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USACE / NAVFAC / AFCEA / NASA      UFGS-01 57 19.00 20 (July 2006)  
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Preparing Activity:    NAVFAC      Superseding  
   UFGS-01 57 19.00 20 (April 2006)

## UNIFIED FACILITIES GUIDE SPECIFICATIONS

References are in agreement with UMRL dated 19 March 2007

Revised throughout - Changes not indicated by CHG tags

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##### SECTION 01 57 19.00 20

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07/06

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### SECTION 01 57 19.00 20

#### TEMPORARY ENVIRONMENTAL CONTROLS 07/06

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NOTE: This guide specification covers the requirements for temporary construction facilities and controls over contractor operations required for use in all projects.

Edit this guide specification for project specific requirements by adding, deleting, or revising text. For bracketed items, choose applicable items(s) or insert appropriate information.

Remove information and requirements not required in respective project, whether or not brackets are present.

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).

This guide specification includes tailoring options for NAVFAC Facility Engineering Command regional requirements. Selection or deselection of a tailoring option will include or exclude that option in the section, but editing the resulting section to fit the project is still required.

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NOTE: Many States and municipalities have more stringent or additional requirements and this section should be modified as required to suit local conditions and regulations.

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NOTE: TO DOWNLOAD UFGS GRAPHICS

Go to <http://www.wbdg.org/ccb/NAVGRAPH/graphtoc.pdf>.

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.

NOTE: Many States and municipalities have more stringent requirements than the references listed or have permitting and regulatory requirements which must be followed. Add additional references as may be required at the project location.

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 832-R-92-005 | (1992) Storm Water Management for Construction Activities Developing Pollution Preventions and Plans and Best Management Practices |

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 173      | Procedure Governing the Rescission of State Primary Enforcement Responsibility for Pesticide Use Violations           |
| 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 716           | Health and Safety Data Reporting   |
| 40 CFR 761           | Polychlorinated Biphenyls (PCBs) Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions                                   |
| 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.

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**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.

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- 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.

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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.

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- 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-213 (CFC-213) |
| chlorofluorocarbon-12 (CFC-12)   | chlorofluorocarbon-214 (CFC-214) |
| chlorofluorocarbon-13 (CFC-13)   | chlorofluorocarbon-215 (CFC-215) |
| chlorofluorocarbon-111 (CFC-111) | chlorofluorocarbon-216 (CFC-216) |
| chlorofluorocarbon-112 (CFC-112) | chlorofluorocarbon-217 (CFC-217) |
| chlorofluorocarbon-113 (CFC-113) | halon-1211                       |
| chlorofluorocarbon-114 (CFC-114) | halon-1301                       |
| chlorofluorocarbon-115 (CFC-115) | halon-2402                       |
| chlorofluorocarbon-211 (CFC-211) | carbon tetrachloride             |

chlorofluorocarbon-212 (CFC-212)

methyl chloroform

### 1.3 SUBMITTALS

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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.

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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.][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 Notification; G

Environmental Protection Plan; G

Storm Water Pollution Prevention Plan; G

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

## Contractor Hazardous Material Inventory Log; G

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NOTE: Include the following submittal for NAVFAC  
Pacific projects.  
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[ Storage Inventory Form; G]

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NOTE: Include the following submittal for NAVFAC  
SOUTHEAST projects at the Charleston Air Force Base  
and for other NAVFAC SOUTHEAST projects as  
determined by the Contracting Officer based on  
project size, scope, complexity, and visibility.  
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[ Dirt and Dust Control Plan; G]

### SD-06 Test Reports

Laboratory Analysis

Disposal Requirements

Erosion and Sediment Control Inspection Reports

Storm Water Inspection Reports for General Permit

### 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.

Waste Determination Documentation

Disposal Documentation for Hazardous and Regulated Waste

Contractor 40 CFR Employee Training Records

Solid Waste Management Report

Contractor Hazardous Material Inventory Log; G

Hazardous Waste/Debris Management

## 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.

## 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 Notification

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 Protection 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.

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**NOTE: Include this paragraph for Large Quantity  
Generator facilities with project ECC in excess of  
\$500,000. Coordinate inclusion of paragraph with  
the activity environmental staff.**  
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### [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 Protection 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.

#### ]1.5.5 Contractor 40 CFR Employee Training Records

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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.  
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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 PROTECTION 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 Environmental Protection Plan will be submitted in the following format and will, at a minimum, address the following elements:

##### a. Description of the Environmental Protection Plan

- (1) General overview and purpose
- (2) General site information

\*\*\*\*\*  
NOTE: Include the following paragraph only if  
paragraph entitled "Environmental Manager," is  
included.  
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[(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. Protection 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

e. Protection of the Environment from Waste Derived from Contractor Operations

- (1) Control and disposal of solid and sanitary waste
- (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. Include copies of all applicable, environmental permits.

3.1.1 Environmental Protection Plan Review

Fourteen days after the environmental protection meeting, submit the proposed Environmental Protection Plan for further discussion, review, and approval. Commencement of work will not begin until the environmental protection plan has been approved.

3.1.2 Facility Hazardous Waste Generator Status

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NOTE: Insert the name of the activity in the blank space. Contact the activity Environmental Office prior to start of design to determine the generator status of the activity, and edit to select the appropriate status.  
\*\*\*\*\*

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

### 3.1.3 Licenses and Permits

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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, state this by including only the first two text paragraphs which are bracketed. If there are no permits to be provided by Contracting Officer, state this by including only the last text paragraph which is bracketed.

\*\*\*\*\*

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

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

\*\*\*\*\*

**NOTE: If the work is near streams, lakes, or other  
waterways, determine if the construction activity  
contemplated requires permitting requirements from  
the Clean Water Act. If so, include the bracketed  
sentence.**

\*\*\*\*\*

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. [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] [or] [as indicated] [or] [as specified].

### 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                       |                          |

Downstream Environment  
other open waters

Design-Year Storm  
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] [reestablish] a suitable stand of grass. [The seeding operation will be as specified in Section \_\_\_\_\_.]

3.2.2 Erosion, Sediment and Stormwater Control

\*\*\*\*\*

NOTE: 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: For projects located in North Carolina where  
1 or more acres (0.4 hectares) of land area are  
disturbed, choose the paragraph below and delete

**paragraph, Storm Water Notice of Intent for  
Construction Activities.**

\*\*\*\*\*

[Submit "Erosion and Sediment Control Reports" (E&S) (form provided at the pre-construction conference) and "Stormwater Inspections for General Permit NCG010000 - Land Disturbing Activities" (form provided at [http://h2o.enr.state.nc.us/su/PDF\\_Files/SW\\_General\\_Permits/NCG01\\_Inspect\\_log.pdf](http://h2o.enr.state.nc.us/su/PDF_Files/SW_General_Permits/NCG01_Inspect_log.pdf)) to the Contracting Officer once every 7 days and within 24 hours of a storm event that produces 0.5 inch or more of rain.]

[Comply with NCG010000, North Carolina Permit to Discharge Storm Water under the National Pollutant Discharge Elimination System. The existing permit may be obtained from:  
[http://h2o.enr.state.nc.us/su/PDF\\_Files/SW\\_General\\_Permits/NCG01\\_Inspect\\_log.pdf](http://h2o.enr.state.nc.us/su/PDF_Files/SW_General_Permits/NCG01_Inspect_log.pdf).]

\*\*\*\*\*

**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

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] [State of [\_\_\_\_]] 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] [State] agency for approval, a minimum of 14 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, to reflect current site conditions.

(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] [State of [\_\_\_\_]] general permit for storm water discharge.

d. Select applicable best management practices from EPA 832-R-92-005.

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 832-R-92-005. Provide a "Storm Water Pollution Prevention Plan" (SWPPP) for the project. The SWPPP will meet the requirements of the [EPA] [State of [\_\_\_\_]] 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] [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 to reflect current site conditions.]

\*\*\*\*\*  
**NOTE: For projects located in Virginia where 1 or more acres (0.4 hectares) of land area are disturbed during construction, use the following paragraph instead of the above item in addition to items (a) thorough (e).**  
\*\*\*\*\*

[ f. Storm Water Pollution Prevention Measures and Notice of Intent 40 CFR 122.26, EPA 832-R-92-005. Provide a "Storm Water Pollution Prevention Plan" (SWPPP) for the project. The SWPPP will meet the requirements of the State of Virginia general permit for storm water discharges from construction activities. Submit the SWPPP to the Contracting Officer for review, approval and signature a minimum of 15 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, to reflect current site conditions.

Following SWPPP approval, submit Registration Statement and appropriate permit fees to the Virginia Department of Conservation and Recreation (DCR) before any land disturbing activities begin. Coverage under the permit begins on the day the Registration Statement and fee are : (1) post marked by mail, (2) registered online at the DCR's website, or (3) hand delivered to the DCR office. The Contractor is responsible for all associated fees; contact DCR to determine applicable fees.

The Contractor shall install, inspect, and maintain best management practices (BMPs) as required by the general permit. The Contractor shall prepare and submit to DCR, BMP Inspection Reports as required by the general permit.

Once construction is complete and the site has been stabilized with a final, sustainable cover, submit the Notice of Termination to DCR within 30 days after all land disturbing activities end.

At the time of submittal to DCR, the Contractor shall concurrently

forward copies of the SWPPP, Registration Statement, BMP Inspection Reports, and Notice of Termination to the Contracting Officer, and to Mid-Atlantic Environmental at: Commander, Naval Facilities Engineering Command, MIDLANT, Code: EV2, 9742 Maryland Avenue, Norfolk, VA 23511-3095.

Information on the permit application, SWPPP requirements, Registration Statement, BMP Inspection Reports, and Notice of Termination can be found in the Virginia Permit Regulation 9 VAC 25-180. The Registration Statement, Notice of Termination, and permit fee forms can be found on the DCR website <http://www.dcr.state.va.us/sw/vsmp.htm>. This website also contains the permit regulations and information on how to obtain coverage online.

Once construction is complete and the site has been stabilized with a final, sustainable cover, submit the Notice of Termination to DCR within 30 days after all land disturbing activities end.]

### 3.2.3 Stormwater Drainage

\*\*\*\*\*  
**NOTE: Use this paragraph for Norfolk Naval Shipyard projects.**  
\*\*\*\*\*

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 Programs 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 Programs Division of the Shipyard. Contractor will provide erosion protection of the surrounding soils.

### 3.3 HISTORICAL AND ARCHAEOLOGICAL RESOURCES

\*\*\*\*\*  
**NOTE: Use the bracket option for Norfolk Naval Shipyard projects.**  
\*\*\*\*\*

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 [NNSY Code 106 and] 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] permit or license showing such [agency's] [agencies'] 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. 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 Disposal 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.

##### [3.4.2.1 Dumpsters

\*\*\*\*\*  
NOTE: Include the following paragraph for NAVFAC Southeast projects at the Charleston Air Force Base and for other NAVFAC Southeast projects as determined by the Contracting Officer based on project size, scope, complexity, and visibility. Consult the Contracting Officer for base standard colors.  
\*\*\*\*\*

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.

#### 3.5.1 Contractor Hazardous Material Inventory Log

Submit the [Contractor Hazardous Material Inventory Log](http://www.wbdg.org/ccb/NAVGRAPH/hazardous_material_inventory_log.pdf) (found at: [http://www.wbdg.org/ccb/NAVGRAPH/hazardous\\_material\\_inventory\\_log.pdf](http://www.wbdg.org/ccb/NAVGRAPH/hazardous_material_inventory_log.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.

#### 3.5.2 Laboratory Analysis

Submit a copy of a [Laboratory Analysis](#) of solid waste and debris with the potential of becoming classified as a hazardous waste (i.e., abrasive/sand blasting debris, etc.). Waste stream determinations are required at the point of generation and must sufficiently document whether the waste will be a solid waste, hazardous waste, or Resource Conservation and Recovery Act (RCRA) exempt waste. Determinations must use EPA approved methods and provide written rationale for whether the waste is classified as hazardous or non-hazardous. The Contractor will bear the cost of the waste stream determinations, and the Contracting Officer reserves the right to request waste stream determinations on questionable waste streams.

### 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/hazardous\\_material\\_inventory\\_log.pdf](http://www.wbdg.org/ccb/NAVGRAPH/hazardous_material_inventory_log.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: In the brackets below, provide the contact information for the activity contact responsible for assisting with HW disposal.**  
\*\*\*\*\*

Submit a copy of the applicable EPA [and 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 at [\_\_\_\_\_].

### 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 Protection 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

\*\*\*\*\*  
**NOTE: Use bracketed information in last sentence for projects at Norfolk Naval Shipyard.**  
\*\*\*\*\*

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 [and Code 106].

### 3.9 HAZARDOUS MATERIAL CONTROL

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

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.

### 3.11 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.

\*\*\*\*\*

**NOTE: Add the following for projects at Norfolk  
Naval Shipyard (NNSY).**

\*\*\*\*\*

[No Contractor may bring a tank, which is not a permanently attached part of a machine, on to NNSY property without first obtaining permission from Code 106. No contract may be closed out unless all tanks have been removed and their site properly closed, unless permission has been obtained from Code 106 to allow the tanks to remain on NNSY property after contract close out.]

### 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 DISPOSAL OF HAZARDOUS WASTES

#### 3.13.1 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.

#### 3.13.1.1 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<br/>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.

#### [3.13.1.2 Sampling and Analysis of HW

\*\*\*\*\*  
**NOTE: Use this paragraph for Norfolk Naval Shipyard projects only.**  
 \*\*\*\*\*

##### a. 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. 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.

] [3.13.1.3 Asbestos Certification

\*\*\*\*\*  
**NOTE: Use this paragraph for Norfolk Naval Shipyard projects only.**  
\*\*\*\*\*

- a. Asbestos containing material: Items, components, or materials which are specified to be worked on under this contract [do] [do not] involve asbestos. Other materials especially thermal insulation, in the general work area may [also] 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 asbestos free. The Contractor will not remove or perform work on any such 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. The Contractor will immediately stop all work which would generate further damage to the material, evacuate the potential asbestos exposed area, and notify the Contracting Officer for resolution of the situation prior to resuming normal work activities in the affected area.

] [3.13.1.4 Hazardous Waste Disposal

\*\*\*\*\*  
**NOTE: Use this paragraph for Norfolk Naval Shipyard projects only.**  
\*\*\*\*\*

COMPLETE AS APPLICABLE WITH THE DETAILS OF THE CONTRACT. THE SECTIONS WITH ( ) SHOULD BE MARKED AS APPLICABLE WITH AN 'X'.

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) Control and turn in all hazardous waste requiring disposal in accordance with Norfolk Naval Shipyard Recovery Material Instruction contained in this specification entitled "Contractor Disposal Turn-In Requirements".
- (4) Obtaining a representative sample of the material generated for each job done to provide waste stream determination.
- (5) Analyzing for each sample taken and providing analytical results to the Contracting Officer. Provide two copies of the results.
- (6) 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 for Code 106's review.

#### Government Responsibilities

To review all documentation submitted by the Contractor for accuracy. Provide guidance to the Contractor in reference to environmental compliance.

#### Interim Waste Generation Site for Contractor Disposal of WHM/HW

The Contractor will request approval of the Government for an area suitable for packaging WHM/HW requiring disposal. The Contractor will comply with the requirements of the Virginia Department of Waste Management Regulations. The area will be barricaded and a sign identifying as follows:

Signage- "DANGER - UNAUTHORIZED PERSONNEL KEEP OUT"

With additional custody sign indicating:

- (1) Site #
- (2) Controlled by  
Call Mr./Ms. [\_\_\_\_] at

Barricade Type: Yellow and black three (3) inch plastic tape. Corner barricades will be provided by the Government.

#### 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:

- (a.) Call Code 106.322 dispatcher, at 396-7231 ext. 161 and provide the following information:

- 1 Your name and company
- 2 Service/contract number
- 3 ROICC/Code 460 number
- 4 Telephone number where you can be reached
- 5 Material requiring disposal
- 6 Location of material
- 7 Volume of material in each container

(b.) All material must meet the following conditions 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'.

b. Responsibilities for Government's Disposal

The following IA applicable for a generation of WHM/HW requiring Government disposal of solid waste or liquid.

Contractor's Representative

- (1) 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 271, 40 CFR 272, 40 CFR 273, 40 CFR 279, 40 CFR 280, and 40 CFR 716.
- (2) Control and turn-in all hazardous waste requiring disposal in accordance with NNSY Recovery Material Instruction contained in the specification entitled "Government Disposal Turn-In Requirements".
- (3) Providing identification of material requiring disposal to permit safe opening, storage and handling by the Government.

Government Responsibilities

- (1) Sample material requiring disposal.
- (2) Analyzing each sample taken.

- (3) 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.
- (4) Accepting and disposing of all WHM/HW/HW properly turned in by the Contractor for disposal.

#### Acceptance of WHM/HW for Disposal

Upon completion of all above applicable requirements (i.e. sample, analysis, identification, packaging, etc.), the Contractor will notify the Contracting Officer three (3) working days in advance for review and acceptance by the Environmental Programs Division, Code 106.3. The Contractor will correct all discrepancies not conforming to this contract at his expense. Upon acceptance by the Environmental Programs, the waste will be removed from the Contractor's work site within three (3) days.

#### Interim Waste Generation Site for Government Disposal of WHM/HW

The Contractor will request approval of the Government for an area suitable for packaging WHM/KHW requiring disposal. The area will be barricaded and a sign identifying as follows:

Signage- "DANGER - UNAUTHORIZED PERSONNEL KEEP OUT"

With additional custody sign indicating:

- (1) Site #
- (2) Controlled by
- (3) Call Mr./Ms. [\_\_\_\_] at

Barricade Type: Yellow and black three (3) inch plastic tape. Corner barricades will be provided by the Government.

#### Government Disposal Turn-In Requirements

- a. Call Code 106.322 dispatcher, at 396-7231 ext. 161 and provide the following information:
  - (1) Your name and company
  - (2) Service/contract number
  - (3) ROICC/Code 460 contact number
  - (4) Telephone Number where you can be reached
  - (5) Material requiring disposal
  - (6) Location of material
  - (7) Volume of material in each container
- b. All material must meet the following conditions in order to be acceptable for disposal:
  - (1) Drums compatible with waste contents and drums meet DOT requirements for 40 CFR 173 for transportation of materials.



- (2) Drums banded to wooden pallets. No more than three (3) 55 gallon drums to 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'.
- (6) Code 106.321 must be notified within 24 hours of filling any drum of material requiring disposal. Date on recovery material label will be Code 106.321 notification date

#### ]3.13.2 Class I [and II] ODS Prohibition

\*\*\*\*\*  
NOTE: Normally, do not use the bracketed item. If used, the Project Manager will secure a waiver to use Class I ODS in accordance with NAVFAC Ozone Depleting Substances Procurement Policy and Procedures with the approval of a Senior Acquisition Officer (SAO). Include bracketed item for projects at Norfolk Naval Shipyard. Class II ODS is prohibited at Norfolk Naval Shipyard.  
\*\*\*\*\*

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.

#### 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

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**NOTE: Include the bracketed requirement when pile driving is required in the project and the site of work is near residential areas.**

\*\*\*\*\*

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

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**NOTE: Use this paragraph at shipyards, submarine bases and when directed by the Government. Add bracketed second paragraph for projects at Norfolk Naval Shipyard.**

\*\*\*\*\*

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 [Shipyard] [SUBASE Mercury Control Coordinator via the] Contracting Officer instances of breakage or mercury spillage. Clean mercury spill area to the satisfaction of the Contracting Officer.

[All Contractors and contract personnel performing work on items, equipment, components, materials which contain mercury or mercury compounds, such as mercury switches or fluorescent/mercury vapor lamps, shall abide by the requirement of NAVSHIPYDNORINST P5100.56, Volume III, Chapter 10, "Control of Occupations Exposure to Mercury and Mercury Compounds." Mercury may have harmful effects on personnel, materials and the environment. The Occupational Safety, Health and Environment Office (Code 106) must be contacted for approval prior to using mercury, mercury compounds, mercury containing items, equipment, materials or prior to using any materials contaminated by mercury. Mercury containing items, including fluorescent/mercury vapor lamps, must be properly disposed of in accordance with NAVSHIPYDNORINST P5100.56, Volume III, Chapter 10.]

### ]3.18 CONTROL AND DISPOSAL OF [IONIZATION SMOKE DETECTORS] [TRITIUM EXIT SIGNS]

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NOTE: For NAVFAC Pacific projects requiring control and disposal of ionization smoke detectors (which contain low-level radioactive material) and tritium exit signs by Radiological Affairs Support Office (RASO).  
\*\*\*\*\*

#### 3.18.1 Material Bagging

Remove existing [ionization smoke detectors] [and tritium exit signs,] and place like types together; i.e. same manufacturer and model number, in a plastic bag. Provide a label on the bag with the following data:

Manufacturer: \_\_\_\_\_ Activity: \_\_\_\_\_  
Model No.: \_\_\_\_\_ Contract No.: \_\_\_\_\_  
Isotope/Quantity (if known): \_\_\_\_\_

#### 3.18.2 Material Storage

\*\*\*\*\*  
NOTE: Insert applicable activity in the blank space.  
\*\*\*\*\*

Store plastic bags in 55-gallon covered drum(s). Do not seal the drum(s). Provide a label entitled "RADIOACTIVE" and storage inventory form applied to exterior surface of the cover and side of the drum(s). Provide a record copy, with the following data (example), for each drum storage inventory to the Contracting Officer, [the RASO at COMNAVREG Pearl Harbor], and [\_\_\_\_\_].

#### 3.18.3 Storage Site and Disposal

\*\*\*\*\*  
NOTE: For NAVFAC Pacific projects where Government is responsible for storage and disposal. Insert location of storage site in the blank space.  
\*\*\*\*\*

Deliver drums to [\_\_\_\_\_] [MCBH Bunker 709, Sumner Road] [PWC Pearl Harbor Bldg \_\_\_\_] for storage and disposal of [ionization smoke detectors] [and tritium exit signs] [as directed by the Contracting Officer].

#### 3.18.4 Storage and Disposal by Contractor

\*\*\*\*\*  
NOTE: Use for NAVFAC Pacific projects where  
Contractor is responsible for storage and disposal.  
\*\*\*\*\*

The Contractor will be responsible for storage and disposal of [ionization smoke detectors] [and tritium exit signs] in accordance with Federal, State and local laws and regulations.

#### [3.19 REMOVAL FROM CAMP LEJEUNE, NC

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NOTE: Select the following paragraphs for projects  
located at Marine Corps Base, Camp Lejeune, North  
Carolina. Ensure sections referenced are included  
in the specification.  
\*\*\*\*\*

Remove and dispose of rubbish and debris from Government property.

- a. Provide 24-hour advance written notice to the Contracting Office of Contractor's intention to dispose of off base.
- b. Disposal at sites or landfills not holding a valid State of North Carolina permit is specifically prohibited. The prohibition also applies to sites where a permit may have been applied for but not yet obtained.
- c. Off-base disposal of construction debris outside the parameters of this paragraph at site without State permits and/or not in accordance with regulatory requirements will require the Contractor at his own expense to remove, transport and relocate the debris to a State approved site. The Contractor will also be required to pay any fines, penalties, or fees related to the illegal disposal of construction debris
- d. Metals will not be accepted at the Base Sanitary Landfill. Materials which may be deposited in the landfill include:

|          |   |
|----------|---|
| CATEGORY | CONSTRUCTION DEBRIS DISPOSAL - BASE<br>SANITARY LANDFILL EXAMPLE/GENERAL INFORMATION FOR<br>DEPOSIT IN THE LANDFILL |
|----------|---|

|              |   |
|--------------|---|
| Mixed Debris | The following materials may be placed in the landfill in a location designated by the landfill operator. These items may be mixed together.<br><br>Sheetrock - plaster - glass (broken)<br>Non asbestos insulation - (fiberglass and mineral wool will be bagged).<br><br>Packing paper, styrofoam, and pasteboard boxes<br>Non-asbestos roofing materials such as shingles built-up and shingle roofing.<br>Painted wood such as doors, windows, siding, and trim. |
|--------------|---|

|   |  |
|---|--|
| CATEGORY  | CONSTRUCTION DEBRIS DISPOSAL - BASE<br>SANITARY LANDFILL EXAMPLE/GENERAL INFORMATION FOR<br>DEPOSIT IN THE LANDFILL  |
|   | Plastic/fiberglass such as pipe, electrical boxes, cover plates, etc.<br>Ceramic and vinyl flooring or tile - ceiling tile.  |
| Masonry and Concrete                              | Deliver concrete, block, brick, mortar to the landfill separate from any other items, and place in a location designated by the landfill operator. Reinforcement wire and rebar will be removed flush with exposed surfaces.                         |
| Nonrecyclable Cardboard                           | Breakdown corrugated cardboard boxes and deliver to the Base Recycling Center located at Building 913. If Base personnel rejects the cardboard, take cardboard to the landfill.  |
| Nonrecyclable Wall Pallets                        | Deliver usable pallets to the Base Recycling Center located at Building 913. If base personnel rejects the pallets, take pallets to the landfill.  |
| Treated Wood                                      | Deliver treated wood, and such as piling and power poles, to the landfill separated from any other items, and place in locations as designated by the landfill operator.   |
| Untreated/Unpainted Wood                          | Deliver lumber, trees, stumps, limbs, tops, and shrubs to the landfill separated from any other items, and place in locations as designated by landfill operator.  |
| Organic Matter                                    | Deliver leaves, pine straw, grass clippings to the landfill separated from any other items, and place in locations as designated by landfill operator. No bags or containers are allowed.  |
| Fiberglass Tanks<br>550 gallons or less           | Clean tanks before delivery to landfill.   |
| Asphalt Pavement                                  | Remove pavement from Government property and deliver to an asphalt-recycling establishment. Provide a record of the total tons of asphalt recycled and the corporate name and location of the recycling establishment receiving the removed asphalt. |
| Weigh each and every<br>vehicle delivering debris | Separate each category of construction debris at the construction site and deliver separately to the landfill.   |
| Weigh each and every<br>vehicle delivering debris | Place each category of construction debris in the landfill at the location designated by the landfill operator.  |
| Asbestos  | Refer to Section 02 82 16.00 20  |

|                                   |  |
|-----------------------------------|--|
| CATEGORY                          | CONSTRUCTION DEBRIS DISPOSAL - BASE<br>SANITARY LANDFILL EXAMPLE/GENERAL INFORMATION FOR<br>DEPOSIT IN THE LANDFILL  |
| Lead Based Paint and<br>Materials | Refer to Section 02 82 33.13 20  |
| Metals                            | <p>Metals will not be accepted at the landfill.<br/>Remove metals from each and every category<br/>before delivery to the landfill.<br/>(Example: Remove hardware from doors and windows</p> <p>Dispose of metal construction debris at Defense<br/>Reutilization Maintenance Office (DRMO) Building<br/>TC-861, Camp Geiger.</p> <p>Aluminum, brass, copper, lead, other metal,<br/>electrical wiring, cable (cut in 3 foot or less<br/>sections)</p> |
| ]                                 | -- End of Section --   |