

ITEM 05203.9901 M DISPOSAL OF HAZARDOUS SEDIMENT

DESCRIPTION:

Stage, transport, dispose of sediment off-site and complete any other handling required for proper management and disposal of Resource Conservation Recovery Act (RCRA) hazardous sediment.

This specification includes items for the disposal of contaminated sediment by:

Disposal at a permitted RCRA hazardous waste off-site treatment or disposal facility.

Conduct all tasks associated with these items in accordance with all Federal, State, County, and local regulations. The Contractor shall assume responsibility and liability for proper, lawful and safe transport and disposal of all materials specified herein.

The Contractor shall ensure that all operations associated with the handling, packing, labeling, transport, and disposal of RCRA hazardous materials are in compliance with Federal and State Hazardous Waste and Department of Transportation regulations. These regulations include, but are not limited to:

1. 49 CFR Subchapter C - DOT Hazardous Materials Regulations.
2. 40 CFR 260 to 272 - Hazardous Waste Management (RCRA).
3. 6 NYCRR 360 *et seq.* - Solid Waste.
4. 6 NYCRR 370 *et seq.* - Hazardous Waste.
5. Posted weight limitations on roads and bridges.
6. Other local restrictions on transportation of hazardous waste.
7. 29 CFR 1910 Occupational Safety and Health Standards (OSHA).

MATERIALS:

Furnish all materials required by the Contractor's approved Material Handling and Disposal Plan. At a minimum, furnish:

- Roll-offs and/or watertight trucks for staging all excavated sediment; and
- Waterproof tarpaulins for covering trucks/roll-offs and any materials incidental to securing the tarpaulins.

CONSTRUCTION DETAILS:

I Advance Preparation:

- A. Material Handling and Disposal Plan: At least 30 days prior to commencing work in the contaminated areas, prepare and submit a Material Handling Plan and Disposal Plan (the Plan) to the Engineer and to the Department Regional Landscape Architecture Environmental Services Unit for review and acceptance. As part of the Material Handling and Disposal Plan or as a separate document, the Contractor shall prepare Health and Safety Plan procedures and work practices to address public and worker health and safety protection. The Plan(s) must be approved by the Engineer prior to the commencement of work within the defined areas as specified on the Plans and/or in the Special Notes. Include, as a minimum:

1. Written procedures detailing the operations to be used to excavate, stage, transport, and dispose of RCRA hazardous sediment. Procedures must include construction personnel and public safety and health as well as environmental

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protection considerations. The plan shall identify the key personnel, OSHA training, provide general and site-specific safety rules, identify personal protective clothing levels, discuss decontamination of personnel and equipment, and identify emergency procedures, contacts, phone numbers, and directions to the hospital with map, in addition to the work items described below;

2. The Contractor shall identify all staging areas and methods;
3. The method(s) of off-site treatment/disposal that shall be used;
4. For off-site treatment/disposal or movements through an active lane, identification of and information on the proposed waste transporter to include: Name; address; telephone number; contact person; EPA and NYS Transporter ID number; and any and all necessary permit authorizations for the RCRA hazardous waste to be transported from the site to treatment/storage/disposal facilities. Any sediment moved off-site or transported through an active lane must be in NYSDEC Part 364 permitted vehicles. The Contractor shall provide to the Engineer, upon completion of transport of waste materials off-site, a summary of all materials disposed, their weight and associated method of disposal;
5. Identification of and information on the proposed permitted treatment/storage/disposal facilities to include: Facility name; address; contact person; signed letter of agreement from the facility of intent to accept the waste as specified by the contractor; and a listing of all permits, licenses, letters of approval authorizing the disposal of wastes of this description at the designated facility as they pertain to this Contract. The Contractor shall also submit a list of permitted alternative treatment/storage/disposal facilities to be utilized in the event the approved facility ceases to accept waste materials generated under this contract; and
6. The Contractor shall be responsible for any additional sampling and testing of the waste material that may be required by the disposal facility.

Note: Any analytical results of previous investigations that the NYSDOT has conducted are available to the Contractor by request. Quantities are estimated and actual amounts may vary. The Contractor shall identify any additional wastes to the Engineer for approval prior to transport and disposal/treatment.

- B. Notifications: At least 10 days prior to beginning the work, provide the Engineer with the anticipated scheduled dates and work locations for removal/treatment of all contaminated materials. Also at least 10 days prior to beginning the work, contact the applicable regional NYSDEC Office and local fire department in writing and provide them with the scheduled dates for removal and disposal of all contaminated materials and excavation and staging locations. Provide a copy of this correspondence to the Engineer.

II Material Handling:

- A. Field Testing of Contaminated Sediment:

None specified.

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B. Stockpiling and Staging:

The locations where contaminated sediments are present are as indicated in the contract documents and plans. The Contractor shall also refer to the special notes found in the proposal book. Supplemental instructions may be furnished by the Engineer in the field.

Stage all sediment as follows or as indicated by the Engineer:

1. Excavate contaminated material and place directly into trucks or rollofs. All excavated material will undergo off-site disposal.

To protect against leaching or runoff of contaminants into groundwater, surface water, or stormwater, sediment shall be placed in watertight trucks or rollofs and covered with waterproof tarpaulins. Secure the tarpaulin and maintain the cover throughout storage and transport. Staging must not exceed 30 days, unless approval is obtained from the Engineer.

2. Institute appropriate procedures and security measures to ensure the protection of site personnel and the public from contaminated sediment as described in the approved Materials Handling and Disposal Plan.

Note: If the Engineer approves additional staging time, the Contractor must also request approval from NYSDEC for any storage greater than 60 days.

C. Sampling and Laboratory Analysis of Sediment Samples:

1. The Contractor shall collect samples and conduct whatever analysis are required by the treatment/storage/disposal facility for acceptance of the materials prior to disposal. Testing and analysis shall be considered part of this pay item. In no case will the material be transported off site before laboratory analysis has been received and excavated materials have been characterized for disposal.

Sampling shall be conducted by a person thoroughly trained in sampling protocols using standard accepted sampling practices that are representative of the excavated sediment. All sampling will be conducted with the Engineer or his representative present.

2. Perform analyses and testing as required by the intended disposal/treatment facility and/or method. Disposal/treatment facilities may require laboratory testing for criteria of hazardous waste or other criteria. Many landfills require testing for ignitability, corrosivity, reactivity, total petroleum hydrocarbons, and the constituents of toxicity using the Toxicity Characteristic Leaching Procedure (TCLP) methodology. Perform all analyses at a laboratory approved by the New York State Department of Health Environmental Laboratory Approval Program (ELAP) for the intended analyses.

3. Provide a copy of the analysis report to the Engineer within 2 days of receipt. No transportation of waste materials shall occur prior to the Engineer's receipt and acceptance of the laboratory report.

III Transportation Off-Site:

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- A. Transportation: Includes all work required to transport contaminated materials from the work area to off-site treatment, storage, or disposal facility and to require the necessary transportation permits, and any other items and services required for transporting contaminated material for disposal at an approved off-site facility for which pay items are not provided elsewhere in this contract.
1. Load and transport contaminated materials in vehicles with a valid 6 NYCRR part 364 Waste Transporter Permit (and permits for any other states as applicable). Verify and document that the transporter has a current waste transporter's permit authorizing the transport of the project waste materials to the intended off-site facility. Supply a current copy of the waste transporter's permit to the Engineer. Coordinate all shipments and arrivals at the disposal facility to meet project schedule requirements. Complete any required shipping papers including uniform hazardous waste manifests required by RCRA and the State of New York and the state where the treatment/disposal facility is located, placarding, and weighing/load measurements and provide documentation/copies to the Engineer. The NYSDOT will provide a hazardous waste generator identification number for use on the manifest and will sign the manifest as the generator.
 2. Cover and secure roll-offs and trucks with waterproof tarpaulins to prevent runoff and blowing of sediment.
 3. Perform actions necessary to remedy situations involving material spilled in transit or mud and dust tracked off site associated with this project.
 4. Do not combine material from any other source with materials from the Project Site.
 5. The Contractor shall not deliver waste to any facility other than the disposal facility(ies) listed on the hazardous waste manifest.

IV Disposal:

- A. Disposal: Dispose of contaminated sediment by the methods and procedures described in the Material Handling and Disposal Plan as approved by the Engineer. Dispose of all contaminated materials within 30 days of staging or within 30 days of the results of laboratory analysis, whichever is later, unless additional time is approved by the Engineer. Do not, however, dispose of any material prior to the receipt and acceptance of laboratory results by the Engineer. Ensure that the waste meets the approved landfill's acceptance criteria, including the absence of free liquids. The Contractor shall be responsible for all costs involved in the handling of any wastes deemed unacceptable by the approved landfill. The Contractor shall only use treatment/storage/disposal facility(ies) identified in the Material Handling and Disposal Plan for the performance of the work. Substitutions or additions shall not be permitted without prior written approval from the Engineer and if approved, shall be at no extra cost to the State.
1. All quantities shall be measured and recorded upon arrival at the disposal facility. If deviation between the two records occurs, the matter is to be reported immediately to the Engineer and noted as required on the manifests.
 2. 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 verify any other

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information provided. This does not in any way relieve the Contractor of his responsibilities under this contract.

3. In the event that the identified and approved facility ceases to accept the stated materials or the facility ceases operations, it is the Contractor's responsibility to locate an alternate approved and permitted facility(ies) with no extra cost or delay to the State.

4. Copies of each manifest shall be submitted within two (2) business days following shipment and within three (3) business days following return receipt of the completed manifest. Any manifest discrepancies including the need for exception reporting shall be reported immediately to the Engineer and be resolved by the Contractor to the satisfaction of the Engineer.

BASIS FOR ACCEPTANCE:

Submission of evidence that all sediment has been handled, sampled and analyzed, and disposed of in accordance with the approved Material Handling and Disposal Plan will be the basis of acceptance for work completion.

METHOD OF MEASUREMENT:

The quantity shall be measured by the number of metric tons of contaminated sediment disposed of in accordance with the methods and procedures described in the approved Material Handling and Disposal Plan.

BASIS OF PAYMENT:

The unit price shall include the cost of furnishing all labor, materials, equipment, testing, transportation, off-site disposal, stockpiling, permits, shipping papers, documentation, cleanup of spillage and any other incidentals necessary to complete the work.

Payment will be made under:

ITEM NO.	ITEM DESCRIPTION	PAY UNIT
05203.9901 M	DISPOSAL OF HAZARDOUS SEDIMENT	METRIC TON