SECTION 028335 - LEAD CONTAMINATED SOIL REMOVAL

1. GENERAL
   * + 1. RELATED WORK SPECIFIED ELSEWHERE
          1. Water Tank Loose Paint Removal: Section 028334.
          2. Earthwork: Section 310000.
       2. SCOPE
          1. The Contractor shall provide all labor, materials, and equipment required to excavate the lead-contaminated soil from designated areas as shown on the Contract Drawings.
       3. SUBMITTALS
          1. Submittals for this section are subject to the re-evaluation fee identified in Article 4 of the General Conditions.
          2. Manufacturer’s installation instructions shall be provided along with product data.
          3. Submittals shall be provided individually in the order in which they are specified and tabbed.
          4. The following items shall be submitted to the Director’s Representative for review and approval in accordance with Section 01330.

Prior to initiating the Work, the Contractor shall submit for approval a written Materials Handling Plan, describing the method of excavation, drainage, dewatering, removal, loading and transport of the lead contaminated soil. The Materials Handling Plan shall also describe the procedures and materials that will be utilized to minimize the flow of surface water into open excavations and the handling of groundwater that enters the excavations.

Copies of manifests required to transport waste materials. These manifests shall be submitted prior to the transportation of waste materials within 24 hours following their preparation.

Acceptance documentation of waste materials by a facility permitted to treat or dispose of those types of materials. The documentation shall be submitted no later than 7 days following delivery of waste materials to the permitted facility.

Letters of acceptance from the permitted facility and haulers acknowledging agreement to accept the waste material. These letters shall be submitted not more than 14 days prior transporting any waste materials.

* + - 1. STATUTES, REGULATIONS, CODES AND POLICIES
         1. All work included in the Contract shall be conducted in strict compliance with all applicable federal, state, and local statutes, regulations, codes and policies.

Compliance assurance shall be the responsibility of the Contractor.

Communication between Contractor and governing authorities, regulatory agencies, and similar entities, shall be coordinated through the Director’s Representative.

* + - 1. PERMIT AND LICENSE REQUIREMENTS
         1. All permits, bonds, easements, or licenses required to perform the Work shall be obtained by the Contractor.

The Contractor shall coordinate with the Director’s Representative to ensure all permits are in place prior to the Contractor starting work.

Determination of license and permit requirements shall be the responsibility of the Contractor.

* + - * 1. Copies of all executed permits and licenses shall be transmitted to Director’s Representative upon receipt.
      1. REFERENCES
         1. The publications are referenced by basic designation only and shall be the latest published version. Contractor shall provide 1 copy of latest updated publications below for director:

Code of Federal Regulations (CFR):

29 CFR Part 1926.62 Lead

CFR 40 Part 260 Hazardous Waste Management System: General

CFR 40 Part 261 Identification and Listing of Hazardous Waste

CFR 40 Part 262 Standards Applicable to Generators of Hazardous Waste

CFR 40 Part 263 Standards Applicable to Transporters of Hazardous Waste

CFR 40 Part 268 Land Disposal Restrictions

New York State Department of Environmental Conservation (NYSDEC):

6 NYCRR Part 360.15 Beneficial Use

6 NYCRR Part 360-7.1 Hazardous Waste Management Systems

6 NYCRR Part 371.3 Characteristics of Hazardous Waste

6 NYCRR Part 372 Hazardous Waste Manifest System and Related Standards for Generators, Transporters, and Facilities

TAGM SW-89-2002 Division of Solid Waste Technical and Administrative Guidance Memorandum: Construction and Demolition Debris, Dated Dec. 26, 1989

TAGM HWR-94-4046 Determination of Soil Cleanup Objectives and Cleanup Levels

Include the following Paragraph if there are project specific reports/studies that have been prepared and will be made available to the Contractor.

* + - * 1. The following document is available upon request to the Director’s Representative:

**[Insert document title, preparer, and date.]**

1. EXECUTION
   * + 1. EXCAVATION
          1. The horizontal extent of areas suspected to contain lead contaminated soil are shown on the Contract Drawings. Contractor shall accurately locate and stake the contaminated soil removal boundaries as shown on sheet X-00.
          2. The Contractor shall perform soil excavation activities only after tank removal activities are completed. Lead contaminated soil shall be excavated to a depth of 6-inches or to bedrock (whichever is less), loaded and transported from its existing location to a temporary stockpile area designated by the Director’s Representative. All rocks, concrete material may be sorted out and disposed of on site as non hazardous soil. The excavated contaminated spoils shall be stockpiled on and covered by plastic sheets. All plastic sheets shall be secured by sandbags.
          3. The Contractor will be required to excavate the lead contaminated soil adjacent to the tank due to field conditions to the limits shown on the Contract Drawings.
          4. The Contractor shall sample and laboratory test the limits of suspect contaminated soils excavation and the excavation soil stockpile in accordance with Paragraph 2.04 Environmental Sampling and Testing.
          5. The Contractor shall not exceed the shown limits of excavation without prior approval of the Director’s Representative. Corrective grading including placement of backfill required due to over excavation by the Contractor will be performed at no additional cost to the Owner.
       2. DRAINAGE/DEWATERING
          1. The Contractor shall provide all labor, equipment, and materials needed to properly manage surface water and groundwater that enters open excavations. Methods and equipment for sediment control shall be utilize to minimize surface water migration into excavations and to control groundwater that enters the excavation. Methods and equipment used to control drainage, dewatering and sedimentation shall be in accordance with the Contractor’s approved Materials Handling Plan andSite Health and Safety Plan. Requirements identified in Section 01570 for erosion and sediment control shall be implemented as required.
       3. ENVIRONMENTAL SAMPLING AND TESTING
          1. The Contractor shall take one composite soil sample (five aliquots per composite) per 200 cubic yards (CY) of suspected lead contaminated soil excavated and stockpiled. Chemical sampling and analysis of TCLP Lead for the excavated materials shall be conducted by the Contractor in accordance with environmental regulatory requirements (CFR 40 Part 261) with a maximum 48 hour result turn-around time frame. Depending of these results, the Contractor shall dispose of the excavated materials at an approved facility in accordance with Paragraph 2.05 Disposal of Excavated Materials.
          2. The Contractor shall take one composite soil sample at a depth of 6-inches below the excavated surface (five aliquots per composite) per 1,000 square foot (SF) of excavated area. The Contractor shall test the samples for Total Lead in accordance with environmental regulatory requirements (CFR 40 Part 261) with a maximum 48 hour result turn-around time frame. Depending of these results, If the sample results are greater than 500 PPM the Contractor shall inform Director’s Representative and obtain written approval from director before proceeding with work in the contaminated soil area. If the sample results are less than 500 parts per million (PPM), the Contractor shall backfill in accordance with Paragraph 2.03 Backfill with the Director’s Representative approval.
          3. Provide Director with final soil investigation report indicating total lead content.
       4. DISPOSAL OF EXCAVATED MATERIALS
          1. All contaminated excavated materials (waste materials) shall be collected in containers or similar means as proposed by the Contractor and approved by the Director’s Representative. The Contractor shall label the containers in accordance with federal and state regulations.
          2. All contaminated waste materials shall be disposed of in accordance with the requirements of the USEPA and NYSDEC regulations.
          3. Unless otherwise specified, all contaminated waste materials shall become the responsibility of the Contractor. The Contractor shall be responsible for the safe and proper removal of all waste materials and the disposal of such waste materials at a licensed waste disposal facility approved by the Director’s Representative.
          4. All fees and transportation costs are the responsibility of the Contractor. The Contractor shall bear full responsibility for any and all fines or assessments levied against the project resulting from improper handling and disposal of the waste material.

END OF SECTION 028335