UNIFIED FACILITIES GUIDE SPECIFICATIONS

References are in agreement with UMRL dated January 2017
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SECTION TABLE OF CONTENTS

DIVISION 02 - EXISTING CONDITIONS

SECTION 02 81 00

TRANSPORTATION AND DISPOSAL OF HAZARDOUS MATERIALS

02/10

PART 1 GENERAL

1.1 REFERENCES
1.2 DEFINITIONS
1.2.1 Hazardous Material
1.2.2 Hazardous Waste
1.3 SUBMITTALS
1.4 QUALITY ASSURANCE
1.4.1 Transportation and Disposal Coordinator
1.4.2 Training
1.4.3 Certification
1.4.4 Laws and Regulations Requirements

PART 2 PRODUCTS

2.1 MATERIALS
2.1.1 Packagings
2.1.2 Markings
2.1.3 Labeling
2.1.4 Placards
2.1.5 Spill Response Materials
2.2 EQUIPMENT AND TOOLS

PART 3 EXECUTION

3.1 ONSITE HAZARDOUS WASTE MANAGEMENT
3.1.1 Hazardous Waste Classification
3.1.2 Management Plan
3.2 OFFSITE HAZARDOUS WASTE MANAGEMENT
3.2.1 Treatment, Storage, and/or Disposal Facility and Transporter
3.2.2 Status of the Facility
3.2.3 Shipping Documents and Packagings Certification
3.2.4 Transportation
3.2.5 Treatment and Disposal of Hazardous Wastes
3.3 RADIOACTIVE MATERIALS MANAGEMENT
3.3.1 Identification of Proper Shipping Names

3.3.2 Packaging, Labeling, and Marking
3.3.3 Shipping Documents
3.3.3.1 PCB Waste Shipment Documents
3.3.3.2 Asbestos Waste Shipment Documents
3.3.3.3 Other Hazardous Material Shipment Documents
3.4 OBTAINING EPA ID NUMBERS
3.5 SPECIAL REQUIREMENTS FOR ASBESTOS WASTES
3.6 WASTE MINIMIZATION
3.7 RECORDKEEPING
3.8 SPILL RESPONSE
3.9 EMERGENCY CONTACTS

-- End of Section Table of Contents --

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USACE / NAVFAC / AFCEC / NASA **UFGS-02 81 00 (February 2010)**

Preparing Activity: USACE **Superseding**
UFGS-02 81 00 (April 2006)

UNIFIED FACILITIES GUIDE SPECIFICATIONS

References are in agreement with UMRL dated January 2017

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SECTION 02 81 00

TRANSPORTATION AND DISPOSAL OF HAZARDOUS MATERIALS
02/10

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NOTE: This guide specification covers the requirements for transportation and disposal of hazardous material.

Adhere to UFC 1-300-02 **Unified Facilities Guide Specifications (UFGS) Format Standard when editing this guide specification or preparing new project specification sections. Edit this guide specification for project specific requirements by adding, deleting, or revising text. For bracketed items, choose applicable items(s) or insert appropriate information.**

Remove information and requirements not required in respective project, whether or not brackets are present.

Comments, suggestions and recommended changes for this guide specification are welcome and should be submitted as a Criteria Change Request (CCR)**.**

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PART 1 GENERAL

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NOTE: This specification was developed for large management contracts where there is a technical evaluation in the selection process. For small purchases, portions of this specification may be applicable, but should be closely considered. This specification should be used in conjunction with the separate asbestos and PCB management specifications when work involves these hazardous materials.

For other than remedial action, corrective action, or disposal of ammunition contract, add DFAR clause 252.223.-7005

If work does not involve hazardous wastes, submittals regarding the hazardous waste management

plan, the EPA Biennial and State Annual Reports, exceptions reports, and records of inspection may be removed by the designer.

If work does not involve hazardous wastes, PCB waste, or asbestos containing waste, certificates of disposal may be removed by the designer.

Regarding pre-established spill reporting procedures, the designer should consult CEMP-RT memorandum of 20 July 1995, Subject: Spill Reporting Procedures for USACE Personnel Involved in HTRW Projects or updated memorandum scheduled to be available by Jan 2004.

Security planning requirements are newly promulgated (67 Federal Register 14509, March 25, 2003) and contain responsibilities for both the offeror of the hazardous material as well as the transporter. Thus both the Government and Contractor have responsibilities for security planning that should be coordinated in the development of specific contract specifications. Implementation guidance is under development. The Government will NOT request development of, review, or approve the Contractors' security plans. This is a legal requirements placed upon hazmat employers and transporters by DOT. The Government will require the Contractor to certify to the Government that either a security plan is in place or to document exemption from the security plan requirement. In developing this specification, Designers should determine whether this specification requires modification to address Agency specific requirements for pre-transportation security requirements in addition to transportation related security requirements.

Regarding security plan certifications, for USACE the intent is to obtain a Contractor certification for pre-transportation activities as well as a separate certification from the initial transporter. Other agencies may take a different approach to implementing security planning requirements and specification should be modified accordingly.

USACE projects require certificates of disposal for all hazardous waste, CERCLA remediation wastes, PCBs, radionuclide containing waste, and asbestos as per Engineering Pamphlet 415-1-266.

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1.1 REFERENCES

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NOTE: This paragraph is used to list the publications cited in the text of the guide specification. The publications are referred to in the text by basic designation only and listed in

this paragraph by organization, designation, date, and title.

Use the Reference Wizard's Check Reference feature when you add a Reference Identifier (RID) outside of the Section's Reference Article to automatically place the reference in the Reference Article. Also use the Reference Wizard's Check Reference feature to update the issue dates.

References not used in the text will automatically be deleted from this section of the project specification when you choose to reconcile references in the publish print process.
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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.

INTERNATIONAL AIR TRANSPORT ASSOCIATION (IATA)

IATA DGR	(2013) Dangerous Goods Regulations

U.S. ARMY CORPS OF ENGINEERS (USACE)

EP 415-1-266	(2000) Resident Engineer Management Guide (REMG) for Hazardous, Toxic, and Radioactive Waste (HTRW) Projects

U.S. DEPARTMENT OF TRANSPORTATION (DOT)

DOT 4500.9R	Defense Transportation Regulation, Part 2, Cargo Movement, Chapter 204, Hazardous Material

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

40 CFR 261	Identification and Listing of Hazardous Waste
40 CFR 262	Standards Applicable to Generators of Hazardous Waste
40 CFR 263	Standards Applicable to Transporters of Hazardous Waste
40 CFR 264	Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities
40 CFR 265	Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities
40 CFR 266	Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities

40 CFR 268	Land Disposal Restrictions
40 CFR 270	EPA Administered Permit Programs: The Hazardous Waste Permit Program
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
40 CFR 61	National Emission Standards for Hazardous Air Pollutants
40 CFR 761	Polychlorinated Biphenyls (PCBs) Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions
49 CFR 107	Hazardous Materials Program Procedures
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
49 CFR 178	Specifications for Packagings

1.2 DEFINITIONS

1.2.1 Hazardous Material

A substance or material which has been determined by the Secretary of Transportation to be capable of posing an unreasonable risk to health, safety, and property when transported in commerce, and which has been so designated pursuant to the Hazardous Materials Transportation Act, 49 U.S.C. Appendix Section 1801 et seq. The term includes materials designated as hazardous materials under the provisions of 49 CFR 172, Sections .101 and .102 and materials which meet the defining criteria for hazard classes and divisions in 49 CFR 173. EPA designated hazardous wastes are also hazardous materials.

1.2.2 Hazardous Waste

A waste which meets criteria established in RCRA or specified by the EPA in 40 CFR 261 or which has been designated as hazardous by a RCRA authorized state program.

1.3 SUBMITTALS

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NOTE: Review submittal description (SD) definitions in Section 01 33 00 SUBMITTAL PROCEDURES and edit the following list to reflect only the submittals required for the project.

The Guide Specification technical editors have designated those items that require Government approval, due to their complexity or criticality, with a "G." Generally, other submittal items can be reviewed by the Contractor's Quality Control System. Only add a “G” to an item, if the submittal is sufficiently important or complex in context of the project.

For submittals requiring Government approval on Army projects, a code of up to three characters within the submittal tags may be used following the "G" designation to indicate the approving authority. Codes for Army projects using the Resident Management System (RMS) are: "AE" for Architect-Engineer; "DO" for District Office (Engineering Division or other organization in the District Office); "AO" for Area Office; "RO" for Resident Office; and "PO" for Project Office. Codes following the "G" typically are not used for Navy, Air Force, and NASA projects.

Use the "S" classification only in SD-11 Closeout Submittals. The "S" following a submittal item indicates that the submittal is required for the Sustainability Notebook to fulfill federally mandated sustainable requirements in accordance with Section 01 33 29 SUSTAINABILITY REPORTING.

Choose the first bracketed item for Navy, Air Force and NASA projects, or choose the second bracketed item for Army projects.

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Government approval is required for submittals with a "G" designation; submittals not having a "G" designation are for [Contractor Quality Control approval.] [information only. When used, a designation following the "G" designation identifies the office that will review the submittal for the Government.] Submittals with an "S" are for inclusion in the Sustainability Notebook, in conformance to Section 01 33 29 SUSTAINABILITY REPORTING. Submit the following in accordance with Section 01 33 00 SUBMITTAL PROCEDURES:

SD-03 Product Data

Onsite Hazardous Waste Management; G[, [_____]]
Notices of Non-Compliance and Notices of Violation
Packaging Notifications

SD-06 Test Reports

Recordkeeping; G[, [_____]]
Spill Response
Exception Report; G[, [_____]]

SD-07 Certificates

Certification

Security Plan
Transportation and Disposal Coordinator; G[, [_____]]
Training; G[, [_____]]
EPA Offsite Policy
Certificates of Disposal
Shipping Documents and Packagings Certification; G[, [_____]]
Waste Minimization

1.4 QUALITY ASSURANCE

1.4.1 Transportation and Disposal Coordinator

Designate, by position and title, one person to act as the Transportation and Disposal Coordinator (TDC) for this contract. The TDC shall serve as the single point of contact for all environmental regulatory matters and shall have overall responsibility for total environmental compliance at the site including, but not limited to, accurate identification and classification of hazardous waste and hazardous materials; determination of proper shipping names; identification of marking, labeling, packaging and placarding requirements; completion of waste profiles, hazardous waste manifests, asbestos waste shipment records, PCB manifests, bill of ladings, exception and discrepancy reports; and all other environmental documentation. The TDC shall have, at a minimum, one year of specialized experience in the management and transportation of hazardous waste and have been Department of Transportation certified under 49 CFR 172, Subpart H.

1.4.2 Training

The Contractor's hazardous materials employees shall be trained, tested, and certified to safely and effectively carry out their assigned duties in accordance with [Section 01 35 29.13 HEALTH, SAFETY, AND EMERGENCY RESPONSE PROCEDURES FOR CONTAMINATED SITES] [_____]. The Contractor's employees transporting hazardous materials or preparing hazardous materials for transportation, including samples, shall be trained, tested, and certified in accordance with 49 CFR 172, Subpart H, including security awareness and any applicable security plans. Where shipment of hazardous materials by air may be occurring, such as for sample shipments, the Contractor's hazardous material employees shall also be trained on IATA DGR. Contractor employees making determinations that shipments do not constitute DOT regulated hazardous materials shall also be trained, tested, and certified in accordance with 49 CFR 172, Subpart H.

1.4.3 Certification

The Contractor and/or subContractors transporting hazardous materials shall possess a current certificate of registration issued by the Research and Special Programs Administration (RSPA), U.S. Department of Transportation, when required by 49 CFR 107, Subpart G. Submit copies of the certificates or written statements certifying exemption from these requirements.

1.4.4 Laws and Regulations Requirements

Work shall meet or exceed the minimum requirements established by Federal, state, and local laws and regulations which are applicable. These requirements are amended frequently and compliance with amendments is required as they become effective. In the event that compliance exceeds the scope of work or conflicts with specific requirements of the contract, notify the Contracting Officer immediately.

PART 2 PRODUCTS

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NOTE: For US Army Corps of Engineer (USACE) Projects involving shipments containing radioactive nuclides, additional products such as special marking may apply. See USACE Engineering Pamphlet 415-1-266, Chapter 7, Resident Engineer Management Guide for Hazardous, Toxic, and Radioactive Waste Projects and Engineering Manual 1110-35-1, Management Guidelines for Working with Radioactive and Mixed Waste.

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2.1 MATERIALS

Provide all the materials required for the packaging, labeling, marking, placarding and transportation of hazardous wastes and hazardous materials in conformance with Department of Transportation standards[and][IATA DGR][and][EP 415-1-266][_____]. Details in this specification shall not be construed as establishing the limits of the Contractor's responsibility.

2.1.1 Packagings

Provide [bulk] [non-bulk] [bulk and non-bulk] containers for packaging hazardous materials/wastes consistent with the authorizations referenced in the Hazardous Materials Table in 49 CFR 172, Section .101, Column 8. Bulk and non-bulk packaging shall meet the corresponding specifications in 49 CFR 173 referenced in the Hazardous Materials Table, 49 CFR 172, Section .101. Each packaging shall conform to the general packaging requirements of Subpart B of 49 CFR 173, to the requirements of 49 CFR 178 at the specified packing group performance level, to the requirements of special provisions of column 7 of the Hazardous Materials Table in 49 CFR 172, Section .101, and shall be compatible with the material to be packaged as required by 40 CFR 262. Also provide other packaging related materials such as materials used to cushion or fill voids in overpacked containers, etc. Sorbent materials shall not be capable of reacting dangerously with, being decomposed by, or being ignited by the hazardous materials being packaged. Additionally, sorbents used to treat free liquids to be disposed of in landfills shall be non-biodegradable as specified in 40 CFR 264, Section .314. In addition, packaging notifications will be provided to the Government in accordance with 49 CFR 172, Section .178.2(c) regarding type and dimensions of closures, including gaskets, needed to satisfy performance test requirements.

2.1.2 Markings

Provide markings for each hazardous material/waste package, freight container, and transport vehicle consistent with the requirements of 49 CFR 172, Subpart D and [40 CFR 262, Section .32 (for hazardous waste)] [40 CFR 761, Section .45 (for PCBs)] [40 CFR 61, Section .149(d) (for asbestos)] [EP 415-1-266 (for FUSRAP radionuclides)]. Markings shall be capable of withstanding, without deterioration or substantial color change, a 180 day exposure to conditions reasonably expected to be encountered during container storage and transportation.

2.1.3 Labeling

Provide primary and subsidiary labels for hazardous materials/wastes

consistent with the requirements in the Hazardous Materials Table in 49 CFR 172, Section .101, Column 6. Labels shall meet design specifications required by 49 CFR 172, Subpart E including size, shape, color, printing, and symbol requirements. Labels shall be durable and weather resistant and capable of withstanding, without deterioration or substantial color change, a 180 day exposure to conditions reasonably expected to be encountered during container storage and transportation.

2.1.4 Placards

For each offsite shipment of hazardous material/waste, provide primary and subsidiary placards consistent with the requirements of 49 CFR 172, Subpart F. Placards shall be provided for each side and each end of bulk packaging, freight containers, transport vehicles, and rail cars requiring such placarding. Placards may be plastic, metal, or other material capable of withstanding, without deterioration, a 30 day exposure to open weather conditions and shall meet design requirements specified in 49 CFR 172, Subpart F.

2.1.5 Spill Response Materials

Provide spill response materials including, but not limited to, containers, adsorbent, shovels, and personal protective equipment. Spill response materials shall be available at all times in which hazardous materials/wastes are being handled or transported. Spill response materials shall be compatible with the type of material being handled.

2.2 EQUIPMENT AND TOOLS

Provide miscellaneous equipment and tools necessary to handle hazardous materials and hazardous wastes in a safe and environmentally sound manner.

PART 3 EXECUTION

3.1 ONSITE HAZARDOUS WASTE MANAGEMENT

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NOTE: When work on a site is being performed pursuant to the authorities of CERCLA, it may be eligible for the permit waiver of CERCLA Section 121(e) such that accumulation time restrictions or other requirements may not be applicable. In that case the designer, with assistance from agency counsel as necessary, should determine whether this paragraph requires revision accordingly.

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These paragraphs apply to Government owned waste only. Contractors are prohibited by 10 U.S.C. 2692 from storing Contractor owned waste onsite for any length of time. The Contractor is responsible for ensuring compliance with all Federal, state, and local hazardous waste laws and regulations and shall verify those requirements when preparing reports, waste shipment records, hazardous waste manifests, or other documents. Identify hazardous wastes using criteria set forth in 40 CFR 261 or all applicable state and local laws, regulations, and ordinances. When accumulating hazardous waste onsite, comply with generator requirements in [40 CFR 262] [and] [any applicable state or local law or regulations]. Onsite accumulation times shall be restricted to applicable time frames referenced in [40 CFR 262, Section .34] [and] [any applicable state or local law or regulation].

Accumulation start dates shall commence when waste is first generated (i.e. containerized or otherwise collected for discard). Only use containers in good condition and compatible with the waste to be stored. Ensure containers are closed except when adding or removing waste, and immediately mark all hazardous waste containers with the words "hazardous waste" and other information required by [40 CFR 262, Section .32] [and] [any applicable state or local law or regulation] as soon as the waste is containerized. An additional marking shall be placed on containers of "unknowns" designating the date sampled, and the suspected hazard. Inspect containers for signs of deterioration and for responding to any spills or leaks. Inspect all hazardous waste areas weekly and provide written documentation of the inspection. Include date and time of inspection, name of individual conducting the inspection, problems noted, and corrective actions taken on the inspection logs.

3.1.1 Hazardous Waste Classification

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NOTE: If insufficient information exists to make a waste classification determination, the designer should develop contract clauses to provide for additional analysis.

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Identify, in consultation with the [Contracting Officer] [waste generator] [_____], all waste codes applicable to each hazardous waste stream based on requirements in 40 CFR 261 or any applicable state or local law or regulation. Also identify all applicable treatment standards in 40 CFR 268 and state land disposal restrictions and make a determination as to whether or not the waste meets or exceeds the standards. Waste profiles, analyses, classification and treatment standards information shall be submitted to Contracting Officer for review and approval.

3.1.2 Management Plan

Prepare a plan detailing the manner in which hazardous wastes will be managed and describing the types and volumes of hazardous wastes anticipated to be managed as well as the management practices to be utilized. The plan shall identify the method to be used to ensure accurate piece counts and/or weights of shipments; shall identify waste minimization methods; shall propose facilities to be utilized for treatment, storage, and/or disposal; shall identify areas onsite where hazardous wastes are to be handled; and shall identify whether transfer facilities are to be utilized; and if so, how the wastes will be tracked to ultimate disposal. Submit the plan prior to start of work. Written documentation of weekly hazardous waste inspections shall be submitted on a [monthly] [quarterly] [_____] basis.

3.2 OFFSITE HAZARDOUS WASTE MANAGEMENT

****

NOTE: For US Army Corps of Engineer (USACE) Projects involving shipments containing radioactive nuclides, additional management requirements may apply. Designers should refer to USACE EP 415-1-266, Chapter 7, Resident Engineer Management Guide for Hazardous, Toxic, and Radioactive Waste Projects and EM 1110-35-1, Management Guidelines for Working with Radioactive and Mixed Waste. For example, a pink

mark stating "Warning: Empty only at (destination)" is required.

The new manifest rule under development by EPA is anticipated around January 2004. Though it is not expected to impact this specification, designers should review new requirements as they become available to ensure this specification remains consistency with regulatory changes.

****

Use RCRA Subtitle C permitted facilities which meet the requirements of 40 CFR 264 or facilities operating under interim status which meet the requirements of 40 CFR 265. Offsite treatment, storage, and/or disposal facilities with significant RCRA violations or compliance problems (such as facilities known to be releasing hazardous constituents into ground water, surface water, soil, or air) shall not be used. Submit Notices of Non-Compliance and Notices of Violation by a Federal, state, or local regulatory agency issued to the Contractor in relation to any work performed under this contract. Immediately provide copies of such notices to the Contracting Officer. Also furnish all relevant documents regarding the incident and any information requested by the Contracting Officer, and coordinate its response to the notice with the Contracting Officer or the designated representative prior to submission to the notifying authority. Also furnish a copy to the Contracting Officer of all documents submitted to the regulatory authority, including the final reply to the notice, and all other materials, until the matter is resolved.

3.2.1 Treatment, Storage, and/or Disposal Facility and Transporter

Provide the Contracting Officer with EPA ID numbers, names, locations, and telephone numbers of TSD facilities and transporters. This information shall be contained in the Hazardous Waste Management Plan and shall be approved by the Contracting Officer prior to waste disposal.

3.2.2 Status of the Facility

Facilities receiving hazardous waste shall be permitted in accordance with 40 CFR 270 or operating under interim status in accordance with 40 CFR 265 requirements, or permitted by a state authorized by the Environmental Protection Agency to administer the RCRA permit program. Additionally, prior to using a TSD Facility, contact the EPA Regional Offsite Coordinator specified in 40 CFR 300, Section .440, to determine the facility's status, and document all information necessary to satisfy the requirements of the EPA Offsite policy and submit this information to the Contracting Officer.

3.2.3 Shipping Documents and Packagings Certification

Prior to shipment of any hazardous material offsite and a minimum of [14] [_____] days prior to anticipated pickup, provide for review written certification to the Contracting Officer that hazardous materials have been properly packaged, labeled, and marked in accordance with Department of Transportation and EPA requirements. Furnish designated disposal facility packaging assurances by the not later than 35 days after acceptance of the shipment. The Contractor's TDC shall also provide written certification regarding waste minimization efforts documenting that efforts have been taken to reduce the volume and toxicity of waste to the degree economically practicable and that the method of treatment, storage, or disposal selected

minimizes threats to human health and the environment.

3.2.4 Transportation

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NOTE: When the additional cost of sending a qualified government representative to a remote location to sign a manifest for a small clean up project is unwarranted, the option of requiring the onsite Contractor to sign the manifests on behalf of the generator is permitted and should be considered. This option may only be exercised on a project specific basis, if prior to the solicitation process, written authorization of the customer and approval of the Chief, Construction Division at the executing district has been obtained, and the technical provisions of the contract solicitation provide competing Contractors notice of the requirement.

****

Prior to conducting hazardous materials activities, the Contractor responsible for pre-transportation activities shall either certify to the Government that a Security Plan is in place which meets the requirements of 49 CFR 172, Subpart I or in the event that the types or amounts of hazardous materials are excluded from the security planning requirements, a written statement to that effect detailing the basis for the exception. Use manifests for transporting hazardous wastes as required by 40 CFR 263 or any applicable state or local law or regulation. Transportation shall comply with all requirements in the Department of Transportation referenced regulations in the 49 CFR series. Prepare hazardous waste manifests for each shipment of hazardous waste shipped offsite. Manifests shall be completed using instructions in 40 CFR 262, Subpart B and any applicable state or local law or regulation. Submit manifests and waste profiles to Contracting Officer for review and approval. Prepare land disposal restriction notifications as required by 40 CFR 268 or any applicable state or local law or regulation for each shipment of hazardous waste. Submit notifications with the manifest to the Contracting Officer for review and approval. [In accordance with DOT 4500.9R, inspect motor vehicles used to transport hazardous materials in accordance the 49 CFR and DOT safety regulations and complete DDForm 626, Motor Vehicle Inspection] [_____].

3.2.5 Treatment and Disposal of Hazardous Wastes

The hazardous waste shall be transported to an approved hazardous waste treatment, storage, or disposal facility within [90] [_____] days of the accumulation start date on each [container] [_____]. Ship hazardous wastes only to facilities which are properly permitted to accept the hazardous waste or operating under interim status. Ensure wastes are treated to meet land disposal treatment standards in 40 CFR 268 prior to land disposal. Propose TSD facilities via submission of the Hazardous Waste Management Plan, subject to the approval of the Contracting Officer. Submit Certificates of Disposal documenting the ultimate disposal, destruction or placement of [hazardous wastes], [CERCLA remediation waste], [polychlorinated biphenyls (PCBs)], [_____], and/or [asbestos] within [180] [_____] days of initial shipment. Receipt of these certificates will be required for final payment.

3.3 RADIOACTIVE MATERIALS MANAGEMENT

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NOTE: For US Army Corps of Engineer (USACE) Projects involving shipments containing radioactive nuclides, additional management requirements may apply. Designers should refer to USACE EP 415-1-266, Chapter 7, Resident Engineer Management Guide for Hazardous, Toxic, and Radioactive Waste Projects and EM 1110-35-1, Management Guidelines for Working with Radioactive and Mixed Waste. For example, a pink mark stating "Warning: Empty only at (destination)" is required.

****

In consultation with the [Contracting Officer] [generator] [_____], evaluate, prior to shipment of any material offsite, whether the material is regulated as a hazardous waste in addition to being regulated as a radioactive material; this shall be done for the purpose of determining proper shipping descriptions, marking requirements, etc., as described below.

3.3.1 Identification of Proper Shipping Names

Use 49 CFR 172, Section .101 to identify proper shipping names for each hazardous material (including hazardous wastes) to be shipped offsite. Submit proper shipping names to the Contracting Officer in the form of draft shipping documents for review and approval.

3.3.2 Packaging, Labeling, and Marking

Package, label, and mark hazardous materials/wastes using the specified materials and in accordance with the referenced authorizations. Mark each container of hazardous waste of 416 L 110 gallons or less with the following:

"HAZARDOUS WASTE - Federal Law Prohibits Improper Disposal.
If found, contact the nearest police or public safety authority or the U.S. Environmental Protection Agency.
Generator's name _____
Manifest Document Number _____".

3.3.3 Shipping Documents

Ensure that each shipment of hazardous material sent offsite is accompanied by properly completed shipping documents. This includes shipments of samples that may potentially meet the definition of a Department of Transportation regulated hazardous material.

3.3.3.1 PCB Waste Shipment Documents

Prepare hazardous waste manifests for each shipment of PCB waste shipped offsite. Complete manifests using instructions in 40 CFR 761, Sections .207 and .208 and all other applicable requirements. Submit documents to Contracting Officer for review and approval.

3.3.3.2 Asbestos Waste Shipment Documents

Prepare waste shipment records, as required by 40 CFR 61, for shipments of

asbestos. Submit waste shipment records to the Contracting Officer for review and approval. Waste shipment records shall be signed by the Contractor.

3.3.3.3 Other Hazardous Material Shipment Documents

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NOTE: The designer should determine whether bill of lading certifications will be signed by the Government or the Contractor. This determination should be based on whether the Government or the Contractor is responsible for classifying, packaging, marking, labeling, and placarding the shipment.

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Prepare a bill of lading for each shipment of hazardous material which is not accompanied by a hazardous waste manifest or asbestos waste shipment record which fulfills the shipping paper requirements. The bill of lading shall satisfy the requirements of 49 CFR 172, Subpart C, [and 40 CFR 279 if shipping used oil] and any applicable state or local law or regulation, and shall be submitted to the Contracting Officer for review and approval. For laboratory samples and treatability study samples, prepare bills of lading and other documentation as necessary to satisfy conditions of the sample exclusions in 40 CFR 261, Section .4(d) and (e) and any applicable state or local law or regulation. Bill of ladings requiring shipper's certifications [will] [shall] be signed by the [Government] [Contractor].

3.4 OBTAINING EPA ID NUMBERS

Complete EPA Form 8700-12, Notification of Hazardous Waste Activity, and submit to the Contracting Officer for review and approval. Allow a minimum of [30] [_____] days for processing the application and assigning the EPA ID number. Shipment shall be made not earlier than one week after receipt of the EPA ID number.

3.5 SPECIAL REQUIREMENTS FOR ASBESTOS WASTES

****

NOTE: If work involves asbestos containing wastes, designer should determine whether reference to a separate asbestos specification should be added.

****

If work involves asbestos containing wastes, manage these wastes in accordance with specification Section [_____].

3.6 WASTE MINIMIZATION

Minimize the generation of hazardous waste to the maximum extent practicable and take all necessary precautions to avoid mixing clean and contaminated wastes. Identify and evaluate recycling and reclamation options as alternatives to land disposal. Requirements of 40 CFR 266 shall apply to: hazardous wastes recycled in a manner constituting disposal; hazardous waste burned for energy recovery; lead-acid battery recycling; and hazardous wastes with economically recoverable precious metals. Submit written certification that waste minimization efforts have been undertaken to reduce the volume and toxicity of waste to the degree economically practicable and that the method of treatment, storage, or disposal selected

minimizes threats to human health and the environment.

3.7 RECORDKEEPING

Maintain adequate records to support information provided to the Contracting Officer regarding exception reports, annual reports, and biennial reports; maintain asbestos waste shipment records for a minimum of 3 years from the date of shipment or any longer period required by any applicable law or regulation or any other provision of this contract; and maintain bill of ladings for a minimum of 375 days from the date of shipment or any longer period required by any applicable law or regulation or any other provision of this contract. Submit information necessary to file state annual or EPA biennial reports for all hazardous waste transported, treated, stored, or disposed of under this contract. Do not forward these data directly to the regulatory agency but to the Contracting Officer at the specified time. The submittal shall contain all the information necessary for filing of the formal reports in the form and format required by the governing Federal or state regulatory agency. A cover letter shall accompany the data to include the contract number, Contractor name, and project location. In the events that a manifest copy documenting receipt of hazardous waste at the treatment storage and disposal facility is not received within 35 days of shipment initiation, or that a manifest copy documenting receipt of PCB waste at the designated facility is not received within 35 days of shipment initiation, prepare and submit an exception report to the Contracting Officer within 37 days of shipment initiation.

3.8 SPILL RESPONSE

In the event of a spill or release of a hazardous substance (as designated in 40 CFR 302), or pollutant or contaminant, or oil (as governed by the Oil Pollution Act (OPA), 33 U.S.C. 2701 et seq.), notify the Contracting Officer immediately. Any direction from the Contracting Officer concerning a spill or release shall not be considered a change under the contract. If the spill exceeds a reporting threshold, follow the pre-established procedures for immediate reporting to the Contracting Officer. Comply with all applicable requirements of Federal, state, or local laws or regulations regarding any spill incident.

3.9 EMERGENCY CONTACTS

The Contractor is responsible for complying with the emergency contact provisions in 49 CFR 172, Section .604. Whenever the Contractor ships hazardous materials, provide a 24 hr emergency response contact and phone number of a person knowledgeable about the hazardous materials being shipped and who has comprehensive emergency response and incident mitigation information for that material, or has immediate access to a person who possesses such knowledge and information. The phone shall be monitored on a 24 hour basis at all times when the hazardous materials are in transportation, including during storage incidental to transportation. Ensure that information regarding this emergency contact and phone number are placed on all hazardous material shipping documents. Designate an emergency coordinator and post the following information at areas in which hazardous wastes are managed:

a. The name of the emergency coordinator.

b. Phone number through which the emergency coordinator can be contacted on a 24 hour basis.

c. The telephone number of the local fire department.

d. The location of fire extinguishers and spill control materials.

Attachment A SAMPLE OFF-SITE POLICY CERTIFICATION MEMO	
Project/Contract #:	
Waste Stream:	
Primary TSD Facility, EPA ID # and Location:	
Alter. TSD Facility, EPA ID # and Location:	
EPA Region	Contact
I	(617) 918-1752
II	(212) 637-4130
III	(214) 814-5267
IV	(404) 562-8591
V	(312) 353-8207
VI	(214) 665-2282
VII	(913) 551-7154
VIII	(303) 312-6419
IX	(415) 972-3304
X	(206) 553-2859
EPA representative contacted:	
EPA representative phone number:	
Date contacted:	
Comment:	
The above EPA representative was contacted on _____. As of that date the above sites were considered acceptable in accordance with the Off-Site Policy in 40 CFR 300.440.	
Date:	Signature:
Phone number:	

-- End of Section --