

**ITEM 15203.9921 M - DISPOSAL OF PETROLEUM-CONTAMINATED (NON-HAZARDOUS) SOIL**

**DESCRIPTION**

Transport, treat, dispose, and complete any other handling required for proper management and disposal of petroleum-contaminated soil. Contaminated soil covered by this item will be as identified by the Engineer-in-Charge (EIC) or as determined by previous work. The soils covered by this specification are contaminated with a petroleum product but do not meet the criteria for definition as a hazardous waste. The petroleum product may include, but is not limited to: gasoline, heating oils, diesel fuel, kerosene, jet fuel, lubricating oils, motor oils, greases, and other fractions of crude oil.

Disposal of petroleum-contaminated soil includes:

- Transport and disposal at permitted off-site treatment or disposal facility; or
- Treatment on site by methods such as thermal destruction or biological treatment followed by disposal as clean fill. Determine acceptability and obtain approval and any necessary permits from the New York State Department of Environmental Conservation (NYSDEC) for any on-site treatment; or
- Reuse in applications that have received generic or case-specific beneficial use determinations (BUDs) from the NYSDEC for soil that meets applicable criteria. Such alternatives include, but are not limited to, cold-mix and hot-mix asphalt manufacture by producers authorized by NYSDEC.

**MATERIALS** None Specified

**CONSTRUCTION DETAILS**

The lead times for submittals included in these Construction Details are for work that is included in the original project contract where the potential for petroleum contamination is expected. For work that was not included in an original project contract resulting from unexpected encountering of petroleum contamination which does not allow for indicated lead times, the time frames for submittals and notifications will be negotiated at the time of the agreement for this work.

**I. Disposal Plan** - At least 30 days prior to commencing work in the potentially petroleum-contaminated areas, prepare and submit a Disposal Plan (the Plan) to the EIC and the Department Regional Landscape Architecture Environmental Services Unit for review and acceptance. The Plan must be accepted by the EIC prior to the commencement of work within the defined areas. Include:

- A. The method(s) of treatment/disposal that will be used;
- B. For off-site transport, 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 waste to be transported from the site to treatment/storage/disposal facilities;
- C. For off-site treatment/disposal, identification of and information on the proposed permitted treatment/disposal facilities to include: Facility name; address; contact person; signed letter of agreement from the facility of intent to accept the waste as specified in the contract; 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;

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D. If soil will be treated on site, description of the intended treatment procedures, all permits and approvals necessary for any on-site treatment, disposal, and discharge. The treated soil will become the property of the Contractor.

*Note: Any analytical results of previous investigations that NYSDOT has conducted are available to the Contractor by request.*

**II. Transportation Off Site**

A. 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. Coordinate all shipments and arrivals at the disposal facility to meet project schedule requirements. Complete any required shipping papers, placarding, and weighing/load measurements and provide documentation/copies to the EIC.

B. Cover roll-offs and trucks with waterproof tarpaulins to prevent runoff or evaporation of contaminants and blowing of soil.

C. Perform actions necessary to remedy situations involving material spilled in transit or mud and dust tracked off site associated with this project.

D. Do not combine material from any other source with material from the Project Site.

**IV. Disposal/Treatment**

A. Dispose of contaminated material by the methods and procedures described in the Disposal Plan, as accepted by the EIC. Dispose of all contaminated materials within 30 days of stockpiling or within 30 days of the results of laboratory analysis, whichever is later, unless additional time is approved by the EIC. Do not, however, dispose of any material prior to the receipt and acceptance of laboratory results by the EIC. The cost of any analyses required by the Contractor's intended disposal facility that are not included in other items within this contract are the Contractor's responsibility and should be included in the unit cost for this disposal item. *Note: If the EIC approves additional stockpiling time, the Contractor must also request approval from NYSDEC for any storage greater than 60 days as required by NYS Solid Waste Management regulations, 6 NYCRR Part 360.1.7(b)(4).*

B. For soil treated on-site, the soil must be treated to below regulatory guidance values as indicated in NYSDEC Spill Technology and Remediation Series (STARS) Memo #1 - Petroleum-Contaminated Soil Guidance Policy, or alternate values agreed to by the EIC and NYSDEC. The clean treated soil as confirmed by sample and laboratory analysis will become the property of the Contractor for disposal and/or use. All sampling and analysis required to confirm treatment are the responsibility of the Contractor. All petroleum-contaminated soil undergoing treatment on site that is not successfully treated to render it non-contaminated prior to project completion must be disposed of at a permitted off-site treatment facility, Beneficial Use Facility or disposal facility accepted by the EIC at no additional cost to the Department.

**METHOD OF MEASUREMENT** The quantity shall be measured by the number of metric tons of contaminated soil disposed of in accordance with the methods and procedures described in the Disposal Plan. (If the disposal method selected does not allow for measurement of the contaminated soil by weight, a conversion factor of 1.7 metric tons/cubic meter shall be assumed). *Note: The quantities included in the proposal for these items are estimates based on best available information; the actual quantities will be determined during construction based on field identification results and/or laboratory analysis results.*

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**BASIS OF PAYMENT** The unit price shall include the cost of furnishing all labor, materials, equipment, transportation, treatment or 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
15203.9921 M	- DISPOSAL OF PETROLEUM-CONTAMINATED (NON-HAZARDOUS) SOIL	METRIC TON

**DISAPPROVED BY EI 07-034**