

**SECTION 01 57 19**  
**TEMPORARY ENVIRONMENTAL CONTROLS**

**PART 1 - GENERAL**

**1.1 DESCRIPTION**

- A. This section specifies the control of environmental pollution and damage that the Contractor must consider for air, water, and land resources. It includes management of visual aesthetics, noise, solid waste, radiant energy, and radioactive materials, as well as other pollutants and resources encountered or generated by the Contractor. The Contractor is obligated to consider specified control measures with the costs included within the various contract items of work.
- B. Environmental pollution and damage is defined as the presence of chemical, physical, or biological elements or agents which:
1. Adversely effect human health or welfare,
  2. Unfavorably alter ecological balances of importance to human life,
  3. Effect other species of importance to humankind, or;
  4. Degrade the utility of the environment for aesthetic, cultural, and historical purposes.
- C. Definitions of Pollutants:
1. Chemical Waste: Petroleum products, bituminous materials, salts, acids, alkalis, herbicides, pesticides, organic chemicals, and inorganic wastes.
  2. Debris: Combustible and noncombustible wastes, such as leaves, tree trimmings, ashes, and waste materials resulting from construction or maintenance and repair work.
  3. Sediment: Soil and other debris that has been eroded and transported by runoff water.
  4. Solid Waste: Rubbish, debris, garbage, and other discarded solid materials resulting from industrial, commercial, and agricultural operations and from community activities.
  5. Surface Discharge: The term "Surface Discharge" implies that the water is discharged with possible sheeting action and subsequent soil erosion may occur. Waters that are surface discharged may terminate in drainage ditches, storm sewers, creeks, and/or "water of the United States" and would require a permit to discharge water from the governing agency.
  6. Rubbish: Combustible and noncombustible wastes such as paper, boxes, glass and crockery, metal and lumber scrap, tin cans, and bones.

7. Sanitary Wastes:

- a. Sewage: Domestic sanitary sewage and human and animal waste.
- b. Garbage: Refuse and scraps resulting from preparation, cooking, dispensing, and consumption of food.

**1.2 QUALITY CONTROL**

- A. Establish and maintain quality control for the environmental protection of all items set forth herein.
- B. Record on daily reports any problems in complying with laws, regulations, and ordinances. Note any corrective action taken.

**1.3 REFERENCES**

- A. The publications listed below form a part of this specification to the extent referenced. The publications are referred to in the text by basic designation only.
- B. U.S. National Archives and Records Administration (NARA):  
33 CFR 328.....Definitions

**1.4 SUBMITTALS**

- A. In accordance with Section, 01 33 23, SHOP DRAWINGS, PRODUCT DATA, AND SAMPLES, furnish the following:
  1. Environmental Protection Plan: After the contract is awarded and prior to the commencement of the work, the Contractor shall meet with the Contracting Officer's Representative (COR) to discuss the proposed Environmental Protection Plan and to develop mutual understanding relative to details of environmental protection. Not more than 20 days after the meeting, the Contractor shall prepare and submit to the COR and the Contracting Officer for approval, a written and/or graphic Environmental Protection Plan including, but not limited to, the following:
    - a. Name(s) of person(s) within the Contractor's organization who is (are) responsible for ensuring adherence to the Environmental Protection Plan.
    - b. Name(s) and qualifications of person(s) responsible for manifesting hazardous waste to be removed from the site.
    - c. Name(s) and qualifications of person(s) responsible for training the Contractor's environmental protection personnel.
    - d. Description of the Contractor's environmental protection personnel training program.
    - e. A list of Federal, State, and local laws, regulations, and permits concerning environmental protection, pollution control, noise control and abatement that are applicable to the Contractor's proposed operations and the requirements imposed by those laws, regulations, and permits.

- f. Methods for protection of features to be preserved within authorized work areas including trees, shrubs, vines, grasses, ground cover, landscape features, air and water quality, fish and wildlife, soil, historical, and archeological and cultural resources.
  - g. Procedures to provide the environmental protection that comply with the applicable laws and regulations. Describe the procedures to correct pollution of the environment due to accident, natural causes, or failure to follow the procedures as described in the Environmental Protection Plan.
  - h. Permits, licenses, and the location of the solid waste disposal area.
  - i. Drawings showing locations of any proposed temporary excavations or embankments for haul roads, stream crossings, material storage areas, structures, sanitary facilities, and stockpiles of excess or spoil materials. Include as part of an Erosion Control Plan approved by the District Office of the U.S. Soil Conservation Service and the Department of Veterans Affairs.
  - j. Environmental Monitoring Plans for the job site including land, water, air, and noise.
  - k. Work Area Plan showing the proposed activity in each portion of the area and identifying the areas of limited use or nonuse. Plan should include measures for marking the limits of use areas. This plan may be incorporated within the Erosion Control Plan.
2. NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity Submittals:
- a. Contractor/Subcontractors Certification: All contractors completing work on-site shall review the Stormwater Pollution Prevention Plan (SWPPP) and erosion and sediment control drawings. After reviewing, sign and submit, to the COR, a copy of the certification within the SWPPP. Each contractor/subcontractor on site shall submit their own certification. A copy of the certification(s) shall also be included with the on-site documents and the certifications shall become part of the SWPPP.
  - b. Trained Contractor: Submit qualifications and documentation of training for each "Trained Contractor" indicated on the contractor/subcontractor certification form.
  - c. Qualified Inspector: Submit qualifications, documentation of training (if working under a qualified professional), and Contractor's certification for the qualified inspector.

- d. Qualified Professional: Submit qualifications and Contractor's certification for the qualified professional.
  - e. Inspection Reports: Place one copy of the inspection report within the site inspection log book and submit an additional copy to the COR. Verbally report any deficiencies to the Contractor and COR on the day the inspection takes place.
  - f. Monthly Summary Report: Contractor shall prepare and submit a monthly summary report with respect to compliance with the SPDES General Permit. A copy of the summary report shall also be maintained on-site.
  - g. Inspection Log Book Location: The location of the Inspection Log Book that the Contractor shall maintain on-site along with copies of the SWPPP, NOI, and NOI Acknowledgment Letter shall be provided to the COR. The location shall be accessible during normal working hours to an individual performing a compliance inspection.
  - h. Notice of Termination: A qualified professional retained by the Contractor shall complete and submit the NYSDEC SPDES General Permit Notice of Termination (NOT) form, including the certifications. Two copies of the NOT form shall be provided to the COR for VA's signature and submission to NYSDEC.
  - i. SWPPP Revisions and Amendments: A copy of any revisions or amendments to the SWPPP completed by the qualified professional shall be submitted to the VA.
- B. Approval of the Contractor's Environmental Protection Plan will not relieve the Contractor of responsibility for adequate and continued control of pollutants and other environmental protection measures.

#### **1.5 PROTECTION OF ENVIRONMENTAL RESOURCES**

- A. Protect environmental resources within the project boundaries and those affected outside the limits of permanent work during the entire period of this contract. Confine activities to areas defined by the specifications and drawings.
- B. Protection of Land Resources: Prior to construction, identify all land resources to be preserved within the work area. Do not remove, cut, deface, injure, or destroy land resources including trees, shrubs, vines, grasses, top soil, and land forms without permission from the COR. Do not fasten or attach ropes, cables, or guys to trees for anchorage unless specifically authorized, or where special emergency use is permitted.
  - 1. Work Area Limits: Prior to any construction, mark the areas that require work to be performed under this contract. Mark or fence isolated areas within the general work area that are to be saved and

- protected. Protect monuments, works of art, and markers before construction operations begin. Convey to all personnel the purpose of marking and protecting all necessary objects.
2. Protection of Landscape: Protect trees, shrubs, vines, grasses, land forms, and other landscape features shown on the drawings to be preserved by marking, fencing, or using any other approved techniques.
    - a. Box and protect from damage existing trees and shrubs to remain on the construction site.
    - b. Immediately repair all damage to existing trees and shrubs by trimming, cleaning, and painting with antiseptic tree paint.
    - c. Do not store building materials or perform construction activities closer to existing trees or shrubs than the farthest extension of their limbs.
  3. Reduction of Exposure of Unprotected Erodible Soils: Plan and conduct earthwork to minimize the duration of exposure of unprotected soils. Clear areas in reasonably sized increments only as needed to use. Form earthwork to final grade as shown. Immediately protect side slopes and back slopes upon completion of rough grading.
  4. Temporary Protection of Disturbed Areas: Construct diversion ditches, benches, and berms to retard and divert runoff from the construction site to protected drainage areas approved under paragraph 208 of the Clean Water Act.
    - a. Reuse or conserve the collected topsoil sediment as directed by the COR. Topsoil use and requirements are specified in Section 31 20 00, EARTHWORK and Section 32 90 00 Planting.
    - b. Institute effluent quality monitoring programs as required by Federal, State, and local environmental agencies.
  5. Erosion and Sedimentation Control Devices: The erosion and sediment controls selected and maintained by the Contractor shall be such that water quality standards are not violated as a result of the Contractor's activities. Construct or install all temporary and permanent erosion and sedimentation control features shown on the drawings and those not shown, but required to protect the environment. Maintain temporary erosion and sediment control measures such as berms, dikes, drains, mats, socks, silt fence, sedimentation basins, grassing, and mulching, until permanent drainage and erosion control facilities are completed and operative.
  6. Manage borrow areas on and off Government property to minimize erosion and to prevent sediment from entering nearby water courses or lakes.

7. Manage and control spoil areas on and off Government property to limit spoil to areas on the Environmental Protection Plan and prevent erosion of soil or sediment from entering nearby water courses or lakes.
  8. Protect adjacent areas from despoilment by temporary excavations and embankments.
  9. Handle and dispose of solid wastes in such a manner that will prevent contamination of the environment. Place solid wastes (excluding clearing debris) in containers that are emptied on a regular schedule. Transport all solid waste off Government property and dispose of waste in compliance with Federal, State, and local requirements.
  10. Store chemical waste away from the work areas in corrosion resistant containers and dispose of waste in accordance with Federal, State, and local regulations.
  11. Handle discarded materials other than those included in the solid waste category as directed by the COR.
- C. Protection of Water Resources: Keep construction activities under surveillance, management, and control to avoid pollution of surface and ground waters and sewer systems. Implement management techniques to control water pollution by the listed construction activities that are included in this contract.
1. Washing and Curing Water: Do not allow wastewater directly derived from construction activities to enter water areas. Collect and place wastewater in retention ponds allowing the suspended material to settle, the pollutants to separate, or the water to evaporate.
  2. Control movement of materials and equipment at stream crossings during construction to prevent violation of water pollution control standards of the Federal, State, or local government.
  3. Monitor water areas affected by construction.
  4. Comply with all permit requirements.
- D. Protection of Fish and Wildlife Resources: Keep construction activities under surveillance, management, and control to minimize interference with, disturbance of, or damage to fish and wildlife. Prior to beginning construction operations, list species that require specific attention along with measures for their protection.
- E. Protection of Air Resources: Keep construction activities under surveillance, management, and control to minimize pollution of air resources. Burning is not permitted on the job site. Keep activities, equipment, processes, and work operated or performed, in strict accordance with the State of New York and Federal emission and

performance laws and standards. Maintain ambient air quality standards set by the Environmental Protection Agency, for those construction operations and activities specified.

1. Particulates: Control dust particles, aerosols, and gaseous by-products from all construction activities, processing, and preparation of materials (such as from asphaltic batch plants) at all times, including weekends, holidays, and hours when work is not in progress.
  2. Particulates Control: Maintain all excavations, stockpiles, haul roads, permanent and temporary access roads, plant sites, spoil areas, borrow areas, and all other work areas within or outside the project boundaries free from particulates which would cause a hazard or a nuisance. Sprinklering, chemical treatment of an approved type, light bituminous treatment, baghouse, scrubbers, electrostatic precipitators, or other methods are permitted to control particulates in the work area.
  3. Hydrocarbons and Carbon Monoxide: Control monoxide emissions from equipment to Federal and State allowable limits.
  4. Odors: Control odors of construction activities and prevent obnoxious odors from occurring.
- F. Reduction of Noise: Minimize noise using every action possible. Perform noise-producing work in less sensitive hours of the day or week as directed by the COR. Maintain noise-produced work at or below the decibel levels and within the time periods specified.
1. Perform construction activities involving repetitive, high-level impact noise only between 8:00 a.m. and 4:00p.m unless otherwise permitted by local ordinance or the COR. Repetitive impact noise on the property shall not exceed the following dB limitations:
 

Time Duration of Impact Noise	Sound Level in dB
More than 12 minutes in any hour	70
Less than 30 seconds of any hour	85
Less than three minutes of any hour	80
Less than 12 minutes of any hour	75
  2. Provide sound-deadening devices on equipment and take noise abatement measures that are necessary to comply with the requirements of this contract, consisting of, but not limited to, the following:
    - a. Maintain maximum permissible construction equipment noise levels at 15 m (50 feet) (dBA):

EARTHWORK		MATERIALS HANDLING	
FRONT LOADERS	75	CONCRETE MIXERS	75
BACKHOES	75	CONCRETE PUMPS	75
DOZERS	75	CRANES	75
TRACTORS	75	DERRICKS IMPACT	75
SCAPERS	80	PILE DRIVERS	95
GRADERS	75	JACK HAMMERS	75
TRUCKS	75	ROCK DRILLS	80
PAVERS, STATIONARY	80	PNEUMATIC TOOLS	80
PUMPS	75	BLASTING	NA
GENERATORS	75	SAWS	75
COMPRESSORS	75	VIBRATORS	75

- b. Use shields or other physical barriers to restrict noise transmission.
  - c. Provide soundproof housings or enclosures for noise-producing machinery.
  - d. Use efficient silencers on equipment air intakes.
  - e. Use efficient intake and exhaust mufflers on internal combustion engines that are maintained so equipment performs below noise levels specified.
  - f. Line hoppers and storage bins with sound deadening material.
  - g. Conduct truck loading, unloading, and hauling operations so that noise is kept to a minimum.
3. Measure sound level for noise exposure due to the construction at least once every five successive working days while work is being performed above 55 dB(A) noise level. Measure noise exposure at the property line or 15 m (50 feet) from the noise source, whichever is greater. Measure the sound levels on the A weighing network of a General Purpose sound level meter at slow response. To minimize the effect of reflective sound waves at buildings, take measurements at 900 to 1800 mm (three to six feet) in front of any building face. Submit the recorded information to the COR noting any problems and the alternatives for mitigating actions.
- G. Restoration of Damaged Property: If any direct or indirect damage is done to public or private property resulting from any act, omission, neglect, or misconduct, the Contractor shall restore the damaged property to a condition equal to that existing before the damage at no additional cost to the Government. Repair, rebuild, or restore property as directed or make good such damage in an acceptable manner.

- H. Final Clean-up: On completion of project and after removal of all debris, rubbish, and temporary construction, Contractor shall leave the construction area in a clean condition satisfactory to the COR. Cleaning shall include off the station disposal of all items and materials not required to be salvaged, as well as all debris and rubbish resulting from demolition and new work operations.
- I. Permits: A SPDES General Stormwater Permit and NYS Protection of Waters Permit (Stream Disturbance) is required to complete the work of the project. The Contractor and subcontractors shall obtain copies of these permits from VA and comply with all requirements of the permits.
- J. NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity:
1. Stormwater Pollution Prevention Plan: Contractor and subcontractors completing work on-site shall review the Stormwater Pollution Prevention Plan (SWPPP), erosion and sediment control drawings, and SPDES General Permit and comply with all requirements.
  2. Trained Contractor:
    - a. Each of the contractors and subcontractors shall provide and identify at least one person from their company that will be responsible for implementation of the SWPPP. This person shall be known as the trained contractor. The trained contractor is responsible for the day to day implementation of the SWPPP.
    - b. At least one trained contractor shall be on site on a daily basis when soil disturbance activities are being performed.
    - c. Trained contractor shall inspect the erosion and sediment control practices and pollution prevention measures being implemented within the active work area daily to ensure that they are being maintained in effective operating condition at all times. If deficiencies are identified, the contractor shall begin implementing corrective actions within one business day and shall complete the corrective actions in a reasonable time frame.
    - d. "Trained Contractor" means an employee from the contracting (construction) company, that has received four (4) hours of NYSDEC endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other NYSDEC endorsed entity. After receiving the initial training, the trained contractor shall receive four (4) hours of training every three (3) years. It can also mean an employee from the contracting (construction) company, that meets the

qualified inspector qualifications (e.g. licensed Professional Engineer, Certified Professional in Erosion and Sediment Control (CPESC), Registered Landscape Architect, or someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided they have received four (4) hours of NYSDEC endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity).

3. Qualified Inspector:

- a. The Contractor shall provide a qualified inspector to complete the site assessments/inspections required for the project as outlined in the SWPPP and SPDES General Permit requirements. A report shall be complete and submitted to VA for each site assessments/inspection completed.
- b. Verbally report any deficiencies or corrective actions required to the Contractor and COR on the day the site assessment/inspection takes place.
- c. "Qualified Inspector" means a person that is knowledgeable in the principles and practices of erosion and sediment control, such as a licensed Professional Engineer, Certified Professional in Erosion and Sediment Control (CPESC), Registered Landscape Architect, or other NYSDEC endorsed individual(s). It can also mean someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided that person has training in the principles and practices of erosion and sediment control. Training in the principles and practices of erosion and sediment control means that the individual working under the direct supervision of the licensed Professional Engineer or Registered Landscape Architect has received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other NYSDEC endorsed entity. After receiving the initial training, the individual working under the direct supervision of the licensed Professional Engineer or Registered Landscape Architect shall receive four (4) hours of training every three (3) years. It can also mean a person that meets the Qualified Professional qualifications in addition to the Qualified Inspector qualifications.

- d. The Contractor shall certify that the qualified inspector is not one who is a regular employee of the Contractor, and that the qualified inspector has no financial interest in the Contractor's company.
4. Qualified Professional:
  - a. The Contractor shall provide a qualified professional who shall complete the NYSDEC NOT Form at the completion of the construction including the certifications.
  - b. The qualified professional shall also complete any required revisions or amendments required to the SWPPP during construction. Revision and amendments shall conform to the SWPPP and SPDES General Permit requirements. All revisions and amendments to the SWPPP shall be completed within 7 days of determining a need for the revision or amendment.
  - c. "Qualified Professional" means a person that is knowledgeable in the principles and practices of stormwater management and treatment, such as a licensed Professional Engineer, Registered Landscape Architect or other NYSDEC endorsed individual(s). Individuals preparing SWPPPs that require the post-construction stormwater management practice component must have an understanding of the principles of hydrology, water quality management practice design, water quantity control design, and, in many cases, the principles of hydraulics. All components of the SWPPP that involve the practice of engineering, as defined by the NYS Education Law (see Article 145), shall be prepared by, or under the direct supervision of, a professional engineer licensed to practice in the State of New York.
  - d. The Contractor shall certify that the qualified professional is not one who is a regular employee of the Contractor, and that the qualified professional has no financial interest in the Contractor's company.
5. On-Site Documents: The contractor will retain a copy of the SWPPP, NOI, NOI Acknowledgment Letter, Contractor/subcontractor's certification(s) and inspection log book at the construction site during all phases of construction activities and until the NOT has been submitted to the NYSDEC. The documents must be maintained in a secure location, such as a job trailer, on-site construction office, or mailbox with lock; that is accessible during normal working hours to an individual performing a compliance inspection.
6. The Contractor shall at all times properly operate and maintain all facilities and systems of treatment and control (and related

appurtenances) which are installed or used at the work site to achieve compliance with the permit. Proper operation and maintenance also includes appropriate quality assurance procedures and/or auxiliary facilities installed when necessary to achieve compliance with the requirements of the permit.

7. The Contractor is responsible for all subcontractors he/she employs and must oversee their compliance.
8. Contractor shall not undertake an activity that will result in soil disturbance in excess of 5 acres.
9. Contractor shall begin implementing corrective actions within one business day of being notified by the qualified inspector or trained contractor of deficiencies and shall complete the corrective actions within a reasonable time frame.
10. The Contractor shall allow a representative of NYSDEC, upon presentation of credentials and other documents as may be required by law, to have access to and copy (at reasonable times) any records that must be kept under the conditions of the SPDES permit, and to inspect (at reasonable times) all facilities or equipment.

- - - E N D - - -