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PART 1 GENERAL

1.01 SECTION INCLUDES

- A. General.
- B. Pollution Control.
- C. Oil Pollution Prevention / SPCC Plan.
- D. Soil Disturbing Activities.
- E. Grading, Erosion, & Sediment Control.
- F. Stormwater Pollution Control.
- G. Water Quality Control.
- H. Air Quality Control.
- I. Asbestos.
- J. Lead Based Paint.
- K. Odor Control.
- L. Noise Control.
- M. Submittals.

1.02 GENERAL

- A. This Specification provides procedures and requirements pertaining to environmental controls, and information to assist CONTRACTOR with environmental compliance.
- B. In the event of conflicts between this Specification and the requirements of the Laws and Regulations; the more restrictive shall apply.
- C. Unless otherwise directed by UTILITIES, costs related to this Specification shall be considered inherent to Work, and be included in the Contract Price (i.e., no separate measurement and payment).

- D. Refer also to:
1. Section 01 35 43 - Environmental Procedures.
 2. Section 01 41 00 - Permit Requirements.
 3. Section 01 74 19 - Waste Management & Waste Disposal.

1.03 POLLUTION CONTROL

- A. CONTRACTOR shall be aware of the drainage characteristics of the Site in relation to Environmental Receptors.
- B. CONTRACTOR shall provide, install, inspect performance of, and maintain sufficient BMPs / Control Measures to prevent impacts to the Site from potential pollutant sources, including sediment, to Environmental Receptors for the duration of the Work; especially to waterways or storm drain systems.
- C. CONTRACTOR shall prevent pollutants from being tracked off site via roadways. CONTRACTOR shall promptly clean up sediment and other pollutants that are tracked by vehicles out of the immediate Work zone.
- D. CONTRACTOR shall provide secondary containment for all Hazardous Substances and oil containing items with a capacity of ≥ 55 gallons (with the exception of motive power / vehicle containers). CONTRACTOR shall perform daily checks of storage areas and appropriately manage any contained stormwater. Containers holding incompatible materials must not be stored together.
- E. CONTRACTOR shall ensure that the appropriate types and quantities of spill response supplies and personal protective equipment (PPE) are readily available and strategically located on-Site. CONTRACTOR shall periodically perform an inventory check to ensure that used or missing materials are re-stocked.
- F. CONTRACTOR employees trained in emergency spill cleanup procedures must be present during the loading and unloading of Hazardous Substances or Hazardous Materials.
- G. CONTRACTOR shall not burn, bury, or discharge, any Hazardous Substances or Hazardous Materials.

1.04 OIL POLLUTION PREVENTION / SPCC PLAN

- A. CONTRACTOR shall ensure the design, construction, location, installation, and operation of all liquid fuel product tank systems greater than 60 gallons shall conform to the minimum standards prescribed by the applicable sections of NFPA fire code. This includes the testing and inspection requirements contained therein. (C.R.S. §8-20-231)
- B. The definition of "Facility" within 40 CFR Part 112 governs the overall applicability of the Oil Pollution Prevention regulations. Additionally, the regulations apply only to a "Facility" that, due to its location, can reasonably be expected to discharge oil as described in §112.1(b).
- C. The construction project Site shall be considered a "Facility".
1. If the aggregate storage capacity of all on-Site oil containing items that are ≥ 55 gallons (i.e., bulk storage containers, electrical / operational / manufacturing equipment, mobile refuelers, tank trucks, etc.) exceeds 1,320 gallons,
 2. And the location of the project can reasonably be expected to discharge oil as described in §112.1(b),
 3. Then CONTRACTOR shall comply with the requirements of 40 CFR Part 112 and prepare and implement a Spill Prevention, Control, and Countermeasure (SPCC) Plan.
- D. Only a Colorado registered Professional Engineer shall make a determination that, due to its location, the project cannot reasonably be expected to discharge oil as described in §112.1(b).

CONTRACTOR shall provide to UTILITIES such written determination (signed and stamped) with supporting rationale, if the "location" exemption is to be claimed.

- E. The regulations apply to oil of any kind or in any form (including but not limited to gasoline, diesel, fuel oil, motor oil, synthetic oil, mineral oil, gear oil, hydraulic oil, used oil, transmission fluid, engine fluids, metalworking fluids, compressor lubricants, turbine lubricants, asphalt cement, asphalt emulsions, asphalt cutbacks, grease, animal fats, and vegetable oils).

1.05 SOIL DISTURBING ACTIVITIES

- A. CONTRACTOR shall be knowledgeable of and comply with the CDPHE's requirements for any person who disturbs Debris or exposes Debris during Soil Disturbing Activities (6 CCR 1007-2 Part 1 § 5.5).
- B. Prior to performing Soil Disturbing Activities, CONTRACTOR shall visually inspect the area for readily apparent Debris and indications of buried Debris or undocumented or artificial fill (i.e., encroached waterways, filled gullies, drainages, and similar features).
- C. Prior to project completion, CONTRACTOR shall revegetate disturbed areas with weed-free seed and weed-free mulch materials. CONTRACTOR shall use a seed mix that is appropriate in the surrounding landscape, with a preference for native species. CONTRACTOR shall ensure noxious weeds do not establish at the Site.

1.06 GRADING, EROSION, & SEDIMENT CONTROL

- A. CONTRACTOR shall provide, install, inspect performance, and maintain sufficient BMPs / Control Measures for all land disturbance activities to prevent increases in erosion and sedimentation over pre-construction conditions for the duration of the Work.
- B. CONTRACTOR shall determine and comply with the requirements of each Authority Having Jurisdiction (AHJ).
- C. CONTRACTOR shall preserve existing vegetation to the maximum extent practicable.
- D. CONTRACTOR shall minimize amount of bare soil exposed at one time.
- E. Water sprayed for dust control and irrigation shall be managed by CONTRACTOR to avoid causing runoff and erosion.

1.07 STORMWATER POLLUTION CONTROL

- A. CONTRACTOR shall not discharge stormwater to a sanitary sewer system without approval from AHJ.
- B. CONTRACTOR shall not discharge stormwater noted or suspected of being contaminated, without approval from AHJs.
- C. If the Area of Disturbance related to Work will be at least 1 acre of land (or is part of a larger common plan of development or sale that will disturb at least 1 acre), CONTRACTOR shall:
 - 1. Obtain and comply with a Colorado Discharge Permit System - Stormwater Construction Permit.
 - a. Prepare a Stormwater Management Plan (SWMP).
 - b. Complete and submit a Notice of Intent and Application for coverage at least 10 days prior to the start of construction activities.
 - c. Implement and maintain the SWMP. Provide necessary erosion control measures, such as surface roughening, seeding, soil binders, mulching, rolled erosion control products, slope drains, etc.

- d. Provide necessary sediment control measures, such as silt fence, sediment control log, vehicle tracking control, straw bale barrier, rock sock, etc.
 - e. Control measures must not only be properly selected and installed, but also must be inspected, maintained, and properly repaired for the duration of the Work.
 2. Obtain executed Permit termination or transfer, if agreed.
- D. If the Area of Disturbance related to Work will be less than 1 acre of land, CONTRACTOR shall:
1. Provide, install, inspect performance, & maintain sufficient BMPs / Control Measures to prevent impact from potential pollutant sources to stormwater.
- E. Local AHJs in many cases have their own stormwater requirements, such as those of a MS4 program. Where local requirements exist, CONTRACTOR shall comply with the requirements of both the CDPHE and local AHJs.
1. If Work is within the City of Colorado Springs, be knowledgeable of the City's Construction Stormwater Manual.
- F. If Work is on Federal Land, CONTRACTOR shall comply with the Federal agency's stormwater requirements.
- G. Concrete Washout
1. Dispose in accordance with Section 01 74 19 - Waste Management & Waste Disposal.

1.08 WATER QUALITY CONTROL

- A. CONTRACTOR shall not dewater or discharge to private property, without written permission from the land-owner and UTILITIES.
- B. Potable Water Discharges
1. CONTRACTOR shall comply with the current version of the CDPHE's Water Quality Policy 27 – Low Risk Discharge Guidance for Discharges of Potable Water.
- C. Power Washing Operations
1. CONTRACTOR shall comply with the current version of the CDPHE's Water Quality Policy 27 – Low Risk Discharge Guidance for Discharges from Surface Cosmetic Power Washing Operations to Land.
- D. Dewatering of Utility Vaults or Similar Structures
1. CONTRACTOR shall comply with the current version of the CDPHE's Vault Dewatering Guidance.
- E. Dewatering or Discharging to Land, Surface Waters, and/or a Storm Sewer System
1. This section applies to uncontaminated groundwater, surface water, and/or stormwater commingled with groundwater or surface water (herein referred to as "source water"); regardless of whether the discharge is sporadic, intermittent, or continuous. If the "source water" has any reasonable potential to contain a pollutant at a concentration that is greater than a numeric water quality standard of the receiving water (i.e., assumed to be groundwater for discharges to land only), CONTRACTOR shall promptly notify UTILITIES and pursue alternate allowable options.
 2. CONTRACTOR shall, as appropriate:
 - a. Comply with the current version of the CDPHE's Water Quality Policy 27 – Low Risk Discharge Guidance for Discharges of Uncontaminated Groundwater to Land, and/or
 - b. Obtain and comply with the CDPHE's General Permit COG080000 for Discharges from Short-Term (< 2 years) Construction Dewatering Activities.
 3. CONTRACTOR shall determine and comply with local dewatering requirements, if any, such as those of a MS4 program.
 4. CONTRACTOR shall comply with the Colorado Department of Natural Resources – Division of Water Resources (DWR's) requirements (i.e., see the definition of Dewatering Wells in C.R.S 37-91-102, and the related rules).

- a. This section applies to any groundwater dewatering discharge and/or pumping activities and is in addition to the CDPHE's dewatering requirements.
- b. CONTRACTOR shall obtain approval from DWR:
 - 1) If discharge is to land and/or the nearest surface stream to the site, CONTRACTOR shall file a Notice of Intent to construct a dewatering well at least 72 hours before discharge commences.
 - 2) If discharge is taken off-site, then CONTRACTOR shall obtain a Well Permit and prepare a Substitute Water Supply Plan (SWSP). DWR requires a minimum of 120 days for review & approval.
5. If a Colorado Discharge Permit System - Stormwater Construction Permit has been obtained for the project, discharges to the ground of water from construction dewatering activities may be authorized by the CDPHE, provided that:
 - a. The source is groundwater and/or groundwater combined with stormwater that does not contain pollutants in concentrations exceeding the State groundwater standards in Regulations 5 CCR 1002-41 and 42;
 - b. The source is identified in the SWMP;
 - c. BMPs are included in the SWMP, as required by Part I.C.3(c)(8);
 - d. These discharges do not leave the site as surface runoff or to surface waters; and
 - e. Requirements of local AHJs are not more stringent.
- F. Dewatering or Discharging to Publicly Owned Treatment Works (POTW) / Sanitary Sewer System
 1. CONTRACTOR shall comply with all applicable prohibitions and limitations of the local AHJ.
 2. CONTRACTOR shall not discharge any groundwater, surface water, or stormwater into a sanitary sewer, without approval from AHJ.
 - a. CONTRACTOR shall comply with the Colorado Department of Natural Resources – Division of Water Resources' requirements (i.e., see the definition of Dewatering Wells in C.R.S. § 37-91-102, and the related rules).
- G. Hydrostatic Testing of Pipelines, Tanks, and Similar Vessels
 1. CONTRACTOR shall obtain and comply with the CDPHE's General Permit COG604000 for Discharges Associated with Hydrostatic Testing of Pipelines, Tanks, and Similar Vessels.
- H. Discharges to Surface Water from Well Development and Pump Testing Activities
 1. CONTRACTOR shall obtain and comply with the CDPHE's General Permit COG608000 for Discharges to Surface Water from Well Development and Pumping Test Activities.
- I. Underground Injection
 1. EPA Region 8's Underground Injection Control Program
 - a. Not allowed.
- J. Discharges from Short-term (< 2 year) Remediation Activities
 1. Reserved.
- K. Discharges from Long-term (≥ 2 year) Remediation Activities
 1. Reserved.

1.09 AIR QUALITY CONTROL

- A. General
 1. CONTRACTOR shall not create hazardous or nuisance air quality conditions.
 2. CONTRACTOR shall identify air pollution generating equipment or processes that may require Permits or associated submittals, such as a CDPHE Air Pollution Emission Notice (APEN).
- B. Fugitive Dust & Particulate Control
 1. Dust particles, aerosols, and gaseous by-products from construction activities, and processing and preparation of materials must be controlled by CONTRACTOR at all times.

2. CONTRACTOR shall furnish labor, equipment, and materials to control dust at all times, including evenings, holidays, and weekends.
 3. Primary Fugitive Dust causes are typically wind erosion and mechanical disturbance.
 - a. High temperatures, low humidity, and windy conditions may merit augmented controls.
 - b. Cover trucks hauling dirt or other dust generating materials.
 - c. Vehicle speeds on unpaved haul routes shall be controlled.
 - d. Perform checks to monitor whether Fugitive Dust is being generated.
 4. If Fugitive Dust is being generated, CONTRACTOR shall apply additional water or promptly initiate other dust control techniques. CONTRACTOR shall obtain approval from UTILITIES for dust suppressants or dust control binders prior to use. CDPHE'S approval may also be needed. CONTRACTOR shall consider products that have significant bio-based content, when compared with competing products that serve the same purpose.
 5. CONTRACTOR may be required to reduce or halt operations at times during high wind events causing Fugitive Dust emissions.
 6. CONTRACTOR shall ensure that excavation, storage, handling, and transportation of Hazardous Substances and Hazardous Materials result in no visible dust migration.
 7. CONTRACTOR shall be liable for any damage or harm resulting from dust originating from CONTRACTOR's operations.
- C. Land Development Activities
1. For this section, Land Development refers to all land clearing activities, including but not limited to land preparation such as excavating or grading.
 2. For Land Development activities that are <25 contiguous acres and <6 months in duration are exempt from CDPHE's permitting requirements:
 - a. CONTRACTOR shall use sufficient BMPs / Control Measures to minimize to the extent practicable the release of Fugitive Dust.
 - b. However, El Paso County permit requirements apply, and the CONTRACTOR shall obtain and comply with El Paso County Public Health's General Construction Permit – Land Development Projects Permit No. GP03.
 3. For Land Development activities that are ≥25 contiguous acres or ≥6 months in duration.
 - a. CONTRACTOR shall obtain and comply with the CDPHE - Air Pollution Control Division's General Construction Permit for Land Development Projects.
 - b. When the general permit isn't applicable or doesn't meet the unique needs of a facility, then CPDHE will issue an individual permit through the traditional construction permit process.
- D. Construction Activities
1. CONTRACTOR shall determine local requirements, if any, and comply with requirements of AHJs applicable to all construction activities.
 2. If Work is within El Paso County and construction activity will be <6 months in duration, and Land Development is ≥1 acre but <25 acres:
 - a. CONTRACTOR shall obtain and comply with El Paso County Public Health's General Construction Permit – Land Development Projects Permit No. GP03.
 - b. Construction Activity includes, but is not limited to excavations, grading, and overlotting by mechanical processes which may result in particulate matter being released into the ambient air.
- E. Demolition
1. CONTRACTOR shall obtain and comply with the CDPHE - Air Pollution Control Division's Demolition Notification Application for all demolition activities.
 2. CONTRACTOR shall determine local requirements, if any, and comply with requirements of AHJs applicable to demolition activities.
 3. If Work is within the jurisdiction of the Pikes Peak Regional Building Department:
 - a. CONTRACTOR shall obtain and comply with their Wrecking Permit requirements, if applicable
- F. Refrigerants

1. CONTRACTOR shall implement management practices and control measures to ensure that heating, ventilation, and air conditioning (HVAC) work involving refrigerants complies with 40 CFR Part 82 requirements.
2. CONTRACTOR shall ensure that technicians are certified, use certified equipment, and log work that requires the addition or removal of refrigerant.
3. Accidental venting of a refrigerant is a release and must be reported immediately by CONTRACTOR to UTILITIES.

1.10 ASBESTOS

A. Demolition or Abatement

1. CONTRACTOR shall provide CDPHE notification for all demolitions of all facilities (see definition in AQCC's Regulation 8, Part B) and all Asbestos abatement projects that exceed the trigger levels, whichever is the lesser quantity. The notification requirements apply to both friable and non-friable asbestos materials.
2. CONTRACTOR shall obtain a CDPHE Permit for the abatement of friable asbestos projects where the quantity of asbestos containing material to be abated exceeds the trigger levels, whichever is the lesser quantity, and the work is in an area of public access.
3. CONTRACTOR shall determine local requirements, if any, and comply with requirements of AHJs applicable to demolition or abatement activities involving Asbestos.

1.11 LEAD BASED PAINT

- ##### A. Manage in accordance with applicable Laws and Regulations.

1.12 ODOR CONTROL

- ##### A. CONTRACTOR shall ensure that Work that causes excessive odors shall be performed only after coordination and collaboration with UTILITIES. The Work may need to be performed during off-hours, unless odor control measures are implemented. UTILITIES may stop Work if bothersome odors or vapors from the Work generate complaints from building occupants, site workers, and/or the public. Any additional cost associated with performing Work at night due to odor control concerns will be the sole responsibility of CONTRACTOR.

1.13 NOISE CONTROL

- ##### A. CONTRACTOR shall provide methods, means, and facilities to minimize noise produced by construction operations and equipment.
- ##### B. CONTRACTOR shall perform noise-producing work in less sensitive hours of the day or week.
- ##### C. CONTRACTOR shall comply with all local sound codes and ordinances.

PART 2 PRODUCTS

NOT USED

PART 3 EXECUTION

3.01 SUBMITTALS

- ##### A. Submittals to be provided by the CONTRACTOR shall include but are not limited to the following:
1. Environmental Compliance Documentation
 - a. Upon request by UTILITIES' Representative, or otherwise upon substantial completion of Work, furnish via PM SaaS in accordance with Section 01 33 12 – PM SaaS, copies of Environmental Compliance Documentation.
 2. Oil Pollution Prevention

- a. Prior to performance of Work, furnish via PM SaaS in accordance with Section 01 33 12 – PM SaaS, a non-applicability determination for 40 CFR Part 112, if the "location" exemption is to be claimed.

END OF SECTION