

**ITEM 203.9721 03 M - COLLECTION, HANDLING AND DISPOSAL OF  
HAZARDOUS/ CONTAMINATED LIQUIDS**

**DESCRIPTION**

**A. General**

This work shall consist of the collection, handling and disposal of potentially hazardous or contaminated liquids. These liquids include, but are not limited to stormwater and groundwater encountered and any liquids by any decontamination or cleaning processes.

All existing ground shall be considered potentially hazardous. Any fluids obtained shall be considered potentially hazardous unless otherwise verified by testing.

The Contractor shall supply all equipment, material, and labor required to collect, pump, store, and dispose all hazardous or contaminated liquid. The Contractor shall bid this work in conjunction with and in the context of the ***Potentially Hazardous Waste disposal work.*** The scope of work may be affected by the method of waste handling (shipping containers, de-watering methods and materials, etc.). The impact to staging, scheduling and the generation of additional liquids shall be incorporated into this work item.

The Contractor shall handle all potentially hazardous, hazardous or contaminated liquids in a responsible manner to protect site personnel, the public, and the environment in accordance with all applicable federal, state and local laws and regulations.

Work activities are restricted as per the Corps of Engineers Section 404 Permit conditions, the NYSDEC SPDES Permit &/or Water Quality Certification and as noted in the Plans and Proposal.

All work performed within this project site shall follow the stipulations contained and paid for under the ***Hazardous Materials Safe Operating Procedures*** item. In that specification, Project Safety and Health Plan (PSHP), monitoring, protection and other requirements are identified. Those requirements and how they interact with these items of work, shall be incorporated in the overall work plan.

**B. Regulations**

The Contractor shall ensure that all operations associated with the handling, loading, transportation, and treatment/disposal of hazardous or contaminated liquids are in compliance with all applicable Federal, State, and local regulations, including New York State Department of Environmental Conservation (NYSDEC) regulations. The applicable regulations include, but are not limited to:

- a. 29 CFR 1910.120 - Hazardous Waste Operations and Emergency Response.
- b. 40 CFR 761, Subpart D - Polychlorinated Biphenyl (PCBs) Storage and Disposal.
- c. 49 CFR 100 to 180 - DOT Hazardous Materials Transport and Manifest System Requirements.
- d. 6 NYCRR 371 - Identification and Listing of Hazardous Waste.
- e. 6 NYCRR 372 - Generator and Manifest Requirements and Transportation of Hazardous Waste.

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- f. 6 NYCRR 373-1 through 373-3 - Hazardous Waste Facilities Standards and Permitting Requirements.
- g. 6 NYCRR 364 - Waste Transporter Permits.
- h. 6 NYCRR Part 376 - Land Disposal Restrictions
- i. 6 NYCRR Part 703 - Surface Water and Groundwater Quality Standards and Groundwater Effluent Limitations
- j. TOGS- NYSDEC Division of Water Technical and Operational Guidance Series (TOGS)
- k. Water Quality Certification requirements for water discharge as per the NYSDEC SPDES (State Pollutant Discharge Elimination System) Permit.
- l. Other local restrictions on transportation, treatment and discharge of waste waters.
- m. Posted weight limitations on roads and bridges.
- n. All Samples must be submitted to a NYSDOH ELAP Certified Lab for Analysis.

**C. Definitions**

**1. Work Areas/Zones**

The following work areas/ zones are referenced in this Specification. The exact locations and boundaries shall be further identified by the Contractor in the Materials Handling Plan.

- a. Contaminated Zone / Exclusion Zone (or hot zone): The area with actual or potential contamination and the highest potential for exposure to hazardous substances. This includes excavations, culverts, decontaminated areas and areas where hazardous/contaminated materials are stored, as determined by the Certified Industrial Hygienist (CIH). Stockpiling is prohibited.
- b. Contamination Reduction Zone (or warm zone): The transition area between the exclusion and support zones. This area is where decontamination activities will take place and personnel will enter and exit the Exclusion Zone. Stockpiling is prohibited.
- c. Support Zone (or cold zone): The area of the site that is free from contamination. This area may be safely used for planning and staging/storing materials that are not contaminated. These areas include access roadways and controlled materials areas. Fencing shall be provided at the limits of the controlled material areas and adjacent hazardous areas, or if entering an area free of contamination, it shall be signed as such. Stockpiling is prohibited.

**2. Liquid Waste Materials Classifications**

The Liquid Waste Material generated by this project will be classified under the following regulatory categories and shall be disposed of accordingly. Payment for disposal will be made as Hazardous Waste, Industrial Waste or Non-Regulated Liquid Waste.

- a. Hazardous RCRA (Resource Conservation and Recovery Act) Regulated Waste: Materials that exceed the contamination levels for definition as hazardous wastes defined by 6NYCRR Part 371 (Identification of listing of hazardous wastes including definition of toxicity by the Toxic Characteristic Leaching Procedure (TCLP) test for potential

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contaminants including RCRA regulated metals and for definition of hazardous PCB wastes which are regulated hazardous wastes in New York State).

b. Industrial Waste:

Materials that fit either of these criteria:

- 1.) exceeds the surface water quality standards listed in 6 NYCRR Part 703 or the effluent concentrations for the SPDES permit.
- 2.) have any detectable concentrations of PCBs less than 50 parts per million (ppm).

c. Non-Regulated Liquid Waste: Liquid material that is uncontaminated and meets drinking water standards.

3. Contaminated Liquid Classifications

Off Site Disposal: The liquids generated on this project shall be classified as a nonhazardous industrial waste if testing indicates that contamination above the surface water quality standards are present or as a hazardous waste if testing indicates contamination above hazardous waste regulatory levels are present. Non-hazardous industrial wastes and hazardous wastes shall be disposed of at facilities permitted to receive, treat and dispose of such wastes.

**MATERIALS AND EQUIPMENT**

Potentially Hazardous and Contaminated liquids shall be placed and stored in liquid tight, suitable containers.

The Contractor shall assure that the waste hauler's appropriate choice of vehicles and operating practices shall prevent spillage or leakage of contaminated or hazardous liquids material from occurring on site or en route.

The Contractor shall provide, install and maintain any temporary loading facilities on-site as required, until completion of material handling activities. The locations and design of any facilities shall be included in the "Liquid Materials Handling Plan" (LMHP) described in Construction Details A. 2.

**CONSTRUCTION DETAILS**

All existing ground shall be considered potentially hazardous. Any fluids obtained shall be considered potentially hazardous unless otherwise verified by testing.

A. Submissions. Notifications & Permits

1. Project Safety and Health Plan (PSHP)

The Contractor shall submit to the Engineer for his review, the PSHP, as per the *Hazardous Materials Safe Operating Procedures as described and included under a separate item in the contract*, prior to commencing entry or commencing work on the project. The Contractor shall not enter or commence work on the project until the PSHP is provided to the Engineer in

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satisfaction of Section 107-05 of the Standard Specifications and the Engineer transmits the appropriate letter to the contractor.

2. "Liquid Material Handling Plan" (LMHP)

The LMHP is to be developed for the recovery, transport and disposal of Hazardous / Contaminated Liquids at off site facilities. The Contractor shall submit to the Engineer for his review, a LMHP, prior to commencing work that generates liquids. The Contractor shall not enter the project or commence work until the Engineer accepts the LMHP, in writing, in satisfaction of Section 107-05 of the Standard Specifications. The LMHP shall, as a minimum, consist of:

a. The Contractor's Job Hazard Analysis (JHA) for each task involved in safely handling hazardous or contaminated water (including wastewater from the decontamination areas) and other hazardous or contaminated liquids. This may be prepared in coordination with the Job Hazard Analysis requirements included within the Hazardous Materials Safe Operating Procedures item as described above.

b. Location and design of the Contractor's on-site staging areas for temporarily holding potentially hazardous and contaminated liquids including a plan designating spill prevention and control structures (e.g. berms, catchments, etc.) that shall be constructed to contain any spills of liquids in the transfer areas or from the storage containers. An explanation and layout of the Exclusion Zones, Contamination Reduction Zones, and Support Zones shall be included.

c. Identification of the Contractor's proposed waste transporter(s), including a commitment letter(s) from properly licensed and insured hauler/transporter(s). This information shall include:

1. Name and EPA identification number
2. Address
3. Name of responsible contact for the hauler.
4. Telephone number for the contact
5. List of types and sizes of all transport vehicles and equipment used.
6. A description of proposed vehicle type, transportation methods and procedures for hauling contaminated water.
7. Any and all necessary permit authorizations for transporting contaminated water.
8. Previous experience in performing the type of work specified herein.

d. Information on the Contractor's proposed treatment/disposal facility for disposal of contaminated water. Information shall include the following items:

1. General Information:
  - a. Facility name and EPA identification number
  - b. Facility location
  - c. Name of responsible contact for the facility.
  - d. Telephone number for contact.
  - e. Unit of measure utilized at facility for costing purposes.
2. A listing of all permits, licenses, letters of approval, and other authorizations to operate, which are currently held and valid for the

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proposed facility as they pertain to receipt and management of wastewater derived from this Contract.

3. Letters from the intended facilities stating that the Facility has agreed to accept the wastewater, is authorized to accept such wastewater under the laws of the State of residence, has the required capacity to treat and dispose of the waste, and will provide or assure the ultimate disposal method indicated on the Hazardous Waste Manifest.
  - e. The names, address, and telephone number of the contact for the Contractor's proposed chemical test laboratory. The laboratory must be ELAP certified by the NYSDOH.
  - f. The name and experience of the Contractor's sampling technician. The technician shall maintain current 40 hr HAZWOPER training.

**3. Water Quality Management Plan**

The Contractor shall submit to the Engineer for his review, a Water Quality Management Plan (WQMP), prior to commencing any work in the suspected contaminated areas of the project. The Contractor shall not enter the project site or commence work until receipt of the WQMP is acknowledged by the EIC, in writing, in satisfaction of Section 107-05 of the Standard Specifications. The WQMP shall detail the intended procedures for handling liquids and shipping them off-site or treating and discharging them on-site. As a minimum, the WQMP shall include:

- a. The Contractor's procedure for safely collecting, pumping, handling and storing of potentially hazardous and contaminated water (including wastewater from the decontamination areas) and other potentially hazardous, and contaminated liquids. Safeguards to prevent and/or collect spillage/leakage of liquids shall be addressed.
- b. Location and design of the Contractor's on-site staging areas for temporarily holding hazardous/contaminated liquids, including an explanation and layout of the Exclusion Zones and Contamination Reduction Zones, and Support Zone.
- c. The name and experience of the sampling technician. The technician shall maintain current 40 hr HAZWOPER training.
- d. The name, address, phone number, and contact person of the proposed testing laboratory. The laboratory shall be ELAP certified by the NYSDOH.

**4. NYSDEC Notification**

The designated representative from NYSDEC shall be notified at least ten (10) working days prior to handling or removal of potentially hazardous, hazardous, or contaminated materials.

**5. Utilities**

The Contractor shall comply with Section 107-07 of the standard specifications prior to the commencement of excavation activities.

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6. Permits

The Contractor shall be responsible for ensuring that all applicable permits are obtained prior to commencing work and that all permit conditions are met and followed. See Section B. Regulations of this specification for a list of potential permits.

B. General

All work performed under this item shall follow the prescribed measures outlined in the *Hazardous Materials Safe Operating Procedures* item and as defined by the CIH. It includes, but is not limited to: PSHP, Training, Medical Monitoring, Air Monitoring, Decontamination of Equipment, Decontamination Facilities, Personal Protective Equipment, Site Delineation/ Security, Cleaning Concrete Surfaces, Management of Contaminated Solids and the Management of Liquids.

C. Staging & Mobilization / Preparation

The various staging areas, Exclusion Zone, Contamination Reduction Zone, and Support Zone shall be established for all locations.

D. Collection, Handling & Storage

All existing ground shall be considered potentially hazardous. Any fluids obtained shall be considered potentially hazardous unless otherwise verified by testing.

The Contractor shall collect, pump, transfer, and store all potentially contaminated liquids in leak-proof containers. This includes all liquid waste generated by remediation and cleaning activities.

The Contractor shall erect a capture system in the immediate vicinity of excavation activities to collect all fugitive liquids and/or solids during operations. The Contractor shall design the capture system of sufficient size to handle the estimated volume of spillage /over spray (or total extraction if applicable) & provide a method to transfer these contents, as detailed in the LMHP and/or the WQMP.

Any materials removed in a semi-solid and/or slurry form shall be transferred to an on-site storage container for de-watering and testing. The drain water generated by this operation shall be collected and transferred and disposed of as detailed in the LMHP and/or the WQMP.

The Contractor is advised that certain methods of removal will generate additional volumes of fluids, that shall be disposed. No payment will be made for additional fluids introduced into the operation.

The wastewater generated by on-site decontamination activities (equipment and materials) and any other remediation activities shall be captured, collected, stored and transferred for disposal.

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All liquids must be transferred to either storage containers, tankers or on-site storage tanks. Storage containers shall be waterproof and may be stationary or mobile. Tankers shall be waterproof and meet NYSDEC waste transporter requirements. All temporary storage tanks erected on-site shall use an impermeable membrane and have sufficient storage & freeboard to contain the anticipated liquid generated during removal and be protected from the elements by a suitable cover. The method of transfer shall be detailed in the LMHP and/or the WQMP.

E. Off Site Disposal

1. Testing

General characterization of the soils within the work area is based on previous sampling done for or by NYSDOT. This information will be used by NYSDOT to obtain the Hazardous Waste US EPA Identification Number, prior to the work.

On-site sampling shall be required to determine and quantify the actual contamination levels present in wastewater resulting from construction activities in proximity to the contaminated soils.

2. Sampling

The Contractor shall sample the storage containers in accordance with the following procedures and the NYSDEC regulations. The sampling program and all data generated shall be the responsibility of the Contractor. The Contractor shall furnish personnel, equipment, and instruments necessary for the implementation of the sampling program.

All sample containers shall be marked and identified with legible sample labels and shall indicate the project name, sample location and/or container, the sample number, the date and the time of sampling, preservatives utilized and other information that was utilized in determining the character of the sample.

The Contractor shall maintain a Chain of Custody sample log book. The Contractor shall provide the Engineer access to it at all times and shall turn it over to the Engineer in good condition anytime ordered to do so by the Engineer, and at the completion of the work. The following information as a minimum shall be recorded in the log:

- a. Sample Identification Number
- b. Sample Location
- c. Field Observations
- d. Any Field Parameters such as pH, Temperature, and Specific Conductivity if Measured
- e. Sample Type f Analyses
- g. Date/Time Collection
- h. Collector's Name
- i. Sample Procedures and Equipment Utilized

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All equipment involved in field sampling activities shall be calibrated at intervals established by the manufacturer and decontaminated after each use and before demobilization from the project area.

The number and frequency of samples shall be based on the requirements of the receiving facility, but shall include at least one representative composite sample from each discrete wastewater point. One quality assurance sample will be taken for every 5 samples.

The Contractor shall be responsible for the delivery of samples to designated laboratory under proper packaging, preservation, and temperature requirements, to permit analysis within allowable holding times.

**3. Analysis**

The chemical analysis shall be performed by a laboratory certified by the New York State Department of Health Environmental Laboratory Approval Program as technically acceptable. The laboratory selected by the Contractor shall be named in the LMHP.

The chemical analysis is required on a priority turn around schedule. The chemical analysis shall be done by a laboratory within 24 hours of receipt of the samples. The laboratory results shall be available to the Contractor within 48 hours from when the samples were taken, testing regimen required by the disposal facility. As a minimum, a representative sample shall be analyzed for the following:

- a. **Polychlorinated Biphenyls (PCBs) Total Concentration** by EPA Method 8082.
- b. **Full (TCLP) RCRA Metals Toxicity Characteristic Leaching Procedure (TCLP)** by EPA Method 1311.
- c. **Total Petroleum Hydrocarbons (TPH)** as per NYSDEC 4046 STARS
- d. **Ignitability** by EPA Method 1010
- e. **pH** by EPA Method 1110

**4. Notification of Test Results**

The Contractor shall provide two copies of the laboratory test results as well as a Waste Profile for each treatment and disposal facility to the Engineer, prior to shipment of any liquid waste. The Engineer shall submit a copy to the CEC for URS review.

**5. Waste Classification**

The disposal of the liquid will be according to the respective classification. The Department will designate the classification of the liquid, based on disposal test results. The material shall be classified under one the following regulatory categories: Hazardous Waste, Non-Hazardous Industrial Waste or Non-Regulated Waste.

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The disposal of the material shall be made according to the regulatory requirements for the respective classification, except that Non-Regulated material with detectable PCB's shall be disposed of as (Non-Hazardous) Industrial Waste.

6. Transport

The Contractor shall only use the transporter(s) identified in the LMHP for the performance of work. Any proposed substitutions and/or additional transporters shall be submitted to the EIC prior to and must have written approval from the Engineer, prior to entering the site and for transporting. There shall be no additional cost to the NYSDOT for obtaining & submitting other transporters for approval.

The Contractor shall be responsible for acquiring any transportation permits, manifests and related items &/or services, required for transporting hazardous or contaminated material to an approved off-site disposal facility. The project site access, travel routes, clearances, weight restrictions shall be investigated by the Contractor prior to shipment with a full report provided to the Engineer prior to first transport. The Contractor shall coordinate the schedule for truck arrival and material deliveries to the disposal site.

The Contractor shall be responsible for the certification of weighing vehicles prior to transporting hazardous waste or industrial waste off site.

The Contractor shall organize, prepare and maintain the material shipment record/ manifests and land disposal restriction notifications required by federal regulations, the State of New York and the state where the treatment/disposal facility is located. All documents maintained by the contractor shall be turned over to the NYSDOT once project is finalized.

For wastewater that is determined to be a hazardous waste, the NYSDOT will provide a US EPA hazardous waste generator Identification Number for use on the manifest. NYSDOT will sign the manifest as the waste "generator" and will receive a copy of the manifest at time of shipment.

The Contractor shall arrange for the prompt transport of all liquid waste from the project area. Any collected wastewater shall be disposed of within 45 days after liquid is generated.

All vehicles leaving the Exclusion Zone shall be decontaminated at the Contamination Reducing Zone identified in the LMHP. The Contractor's CIH shall inspect all vehicles leaving the project site to ensure that no contaminated soils are adhering to the wheels or undercarriage.

The Contractor shall be held responsible for any and all actions necessary to remedy situations involving materials/ liquids spilled in transit and of mud and dust tracked off-site. All aspects of this cleanup, including M&P/T, and containment shall be accomplished at the Contractor's expense.

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The Contractor shall ensure that tanker trucks are sealed to protected against tampering or alternate usage not compatible to hauling contaminated materials.

The Contractor shall not combine hazardous or contaminated materials/ liquids from other projects with materials/ liquids from this project site. Likewise, materials/ liquids from this project shall not be combined with materials/ liquids from other projects.

The Contractor shall coordinate manifesting, placarding of shipments, and vehicle decontamination. All quantities shall be measured and recorded upon arrival at the disposal facility.

7. Disposal

The Contractor shall use only the treatment, disposal, and recovery facility(ies) identified in his LMHP for the performances of the work. Substitutions or additions shall not be permitted without prior written approval from the Engineer.

The Contractor shall be responsible for acceptance of the materials at an approved treatment, disposal, or recovery facility for ensuring that the facility is properly permitted to accept the stated material, and that the facility provides the stated treatment and/or services. If the approved treatment, disposal or recovery facility shall, at any time, refuse a shipment, work which produces collectable liquids shall stop until such time a replacement facility is secured.

The Engineer reserves the right to contact and visit the disposal facility and regulatory agencies to verify the agreement to accept the stated material and to verify any other information provided. This does not in any way relieve the Contractor of his responsibilities under this Contract.

In the event that the identified and approved facility ceases to accept the stated materials or the facility ceases operations, it shall be the Contractor's responsibility to locate an alternate approved and permitted facility(ies) for accepting materials. The Contractor shall be responsible for making the necessary arrangements to utilize the facility(ies), and the alternative facility(ies) shall be approved in writing by the Engineer in the same manner and with the same requirements as for the original facility(ies).

For wastewater determined by testing to be a hazardous waste, the Contractor shall be required to submit to the Engineer for review two (2) copies of a completed manifest 3 days prior to shipment. One of the specified copies shall be given the Regional CEC. The Contractor shall obtain manifest forms and complete the shipment manifest records and land disposal restriction forms as required by the appropriate regulatory agencies.

The Contractor shall provide the signed disposal facility manifest receipt copy and copies of quantities received records to the Engineer within three (3) business days after notification of receipt at the disposal facility. Any manifest discrepancies shall be reported immediately to the Engineer and be resolved by the Contractor to the

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satisfaction of the Engineer. The Engineer shall notify the appropriate environmental agencies, such as NYSDEC, of the manifest problem and the ultimate resolution of the problem.

In accordance with the contract, all materials shall be treated/disposed of within 45 days of collection.

For contaminated wastewaters that do not require a manifest, the Contractor shall obtain the copies of records from the receiving facility, verifying the quantities received.

**F. Demobilization**

Any materials that have been contaminated due to Contractor's failure to follow procedures contained in the PSHP, LMHPs, specifications, and other controlling regulations shall not be included for payment in the disposal items. In this case it is the Contractor's responsibility to dispose of the material properly at no cost to the State. Copies of the documentation for this action shall be sent to the Engineer,

**G. Record Keeping**

The Contractor shall obtain manifest forms, waste code numbers, quantity of each load in units of volume and weight and complete the shipment manifest records and land disposal restriction notifications as required by the appropriate regulations. Copies of each manifest shall be submitted to the Engineer upon shipment, and within three (3) business days after notification of receipt by the disposal facility. Any manifest discrepancies shall be reported immediately to the Engineer and be resolved by the Contractor to the satisfaction of the Engineer.

For Contaminated material that does not require a manifest, the Contractor shall obtain the copies of records from the receiving facility, verifying the quantities received.

**METHOD OF MEASUREMENT**

The pay item will be measured on fixed price lump sum basis.

**BASIS OF PAYMENT**

The pay item is a 'draw down' item. As costs are generated, the receipts for costs (services), shall be submitted to the engineer. The contractor will be reimbursed for the receipted costs of materials and labor plus 20% for profit and overhead, reimbursed for equipment in accordance with Section 109-05B1.c., and reimbursed for services plus 5% for overhead.

The total cost shown in the proposal for this pay item shall be considered the price bid even though payment will be made only for actual labor, materials, equipment, and services supplied, with profit and overhead. The unit price shall not be altered in any manner by the bidder. Should the bidder alter the amount shown, the altered figure will be disregarded, and the original price will be used to determine the total amount bid for the contract.

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The lump sum bid price shall include the cost of furnishing all labor, material and equipment (including rentals) to collect, handle, test, and either transport and dispose of hazardous or contaminated liquids, including documentation and any special fee or service charges necessary to complete the work. The Contractor will receive 10% of the lump sum, when the LMHP and Water Quality Management Plan are accepted. The Contractor will receive 30 % of the lump sum for each pier location, when all the impounded water is extracted and stored. The final balance will be made when all contaminated liquids have been disposed of off-site as verified by documentation from the receiving facility, as per the permit requirements.

<b>ITEM NO.</b>	<b>DESCRIPTION</b>	<b>PAY UNIT</b>
203.9721 03M	Collection, Handling, and Disposal of Hazardous/Contaminated Liquids	Lump Sum