

|                                                                                                                                                                                                                                   |  |                                  |                          |                                                        |                   |                                                       |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----------------------------------|--------------------------|--------------------------------------------------------|-------------------|-------------------------------------------------------|--|
| <b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>                                                                                                                                                                         |  |                                  | 1. CONTRACT ID CODE<br>J |                                                        | PAGE 1 OF 2 PAGES |                                                       |  |
| 2. AMENDMENT/MODIFICATION NUMBER<br>0003                                                                                                                                                                                          |  | 3. EFFECTIVE DATE<br>09 SEP 2026 |                          | 4. REQUISITION/PURCHASE REQUISITION NUMBER             |                   | 5. PROJECT NUMBER (If applicable)<br>475034           |  |
| 6. ISSUED BY<br>W071 ENDIST PORTLAND<br>KO CONTRACTING DIVISION, 333 SW FIRST AVE<br>PORTLAND, OR 97204-3495<br>UNITED STATES<br>CHRISTOPHER BURROUGHS, EMAIL: CHRISTOPHER.D.BURROUGHS@USACE.<br>ARMY.MIL TELEPHONE: 503-808-4910 |  | CODE<br>W9127N                   |                          | 7. ADMINISTERED BY (If other than Item 6)<br>SCD: PAS: |                   | CODE                                                  |  |
| 8. NAME AND ADDRESS OF CONTRACTOR (Number, street, county, State and ZIP Code)                                                                                                                                                    |  |                                  |                          | <input checked="" type="checkbox"/> (X)                |                   | 9A. AMENDMENT OF SOLICITATION NUMBER<br>W9127N26BA024 |  |
|                                                                                                                                                                                                                                   |  |                                  |                          | <input checked="" type="checkbox"/> (X)                |                   | 9B. DATED (SEE ITEM 11)<br>19 AUG 2026                |  |
|                                                                                                                                                                                                                                   |  |                                  |                          | <input type="checkbox"/>                               |                   | 10A. MODIFICATION OF CONTRACT/ORDER NUMBER            |  |
|                                                                                                                                                                                                                                   |  |                                  |                          | <input type="checkbox"/>                               |                   | 10B. DATED (SEE ITEM 13)                              |  |
| CODE                                                                                                                                                                                                                              |  | FACILITY CODE                    |                          |                                                        |                   |                                                       |  |

### 11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☒ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended. ☒ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a) By completing items 8 and 15, and returning 1 copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or electronic communication which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by letter or electronic communication, provided each letter or electronic communication makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

### 12. ACCOUNTING AND APPROPRIATION DATA (If required)

SEE SECTION G - CONTRACT ADMINISTRATION DATA

### 13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NUMBER AS DESCRIBED IN ITEM 14.

|                          |                                                                                                                                                                                                                       |
|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CHECK ONE                | A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NUMBER IN ITEM 10A.                                                                   |
| <input type="checkbox"/> |                                                                                                                                                                                                                       |
| <input type="checkbox"/> | B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation data, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b). |
| <input type="checkbox"/> | C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:                                                                                                                                              |
| <input type="checkbox"/> | D. OTHER (Specify type of modification and authority)                                                                                                                                                                 |

**E. IMPORTANT:** Contractor ☐ is not ☐ is required to sign this document and return \_\_\_\_\_ copies to the issuing office.

### 14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

See Schedule

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

|                                               |  |                                                                                                                                                                   |  |
|-----------------------------------------------|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 15A. NAME AND TITLE OF SIGNER (Type or print) |  | 16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)                                                                                                        |  |
| 15B. CONTRACTOR/OFFEROR                       |  | 16B. UNITED STATES OF AMERICA                                                                                                                                     |  |
| 15C. DATE SIGNED                              |  | 16C. DATE SIGNED                                                                                                                                                  |  |
| (Signature of person authorized to sign)      |  | FIGUEREDO.JUSTIN.F.<br>1292876188<br>Digitally signed by FIGUEREDO.JUSTIN.F.1292876188<br>Date: 2026.09.09 12:37:06 -07'00'<br>(Signature of Contracting Officer) |  |

Previous edition unusable

## **SECTION SF 30 BLOCK 14 CONTINUATION PAGE**

### **SUMMARY OF CHANGES**

#### **Block 14 (Description of Amendment/Modification):**

##### **DESCRIPTION OF AMENDMENT**

This amendment effects changes to the Block 14 (Description of Amendment/Modification): Solicitation Specifications, Section 01 57 19.00 25 - TEMPORARY ENVIRONMENTAL CONTROLS, Part 3 EXECUTION, Paragraph 3.4.3 PROFESSIONAL ARCHAEOLOGICAL MONITOR.

### **SUMMARY OF CHANGES**

#### **CHANGE IN SOLICITATION SPECIFICATIONS:**

Remove subparagraph "a" of the Solicitation Specifications, Section 01 57 19.00 25 - TEMPORARY ENVIRONMENTAL CONTROLS, Part 3 EXECUTION, Paragraph 3.4.3 PROFESSIONAL ARCHAEOLOGICAL MONITOR and replace with the following full text:

a. A professional archaeological monitor to be present during all ground disturbance associated with this project. Use qualified personnel familiar with the methods and techniques for site recordation and monitoring according to current Oregon State Historic Preservation Office (SHPO) and Secretary of Interior's (SOI) Standards and Guidelines. Following the completion of all ground disturbing activities and within 60 days, the Contractor's professional archaeologist must submit a monitoring report to the Government. Detail methods, horizontal boundaries, and vertical depths of all monitored ground excavation and ground disturbance, daily monitoring logs, observed soil strata and any recorded cultural resources in the report. Maps and photographs must be included. The archaeological monitor and all individuals associated with the project will follow the Post-Review Discovery Plan (Attachment A10) if any cultural materials are encountered during ground disturbing activities.

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SECTION 01 57 19.00 25

TEMPORARY ENVIRONMENTAL CONTROLS

PART 1 GENERAL

1.1 GENERAL INFORMATION

This section includes requirements for preventing and controlling environmental pollution and minimizing environmental impacts to the site and surroundings during the work. The control of environmental pollution requires consideration of sound levels, air, water, and land resources; the proper management and use of petroleum products and hazardous materials; and the disposal of solid and hazardous wastes. Sections 02 82 00.00 25 ASBESTOS REMEDIATION and 02 83 00.00 99 LEAD REMEDIATION contains specific requirements for construction activities impacting asbestos containing materials and lead-based paint. Those specific requirements are in addition to or modify the requirements in this section. The project site lies within the State of Oregon. Conform to all applicable state regulations.

1.2 REFERENCES

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. ARMY CORPS OF ENGINEERS (USACE)

EM 385-1-1 (2024) Safety -- Safety and Occupational Health (SOH) Requirements

U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA)

EPA 800-R-11-002 (2011) Environmentally Acceptable Lubricants

U.S. NATIONAL ARCHIVES AND RECORDS ADMINISTRATION (NARA)

29 CFR 1910.120 Hazardous Waste Operations and Emergency Response

29 CFR 1926.52 Occupational Noise Exposure

29 CFR 1926.62 Lead

29 CFR 1926.101 Hearing Protection

36 CFR Part 61 Procedures For State, Tribal, And Local Government Historic Preservation Programs

40 CFR 50 National Primary and Secondary Ambient Air Quality Standards

40 CFR 61 National Emission Standards for Hazardous Air Pollutants

|               |                                                                                                                                              |
|---------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| 40 CFR 112    | Oil Pollution Prevention                                                                                                                     |
| 40 CFR 122.26 | Storm Water Discharges (Applicable to State NPDES Programs, see section 123.25)                                                              |
| 40 CFR 260    | Hazardous Waste Management System: General                                                                                                   |
| 40 CFR 261    | Identification and Listing of Hazardous Waste                                                                                                |
| 40 CFR 261.7  | Residues of Hazardous Waste in Empty Containers                                                                                              |
| 40 CFR 262    | Standards Applicable to Generators of Hazardous Waste                                                                                        |
| 40 CFR 268    | Land Disposal Restrictions                                                                                                                   |
| 40 CFR 273    | Standards for Universal Waste Management                                                                                                     |
| 40 CFR 279    | Standards for the Management of Used Oil                                                                                                     |
| 40 CFR 300    | National Oil and Hazardous Substances Pollution Contingency Plan                                                                             |
| 40 CFR 302    | Designation, Reportable Quantities, and Notification                                                                                         |
| 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                                                                                 |

### 1.3 DEFINITIONS

#### 1.3.1 Contractor-Generated Hazardous Waste

Contractor-generated hazardous waste is material that, if abandoned or disposed of, may meet the definition of a hazardous waste. These waste streams typically consist of material brought on site by the Contractor to execute work, but are not fully consumed during the course of construction. Examples include, but are not limited to, excess paint thinners (i.e. methyl ethyl ketone, toluene), waste thinners, excess paints, excess solvents, waste solvents, excess pesticides, and contaminated pesticide equipment rinse water. The cleanup of Contractor spills of hazardous materials or petroleum products may also result in the generation of Contractor-generated hazardous waste.

#### 1.3.2 Electronics Waste

Electronics waste is discarded electronic devices intended for salvage, recycling, or disposal.

### 1.3.3 Environmental Pollution and Damage

Environmental pollution and damage is the presence of chemical, physical, or biological elements or agents that adversely affect human health or welfare; unfavorably alter ecological balances of importance to human life; affect other species of importance to humankind; or degrade the environment aesthetically, culturally or historically.

### 1.3.4 Environmental Protection

Environmental protection is the prevention/control of pollution and habitat disruption that may occur during construction. The control of environmental pollution and damage requires consideration of land, water, and air; biological and cultural resources; and includes management of visual aesthetics; noise; solid, chemical, gaseous, and liquid waste; radiant energy and radioactive material as well as other pollutants.

### 1.3.5 Hazardous Debris

Hazardous debris is debris that contains listed hazardous waste (either on the debris surface, or in its interstices, such as pore structure) in accordance with 40 CFR 261. Hazardous debris also includes debris that exhibits a characteristic of hazardous waste in accordance with 40 CFR 261.

### 1.3.6 Hazardous Materials

- a. Hazardous materials as defined in 49 CFR 171 and listed in 49 CFR 172.
- b. Hazardous material is any material that: Is regulated as a hazardous material in accordance with 49 CFR 173; or requires a Safety Data Sheet (SDS) in accordance with 29 CFR 1910.120; or during end use, treatment, handling, packaging, storage, transportation, 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 sections or directives, does not eliminate the need for adherence to that hazard-specific guidance which takes precedence over this section for "control" purposes. Such material includes 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).

### 1.3.7 Hazardous Waste

Hazardous Waste is any material that meets the definition of a solid waste and exhibits a hazardous characteristic (ignitability, corrosivity, reactivity, or toxicity) as specified in 40 CFR 261, Subpart C, is listed in 40 CFR 261, Subpart D, or is a mixture of a solid waste and one or more hazardous wastes listed in 40 CFR 261, Subpart D.

### 1.3.8 Land Application

Land Application means spreading or spraying discharge water at a rate that allows the water to percolate into the soil.

#### 1.3.9 National Pollutant Discharge Elimination System (NPDES)

The NPDES permit program controls water pollution by regulating point sources, including stormwater discharges from construction sites, that discharge pollutants into waters of the United States. In the state of Oregon, the Department of Environmental Quality (ODEQ) has the delegated authority to administer the NPDES permit program and issue permits, including the construction stormwater general permit.

#### 1.3.10 Oily Waste

- a. Oily wastes are materials that are, or were, mixed with Petroleum, Oils, and Lubricants (POLs) and have become separated from the POLs. Oily wastes also refers to 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 POLs.
- b. This definition includes materials such as oily rags, "kitty litter" sorbent clay and organic sorbent material. These materials may be land filled provided that: It is not prohibited in other state regulations or local ordinances; the amount generated is "de minimis" (a small amount); it is the result of minor leaks or spills resulting from normal process operations; and free-flowing oil has been removed to the practicable 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, perform a hazardous waste determination 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.

#### 1.3.11 Petroleum, Oils, and Lubricants (POLs)

POL products include flammable or combustible liquids, such as gasoline, diesel, lubricating oil, used engine oil, hydraulic oil, mineral oil, and cooking oil.

#### 1.3.12 Regulated Waste

Regulated wastes are solid wastes that have specific additional federal, state, or local requirements for handling, storage, or disposal.

#### 1.3.13 Sediment

Sediment is soil or other debris that has eroded and has been transported by runoff water or wind.

#### 1.3.14 Solid Waste

Solid waste is a solid, liquid, semi-solid or contained gaseous waste. A solid waste can be a hazardous waste, non-hazardous waste, or non-Resource Conservation and Recovery Act (RCRA) regulated waste. Types of solid waste typically generated at construction sites may include:

##### 1.3.14.1 Construction Debris

Construction debris is non-hazardous solid material generated during the construction, demolition, or renovation of a structure that exceeds

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, rebar, and rock asphalt paving; ceramics; roofing paper and shingles. A mixture of debris and other material is also subject to regulation as debris if the mixture is comprised primarily of debris by volume, based on visual inspection.

#### 1.3.14.2 Non-Hazardous Waste

Non-hazardous waste is waste that is excluded from, or does not meet, hazardous waste criteria in accordance with 40 CFR 262.

#### 1.3.14.3 Recyclables

Recyclables are materials, equipment, and assemblies such as metal parts, wiring, insulated/non-insulated copper wire cable, wire rope, and structural components that are recovered and sold as recyclable. It also includes clean polyethylene terephthalate bottles, cooking oil, used fuel oil, high-grade paper products and corrugated cardboard, stackable pallets in good condition, clean crating material, and clean rubber/vehicle tires. Metal containing lead or lead-based paint may be included as recyclable if sold to a scrap metal company with full disclosure of the presence of lead or other metal contaminants. Paint cans that meet the definition of empty containers in accordance with 40 CFR 261.7 may be included as recyclable if sold to a scrap metal company.

#### 1.3.14.4 Surplus Soil

Surplus soil is 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 and must be managed in accordance with Paragraph HAZARDOUS WASTE/DEBRIS MANAGEMENT.

#### 1.3.14.5 Scrap Metal

This includes scrap and excess ferrous and non-ferrous metals such as reinforcing steel, structural shapes, pipe, and wire that are recovered or collected and managed as scrap. Scrap metal meeting the definition of hazardous material or hazardous waste is not included.

#### 1.3.15 Surface Discharge

Surface discharge means discharge of water into drainage ditches, storm sewers, creeks or "waters of the United States". Surface discharges are discrete, identifiable sources and require a permit from the governing agency. Comply with federal, state, and local laws and regulations.

#### 1.3.16 Stormwater

Stormwater is any portion of precipitation that does not naturally percolate into the ground or evaporate, but flows via overland flow, interflow, pipes, or other features of a stormwater drainage system into a defined surface waterbody, or a constructed stormwater management facility.

#### 1.3.17 Wastewater

Wastewater is any water used or generated during construction, including

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groundwater, that contains contaminants, pollutants, or hazardous substances and that must be managed to prevent discharge to waters of the United States or waters of the State.

### 1.3.18 Waters of the United States

Waters of the United States means federal jurisdictional waters, including wetlands, that are subject to regulation under Section 404 of the Clean Water Act or navigable waters, as defined under the Rivers and Harbors Act.

### 1.3.19 Wetlands

Wetlands are areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

### 1.3.20 Universal Waste

The universal waste regulations streamline collection requirements for certain hazardous wastes in the following categories: batteries, pesticides, mercury-containing equipment (e.g., thermostats), lamps (e.g., fluorescent bulbs) and aerosol cans. The rule is designed to reduce hazardous waste in the municipal solid waste (MSW) stream by making it easier for universal waste handlers to collect these items and send them for recycling or proper disposal. These regulations can be found at [40 CFR 273](#).

## 1.4 SUBMITTALS

Government approval is required for submittals with a "G" designation; submittals not having a "G" designation are for information only. When used, a designation following the "G" designation identifies the office that will review the submittal for the Government. Submit the following in accordance with Section [01 33 00](#) SUBMITTAL PROCEDURES:

### [SD-01 Preconstruction Submittals](#)

[Environmental Preconstruction Survey](#)

[Environmental Protection Plan; G](#)

[Erosion and Sediment Control Plan \(ESCP\); G ECDG](#)

[Resume And Qualifications](#)

[Marine Mammal Observation Sheet](#)

[Application For NPDES Permit](#)

### [SD-06 Test Reports](#)

[ESCP Modifications; G ECDG](#)

[Inspections and Reports; G](#)

[Monitoring Report](#)

### [SD-11 Closeout Submittals](#)

Environmental Records Binder; G

Stormwater Notice Of Termination

1.5 GENERAL ENVIRONMENTAL PROTECTION REQUIREMENTS

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. Tests and procedures assessing whether construction operations comply with applicable environmental laws must be performed by qualified laboratories, and where required by law, the laboratories must be certified.

1.6 ENVIRONMENTAL PERMITS AND COMMITMENTS

Obtain all permits and licenses required for this project as stated in this Section and in accordance with FAR 52.236-7 Permits and Responsibilities. Provide an electronic copy of each permit or license obtained by the Contractor to the Government. Comply with all environmental permits and commitments required by federal, state, regional, and local environmental laws and regulations. Comply with the requirements listed in the Water Quality Certificate (Attachment A12), including turbidity restrictions and standard monitoring requirements. Permit requirements take precedent over specification requirements in this Section.

1.7 In-Water Work Definition

Construction activities must not occur within 100 feet of any active fishway entrance or exit and 50 feet of an active fishway, during the in-water work period.

1.8 QUALITY CONTROL

1.8.1 Environmental Preconstruction Survey

- a. Prior to the start of any onsite construction activities, perform an Environmental Preconstruction Survey of the project site with the Contracting Officer (CO), and take photographs showing existing environmental conditions in and adjacent to the site as described in Paragraph titled Documentation of Environmental Conditions. Submit a report for the record. Include in the report a plan describing the features requiring protection under the provisions of the Contract Clauses, which are not specifically identified on the drawings as environmental features requiring protection along with the condition of trees, shrubs and grassed areas immediately adjacent to the site of work and adjacent to the Contractor's assigned storage area and access route(s), as applicable. The Contractor and the CO will sign this survey report upon mutual agreement regarding its accuracy and completeness. Protect those environmental features included in the survey report and any indicated on the drawings, regardless of interference that their preservation may cause to the work under the Contract.
- b. Provide photographs of all typical vegetation at sites planned for disturbance (i.e. grassland, wetland, forest). These photographs will be used as reference for sites planned for revegetation. Photographs must adequately reflect "foliar densities" at pre-construction

conditions.

#### 1.8.2 Environmental Coordination Meeting

- a. Prior to initiating any work on site, meet with the CO to discuss the proposed Environmental Protection Plan (EPP). Submit the EPP 14 calendar days before the Environmental Coordination meeting. Develop a mutual understanding relative to the details of environmental protection, including measures for protecting natural and cultural resources, required reports, required permits, permit requirements (such as mitigation measures), and other measures to be taken.
- b. Provide the following information for the meeting agenda: types, quantities, and use of hazardous materials that will be brought onto the project site; and types and quantities of wastes/wastewater that may be generated during the Contract. Discuss the results of the Environmental Preconstruction Survey at this time.

#### 1.8.3 Non-Compliance Notifications

The CO will notify the Contractor in writing of any observed noncompliance with federal, state or local environmental laws or regulations, permits, and other elements of the Contractor's EPP. After receipt of such notice, inform the CO of the proposed corrective action and take such action when approved by the CO. The CO may issue an order stopping all or part of the work until satisfactory corrective action has been taken. No time extensions will be granted nor equitable adjustments allowed for any such suspensions. This is in addition to any other actions the CO may take under the Contract, or in accordance with the Federal Acquisition Regulation or federal law.

### 1.9 ENVIRONMENTAL PROTECTION PLAN

- a. The purpose of the EPP is to present an overview of known or potential environmental issues that must be considered and addressed during construction. Revise the EPP throughout the project to include any reporting requirements, changes in site conditions, or Contract modifications that change the project scope of work in a way that may have an environmental impact. No requirement in this section will relieve the Contractor of any applicable federal, state, and local environmental protection laws or regulations. During Construction, identify, implement, and submit for approval any additional Environmental Protection Plan requirements to be included in the EPP. Maintain the current version onsite.
- b. The EPP must include the following elements:

#### 1.9.1 General Overview and Purpose

A brief description of each specific plan required by applicable environmental permit or elsewhere in this Contract such as the Erosion and Sediment Control Plan, Stormwater Pollution Prevention Plan, Spill Prevention and Control Plan, and Solid Waste Management Plan.

##### 1.9.1.1 Procedures

A copy of any standard or project-specific operating procedures that will be used to effectively manage and protect the environment on the project site.

1.9.1.2 Communications

Communication and training procedures that will be used to convey environmental management requirements to Contractor employees and subcontractors.

1.9.2 Environmental Manager Qualifications

Include in the EPP a letter signed by an officer of the firm appointing the Environmental Manager and stating that person 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 and emergency contact information (office phone number, cell phone number, and e-mail address). The Environmental Manager is directly responsible for coordinating contractor compliance with federal, state, and local requirements. The Environmental Manager may have other duties on the jobsite; however, the person in this position must be trained to adequately accomplish the following duties:

- a. Ensure compliance with Hazardous Waste Program requirements (including hazardous waste handling, storage, manifesting, and disposal).
- b. Implement the EPP and ensure its compliance.
- c. Ensure environmental permits are obtained, maintained, and closed out.
- d. Ensure compliance with Stormwater Program requirements.
- e. Ensure compliance with Hazardous Materials (storage, handling, and reporting) requirements; and coordinate any remediation of regulated substances (lead, asbestos, PCBs).
- f. Be responsible for spill prevention and cleanup and training personnel on spill response procedures.
- g. Be responsible for manifesting hazardous waste to be removed from the site (if applicable).
- h. Be responsible for training the Contractor's environmental protection personnel.
- i. Designate the person performing any inspections of Best Management Practices (BMPs) and erosion and sediment control measures.
- j. Ensure waste segregation and storage compatibility requirements are met.
- k. Ensure only authorized personnel add wastes to containers.
- l. Ensure Contractor personnel are trained in 40 CFR requirements in accordance with their position requirements.
- m. Coordinate removal of waste containers.
- n. Maintain the Environmental Records Binder and required documentation, including environmental permits compliance and close-out.

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- o. Ensure compliance with the Water Quality Certification Attachment A12.
- p. Be responsible for the project revegetation and restoration process.
- q. Be responsible for the implementation of protective measures for marine mammals during construction.

### 1.9.3 Regulatory Notification and Permits

List all notifications and permit applications that must be made by the Contractor as required by this section, if any. Demonstrate that those permits have been obtained or applied for by including copies of applicable environmental permits. The EPP will not be approved until the permits have been obtained.

### 1.9.4 General Site Information

#### 1.9.4.1 Drawings

Drawings showing locations of proposed temporary excavations or embankments for haul roads, stream crossings, jurisdictional wetlands and proposed wetland protection measures, material storage areas, Contractor staging areas, structures, sanitary facilities, storm drains and conveyances, and stockpiles of excess soil.

#### 1.9.4.2 Work Area

Include in the EPP a Work Area Plan showing the proposed activity in each portion of the area and identify the areas of limited use or nonuse. Include measures for marking the limits of use areas, including methods for protection of features to be preserved within authorized work areas and methods to control runoff and to contain materials on site, and a traffic control plan.

### 1.9.5 Documentation of Environmental Conditions

Describe existing conditions and identify procedures to be implemented to ensure protection of existing environmental conditions for the following categories as applicable:

- a. Protection of Natural Resources
- b. Stormwater
- c. Surface and Groundwater
- d. Cultural Resources
- e. Air Resources
- f. Waste Minimization
- g. Waste Management and Disposal
- h. Hazardous Material Management
- i. Petroleum, Oils, and Lubricants (POLs) Storage and Fueling

#### 1.9.6 Protection of the Environment from Waste Derived from Contractor Operations

If hazardous wastes are anticipated to be generated by the Contractor, identify and describe the procedures to be implemented for the management and disposal of hazardous waste and debris. As a minimum, include the following:

- a. List of the types of hazardous wastes expected to be generated
- b. Procedures to ensure a written waste determination is made for appropriate wastes that are to be generated
- c. Sampling/analysis plan, including laboratory method(s) that will be used for waste determinations and copies of relevant laboratory certifications
- d. Methods and proposed locations for hazardous waste accumulation/storage (that is, in tanks, drums, or other containers)
- e. Management procedures for storage, labeling, transportation, and disposal of waste (treatment of waste is not allowed unless specifically noted)
- f. Management procedures and regulatory documentation ensuring disposal of hazardous waste complies with Land Disposal Restrictions (40 CFR 268 )
- g. Management procedures for recyclable hazardous materials such as lead-acid batteries, used oil, and similar
- h. Used oil management procedures in accordance with 40 CFR 279
- i. Hazardous waste minimization procedures
- j. Plans for the disposal of hazardous waste at permitted facilities

#### 1.9.7 Spill Prevention and Control Plan

Include in the Spill Prevention and Control Plan the procedures, instructions, and reports to be used in the event of an unforeseen spill of a substance regulated by 40 CFR 112, 40 CFR 302, and/or regulated under state or local laws and regulations. The Spill Prevention and Control Plan supplements the requirements of EM 385-1-1. This plan must include as a minimum:

- a. Measures to be implemented to prevent spills of petroleum products and hazardous substances to the environment.
  - b. Name of the individual who reports any spills or hazardous substance releases and follows up with complete documentation. This individual must immediately notify the CO and Facility Response Personnel in addition to the legally required federal, state, and local reporting channels (including the National Response Center (NRC) 1-800-424-8802) if a reportable quantity is released to the environment.
- (1) The plan must contain a list of the required reporting channels and telephone numbers.

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- (2) The 24-hour spill notification telephone numbers including NRC, County, and local police and/or Emergency Response organization as appropriate and required. The plan must include 24-hour emergency number for the Government Quality Assurance Representative (GQAR), Project Engineer, and Resident Engineer. The Oregon Emergency Response System (OERS) must also be notified.
- c. Name(s) and qualifications of the individual(s) responsible for implementing and supervising the containment and cleanup.
- d. Training requirements for Contractor's personnel and methods of accomplishing the training.
- e. List of materials and equipment to be immediately available at the job site, tailored to cleanup work of the potential hazard(s) identified. For all work in or adjacent to water, a 200-foot-long minimum containment boom, skimming equipment, and a cleanup kit must be available at the job-site. To determine the number of required floating plants, consider the logistics, time required to begin containment and cleanup of a spill, accessibility, number of remote work areas, and number and location of floating plants on the river. Materials and equipment for other cleanup work must be tailored to the potential hazards involved.
- f. Names and locations of suppliers of containment materials and locations of additional fuel oil recovery, cleanup restoration, and material-placement equipment available in case of an unforeseen spill emergency.
- g. Methods and procedures to be used for expeditious contaminant cleanup.
- h. Include a hazardous material Spill Emergency Initial Report Form, similar to Attachment A4. Ensure that all of the elements shown on the sample form are provided and submitted within 24 hours of a spill.

### 1.9.8 Clean Air Act Compliance

#### 1.9.8.1 Dirt and Dust Control Plan

Include a Dirt and Dust Control Plan in the EPP showing proposed activities and identify measures to minimize dust. Include truck and material haul routes along with measures for controlling dirt, debris, and dust. As a minimum, identify in the plan any equipment for cleaning along the haul route and measures to reduce dirt, dust, and debris from roadways.

#### 1.9.8.2 Pollution Generating Equipment

Identify air pollution generating equipment or processes that may require federal, state, or local permits under the Clean Air Act.

#### 1.9.8.3 Refrigerants

Identify management practices to ensure that heating, ventilation, and air conditioning (HVAC) work involving refrigerants complies with state and federal requirements. Technicians must be certified, maintain copies of certification on site, use certified equipment and log work that requires the addition or removal of refrigerant. Any refrigerant reclaimed is the property of the Government. Coordinate with the USACE Environmental Compliance Coordinator to determine the appropriate turn in location.

#### 1.9.8.4 Air Pollution-Generating Processes

Identify planned air pollution-generating processes and management control measures (including, but not limited to, spray painting, abrasive blasting, demolition, material handling, fugitive dust, and fugitive emissions).

#### 1.9.8.5 Compliant Materials

Materials must be compliant with all Clean Air Act regulations for emissions including solvent and volatile organic compound contents, and applicable National Emission Standards for Hazardous Air Pollutants requirements of 40 CFR 61.

#### 1.9.8.6 Safety Data Sheets (SDS)

Include in the EPP an SDS and estimated quantity to be used for each hazardous material brought onto the site. State how the hazardous material will be used and why it is required for the performance of this Contract.

### 1.10 ENVIRONMENTAL RECORDS BINDER

- a. Create and maintain a three-ring binder of documents that demonstrate compliance with the environmental permits in this Contract. The binder must include, but is not limited to, the following items:
  - (1) Final ESCP: Include a copy of the final ESCP including modifications, inspection reports and related corrective action records, copies of correspondence with the State of Oregon, and a copy of the permit Notice of Termination in the binder. Records must indicate when the ESCP was reviewed and updated to meet changing onsite conditions.
  - (2) Employee Training records
  - (3) Relevant environmental permits
  - (4) Waste Determination Documentation
  - (5) Solid Waste Management Report
  - (6) Hazardous Waste/Debris Management Report
  - (7) Archaeological Letter Report
- b. Maintain the binder on-site and submit an electronic copy of the binder to the CO at the completion of the project. The binder must be available for review at all times.

#### 1.10.1 Employee Training Records

- a. Prepare and maintain Employee Training Records throughout the term of the Contract meeting applicable 40 CFR requirements. Keep Employee Training Records in the Environmental Records Binder.
- b. Train personnel to meet regulatory requirements for environmental, biological and cultural resources and provide an attendance roster documenting the names of personnel trained and the dates training

occurred. Conduct environmental protection/pollution control meetings for personnel prior to commencing construction activities. Conduct additional meetings for new personnel and when site conditions change. Include in the training and meeting agenda the following:

- (1) the methods of detecting and avoiding pollution;
- (2) familiarization with statutory and contractual pollution standards;
- (3) installation and care of devices, vegetative covers, and instruments required for monitoring purposes to ensure adequate and continuous environmental protection/pollution control;
- (4) anticipated hazardous or toxic chemicals or wastes, and other regulated contaminants;

## PART 2 PRODUCTS

Not Used.

## PART 3 EXECUTION

### 3.1 PROTECTION OF NATURAL RESOURCES

- a. Protect the natural resources at and near the project site. Prevent disturbance and damage to fish, wildlife, and plants, including their habitats. The protection of rare, threatened, and endangered animal and plant species identified, including their habitats, is the Contractor's responsibility.
- b. Prior to commencing construction activities, mark (or fence) the limits of disturbance noted on the plans. If no limit is indicated, mark the limits of the work indicated and specified. Mark isolated areas within the limits of disturbance that are not to be disturbed. Markers must be highly visible. Personnel must be knowledgeable of the purpose for marking and protecting particular objects. Confine all construction activities within the marked limits of disturbance.

#### 3.1.1 Marine Mammals

The Government has obtained the Incidental Harassment Authorization (IHA) from National Marine Fisheries Service (NMFS) (Attachment A9). A copy of the IHA must be in possession of Contractor and Protected Species Observers operating under the authority of the IHA. Implement mitigation measures, as well as monitoring and reporting requirements, as stated in the IHA.

#### 3.1.2 Pile (including Sheet Piles) Installation Requirements

- a. Conduct pile and/or sheet pile driving only during daylight hours from sunrise to sunset when it is possible to visually monitor marine mammals.
- b. If the shutdown zone is obscured by fog or poor lighting conditions, pile driving must not be initiated until the entire shutdown zone is visible.
- c. Piles will be installed vibratory method until refusal. Impact hammer

may be used to meet final depth.

- d. Piles must be steel, untreated wood, or other approved material.
- e. Noise dampeners, also called pile cushions or caps, will be used during all pile installations with an impact hammer
- f. Piles may be installed between 1-Nov and 28-Feb.
- g. For all pile driving, a shutdown and disturbance zone must be monitored.
  - (1) Monitoring must take place from 30 minutes prior to initiation through 30 minutes post-completion of pile driving.
  - (2) The shutdown zone for all species must be as specified in Table 2 of the IHA (Attachment A9).
  - (3) Monitor the entirety of the underwater disturbance zone observable by binoculars as required in attached IHA (Attachment A9).
- h. If a marine mammal is entering or is observed within an established shutdown zone, pile driving must be halted or delayed. Pile driving must not commence or resume until either the animal has voluntarily left and been visually confirmed beyond the shutdown zone; 15 minutes have passed without subsequent detections of small cetaceans and pinnipeds; or 30 minutes have passed without subsequent detections of large cetaceans.
- i. For in-water heavy machinery work other than pile driving (e.g., standard barges, tug boats, barge-mounted excavators, or clamshell equipment used to place or remove material), if a marine mammal comes within distance as specified in the Incidental Harassment Authorization (IHA) (Attachment A9), operations must cease and vessels must reduce speed to the minimum level required to maintain steerage and safe working conditions. This type of work could include the following activities:
  - (1) movement of the barge to the pile location or
  - (2) positioning of the pile on the substrate via a crane (i.e., stabbing the pile).
- j. When a marine mammal is observed in the Level B Zone of Influence (ZOI), but not approaching or entering the shutdown zone, a "take" must be recorded and work may proceed without cessation. Marine mammal behavior must be monitored and documented on the [marine mammal observation sheet](#).
- k. Marine Mammal Harassment is limited to the species and limits specified in the attached IHA (Attachment A9). Take is not authorized for any marine mammal species that are not listed in the Incidental Harassment Authorization (IHA) (Attachment A9). If any marine mammal species that is not explicitly listed in the IHA is encountered within the ZOI, then the Contractor must stop pile driving activities, a shore-based protected species observer (PSO) should record the species, numbers, and other pertinent information in the marine mammal monitoring log, and pile driving must not resume until the marine

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mammal(s) have moved beyond the ZOI. If the number of individuals exposed to Level A or Level B harassment is likely to exceed the allowable take numbers in the IHA, then the Contractor must stop pile driving activities and notify the Corps immediately.

- l. Install pile caps to prevent birds from perching on piles. Install caps in the same season as the pile install.
- m. In the unanticipated event that the specified activity clearly causes the take of a marine mammal in a manner prohibited by the IH, such as an injury (Level A harassment), serious injury or mortality (e.g., ship-strike, gear interaction, and/or entanglement), immediately cease the specified activities and immediately report the incident to the CO. Include the information indicated in the reporting form and listed in the IHA. The Contractor must not resume their activities until notified by the CO. If level A or B take is exceeded, or if a species without allowable take enters the level A or B take zone for that species, all pile driving work must cease and Contractor must notify the CO.
- n. In the event that there is a discovery of an injured or dead marine mammal, and the lead PSO determines that the cause of the injury or death is unknown and the death is relatively recent (i.e., in less than a moderate state of decomposition as described in Paragraph DUTIES, Item h.), immediately notify the CO. The report must include the same information identified in the paragraph above. Activities may continue while NMFS reviews the circumstances of the incident. The CO will notify the Contractor if modifications in activities are needed as a result of the NMFS review.
- o. Mammals encountered during pile driving actions that are not listed in the IHA/LOA must be documented. If the PSO recognizes the mammal encountered is a listed endangered species, shut down operations and follow procedures described in Paragraph PILE INSTALLATION REQUIREMENTS, Item h.

### 3.1.3 Fish

Work in the water, on the water, and adjacent to the water where the work might affect fish passage is restricted to the In-Water Work (IWW) period. The IWW period is provided in Section 01 10 10.00 25 CONTRACTOR'S OPERATIONS AND REQUIREMENTS.

### 3.1.4 Streams

- a. 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 specified and permitted.
- b. Stream crossings must allow movement of materials or equipment without violating water pollution control standards of the federal, state, and local governments.
- c. The CO's approval and appropriate permits are required before any equipment will be permitted to ford live streams. In areas where frequent crossings are required, install temporary culverts or bridges. Obtain CO's approval prior to installation. Remove temporary culverts or bridges upon completion of work, and repair the area to its original condition unless otherwise required by the CO.

### 3.1.5 Wetlands and Other Sensitive Areas

Provide BMPs to protect wetlands and other sensitive areas. Locate BMPs to provide a minimum 50-foot buffer between the sensitive area and construction activity, unless noted otherwise on the plans.

### 3.1.6 Vegetation

Except in areas designated to be cleared, do not remove, cut, deface, injure, or destroy trees, shrubs, or other vegetation. Unless otherwise noted in the plans and specifications, protect trees larger than 6 inches in diameter with a minimum 5 foot high fence around the dripline of the trees to protect the tree's root zone from damage. Tree diameter is measured at 4.5 feet above the highest point of ground at the tree's base. Do not fasten or attach ropes, cables, or guys to existing nearby trees for anchorages unless authorized by the CO. Where such use of attached ropes, cables, or guys is authorized, the Contractor is responsible for any resultant damage.

### 3.1.7 Nesting Birds

Avoid all active migratory bird nests. The nesting activity period extends from 15 March through 15 August. Discovered nests must be flagged and an exclusion zone must surround the nest a minimum of 50 feet. Work must not proceed within the fenced buffer area until the young have fledged or the nests have become inactive. Notify the CO immediately upon discovery of an active nest. Do not begin clearing activities until approved by the CO. Approval will not be granted without a negative finding of biological avian surveys conducted by the Government.

## 3.2 OREGON STORMWATER POLLUTION PREVENTION

Erosion and sediment control, including stormwater pollution prevention measures, must be provided for the work site regardless of the ground disturbance area. The total acreage of ground disturbance from construction activities is estimated to be 1 acre or more, and as such, the Contractor must prepare and submit an [Erosion and Sediment Control Plan \(ESCP\)](#) and apply for a Construction Stormwater General Permit 1200-C from the Oregon Department of Environmental Quality (ODEQ). However, if the Contractor can demonstrate that the total ground disturbance area from their activities is less than 1 acre, then the Contractor is only required to prepare and implement an ESCP.

### 3.2.1 Erosion and Sediment Control Plan

Prepare and submit a draft Erosion and Sediment Control Plan (ESCP) to the Contracting Officer for review at least 30 days prior to the commencement of work and implement the approved plan. The ESCP must describe the types and locations of best management practices (BMPs) to be implemented during all construction activities to minimize soil erosion and prevent sediment from entering streams or water bodies. The BMPs must be consistent with ODEQ guidance listed below.

- a. The ESCP must meet the requirements of [40 CFR 122.26](#) and the ODEQ Construction Stormwater General Permit (1200-C) for stormwater discharges from construction sites. Include the following:

- (1) Comply with terms of the state general permit for stormwater

- discharges from construction activities. Use state guidance to develop the Erosion and Sediment Control Plan located at <http://www.oregon.gov/deq/FilterPermitsDocs/ErosionSedimentControl.pdf>
- (2) Select applicable BMPs from state guide located at <http://www.oregon.gov/deq/FilterPermitsDocs/BMPManual.pdf> or in accordance with applicable local requirements.
- b. The ESCP must include practices to minimize erosion and sedimentation associated with all aspects of the project (e.g., staging areas, stockpiles, grading; to prevent construction debris from dropping or otherwise entering any stream or waterbody; and to prevent and control hazardous material spills.
  - c. Include in the ESCP an inspection program that includes a list of the BMPs to be inspected, frequency of inspections, and corrective actions to be taken if BMPs are deficient.
  - d. Update or modify the ESCP as needed to represent actual BMPs being used on the site and include the type and location of the erosion and sediment controls being used. Submit the [ESCP Modifications](#) to the CO for review and approval.
  - e. Maintain an approved copy of the ESCP at the onsite construction office in the Environmental Records Binder, and continually update as regulations require and reflecting current site conditions and actual BMPs being used.

### 3.2.2 Construction Stormwater General Permit

#### 3.2.2.1 Stormwater Permit Application for Construction Activities

- a. Prepare and submit as the primary permittee, a draft new [Application for NPDES Permit](#) (Construction Stormwater General Permit 1200-C) for stormwater discharges to the Contracting Officer for review and approval. Submit the approved draft application, supporting information, and appropriate fees to the ODEQ. No land disturbing activities may commence without permit coverage.
- b. Retain a copy of the permit, permit coverage letter from ODEQ, and the ESCP on the site for inspection by the Contracting Officer. Keep copies of all monitoring and inspections reports required by the permit in the Environmental Records Binder and make these reports available upon request by the Contracting Officer for review.

#### 3.2.2.2 Inspections and Reports

- a. Conduct monitoring and inspections and prepare Inspection Reports in accordance with ODEQ 1200-C Discharge Permit and the ESCP. Include inspection reports with the daily CQC report. If, by regular inspection or observations, the Contractor determines that the BMPs are ineffective in eliminating or minimizing pollutants in stormwater discharges from the project site, the Contractor must evaluate and implement more effective BMPs, and review and update their ESCP accordingly.
- b. If, by periodic inspection or observations, the Contracting Officer or Resident Engineer determine that the BMPs are ineffective in eliminating or minimizing pollutants in stormwater discharges from the project site, the Contractor must evaluate and implement more

effective BMPs, and review and update their ESCP accordingly.

#### 3.2.2.3 Stormwater Notice of Termination for Construction Activities

Submit a Notice of Termination to the Contracting Officer for approval once construction is complete and final stabilization has been achieved on all portions of the site for which the permittee is responsible. Once approved, submit the Notice of Termination to the ODEQ.

#### 3.2.3 BMP Monitoring and Maintenance

- a. During construction, erosion controls, streams, and adjacent water bodies must be monitored and BMPs maintained daily during the rainy season and weekly during the dry season as necessary to ensure controls are properly functioning.
- b. If monitoring shows that the erosion controls are ineffective at preventing visible sediment discharge, the project must stop to evaluate erosion control measures. Repairs, replacements or the installation of additional erosion control measures must be completed before the project resumes.
- c. Proper maintenance includes removal of sediment and debris from erosion controls such as silt fences or wattles once it has reached one-third of the exposed height of the control.

#### 3.2.4 Erosion and Sediment Control Measures

Provide erosion and sediment control measures in accordance with state and local laws and regulations. Preserve vegetation to the maximum extent practicable.

##### 3.2.4.1 Erosion Control Practices

- a. Prevent erosion by the use of mulching, compost blankets, geotextiles, temporary slope drains, or other BMPs described in the ESCP.
- b. Stabilize slopes by seeding or other approved methods necessary for effective erosion control. Use of hay bales is prohibited.

##### 3.2.4.2 Sediment Control Practices

Implement sediment control practices to divert flows from exposed soils, temporarily store flows, or otherwise limit runoff and the discharge of pollutants from exposed areas of the site. Implement sediment control practices prior to soil disturbance and prior to creating areas with concentrated flow, during the construction process to minimize erosion and sediment-laden runoff. Include the following devices: silt fence, temporary diversion dikes, or other BMPs described in the ESCP.

#### 3.2.5 Contractor Facilities and Work Areas

Place field offices, staging areas, stockpile storage, and temporary buildings within the work areas shown on the drawings. Move or relocate the Contractor facilities only when approved by the Government. Provide erosion and sediment controls for onsite borrow and spoil areas to prevent sediment from entering nearby waters. Control temporary excavation and embankments for work areas to protect adjacent areas.

### 3.3 SURFACE AND GROUNDWATER

#### 3.3.1 Cofferdams, Diversions, and Dewatering

- a. Construction operations for dewatering and removal of cofferdams must be constantly controlled to maintain compliance with existing state water quality standards and designated uses of the surface water body. Comply with state water quality standards and anti-degradation provisions. Do not discharge excavation ground water to the sanitary sewer, storm drains, or to surface waters without prior specific authorization in writing from the CO. Discharge of hazardous substances will not be permitted under any circumstances. Use sediment control BMPs to prevent construction site runoff from directly entering any storm drain or surface waters.
- b. If the construction dewatering is noted or suspected of being contaminated, it must not be released to the storm drain system or surface water unless specifically permitted. Obtain authorization for any contaminated groundwater release in advance from the federal or state authority, as applicable.

#### 3.3.2 Waters of the United States

Do not enter, disturb, destroy, or allow discharge of contaminants into waters of the United States unless otherwise noted on specifications.

#### 3.3.3 Invasive Species Prevention Measures for Boat Operations

Prevent contaminating the waters of the United States with invasive species, particularly zebra mussels. Zebra mussels can be transported by boats, trailers, outboard motors and other equipment such as tractors, bulldozers, water pumps, ropes and nets that are used in areas that zebra mussels inhabit. Zebra mussels have been found in several lakes and river systems. If equipment is not properly inspected and treated to prevent the spread of zebra mussels and other aquatic nuisance species, they can be introduced into areas not currently infested. To assist in preventing the introduction and spread of aquatic nuisance species, the following precautions must be taken:

- a. Prior to transporting to site, visually inspect all equipment for zebra mussels and other aquatic nuisance species. Remove all trash, mud, vegetation, suspected zebra mussels, place in plastic bags, and properly dispose of in land-based receptacles.
- b. All construction equipment and supplies intended for use in water that has been exposed to other lake or stream water must be thoroughly washed with a power washed or be allowed to dry an appropriate length of time in accordance with state guidance. Water being used for power washing must be at least 160 degrees F when leaving the spray nozzle and 140 degrees F when contacting the equipment being decontaminated. All contaminated runoff must be adequately contained and disposed of properly.
- c. Treat pumps, equipment, and supplies that cannot be thoroughly drained, cleaned, and dried with a 200 ppm bleach solution for 20 minutes, deactivate with sodium thiosulfate, and rinse according to Table 1 below.
- d. Conduct an onsite inspection of all vessels, equipment, pumps, and

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supplies to be used in or around the water before work begins. Coordinate the date and time of this onsite inspection with the CO seven days in advance of inspection.

- e. Inspect vessels and equipment upon removal from any body of water. Clean hulls, anchors, moorings, trailers, etc. of all mud, vegetation, and any noticeable attached zebra mussels before leaving the site. Remove any suspected zebra mussels, report to the CO, and contain them for verification.
- f. Wash or appropriately dry all vessels and construction equipment removed from waters currently infested with zebra mussels or other aquatic invasive species as described above.

Table 1:

| Disinfectant Amounts to Make Needed Concentrations  |                   |                   |                    |                      |                     |
|-----------------------------------------------------|-------------------|-------------------|--------------------|----------------------|---------------------|
| Disinfectant                                        | 1 gallon          | 2 gallons         | 5 gallons          | 20 gallons           | 100 gallons         |
| 200 ppm Chlorine (household bleach, 5.25% Chlorine) | 0.5 ounce (15 ml) | 1.0 ounce (30 ml) | 2.5 ounces (75 ml) | 11.0 ounces (300 ml) | 6 1/3 cups (1.5 L)  |
| 800 ppm Sodium Thiosulfate                          | 0.1 ounce (3 g)   | 0.2 ounce (6 g)   | 0.5 ounce (15 g)   | 2.1 ounces (60 g)    | 10.6 ounces (300 g) |

## Notes:

- (1) Zebra mussel juveniles, called veligers, are microscopic and invisible to the naked eye.
- (2) Air drying and hot water are most effective when used in conjunction with each other because their effectiveness is highly dependent upon ambient temperatures and contact times.
- (3) Household bleach (5.25 percent chlorine) and vinegar can be purchased from grocery or convenience stores. Sodium Thiosulfate can be purchased at pool supply stores or chemical companies.
- (4) All bilges and hidden areas under boat decks must be thoroughly treated as described above.
- (5) For instructions on cleaning and decontaminating specific types of equipment use the following link to access the Inspection and Cleaning Manual for Equipment and Vehicles to Prevent the Spread of Invasive Species:  
<http://www.usbr.gov/mussels/prevention/docs/EquipmentInspectionandCleaningManual2010.pdf>

### 3.4 CULTURAL RESOURCES

#### 3.4.1 Archaeological Resources

An archaeologist must be present on site to monitor during construction and be qualified in accordance with the National Historic Preservation Act (NHPA) Secretary of the Interior's Standards for an Archaeologist. Provide a copy of the Archaeological Letter Report in the Environmental Records Binder. If, during excavation or other construction activities, previously unidentified or unanticipated historical, archaeological, or cultural resources are discovered, immediately suspend activities in the vicinity of the discovery that could damage or alter such resources and notify the Contracting Officer (CO). Secure the area and prevent employees or other persons from trespassing on, removing, or otherwise disturbing such resources. The Government retains ownership and control over archaeological resources. Resources covered by this paragraph include, but are not limited to: artifacts; shell, midden, bone, charcoal, or other

deposits; rock or coral alignments, pavings, walls, or other constructed features; and any indication of agricultural or other human activities.

#### 3.4.2 Human Remains and Cultural Items

If human remains or cultural items are discovered during excavation or other construction activities, immediately suspend all project activities within 100 feet of the discovery and implement the project's Plan of Action. Notify the CO immediately so that appropriate authorities may be contacted. Resources covered by this subparagraph include, but are not limited to: human burials, human bone, hair, funerary objects, sacred objects, or objects of cultural patrimony as identified through Native American traditional knowledge of a lineal descendant or Indian Tribe. Secure the area and prevent employees or other persons from trespassing on, removing, or otherwise disturbing such remains or cultural items. Cover the remains or cultural items with a clean tarp. Do not photograph the remains or cultural items.

#### 3.4.3 Professional Archaeological Monitor

- ~~a. A professional archaeological monitor to be present during all ground disturbance associated with this project. Use qualified personnel familiar with the methods and techniques for site recordation and monitoring according to current Oregon State Historic Preservation Office (SHPO) and Secretary of Interior's (SOI) Standards and Guidelines. Following the completion of all ground disturbing activities and within 60 days, the Contractor's professional archaeologist must submit a monitoring report to the Government, summarizing the completed sampling, sampling locations, and monitoring activities. Maps and photographs must be included. The archaeological monitor and all individuals associated with the project will follow the Post-Review Discovery Plan (Attachment A10) if any cultural materials are encountered during ground disturbing activities.~~
- a. A professional archaeological monitor to be present during all ground disturbance associated with this project. Use qualified personnel familiar with the methods and techniques for site recordation and monitoring according to current Oregon State Historic Preservation Office (SHPO) and Secretary of Interior's (SOI) Standards and Guidelines. Following the completion of all ground disturbing activities and within 60 days, the Contractor's professional archaeologist must submit a monitoring report to the Government. Detail methods, horizontal boundaries, and vertical depths of all monitored ground excavation and ground disturbance, daily monitoring logs, observed soil strata and any recorded cultural resources in the report. Maps and photographs must be included. The archaeological monitor and all individuals associated with the project will follow the Post-Review Discovery Plan (Attachment A10) if any cultural materials are encountered during ground disturbing activities.
- b. Tribal monitors may be present during ground disturbing activities, however tribal monitors will not replace the requirement for a professional archaeological monitor with SHPO and SOI qualifications.

#### 3.4.4 SOI Professional Qualifications Standards

- a. The following requirements are those used by the National Park Service, and have been previously published in the Code of Federal Regulations, 36 CFR Part 61. The qualifications define minimum education and experience required to perform identification,

evaluation, registration, and treatment activities. In some cases, additional areas or levels of expertise may be needed, depending on the complexity of the task and the nature of the historic properties involved. In the following definitions, a year of full-time professional experience need not consist of a continuous year of fulltime work but may be made up of discontinuous periods of full-time or part-time work significance within specific historic contexts, adding up to the equivalent of a year of full-time experience. Submit the [resume and qualifications](#) of the Professional Archeological Monitor.

- b. The minimum professional qualifications in archeology are a graduate degree in archeology, anthropology, or closely related field plus:
  - (1) At least one year of full-time professional experience or equivalent specialized training in archeological research, administration or management;
  - (2) At least four months of supervised field and analytic experience in general North American archeology; and
  - (3) Demonstrated ability to carry research to completion. In addition to these minimum qualifications, a professional in prehistoric archeology must have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the prehistoric period. A professional in historic archeology must have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the historic period.

### 3.5 AIR RESOURCES

Equipment operation, activities, or processes must be in accordance with applicable federal and state air emission and performance laws and standards. To reduce air emissions, equipment must not remain idle for longer than 15 minutes.

#### 3.5.1 Burning

Burning is prohibited on the Government premises.

#### 3.5.2 Dust and Particulate Control

Control dust at all times, including during non-working periods. Dust particles, aerosols and gaseous by-products from construction activities, and processing and preparation of materials (such as from asphaltic batch plants) must be controlled at all times, including weekends, holidays, and hours when work is not in progress. Maintain excavations, stockpiles, haul roads, permanent and temporary access roads, plant sites, spoil areas, borrow areas, and other work areas within or outside the project boundaries free from particulates that would exceed [40 CFR 50](#), state, and local air pollution standards or that would cause a hazard. Sprinkling or other methods will be permitted to control particulates in the work area. Sprinkling, to be effective, must be repeated to keep the disturbed area damp. Perform particulate control as the work proceeds and whenever a particulate hazard occurs. Comply with state and local visibility regulations.

### 3.5.3 Odors

Control odors from construction activities. The odors must be in compliance with state regulations and local ordinances and may not constitute a health hazard.

## 3.6 WASTE MINIMIZATION

Minimize the use of hazardous materials and the generation of waste. Include procedures for pollution prevention/hazardous waste minimization in the Hazardous Waste Management Section of the EPP. Describe the anticipated types of the hazardous materials to be used during construction.

### 3.6.1 Salvage, Reuse and Recycle

- a. Identify anticipated materials and waste for salvage, reuse, and recycling. Describe actions to promote material reuse, resale or recycling. To the extent practicable, all scrap metal must be sent for reuse or recycling and will not be disposed of in a landfill.
- b. Include the name, physical address, and telephone number of the hauler, if transported by a franchised solid waste hauler. Include the destination and, unless exempted, provide a copy of the state or local permit (cover) or license for recycling.

## 3.7 WASTE MANAGEMENT AND DISPOSAL

### 3.7.1 Waste Determination Documentation

Complete a Waste Determination form for all anticipated Contractor-derived solid and hazardous wastes to be generated. All potentially hazardous waste streams that are not subject to a specific exclusion or exemption from the hazardous waste regulations (e.g. scrap metal) or subject to special rules, (lead-acid batteries and precious metals) must be characterized in accordance with the requirements of 40 CFR 261 or corresponding applicable state or local regulations. Base the waste determination on user knowledge of the processes and materials used, and analytical data when necessary. Attach support documentation to the Waste Determination form. At a minimum, provide a Waste Determination form for the following wastes (this listing is not inclusive): oil- and latex-based painting and caulking products, solvents, adhesives, aerosols, petroleum products, and containers of the original materials. Include Waste Determination Documentation in the Environmental Records Binder.

### 3.7.2 Solid Waste Management

#### 3.7.2.1 Solid Waste Management Report

Prepare a Solid Waste Management Report following completion of construction and include the report in the Environmental Records Binder. For each waste, the report must state the classification (using the definitions provided), amount in cubic yards, pounds or tons, location, and name of the business receiving the solid waste. Provide copies of the waste handling facilities' weight tickets, receipts, and bills of sale and other sales documentation. In lieu of sales documentation, a statement indicating the disposal location for the solid waste that is signed by an employee authorized to legally obligate or bind the firm may be submitted. The sales documentation must 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 for the Contractor's own use, submit the information previously described in this paragraph on the solid waste management report. Prices paid or received do not have to be reported to the CO unless required by other provisions or specifications of this Contract or public law.

#### 3.7.2.2 Control and Management of Solid Wastes

- a. Prevent contamination of the site or other areas when handling and disposing of wastes. Employ segregation measures so that no hazardous or toxic waste will become co-mingled with non-hazardous solid waste. Transport solid waste off Government property and dispose of it in compliance with 40 CFR 260, state, and local requirements for solid waste disposal. A Subtitle D RCRA permitted landfill is the minimum acceptable offsite solid waste disposal option. Verify that the selected transporters and disposal facilities have the necessary permits and licenses to operate. Solid waste disposal offsite must comply with most stringent local, state, and federal requirements.
- b. Manage hazardous material used in construction, including but not limited to, aerosol cans, waste paint, cleaning solvents, contaminated brushes, and used rags, in accordance with 49 CFR 173.

#### 3.7.3 Control and Management of Hazardous Waste

Do not dispose of hazardous waste on Government property. Do not discharge any waste to a sanitary sewer, storm drain, or to surface waters or conduct waste treatment or disposal on Government property without written approval of the CO. Provide the documentation required in this subsection in the Hazardous Waste/Debris Management Report of the Environmental Records Binder.

##### 3.7.3.1 Hazardous Waste/Debris Management

- a. Prepare a Hazardous Waste/Debris Management Report that identifies the hazardous waste or debris, and the quantities of each, that were generated by construction activities. Include a documented waste determination for resultant waste streams. Identify, label, handle, store, and dispose of hazardous waste or debris in accordance with federal, state, and local regulations, including 40 CFR 261, 40 CFR 262, and 40 CFR 268. Include the Hazardous Waste/Debris Management Report in the Environmental Records Binder.
- b. Manage hazardous waste in accordance with the approved EPP. Store hazardous wastes in approved containers in accordance with 49 CFR 173. Hazardous waste generated within the confines of Government facilities is identified as being generated by the Government. Do not bring hazardous waste onto Government property.

##### 3.7.3.2 Hazardous Waste Disposal

The following applies to disposal of any hazardous waste:

- a. Use, or propose for use, materials which may be considered environmentally friendly in that waste from such materials is not regulated as a hazardous waste or is not considered harmful to the environment.

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- b. Documentation for analysis, sampling, transportation, and disposal of all hazardous waste generated during this Contract must be in accordance with 40 CFR 260-262.
- c. Remove all Contractor-generated hazardous wastes from the project for proper disposal within 90 days of waste generation or at the completion of on-site work. Package, label, and mark all hazardous waste in accordance with 49 CFR 172 and 40 CFR 262. Store all hazardous waste in accordance with 40 CFR 262.
- d. Transportation of Contractor hazardous material must be in accordance with 49 CFR 171, 49 CFR 172, and 49 CFR 173.
- e. Use the Contractor's Environmental Protection Agency (EPA) identification number to dispose of all hazardous waste generated by the Contractor and its subcontractors under this Contract. This is construed to mean all hazardous waste the Contractor or subcontractors generate from materials brought on the site for the purpose of performing work under the terms of the Contract.
- f. The Government will dispose of all hazardous waste generated from Government-owned facilities on the project. This is construed to mean hazardous wastes generated from the repair, demolition, or removal of any existing materials and buildings from the Government facilities and is not intended to include any wastes generated by the Contractor in the performance of its work.
- g. The GQAR will notify the project Environmental Compliance Coordinator (ECC) when Government owned wastes are generated. The project ECC will ensure that the wastes are labeled correctly. The GQAR will notify the project ECC when waste containers are full. The project ECC will then arrange for movement of the waste to a designated Government waste collection area.
- h. It is the responsibility of the Contractor to prepare hazardous waste manifests for Contractor-generated hazardous waste. The Government will review the Contractor's hazardous waste manifest to ensure the use of the Contractor's own EPA identification number. Include copies of the Hazardous Waste Manifests for all Contractor-generated hazardous wastes disposed off-site in the Environmental Records Binder.
- i. Recycle Contractor-generated hazardous or dangerous waste to the maximum extent possible. Placing hazardous or dangerous waste in a permitted hazardous waste landfill must be the last resort.
- j. Follow state and local hazardous waste requirements.

### 3.7.3.3 Universal Waste Management

- a. Manage universal waste in accordance with 40 CFR 273 and federal, state, and local requirements.
- b. 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, or 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.

#### 3.7.3.4 Electronics End-of-Life Management

Recycle or dispose of electronics waste, including, but not limited to, used electronic devices such computers, monitors, hard-copy devices, televisions, mobile devices, in accordance with 40 CFR 260-262, state, and local requirements.

#### 3.7.4 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 in accordance with 40 CFR 300. 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.

#### 3.7.5 Mercury Materials

- a. Immediately report to the Environmental Compliance Coordinator and the CO instances of breakage or mercury spillage. Clean mercury spill area to the satisfaction of the CO.
- b. Do not recycle a mercury spill cleanup; manage it as a hazardous waste for disposal.

#### 3.7.6 Wastewater

##### 3.7.6.1 Treatment

Do not allow wastewater from construction activities, such as onsite material processing, concrete curing, foundation and concrete clean-up, water used in concrete trucks, and forms to enter waterways or to be discharged prior to being treated to remove pollutants. Dispose of the construction-related waste water by collecting and placing it in a drum or tank where suspended material can be settled out or the water can evaporate to separate pollutants from the water. The site for the drum or tank must be coordinated and approved with the CO. The residue left in the drum or tank, prior to completion of the project must be removed, tested, and disposed of off Government property in accordance with federal, state, and local laws and regulations.

##### 3.7.6.2 Sanitary Sewer Discharge

Discharges to sanitary sewers are not allowed unless the Contractor has obtained all applicable permits for those discharges.

##### 3.7.6.3 Surface Discharge

Surface discharge of wastewater to land or waterways is not permitted unless the Contractor has obtained all applicable NPDES permits for that discharge.

##### 3.7.6.4 Land Application

Do not allow sheeting action, soil erosion, discharge into storm sewers, discharge into defined drainage areas, or discharge into the "waters of

the United States". Comply with federal, state, and local laws and regulations.

### 3.8 HAZARDOUS MATERIAL MANAGEMENT

Include hazardous material control procedures in the Safety Plan, in accordance with Section 01 35 26.00 25 GOVERNMENTAL SAFETY REQUIREMENTS. Address procedures and proper handling of hazardous materials, including the appropriate transportation requirements. Do not bring hazardous material onto Government property that does not directly relate to requirements for the performance of this Contract. Typical materials requiring SDS and quantity reporting include, but are not limited to, oil and latex based painting and caulking products, solvents, adhesives, aerosol, and petroleum products. Use hazardous materials in a manner that minimizes the amount of hazardous waste generated. Containers of hazardous materials must have National Fire Protection Association labels or their equivalent. Certify that hazardous materials removed from the site do not meet the definition of hazardous waste, in accordance with 40 CFR 261.

#### 3.8.1 Lead-Based Paint (LBP)

- a. Lead-based paint is suspected to be present. Such surfaces must be handled as if LBP is present. However, the Contractor may decide, at no additional cost to the Government, to conduct testing to demonstrate that LBP is not present. No drilling, cutting, or other abrasive action will be used on or to remove LBP in a manner that could create dust or an uncontrolled release of lead or other heavy metals. The removal of LBP should be avoided whenever possible. If removing LBP cannot be avoided, select a lead removal process that achieves all of the following:
  - (1) Prevents contamination of work areas outside the control area with lead-contaminated dust, debris, or waste.
  - (2) Ensures that unprotected personnel in the vicinity are not exposed to hazardous concentrations of lead.
  - (3) Does not release LBP, including dust or chips originating from LBP, into the environment, including the air, water, or ground.
  - (4) Meets the standards of applicable federal and state regulations.
- b. Any paint removed must be completed with a chemical paint stripping compound according to manufacturer's instructions and contained for proper disposal. Chemical paint strippers must not contain methylene chloride, and the compound must be approved by the onsite Environmental Compliance Coordinator before use. Minimize the amount of hazardous waste generated. Only remove lead-based paint from local areas subject to drilling, cutting, or other disturbance. Paint strippers are not allowed to be used below the water surface or come in contact with water. Rags used to remove paint may be disposed of with the Project's hazardous waste stream. Place generated waste into approved DOT drums (1A1/1A2). Notify the Project Environmental Compliance Coordinator when drums are full and ready for disposal. Follow all EPA and OSHA standards, EM 385-1-1, 29 CFR 1926.62, and all state and local ordinances pertaining to the proper removal, handling, and disposal of hazardous waste. Removal, handling, and disposal of LBP is considered incidental to the work. Therefore, no

separate payment will be made.

- c. The dry sanding or grinding of surfaces that contain LBP is prohibited. LBP must be removed with a minimum clearance of 4 inches in all directions from the cut line or point of disturbance if a flame torch or abrasive actions are used on the material cleared of LBP. Do not allow heat, abrasion, or any other process to impact LBP left in place.
- d. Off-site disposal of equipment or material with LBP must be transported in a manner that will not allow loose paint chips, paint dust, or any substance that contains heavy metals to be released into the environment. The Contractor must disclose that the equipment or material has LBP to the receiving disposal or recycling facility. The disposal or recycling facility must be certified (as indicated in the facility's solid waste management permit) to accept waste material that contains lead or other heavy metals.

### 3.9 PREVIOUSLY USED EQUIPMENT

Clean previously used construction equipment prior to bringing it onto the project site. Equipment must be free from soil residuals, egg deposits from plant pests, noxious weeds, and plant seeds. Consult with the U.S. Department of Agriculture jurisdictional office for additional cleaning requirements.

### 3.10 PETROLEUM, OILS, AND LUBRICANTS (POLs) STORAGE AND FUELING

Utilize environmentally acceptable lubricants including hydraulic fluid as in accordance with EPA 800-R-11-002 when operating equipment below Ordinary High Water and work over water. Store POL products in a manner that affords the maximum protection against spills into the environment. Fuel equipment and motor vehicles in a manner that affords the maximum protection against spills into the environment. Use secondary containments, dikes, curbs, and other barriers, to prevent POL products from spilling and entering the ground, storm or sewer drains, stormwater ditches or canals, or navigable waters of the United States. Describe in the EPP (see Paragraph ENVIRONMENTAL PROTECTION PLAN) how POL tanks and containers must be stored, managed, and inspected and what protections must be provided.

- a. Inspect all equipment, vehicles, and power tools for fluid leaks before they arrive onto the project site.
- b. Before operation within 150 feet of any body of water, and as often as necessary during operation, thoroughly clean all equipment, vehicles, and power tools to keep them free of external fluids and grease and to prevent leaks and spills from entering the water.
- c. Maintain and protect generators, cranes, or other stationary heavy equipment operated within 150 feet of any waterbody as necessary to prevent leaks and spills from entering the water.

#### 3.10.1 Used Oil Management

Manage used oil generated on site in accordance with 40 CFR 279. Determine if any used oil generated while onsite exhibits a characteristic

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of hazardous waste. Used oil containing 1,000 parts per million of solvents is considered a hazardous waste and disposed of at the Contractor's expense. Used oil mixed with a hazardous waste is also considered a hazardous waste. Dispose in accordance with Paragraph HAZARDOUS WASTE DISPOSAL.

### 3.10.2 Oil Storage Including Fuel Tanks

- a. Provide secondary containment and overflow protection for POL storage tanks and refueling onsite. Use drip pans during oil transfer operations. Cover tanks and drip pans during inclement weather. Provide procedures and equipment to prevent overflowing of tanks.
- b. Monitor and remove any rainwater that accumulates in open containment pans, dikes, or berms. Inspect the accumulated rainwater prior to draining from a containment dike to the environment, to determine there is no oil sheen present. If oil sheen is present, treat and dispose of accumulated rainwater in an environmentally-protective manner approved by the CO.

### 3.11 INADVERTENT DISCOVERY OF PETROLEUM-CONTAMINATED SOIL OR HAZARDOUS WASTES

If petroleum-contaminated soil, or suspected hazardous waste is found during construction that was not identified in the Contract documents, immediately notify the CO. Do not disturb this material until authorized by the CO.

### 3.12 NOISE CONTROL

#### 3.12.1 General

Keep construction activities under surveillance and control to minimize environmental damage by noise. Noise control and noise levels must conform to requirements set forth in the appropriate regulations, including EM 385-1-1 Section 05.C, 29 CFR 1926.52, and 29 CFR 1926.101. The most conservative requirement will govern.

#### 3.12.2 Noise Limitations

Follow local noise requirements. In the absence of local requirements, the noise levels, as measured from the nearest dwelling, must not exceed 50 decibels during the hours from 2200 hours to 0700 hours.

### 3.13 POST CONSTRUCTION CLEANUP

Clean up areas used for construction. Unless otherwise instructed in writing by the CO, remove traces of temporary construction facilities such as haul roads, work area, structures, foundations of temporary structures, stockpiles of excess or waste materials, and other vestiges of construction prior to final acceptance of the work. Grade parking area and similar temporarily used areas to conform with surrounding contours.

-- End of Section --