Universal Waste Management
40 CFR 279	Standards for the Management of Used Oil
40 CFR 280	Technical Standards and Corrective Action Requirements for Owners and Operators of Underground Storage Tanks (UST)
40 CFR 300	National Oil and Hazardous Substances Pollution Contingency Plan
40 CFR 355	Emergency Planning and Notification
40 CFR 372-SUBPART D	Specific Toxic Chemical Listings
40 CFR 761	Polychlorinated Biphenyls (PCBs) Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions
40 CFR 82	Protection of Stratospheric Ozone
49 CFR 171	General Information, Regulations, and Definitions

49 CFR 172	Hazardous Materials Table, Special Provisions, Hazardous Materials Communications, Emergency Response Information, and Training Requirements
49 CFR 173	Shippers - General Requirements for Shipments and Packagings
49 CFR 178	Specifications for Packagings

1.2 DEFINITIONS

1.2.1 Sediment

Soil and other debris that have eroded and have been transported by runoff water or wind.

1.2.2 Solid Waste

Garbage, refuse, debris, sludge, or other discharged material, including solid, liquid, semisolid, or contained gaseous materials resulting from domestic, industrial, commercial, mining, or agricultural operations. Types of solid waste typically generated at construction sites may include:

- a. Green waste: The vegetative matter from landscaping, land clearing and grubbing, including, but not limited to, grass, bushes, scrubs, small trees and saplings, tree stumps and plant roots. Marketable trees, grasses and plants that are indicated to remain, be re-located, or be re-used are not included.
- b. Surplus soil: Existing soil that is in excess of what is required for this work, including aggregates intended, but not used, for on-site mixing of concrete, mortars and paving. Contaminated soil meeting the definition of hazardous material or hazardous waste is not included.

NOTE: State and local requirements regarding the acceptability of reinforcement in inert debris vary. Check with the Solid Waste Authority at the state or local level and edit the second sentence of paragraph DEBRIS, accordingly.

- c. Debris: Non-hazardous solid material generated during the construction, demolition, or renovation of a structure which exceeds 60 mm(2.5 inch)2.5 inch particle size that is: a manufactured object; plant or animal matter; or natural geologic material (e.g. cobbles and boulders), broken or removed concrete, masonry, and rock asphalt paving; ceramics; roofing paper and shingles. Inert materials [may] [may not] be reinforced with or contain ferrous wire, rods, accessories and weldments. A mixture of debris and other material such as soil or sludge is also subject to regulation as debris if the mixture is comprised primarily of debris by volume, based on visual inspection..
- d. Wood: Dimension and non-dimension lumber, plywood, chipboard, hardboard. Treated and/or painted wood that meets the definition

of lead contaminated or lead based contaminated paint is not included.

- e. Scrap metal: Scrap and excess ferrous and non-ferrous metals such as reinforcing steel, structural shapes, pipe and wire that are recovered or collected and disposed of as scrap. Scrap metal meeting the definition of hazardous material or hazardous waste is not included.
- f. Paint cans: Metal cans that are empty of paints, solvents, thinners and adhesives. If permitted by the paint can label, a thin dry film may remain in the can.

NOTE: State and local requirements regarding the inclusion within recyclables of paint cans and lead contaminated or lead based paint contaminated metal sold to scrap metal companies vary. Check with the Solid Waste Authority at the state or local level and edit the second and third sentences of paragraph RECYCLABLES accordingly.

- g. Recyclables: Materials, equipment and assemblies such as doors, windows, door and window frames, plumbing fixtures, glazing and mirrors that are recovered and sold as recyclable. Metal meeting the definition of lead contaminated or lead based paint contaminated [may] [may not] be included as recyclable if sold to a scrap metal company. Paint cans [may] [may not] be included as recyclable if sold to a scrap metal company.
- h. Hazardous Waste: By definition, to be a hazardous waste a material must first meet the definition of a solid waste. Hazardous waste and hazardous debris are special cases of solid waste. They have additional regulatory controls and must be handled separately. They are thus defined separately in this document.

Material not regulated as solid waste are: nuclear source or byproduct materials regulated under the Federal Atomic Energy Act of 1954 as amended; suspended or dissolved materials in domestic sewage effluent or irrigation return flows, or other regulated point source discharges; regulated air emissions; and fluids or wastes associated with natural gas or crude oil exploration or production.

1.2.3 Hazardous Debris

As defined in Solid Waste paragraph, debris that contains listed hazardous waste (either on the debris surface, or in its interstices, such as pore structure) per 40 CFR 261; or debris that exhibits a characteristic of hazardous waste per 40 CFR 261.

1.2.4 Chemical Wastes

This includes salts, acids, alkalizes, herbicides, pesticides, and organic chemicals.

1.2.5 Garbage

Refuse and scraps resulting from preparation, cooking, dispensing, and consumption of food.

1.2.6 Hazardous Waste

Any discarded material, liquid, solid, or gas, which meets the definition of hazardous material or is designated hazardous waste by the Environmental Protection Agency or State Hazardous Control Authority as defined in 40 CFR 260, 40 CFR 261, 40 CFR 262, 40 CFR 263, 40 CFR 264, 40 CFR 265, 40 CFR 266, 40 CFR 268, 40 CFR 270, 40 CFR 271, 40 CFR 272, 40 CFR 273, 40 CFR 279, and 40 CFR 280.

1.2.7 Hazardous Materials

Hazardous materials as defined in 49 CFR 171 and listed in 49 CFR 172.

Hazardous material is any material that:

- a. Is regulated as a hazardous material per 49 CFR 173, or
- b. Requires a Material Safety Data Sheet (MSDS) per 29 CFR 1910.120, or
- c. During end use, treatment, handling, packaging, storage, transpiration, or disposal meets or has components that meet or have potential to meet the definition of a hazardous waste as defined by 40 CFR 261 Subparts A, B, C, or D.

Designation of a material by this definition, when separately regulated or controlled by other instructions or directives, does not eliminate the need for adherence to that hazard-specific guidance which takes precedence over this instruction for "control" purposes. Such material include ammunition, weapons, explosive actuated devices, propellants, pyrotechnics, chemical and biological warfare materials, medical and pharmaceutical supplies, medical waste and infectious materials, bulk fuels, radioactive materials, and other materials such as asbestos, mercury, and polychlorinated biphenyls (PCBs). Nonetheless, the exposure may occur incident to manufacture, storage, use and demilitarization of these items.

1.2.8 Waste Hazardous Material (WHM)

Any waste material which because of its quantity, concentration, or physical, chemical, or infectious characteristics may pose a substantial hazard to human health or the environment and which has been so designated. Used oil not containing any hazardous waste, as defined above, falls under this definition.

1.2.9 Oily Waste

Those materials which are, or were, mixed with used oil and have become separated from that used oil. Oily wastes also means materials, including wastewaters, centrifuge solids, filter residues or sludges, bottom sediments, tank bottoms, and sorbents which have come into contact with and have been contaminated by, used oil and may be appropriately tested and discarded in a manner which is in compliance with other State and local requirements.

This definition includes materials such as oily rags, "kitty litter" sorbent clay and organic sorbent material. These materials may be land filled provided that:

- a. It is not prohibited in other State regulations or local ordinances
- b. The amount generated is "de minimus" (a small amount)
- c. It is the result of minor leaks or spills resulting from normal process operations
- d. All free-flowing oil has been removed to the practical extent possible

Large quantities of this material, generated as a result of a major spill or in lieu of proper maintenance of the processing equipment, are a solid waste. As a solid waste, a hazardous waste determination must be performed prior to disposal. As this can be an expensive process, it is recommended that this type of waste be minimized through good housekeeping practices and employee education.

1.2.10 Regulated Waste

Those solid waste that have specific additional Federal, state, or local controls for handling, storage, or disposal.

1.2.11 Class I Ozone Depleting Substance (ODS)

Class I ODS is defined in Section 602(a) of The Clean Air Act and includes the following chemicals:

- chlorofluorocarbon-11 (CFC-11)
- chlorofluorocarbon-12 (CFC-12)
- chlorofluorocarbon-13 (CFC-13)
- chlorofluorocarbon-111 (CFC-111)
- chlorofluorocarbon-112 (CFC-112)
- chlorofluorocarbon-113 (CFC-113)
- chlorofluorocarbon-114 (CFC-114)
- chlorofluorocarbon-115 (CFC-115)
- chlorofluorocarbon-211 (CFC-211)
- chlorofluorocarbon-212 (CFC-212)
- chlorofluorocarbon-213 (CFC-213)
- chlorofluorocarbon-214 (CFC-214)
- chlorofluorocarbon-215 (CFC-215)
- chlorofluorocarbon-216 (CFC-216)
- chlorofluorocarbon-217 (CFC-217)
- chlorofluorocarbon-500 (CFC-500)
- chlorofluorocarbon-502 (CFC-502)
- chlorofluorocarbon-503 (CFC-503)
- halon-1211
- halon-1301
- halon-2402
- carbon tetrachloride
- methyl bromide
- methyl chloroform

Class II ODS is defined in Section 602(s) of The Clean Air Act and includes the following chemicals:

hydrochlorofluorocarbon-21 (HCFC-21)
hydrochlorofluorocarbon-22 (HCFC-22)
hydrochlorofluorocarbon-31 (HCFC-31)
hydrochlorofluorocarbon-121 (HCFC-121)
hydrochlorofluorocarbon-122 (HCFC-122)
hydrochlorofluorocarbon-123 (HCFC-123)
hydrochlorofluorocarbon-124 (HCFC-124)
hydrochlorofluorocarbon-131 (HCFC-131)
hydrochlorofluorocarbon-132 (HCFC-132)
hydrochlorofluorocarbon-133 (HCFC-133)
hydrochlorofluorocarbon-141 (HCFC-141)
hydrochlorofluorocarbon-142 (HCFC-142)
hydrochlorofluorocarbon-221 (HCFC-221)
hydrochlorofluorocarbon-222 (HCFC-222)
hydrochlorofluorocarbon-223 (HCFC-223)
hydrochlorofluorocarbon-224 (HCFC-224)
hydrochlorofluorocarbon-225 (HCFC-225)
hydrochlorofluorocarbon-226 (HCFC-226)
hydrochlorofluorocarbon-231 (HCFC-231)
hydrochlorofluorocarbon-232 (HCFC-232)
hydrochlorofluorocarbon-233 (HCFC-233)
hydrochlorofluorocarbon-234 (HCFC-234)
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hydrochlorofluorocarbon-241 (HCFC-241)
hydrochlorofluorocarbon-242 (HCFC-242)
hydrochlorofluorocarbon-243 (HCFC-243)
hydrochlorofluorocarbon-244 (HCFC-244)
hydrochlorofluorocarbon-251 (HCFC-251)
hydrochlorofluorocarbon-252 (HCFC-252)
hydrochlorofluorocarbon-253 (HCFC-253)
hydrochlorofluorocarbon-261 (HCFC-261)
hydrochlorofluorocarbon-262 (HCFC-262)
hydrochlorofluorocarbon-271 (HCFC-271)

1.2.11.1 Universal Waste

The universal waste regulations streamline collection requirements for certain hazardous wastes in the following categories: batteries, pesticides, mercury-containing equipment (e.g., thermostats) and lamps (e.g., fluorescent bulbs). The rule is designed to reduce hazardous waste in the municipal solid waste (MSW) stream by making it easier for universal waste handlers to collect these items and send them for recycling or proper disposal. These regulations can be found at [40 CFR 273](#).

1.3 SUBMITTALS

NOTE: Review submittal description (SD) definitions in Section 01 33 00 SUBMITTAL PROCEDURES and edit the following list to reflect only the submittals required for the project. Submittals should be kept to the minimum required for adequate quality control.

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, Air Force, and NASA projects.

Choose the first bracketed item for Navy, Air Force and NASA projects, or choose the second bracketed item for Army projects.

Government approval is required for submittals with a "G" designation; submittals not having a "G" designation are [for Contractor Quality Control approval.][for 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 01 33 00 SUBMITTAL PROCEDURES:

SD-01 Preconstruction Submittals

Preconstruction Survey; G

Solid Waste Management Plan and Permit; G

Regulatory Notifications; G

Environmental Management Plan; G

Storm Water Pollution Prevention Plan; G

Storm Water Notice of Intent (for NPDES coverage under the general permit for construction activities); G

Dirt and Dust Control Plan

Contractor Hazardous Material Inventory Log; G

SD-06 Test Reports

Laboratory Analysis

Disposal Requirements

Erosion and Sediment Control Inspection Reports

Storm Water Inspection Reports for General Permit

Contractor 40 CFR employee training records

Solid Waste Management Report; G

SD-11 Closeout Submittals

Some of the records listed below are also required as part of other submittals. For the "Records" submittal, maintain on-site a separate three-ring Environmental Records binder and submit at the completion of the project. Make separate parts to the binder corresponding to each of the applicable sub items listed below.

Storm Water Pollution Prevention Plan compliance notebook; G

Waste Determination Documentation

Disposal Documentation for Hazardous and Regulated Waste

Contractor 40 CFR Employee Training Records

Solid Waste Management Permit

Solid Waste Management Report

Contractor Hazardous Material Inventory Log; G

Hazardous Waste/Debris Management

Regulatory Notifications

1.4 ENVIRONMENTAL PROTECTION REQUIREMENTS

Provide and maintain, during the life of the contract, environmental protection as defined. Plan for and provide environmental protective measures to control pollution that develops during normal construction practice. Plan for and provide environmental protective measures required to correct conditions that develop during the construction of permanent or temporary environmental features associated with the project. Comply with Federal, State, and local regulations pertaining to the environment, including water, air, solid waste, hazardous waste and substances, oily substances, and noise pollution.

The Contractor may be required to promptly conduct tests and procedures for the purpose of assessing whether construction operations are in compliance with Applicable Environmental Laws. Analytical work shall be done by qualified laboratories; and where required by law, the laboratories shall be certified.

1.4.1 Environmental Compliance Assessment Training and Tracking System (ECATTS)

NOTE: Include the following five paragraphs for NAVFAC Southeast, Midlant, and Midwest projects. For other FECs, check with installation's Environmental Officer and NAVFAC IPT Project Manager for applicability of this section. ECATTS is being developed nationally, however it is not available in all regions.

The QC Manager is responsible for environmental compliance on projects unless an Environmental Manager is named. The QC Manager (and alternative QC Manager) or Environmental Manager shall complete ECATTS training prior to starting respective portions of on-site work under this contract. If personnel changes occur for any of these positions after starting work, replacement personnel shall complete ECATTS training within 14 days of assignment to the project

Submit an ECATTS certificate of completion for personnel who have completed the required "Environmental Compliance Assessment Training and Tracking System (ECATTS)" training. This training is web-based and can be accessed from any computer with Internet access using the following instructions.

Register for NAVFAC Environmental Compliance Training and Tracking System, by logging on to <http://navfac.ecatts.com/>. Obtain the password for registration from the Contracting Officer.

This training has been structured to allow contractor personnel to receive credit under this contract and also to carry forward credit to future contracts. Contractors shall ensure that the QC Manager (and alternate QC Manager) or Environmental Manager review their training plans for new modules or updated training requirements prior to beginning work. Some training modules are tailored for specific State regulatory requirements; therefore, Contractors working in multiple states will be required to re-take modules tailored to the state where the contract work is being performed.

ECATTS is available for use by all contractor and subcontractor personnel associated with this project. These other personnel are encouraged (but not required) to take the training and may do so at their discretion.

1.4.2 Conformance with the Environmental Management System

The Contractor shall perform work under this contract consistent with the policy and objectives identified in the installation's Environmental Management System (EMS). The Contractor shall perform work in a manner that conforms to objectives and targets, environmental programs and operational controls identified by the EMS. The Contractor will provide monitoring and measurement information as necessary to address environmental performance relative to environmental, energy, and transportation management goals. In the event an EMS nonconformance or environmental noncompliance associated with the contracted services, tasks, or actions occurs, the Contractor shall take corrective and/or preventative actions. In addition, the Contractor shall ensure that its employees are aware of their roles and responsibilities under the EMS and how these EMS roles and responsibilities affect work performed under the contract.

The Contractor is responsible for ensuring that their employees receive applicable environmental and occupational health and safety training, and keep up to date on regulatory required specific training for the type of work to be conducted onsite. All on-site Contractor personnel, and their subcontractor personnel, performing tasks that have the potential to cause a significant environmental impact shall be competent on the basis of appropriate education, training or experience. Upon contract award, the Contracting Officer's Representative will notify the installation's EMS coordinator to arrange EMS training. Refer to Section 01 57 19.01 20, Supplemental Temporary Environmental Controls for additional site specific EMS requirements related to construction. The installation's EMS

coordinator shall identify training needs associated with environmental aspects and the EMS, and arrange training or take other action to meet these needs. The Contractor shall provide training documentation to the Contracting Officer. The EMS coordinator shall retain associated records.

1.5 QUALITY ASSURANCE

1.5.1 Preconstruction Survey

Perform a [Preconstruction Survey](#) of the project site with the Contracting Officer, and take photographs showing existing environmental conditions in and adjacent to the site. Submit a report for the record.

1.5.2 [Regulatory Notifications](#)

The Contractor is responsible for all regulatory notification requirements in accordance with Federal, State and local regulations. In cases where the Navy must also provide public notification (such as stormwater permitting), the Contractor must coordinate with the Contracting Officer. The Contractor shall submit copies of all regulatory notifications to the Contracting Officer prior to commencement of work activities. Typically, regulatory notifications must be provided for the following (this listing is not all inclusive): demolition, renovation, NPDES defined site work, remediation of controlled substances (asbestos, hazardous waste, lead paint).

1.5.3 Environmental Brief

Attend an environmental brief to be included in the preconstruction meeting. Provide the following information: types, quantities, and use of hazardous materials that will be brought onto the activity; types and quantities of wastes/wastewater that may be generated during the contract. Discuss the results of the Preconstruction Survey at this time.

Prior to initiating any work on site, meet with the Contracting Officer and activity environmental staff to discuss the proposed Environmental Management Plan. Develop a mutual understanding relative to the details of environmental protection, including measures for protecting natural resources, required reports, required permits, permit requirements, and other measures to be taken.

**NOTE: Include this paragraph for Large Quantity
Generator facilities with project ECC in excess of
\$750,000. Coordinate incorporation of this
requirement with the activity environmental staff.**

[1.5.4 Environmental Manager

Appoint in writing an Environmental Manager for the project site. The Environmental Manager will be directly responsible for coordinating contractor compliance with Federal, State, local, and station requirements. The Environmental Manager will ensure compliance with Hazardous Waste Program requirements (including hazardous waste handling, storage, manifesting, and disposal); implement the Environmental Management Plan; ensure that all environmental permits are obtained, maintained, and closed out; ensure compliance with Storm Water Program Management requirements; ensure compliance with Hazardous Materials (storage,

handling, and reporting) requirements; and coordinate any remediation of regulated substances (lead, asbestos, PCB transformers). This can be a collateral position; however the person in this position must be trained to adequately accomplish the following duties: ensure waste segregation and storage compatibility requirements are met; inspect and manage Satellite Accumulation areas; ensure only authorized personnel add wastes to containers; ensure all Contractor personnel are trained in 40 CFR requirements in accordance with their position requirements; coordinate removal of waste containers; and maintain the Environmental Records binder and required documentation, including environmental permits compliance and close-out.

11.5.5 Contractor 40 CFR Employee Training Records

NOTE: Insert the bracketed text for projects on a Large Quantity Generator Facility. See paragraph entitled "Facility Hazardous Waste Generator Status" for determination of generator status.

Prepare and maintain employee training records throughout the term of the contract meeting applicable 40 CFR requirements. [The Contractor will ensure every employee completes a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures compliance with Federal, State and local regulatory requirements for RCRA Large Quantity Generator. The Contractor will provide a Position Description for each employee, by subcontractor, based on the Davis-Bacon Wage Rate designation or other equivalent method, evaluating the employee's association with hazardous and regulated wastes. This Position Description will include training requirements as defined in 40 CFR 265 for a Large Quantity Generator facility.] Submit these training records to the Contracting Officer at the conclusion of the project, unless otherwise directed.

PART 2 PRODUCTS

Not Used

PART 3 EXECUTION

3.1 ENVIRONMENTAL MANAGEMENT PLAN

Prior to initiating any work on site, the Contractor will meet with the Contracting Officer to discuss the proposed Environmental Protection Plan and develop a mutual understanding relative to the details of environmental protection, including measures for protecting natural resources, required reports, and other measures to be taken. The Contractor's Environmental Plan shall incorporate construction related objectives and targets from the installation's Environmental Management System. The Environmental Management Plan will be submitted in the following format and shall include the elements specified below.

a. Description of the Environmental Management Plan

(1) General overview and purpose

(a). A brief description of each specific plan required by environmental permit or elsewhere in this contract.

(b). The duties and level of authority assigned to the person(s) on the job site that oversee environmental compliance.

(c). A copy of any standard or project specific operating procedures that will be used to effectively manage and protect the environment on the project site.

(d). Communication and training procedures that will be used to convey environmental management requirements to contractor employees and subcontractors.

(e). Emergency contact information contact information (office phone number, cell phone number, and e-mail address).

(2) General site information

NOTE: Include the following paragraph only if paragraph entitled "Environmental Manager," is included.

[(3) A letter signed by an officer of the firm appointing the Environmental Manager and stating that he/she is responsible for managing and implementing the Environmental Program as described in this contract. Include in this letter the Environmental Manager's authority to direct the removal and replacement of non-conforming work.]

b. Management of Natural Resources

(1) Land resources

(2) Tree protection

(3) Replacement of damaged landscape features

(4) Temporary construction

(5) Stream crossings

(6) Fish and wildlife resources

(7) Wetland areas

c. Protection of Historical and Archaeological Resources

(1) Objectives

(2) Methods

d. Storm Water Management and Control

(1) Ground cover

(2) Erodible soils

(3) Temporary measures

- (a) Mechanical retardation and control of runoff
 - (b) Vegetation and mulch
 - (4) Effective selection, implementation and maintenance of Best Management Practices (BMPs).
- e. Protection of the Environment from Waste Derived from Contractor Operations
 - (1) Control and disposal of solid and sanitary waste. If Section 01 74 19.05 20 is included in the contract, submit the plan required by that section as part of the Environmental Management Plan.
 - (2) Control and disposal of hazardous waste (Hazardous Waste Management Section)

This item will consist of the management procedures for all hazardous waste to be generated. The elements of those procedures will coincide with the Activity Hazardous Waste Management Plan. A copy of the Activity Hazardous Waste Management Plan will be provided by the Contracting Officer. As a minimum, include the following:

 - (a) Procedures to be employed to ensure a written waste determination is made for appropriate wastes which are to be generated;
 - (b) Sampling/analysis plan;
 - (c) Methods of hazardous waste accumulation/storage (i.e., in tanks and/or containers);
 - (d) Management procedures for storage, labeling, transportation, and disposal of waste (treatment of waste is not allowed unless specifically noted);
 - (e) Management procedures and regulatory documentation ensuring disposal of hazardous waste complies with Land Disposal Restrictions (40 CFR 268);
 - (f) Management procedures for recyclable hazardous materials such as lead-acid batteries, used oil, and the like;
 - (g) Used oil management procedures in accordance with 40 CFR 279;
 - (h) Pollution prevention\hazardous waste minimization procedures;
 - (i) Plans for the disposal of hazardous waste by permitted facilities;
 - (j) Procedures to be employed to ensure all required employee training records are maintained.
- f. Prevention of Releases to the Environment

- (1) Procedures to prevent releases to the environment
- (2) Notifications in the event of a release to the environment

g. Regulatory Notification and Permits

- (1) List what notifications and permit applications must be made. Demonstrate that those permits have been obtained by including copies of all applicable, environmental permits..

NOTE: Some permits required under the Environmental Management Plan require up to 30 days advance regulator notice before site work may begin.

3.1.1 Environmental Protection Plan Review

Within thirty days after the Contract award date, submit the proposed Environmental Management Plan for further discussion, review, and approval. Commencement of work will not begin until the environmental management plan has been approved.

3.1.2 Licenses and Permits

[Obtain licenses and permits pursuant to the "Permits and Responsibilities" FAR Clause 52.236-7.]

NOTE: A list of possible permit requirements is found in UNIFIED FACILITIES CRITERIA UFC 3-200-10N, DESIGN: GENERAL CIVIL/ GEOTECHNICAL/ LANDSCAPE REQUIREMENTS. The Permit Record of Decision (PROD) shall be completed as specified in this note and submitted for approval by the Contracting Officer in consultation with cognizant Navy civil and environmental engineers during contract document preparation.

For a design-bid-build solicitation (Invitation for Bids), the Designer of Record (DOR) shall establish the list of permits to be obtained by the Contractor and by the Contracting Officer.

For a design-build solicitation (Request for Proposals), the Contractor shall establish the list of permits to be obtained by the Contractor and by the Contracting Officer.

Therefore, include in the IFB or RFP the applicable bracketed paragraphs below as required for the particular project. The paragraphs below are requirements addressed to Contractor to meet.

If there are permits to be provided by Contracting Officer, include the first bracketed paragraph below. Indentify which permits that will be obtained by the Government. If there are no permits

to be provided by Contracting Officer, delete the first bracketed paragraph and include the second bracketed paragraph below.

Refer to Section 01 57 19.01 20, Supplemental Temporary Environmental Controls for guidance on locally required permits and licenses.

[The following permits will be obtained by the Contracting Officer:

- [a. _____]
- [b. _____]
- [c. _____]

For permits obtained by the Contracting Officer, whether or not required by the permit, the Contractor is responsible for conforming to all permit requirements and performing all quality control inspections of the work in progress, and to submit notifications and certifications to the applicable regulatory agency via the Contracting Officer.]

**NOTE: Do not use the bracketed option unless
allowed by the Activity and permitted by the state.**

[No permits will be obtained by the Contracting Officer.

Where required by the State regulatory authority, the inspections and certifications will be provided through the services of a Professional Engineer (PE), registered in the State where the work is being performed. [Where a PE is not required, the individual must be otherwise qualified by other current State licensure, specific training and prior experience (minimum 5 years).]As a part of the quality control plan, which is required to be submitted for approval by the quality control section, provide a sub item containing the name, appropriate professional registration or licence number, address, and telephone number of the professionals or other qualified persons who will be performing the inspections and certifications for each permit.]

3.2 PROTECTION OF NATURAL RESOURCES

Preserve the natural resources within the project boundaries and outside the limits of permanent work. Restore to an equivalent or improved condition upon completion of work. Confine construction activities to within the limits of the work indicated or specified. If the work is near streams, lakes, or other waterways, conform to the national permitting requirements of the Clean Water Act.

Do not disturb fish and wildlife. Do not alter water flows or otherwise significantly disturb the native habitat adjacent to the project and critical to the survival of fish and wildlife, except as indicated or specified.

Except in areas to be cleared, do not remove, cut, deface, injure, or destroy trees or shrubs without the Contracting Officer's permission. Do not fasten or attach ropes, cables, or guys to existing nearby trees for anchorages unless authorized by the Contracting Officer. Where such use of attached ropes, cables, or guys is authorized, the Contractor will be

responsible for any resultant damage.

Protect existing trees which are to remain and which may be injured, bruised, defaced, or otherwise damaged by construction operations. Remove displaced rocks from uncleared areas. By approved excavation, remove trees with 30 percent or more of their root systems destroyed. Remove trees and other landscape features scarred or damaged by equipment operations, and replace with equivalent, undamaged trees and landscape features. Obtain Contracting Officer's approval before replacement.

The Contracting Officer's approval is required before any equipment will be permitted to ford live streams. In areas where frequent crossings are required, install temporary culverts or bridges. Obtain Contracting Officer's approval prior to installation. Remove temporary culverts or bridges upon completion of work, and repair the area[to its original condition unless otherwise required by the Contracting Officer].

3.2.1 Erosion and Sediment Control Measures

NOTE: Add to or modify the following paragraphs to conform to State and local regulations at the project site. Include reference to applicable State and local regulations.

Do not use this paragraph or its subparagraphs if a regional Erosion and Sediment Control specification section is used.

3.2.1.1 Burnoff

Burnoff of the ground cover is not permitted.

3.2.1.2 Protection of Erodible Soils

Immediately finish the earthwork brought to a final grade, as indicated or specified. Immediately protect the side slopes and back slopes upon completion of rough grading. Plan and conduct earthwork to minimize the duration of exposure of unprotected soils.

3.2.1.3 Temporary Protection of Erodible Soils

Use the following methods to prevent erosion and control sedimentation:

a. Mechanical Retardation and Control of Runoff

(1) Mechanically retard and control the rate of runoff from the construction site. This includes construction of diversion ditches, benches, berms, and use of silt fences and straw bales to retard and divert runoff to protected drainage courses.

b. Sediment Basins

NOTE: The appropriate design-year storm is determined by the downstream environment to be protected. In the event permanent sediment basins are necessary for the particular project, these

permanent facilities will be included in the project design and included as part of the contract documents. If permanent basins are not required, delete reference thereto. For natural environments, the following general guidelines should be followed:

<u>Downstream Environment</u>	<u>Design-Year Storm</u>
Dry wash or areas without significant vegetation	0-1
Seasonal creek or highly vegetative areas	10
Stream, river, estuary, or other open waters	25
Lake, reservoir, harbor, bay, or other closed waters	50

(1) Trap sediment in [temporary] [permanent] sediment basins. Select a basin size to accommodate the runoff of a local [____]-year storm. Pump dry and remove the accumulated sediment, after each storm. Use a paved weir or vertical overflow pipe for overflow. Remove collected sediment from the site. Institute effluent quality monitoring programs.

(2) Install, inspect, and maintain best management practices (BMPs) as required by the general permit. Prepare BMP Inspection Reports as required by the general permit. If required by the permit, include those inspection reports.

c. Vegetation and Mulch

(1) Provide temporary protection on sides and back slopes as soon as rough grading is completed or sufficient soil is exposed to require erosion protection. Protect slopes by accelerated growth of permanent vegetation, temporary vegetation, mulching, or netting. Stabilize slopes by hydroseeding, anchoring mulch in place, covering with anchored netting, sodding, or such combination of these and other methods necessary for effective erosion control.

NOTE: Indicate section number and title in blank below using proper format per UFC 1-300-02.

(2) Seeding: Provide new seeding where ground is disturbed. Include topsoil or nutriment during the seeding operation necessary to establish or reestablish a suitable stand of grass. [The seeding operation will be as specified in Section [____].]

3.2.2 Erosion and Sediment Control Inspection Reports

NOTE: Include this paragraph when construction activities for clearing, grading, and excavation

result in the disturbance of 1 or more acres of total land area, or a lesser amount of total land area if applicable to comply with a particular State's requirements (e.g., in certain situations regardless of the size of the land area disturbed).

Include this paragraph for projects located in Virginia where 10,000 or more square feet of land area are disturbed, choose the paragraph below.

[Submit "Erosion and Sediment Control Inspection Reports" (E&S) (form provided at the pre-construction conference) [and Storm Water Inspection Reports for General Permit for General Permit] to the Contracting Officer once every 7 calendar days and within 24 hours of a storm event that produces 12 mm 0.5 inch or more of rain.]

Note erosion control inspection reports may be compiled as part of a stormwater pollution prevention plan inspection reports if applicable.

NOTE: Use this paragraph when 0.4 or more hectares (1 or more acres) of total land area are to be disturbed during the construction. This requirement is the Federal EPA standard. Some States are more stringent; e.g., South Carolina EPA standards invoke these requirements for construction sites disturbing any land area within 0.8 kilometer (1/2 mile) of a receiving water body in the Coastal Zone. Verify if the requirements of this paragraph are applicable for land area less than the Federal EPA standard by checking with the EPA of the State where the project is located. Edit the text accordingly.

3.2.2.1 Storm Water Notice of Intent for Construction Activities and Storm Water Pollution Prevention Plan

The Contractor shall submit a Storm Water Notice of Intent (for NPDES coverage under the general permit for construction activities) and a Storm Water Pollution Prevention Plan (SWPPP) for the project to the Contracting Officer prior and gain approval prior to the commencement of work. The SWPPP will meet the requirements of the EPA or State general permit for storm water discharges from construction sites. Submit the SWPPP along with any required Notice of Intent, Notice of Termination, and appropriate permit fees, via the Contracting Officer, to the appropriate Federal or State agency for approval, a minimum of [14][__][45] calendar days prior to the start of any land disturbing activities. The Contractor shall maintain an approved copy of the SWPPP at the construction on-site office, and continually update as regulations require, reflecting current site conditions. Additional requirements may be found in UFGS Section 01 57 19.01 20, SUPPLEMENTAL TEMPORARY ENVIRONMENTAL CONTROLS.

NOTE: Some states, like California, require an annual certification letter requesting an annual fee. Installation should consult their lead counsel regarding the annual certification fee. Refer to

**Section 01 57 19.01 20 for guidance on State
specific requirements.**

Coverage under this permit requires the contractor prepare a Storm Water Pollution Prevention Plan (SWPPP), prepare and submit a Registration Statement as a co-permittee with the Construction Officer, and provide the permit fee to the responsible state agency before any land disturbing activities begin. The contractor shall file for permit coverage on behalf Construction Officer and himself and file a Notice of Termination once construction is complete and the site is stabilized with a final sustainable cover.

Under the terms and conditions of the permit, the Contractor may be required to install, inspect, maintain best management practices (BMPs), and submit stormwater BMP inspection reports and stormwater pollution prevention plan inspection reports. The Contractor shall ensure construction operations and management are constantly in compliance with the terms and conditions of the general permit for storm water discharges from construction activities.

(1) The SWPPP shall:

- a. Identify potential sources of pollution which may be reasonably expected to affect the quality of storm water discharge from the site.
- b. Describe and ensure implementation of practices which will be used to reduce the pollutants in storm water discharge from the site.
- c. Ensure compliance with terms of the EPA or State general permit for storm water discharge.
- d. Select applicable best management practices from EPA 833-R-060-04.
- e. Include a completed copy of the Registration Statement, BMP Inspection Report Template and Notice of Termination except for the effective date.

- [f. Storm Water Pollution Prevention Measures and Notice of Intent 40 CFR 122.26, EPA 833-R-060-04. Provide a "Storm Water Pollution Prevention Plan" (SWPPP) for the project. The SWPPP will meet the requirements of the EPA or State general permit for storm water discharges from construction sites. Submit the SWPPP along with any required Notice of Intent, Notice of Termination, and appropriate permit fees, via the Contracting Officer, to the appropriate Federal or State agency for approval, a minimum of 14 calendar days prior to the start of construction. A copy of the approved SWPPP will be kept at the construction on-site office, and continually updated as regulations require reflecting current site conditions.]

3.2.2.2 Storm Water Pollution Prevention Plan Compliance Notebook

The contractor shall create and maintain a three binder of documents that demonstrate compliance with the Stormwater Construction Activity permit. The binder shall include a copy of the permit Registration Statement, proof

of permit fee payment, SWPPP and SWPPP update amendments, inspection reports, copies of correspondence with the [list agency that issued the permit i.e. Virginia DCR] and a copy of the permit Notice of Termination. At the completion of the project the folder shall become the property of the Government. The compliance notebook shall be provided to Contracting Officer. An advance copy of the Registration Statement shall be provided to the Contracting Officer immediately after the form is presented to the permitting agency.

3.2.3 Stormwater Drainage and Construction Dewatering

There will be no discharge of excavation ground water to the sanitary sewer, storm drains, or to the river without prior specific authorization of the Environmental Division in writing. Discharge of hazardous substances will not be permitted under any circumstances.

Construction site runoff will be prevented from entering any storm drain or the river directly by the use of straw bales or other method suitable to the Environmental Division. Contractor will provide erosion protection of the surrounding soils.

Construction Dewatering shall not be discharged to the sanitary sewer. If the construction dewatering is noted or suspected of being contaminated, it may only be released to the storm drain system if the discharge is specifically permitted. Authorization for any contaminated groundwater release shall be obtained in advance from the base Environmental Officer. Discharge of hazardous substances will not be permitted under any circumstances.

3.3 HISTORICAL AND ARCHAEOLOGICAL RESOURCES

Carefully protect in-place and report immediately to the Contracting Officer historical and archaeological items or human skeletal remains discovered in the course of work. Upon discovery, notify the Contracting Officer. Stop work in the immediate area of the discovery until directed by the Contracting Officer to resume work. The Government retains ownership and control over historical and archaeological resources.

3.4 SOLID WASTE MANAGEMENT PLAN and PERMIT

Provide to the contracting officer written notification of the quantity of solid waste/debris that is anticipated to be generated by construction. Include in the report the locations where various types of waste will be disposed or recycled. Include letters of acceptance or as applicable, submit one copy of a State and local [Solid Waste Management Permit](#) or license showing such agency's approval of the disposal plan before transporting wastes off Government property.

3.4.1 [Solid Waste Management Report](#)

Monthly, submit a solid waste disposal report to the Contracting Officer. For each waste, the report will state the classification (using the definitions provided in this section), amount, location, and name of the business receiving the solid waste.

The Contractor will include copies of the waste handling facilities' weight tickets, receipts, bills of sale, and other sales documentation. In lieu of sales documentation, the Contractor may submit a statement indicating

the disposal location for the solid waste which is signed by an officer of the Contractor firm authorized to legally obligate or bind the firm. The sales documentation or Contractor certification will include the receiver's tax identification number and business, EPA or State registration number, along with the receiver's delivery and business addresses and telephone numbers. For each solid waste retained by the Contractor for his own use, the Contractor will submit on the solid waste disposal report the information previously described in this paragraph. Prices paid or received will not be reported to the Contracting Officer unless required by other provisions or specifications of this Contract or public law.

3.4.2 Control and Management of Solid Wastes

Pick up solid wastes, and place in covered containers which are regularly emptied. Do not prepare or cook food on the project site. Prevent contamination of the site or other areas when handling and disposing of wastes. At project completion, leave the areas clean. Recycling is encouraged and can be coordinated with the Contracting Officer and the activity recycling coordinator. Remove all solid waste (including non-hazardous debris) from Government property and dispose off-site at an approved landfill. Solid waste disposal off-site must comply with most stringent local, State, and Federal requirements including 40 CFR 241, 40 CFR 243, and 40 CFR 258.

Manage spent hazardous material used in construction, including but not limited to, aerosol cans, waste paint, cleaning solvents, contaminated brushes, and used rags, as per environmental law.

3.4.2.1 Dumpsters

Equip dumpsters with a secure cover and paint the standard base color. Keep cover closed at all times, except when being loaded with trash and debris. Locate dumpsters behind the construction fence or out of the public view. Empty site dumpsters at least once a week, or as needed to keep the site free of debris and trash. If necessary, provide 208 liter 55 gallon trash containers painted the darker base color to collect debris in the construction site area. Locate the trash containers behind the construction fence or out of the public view. Empty trash containers at least once a day. For large demolitions, large dumpsters without lids are acceptable but should not have debris higher than the sides before emptying.

3.5 WASTE DETERMINATION DOCUMENTATION

Complete a Waste Determination form (provided at the pre-construction conference) for all contractor derived wastes to be generated. Base the waste determination upon either a constituent listing from the manufacturer used in conjunction with consideration of the process by which the waste was generated, EPA approved analytical data, or laboratory analysis (Material Safety Data Sheets (MSDS) by themselves are not adequate). Attach all support documentation to the Waste Determination form. As a minimum, a Waste Determination form must be provided for the following wastes (this listing is not all inclusive): oil and latex based painting and caulking products, solvents, adhesives, aerosols, petroleum products, and all containers of the original materials.

3.6 CONTRACTOR HAZARDOUS MATERIAL INVENTORY LOG

NOTE: In Part 3, Execution, in the paragraph

entitled Hazardous Waste Disposal, it must be clearly stated whether the Contractor shall dispose of hazardous waste or if the Government will dispose of the waste. Where disposal is included in the contract, use the following documentation requirement:

Submit the "Contractor Hazardous Material Inventory Log" (found at: <http://www.wbdg.org/ccb/NAVGRAPH/graphdoc.pdf>), which provides information required by (EPCRA Sections 312 and 313) along with corresponding Material Safety Data Sheets (MSDS) to the Contracting Officer at the start and at the end of construction (30 days from final acceptance), and update no later than January 31 of each calendar year during the life of the contract. Documentation for any spills/releases, environmental reports or off-site transfers may be requested by the Contracting Officer.

3.6.1 Disposal Documentation for Hazardous and Regulated Waste

Manifest, pack, ship and dispose of hazardous or toxic waste and universal waste that is generated as a result of construction in accordance with the generating facilities generator status under the Resource Conservation and Recovery Act. Contact the Contracting Officer for the facility RCRA identification number that is to be used on each manifest.

NOTE: The Point of contact information for the activity contact responsible for assisting with HW management shall be listed in Section 01 57 19.01 20 Supplemental Temporary Environmental Controls.

Submit a copy of the applicable EPA and or State permit(s), manifest(s), or license(s) for transportation, treatment, storage, and disposal of hazardous and regulated waste by permitted facilities. Hazardous or toxic waste manifest must be reviewed, signed, and approved by the Navy before the Contractor may ship waste. To obtain specific disposal instructions the Contractor must coordinate with the Activity environmental office. Refer to Section 01 57 19.01 20 for the Activity Point of Contact information.

3.7 POLLUTION PREVENTION/HAZARDOUS WASTE MINIMIZATION

Minimize the use of hazardous materials and the generation of hazardous waste. Include procedures for pollution prevention/ hazardous waste minimization in the Hazardous Waste Management Section of the Environmental Management Plan. Consult with the activity Environmental Office for suggestions and to obtain a copy of the installation's pollution prevention/hazardous waste minimization plan for reference material when preparing this part of the plan. If no written plan exists, obtain information by contacting the Contracting Officer. Describe the types of the hazardous materials expected to be used in the construction when requesting information.

3.8 WHM/HW MATERIALS PROHIBITION

No waste hazardous material or hazardous waste shall be disposed of on government property. No hazardous material shall be brought onto government property that does not directly relate to requirements for the

performance of this contract. The government is not responsible for disposal of Contractor's waste material brought on the job site and not required in the performance of this contract. The intent of this provision is to dispose of that waste identified as waste hazardous material/hazardous waste as defined herein that was generated as part of this contract and existed within the boundary of the Contract limits and not brought in from offsite by the Contractor. Incidental materials used to support the contract including, but not limited to aerosol cans, waste paint, cleaning solvents, contaminated brushes, rags, clothing, etc. are the responsibility of the Contractor. The list is illustrative rather than inclusive. The Contractor is not authorized to discharge any materials to sanitary sewer, storm drain, or to the river or conduct waste treatment or disposal on government property without written approval of the Contracting Officer.

3.9 HAZARDOUS MATERIAL MANAGEMENT

No hazardous material shall be brought onto government property that does not directly relate to requirements for the performance of this contract.

Include hazardous material control procedures in the Safety Plan. Address procedures and proper handling of hazardous materials, including the appropriate transportation requirements. Submit a MSDS and estimated quantities to be used for each hazardous material to the Contracting Officer prior to bringing the material on base. Typical materials requiring MSDS and quantity reporting include, but are not limited to, oil and latex based painting and caulking products, solvents, adhesives, aerosol, and petroleum products. At the end of the project, provide the Contracting Officer with the maximum quantity of each material that was present at the site at any one time, the dates the material was present, the amount of each material that was used during the project, and how the material was used. Ensure that hazardous materials are utilized in a manner that will minimize the amount of hazardous waste that is generated. Ensure that all containers of hazardous materials have NFPA labels or their equivalent. Keep copies of the MSDS for hazardous materials on site at all times and provide them to the Contracting Officer at the end of the project. Certify that all hazardous materials removed from the site are hazardous materials and do not meet the definition of hazardous waste per 40 CFR 261.

3.10 PETROLEUM PRODUCTS AND REFUELING

Conduct the fueling and lubricating of equipment and motor vehicles in a manner that protects against spills and evaporation. Manage all used oil generated on site in accordance with 40 CFR 279. Determine if any used oil generated while on-site exhibits a characteristic of hazardous waste. Used oil containing 1000 parts per million of solvents will be considered a hazardous waste and disposed of at Contractor's expense. Used oil mixed with a hazardous waste will also be considered a hazardous waste.

3.10.1 Oily and Hazardous Substances

Prevent oil or hazardous substances from entering the ground, drainage areas, or navigable waters. In accordance with 40 CFR 112, surround all temporary fuel oil or petroleum storage tanks with a temporary berm or containment of sufficient size and strength to contain the contents of the tanks, plus 10 percent freeboard for precipitation. The berm will be impervious to oil for 72 hours and be constructed so that any discharge will not permeate, drain, infiltrate, or otherwise escape before cleanup

occurs.

3.10.2 Inadvertent Discovery of Petroleum Contaminated Soil or Hazardous Wastes

If petroleum contaminated soil or suspected hazardous waste is found during construction that was not identified in the contract documents, the contractor shall immediately notify the contracting officer. The contractor shall not disturb this material until authorized by the contracting officer.

3.11 FUEL TANKS

Petroleum products and lubricants required to sustain up to 30 days of construction activity may be kept on site. Storage and refilling practices shall comply with 40 CFR Part 112. Secondary containment shall be provided and be no less than 110 percent of the tank volume plus five inches of free-board. If a secondary berm is used for containment then the berm shall be impervious to oil for 72 hours and be constructed so that any discharge will not permeate, drain, infiltrate, or otherwise escape before cleanup occurs. Drips pans are required and the tanks must be covered during inclement weather.

3.12 RELEASES/SPILLS OF OIL AND HAZARDOUS SUBSTANCES

Exercise due diligence to prevent, contain, and respond to spills of hazardous material, hazardous substances, hazardous waste, sewage, regulated gas, petroleum, lubrication oil, and other substances regulated by environmental law. Maintain spill cleanup equipment and materials at the work site. In the event of a spill, take prompt, effective action to stop, contain, curtail, or otherwise limit the amount, duration, and severity of the spill/release. In the event of any releases of oil and hazardous substances, chemicals, or gases; immediately (within 15 minutes) notify the Base or Activity Fire Department, the activity's Command Duty Officer, and the Contracting Officer. If the contractor's response is inadequate, the Navy may respond. If this should occur, the contractor will be required to reimburse the government for spill response assistance and analysis.

The Contractor is responsible for verbal and written notifications as required by the federal 40 CFR 355, State, local regulations and Navy Instructions. Spill response will be in accordance with 40 CFR 300 and applicable State and local regulations. Contain and clean up these spills without cost to the Government. If Government assistance is requested or required, the Contractor will reimburse the Government for such assistance. Provide copies of the written notification and documentation that a verbal notification was made within 20 days.

Maintain spill cleanup equipment and materials at the work site. Clean up all hazardous and non-hazardous (WHM) waste spills. The Contractor shall reimburse the government for all material, equipment, and clothing generated during any spill cleanup. The Contractor shall reimburse the government for all costs incurred including sample analysis materials, equipment, and labor if the government must initiate its own spill cleanup procedures, for Contractor responsible spills, when:

- a. The Contractor has not begun spill cleanup procedure within one hour of spill discovery/occurrence, or

b. If, in the government's judgment, the Contractor's spill cleanup is not adequately abating life threatening situation and/or is a threat to any body of water or environmentally sensitive areas.

3.13 CONTROL AND MANAGEMENT OF HAZARDOUS WASTES

3.13.1 Facility Hazardous Waste Generator Status

NOTE: Insert the name of the installation in the blank space. Contact the installation Environmental Office prior to start of design to determine the generator status of the activity, and edit to select the appropriate status. This information should be found in Section 01 57 19.01 20, Supplemental Temporary Environmental Controls.

[_____] is designated as a [Large Quantity Generator] [Small Quantity Generator] [Conditionally Exempt-Small Quantity Generator]. All work conducted within the boundaries of this activity must meet the regulatory requirements of this generator designation. The Contractor will comply with all provisions of Federal, State and local regulatory requirements applicable to this generator status regarding training and storage, handling, and disposal of all construction derived wastes.

3.13.2 Hazardous Waste/Debris Management

Identify all construction activities which will generate hazardous waste/debris. Provide a documented waste determination for all resultant waste streams. Hazardous waste/debris will be identified, labeled, handled, stored, and disposed of in accordance with all Federal, State, and local regulations including 40 CFR 261, 40 CFR 262, 40 CFR 263, 40 CFR 264, 40 CFR 265, 40 CFR 266, and 40 CFR 268.

Hazardous waste will also be managed in accordance with the approved Hazardous Waste Management Section of the Environmental Protection Plan. Store hazardous wastes in approved containers in accordance with 49 CFR 173 and 49 CFR 178. Hazardous waste generated within the confines of Government facilities will be identified as being generated by the Government.

Prior to removal of any hazardous waste from Government property, all hazardous waste manifests must be signed by activity personnel from the Station Environmental Office. No hazardous waste will be brought onto Government property. Provide to the Contracting Officer a copy of waste determination documentation for any solid waste streams that have any potential to be hazardous waste or contain any chemical constituents listed in 40 CFR 372-SUBPART D. For hazardous wastes spills, verbally notify the Contracting Officer immediately.

3.13.2.1 Regulated Waste Storage/Satellite Accumulation/90 Day Storage Areas

If the work requires the temporary storage/collection of regulated or hazardous wastes, the Contractor will request the establishment of a Regulated Waste Storage Area, a Satellite Accumulation Area, or a 90 Day Storage Area at the point of generation. The Contractor must submit a request in writing to the Contracting Officer providing the following

information:

<u>Contract Number</u>	_____	<u>Contractor</u>	_____
<u>Haz/Waste or Regulated Waste POC</u>	_____	<u>Phone Number</u>	_____
<u>Type of Waste</u>	_____	<u>Source of Waste</u>	_____
<u>Emergency POC</u>	_____	<u>Phone Number</u>	_____
<u>Location of the Site:</u> _____ (Attach Site Plan to the Request)			

Attach a waste determination form. Allow ten working days for processing this request. The designated area where waste is being stored shall be barricaded and a sign identifying as follows:

"DANGER - UNAUTHORIZED PERSONNEL KEEP OUT"

[3.13.2.2 Sampling and Analysis of HW

a. Waste Sampling

Sample waste in accordance with EPA 530/F-93/004. Each sampled drum or container will be clearly marked with the Contractor's identification number and cross referenced to the chemical analysis performed.

b. Laboratory Analysis

Follow the analytical procedure and methods in accordance with the 40 CFR 261. The Contractor will provide all analytical results and reports performed to the Contracting Officer

c. Analysis Type

Identify waste hazardous material/hazardous waste by analyzing for the following properties as a minimum: ignitability, corrosiveness, total chlorides, BTU value, PCBs, TCLP for heavy metals, and cyanide.

] [3.13.2.3 Asbestos Certification

Items, components, or materials disturbed by or included in work under this contract [do] [do not] involve asbestos. Other materials in the general area around where work will be performed may contain asbestos. All thermal insulation, in all work areas, should be considered to be asbestos unless positively identified by conspicuous tags or previous laboratory analysis certifying them as asbestos free.

Inadvertent discovery of non-disclosed asbestos that will result in an abatement action requires a change in scope before proceeding. Upon discovery of asbestos containing material not identified in the contract documents, the Contractor shall immediately stop all work that would generate further damage to the material, evacuate the asbestos exposed area, and notify the Contracting Officer for resolution of the situation prior to resuming normal work activities in the affected area. The Contractor will not remove or perform work on any asbestos containing

materials without the prior approval of the Contracting Officer. The Contractor will not engage in any activity, which would remove or damage such materials or cause the generation of fibers from such materials.

Asbestos containing waste shall be managed and disposed of in accordance with applicable environmental law. Asbestos containing waste shall be manifested and the manifest provided to the Contracting Officer.

][3.13.2.4 Hazardous Waste Disposal

NOTE: Generated hazardous waste manifest must be reviewed, signed, and approved by the Navy before the contractor may ship. For hazardous waste spills, verbally notify the Contracting Officer immediately.

No hazardous, toxic, or universal waste shall be disposed or hazardous material abandoned on government property. And unless otherwise otherwise noted in this contract, the government is not responsible for disposal of Contractor generated waste material. The disposal of incidental materials used to accomplish the work including, but not limited to aerosol cans, waste paint, cleaning solvents, contaminated brushes, rags, clothing, etc. are the responsibility of the Contractor. The list is illustrative rather than inclusive.

The Contractor is not authorized to discharge any materials to sanitary sewer, storm drain, or water way or conduct waste treatment or disposal on government property without written approval of the Contracting Officer.

Control of stored waste, packaging, sampling, analysis, and disposal will be determined by the details in the contract. The requirements for jobs in the following paragraphs will be used as the guidelines for disposal of any hazardous waste generated.

a. Responsibilities for Contractor's Disposal

Contractor responsibilities include any generation of WHM/HW requiring Contractor disposal of solid waste or liquid.

- (1) The Contractor agrees to provide all service necessary for the final treatment/disposal of the hazardous material/waste in accordance with all local, State and Federal laws and regulations, and the terms and conditions of the contract within sixty (60) days after the materials have been generated. These services will include all necessary personnel, labor, transportation, packaging, detailed analysis (if required for disposal, and/or transportation, including manifesting or completing waste profile sheets, equipment, and the compilation of all documentation is required).
- (2) Contain all waste in accordance with 40 CFR 260, 40 CFR 261, 40 CFR 262, 40 CFR 263, 40 CFR 264, 40 CFR 265, 40 CFR 266, 40 CFR 268, 40 CFR 270, 40 CFR 272, 40 CFR 273, 40 CFR 279, 40 CFR 280, and 40 CFR 761.
- (3) Obtaining a representative sample of the material generated for each job done to provide waste stream determination.

- (4) Analyzing for each sample taken and providing analytical results to the Contracting Officer. Provide two copies of the results.
- (5) Determine the DOT proper shipping names for all waste (each container requiring disposal) and will demonstrate how this determination is developed and supported by the sampling and analysis requirements contained herein to the Contracting Officer.

Contractor Disposal Turn-In Requirements

For any waste hazardous materials or hazardous waste generated which requires the Contractor to dispose of, the following conditions must be complied with in order to be acceptable for disposal:

- 1 Drums compatible with waste contents and drums meet DOT requirements for 49 CFR 173 for transportation of materials.
- 2 Drums banded to wooden pallets. No more than three (3) 55 gallon drums to a pallet, or two (2) 85 gallon over packs.
- 3 Band using 1-1/4 inch minimum band on upper third of drum.
- 4 Recovery materials label (provided by Code 106.321) located in middle of drum, filled out to indicate actual volume of material, name of material manufacturer, other vendor information as available.
- 5 Always have three (3) to five (5) inches of empty space above volume of material. This space is called 'outage'.]

3.13.3 Class I [and II] ODS Prohibition

Class I [and II] ODS as defined and identified herein will not be used in the performance of this contract, nor be provided as part of the equipment [, except [_____]]. This prohibition will be considered to prevail over any other provision, specification, drawing, or referenced documents. Regulations related to the protection of stratosphere ozone may be found in 40 CFR 82.

Heating and air conditioning technicians must be certified through an EPA-approved program. Copies of certifications shall be maintained at the employees' place of business and be carried as a wallet card by the technician, as provided by environmental law. Accidental venting of a refrigerant is a release and shall be reported to the Contracting Officer.

3.13.3.1 Universal Waste/e-Waste Management

Universal waste including but not limited to some mercury containing building products such as fluorescent lamps, mercury vapor lamps, high pressure sodium lamps, CRTs, batteries, aerosol paint containers, electrical equipment containing PCBs, and consumed electronic devices, shall be managed in accordance with applicable environmental law and installation instructions.

3.14 DUST CONTROL

Keep dust down at all times, including during nonworking periods. Sprinkle or treat, with dust suppressants, the soil at the site, haul roads, and

other areas disturbed by operations. Dry power brooming will not be permitted. Instead, use vacuuming, wet mopping, wet sweeping, or wet power brooming. Air blowing will be permitted only for cleaning nonparticulate debris such as steel reinforcing bars. Only wet cutting will be permitted for cutting concrete blocks, concrete, and bituminous concrete. Do not unnecessarily shake bags of cement, concrete mortar, or plaster.

3.14.1 Dirt and Dust Control Plan

Submit truck and material haul routes along with a plan for controlling dirt, debris, and dust on base roadways. As a minimum, identify in the plan the subcontractor and equipment for cleaning along the haul route and measures to reduce dirt, dust, and debris from roadways.

3.15 ABRASIVE BLASTING

NOTE: Determine whether the paint to be removed contains any hazardous components. Test a representative sample of the paint in accordance with 40 CFR 261. Include the bracketed sentence on hazardous material if it is determined the paint is toxic.

3.15.1 Blasting Operations

The use of silica sand is prohibited in sandblasting.

Provide tarpaulin drop cloths and windscreens to enclose abrasive blasting operations to confine and collect dust, abrasive, agent, paint chips, and other debris [in accordance with the requirements specified]. [Perform work involving removal of hazardous material in accordance with 29 CFR 1910.]

3.15.2 Disposal Requirements

Submit analytical results of the debris generated from abrasive blasting operations per paragraph entitled Laboratory Analysis of this section. Hazardous waste generated from blasting operations will be managed in accordance with paragraph entitled "Hazardous Waste\Debris Management" of this section and with the approved HWMP. [Disposal of non-hazardous abrasive blasting debris will be in accordance with paragraph entitled, "Control and Disposal of Solid Wastes".]

3.16 NOISE

Make the maximum use of low-noise emission products, as certified by the EPA. Blasting or use of explosives will not be permitted without written permission from the Contracting Officer, and then only during the designated times. Confine pile-driving operations to the period between 8 a.m. and 4 p.m., Monday through Friday, exclusive of holidays, unless otherwise specified.

[3.17 MERCURY MATERIALS

Mercury is prohibited in the construction of this facility, unless specified otherwise, and with the exception of mercury vapor lamps and fluorescent lamps. Dumping of mercury-containing materials and devices such as mercury vapor lamps, fluorescent lamps, and mercury switches, in

rubbish containers is prohibited. Remove without breaking, pack to prevent breakage, and transport out of the activity in an unbroken condition for disposal as directed. Immediately report to the Environmental Office and the Contracting Officer instances of breakage or mercury spillage. Clean mercury spill area to the satisfaction of the Contracting Officer.

Cleanup of a mercury spill shall not be recycled and shall be managed as a hazardous waste for disposal.

] -- End of Section --