



Appendix 6-C: Soils and Material Management Plans

EM&CP SEGMENT 20A
SOIL AND MATERIALS MANAGEMENT PLAN
CASE 10-T-0139

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1.0 INTRODUCTION

This Soil and Materials Management Plan (Plan) has been developed as an Appendix to the Environmental Management and Construction Plan (EM&CP) which was developed by NKT for the Champlain Hudson Power Express (CHPE) Project (Project). The objective of this Soil and Materials Management Plan is to set guidelines for the management of excavated soil and other materials generated by construction associated activities with the construction of the Bulkhead Penetration and Tie-in to the Transiting Vault (by others) at the Waste Management site as part of Segment 20A EM&CP.

2.0 MATERIAL GENERATION

During construction of the CHPE Project, material (i.e., soil, asphalt, concrete, tree debris, etc.) will be generated because of construction and by the excavation of the trench, splice locations, and other land disturbance activities. Generated material will be directly loaded into trucks and/or lined roll-offs and will be temporarily staged on-site or directly transported to an approved staging facility for sampling, characterization, and off-site re-use or proper transportation and disposal to an approved facility (see Table 5-1). The following narrative discusses the best management practices (BMP) and regulatory requirement to manage this material depending on its type, characteristics, and volume.

1. Sections 3.0 and 4.0 discuss the general procedure to classify the soil material as uncontaminated or contaminated soil for off-site disposal at an approved location by NYSDEC¹. Disposal will occur off-site at an upland (i.e., not a wetland or waterbody) location.
2. Section 5.0 describes specific disposal locations based on classification of the material.
3. Section 8.0 describes the regulatory requirements and best management practices required for other potential waste materials that may be generated during construction.

When excavated material cannot be temporarily stockpiled onsite for use as backfill in trenches, it will be directly loaded into trucks and/or lined roll-offs (based on if the material is impacted or not) at the point of generation. It will then be transported to a temporary staging area or transfer station, sampled and tested prior to off-site transportation and disposal in accordance with this Soil and Materials Management Plan, the Project Erosion and Sediment Control Plan and the Material Handling Plan (Attachment A).

¹ https://www.dec.ny.gov/docs/materials_minerals_pdf/listregcdprocess.pdf

3.0 CLASSIFYING MATERIAL

According to Title 6 of the New York Codes, Rules, and Regulations (NYCRR) 360.2(107) fill material is soil and similar material excavated for the purpose of construction or maintenance. This material will be generated from excavation of trenches and other earthwork construction activities associated with the Project as described in Section 2.0. For Segment 20A, excavated material will be placed in a dump truck and/or lined roll-off and transported to a staging area where it will be sampled, tested, and properly transported and disposed of in accordance with this Plan. Soil/fill observations will be documented by the Environmental Inspector (EI) or their designee who will maintain a record to be submitted to the Certificate Holders on a regular basis determined by the EI (See Section 3.0 of the EM&CP for the qualifications and responsibilities of the EI). This record will be submitted to Department of Public Service (DPS) Staff upon request or as needed.

If the material is generated from within the public right-of-way (ROW), it will be transported (under a NYSDEC Part 364 permit and a New York City Waste Transporter Permit) to a local transfer station where it will be sorted and classified in accordance with the NYSDEC regulations (Part 360) regarding the beneficial off-site reuse of fill material (Table 3-1 below)

Fill Material Type	Fill Material End Use	Physical Criteria	Maximum Concentration Levels
General Fill	<i>Any setting</i> where the fill material meets the engineering criteria for use, except: 1. Undeveloped land; 2. Agricultural crop land.	Only soil, sand, gravel or rock; no non-soil constituents.	Lower of Protection of Public Health-Residential Land Use and Protection of Groundwater in section 375-6.8(b) of Title 6.
Restricted-Use Fill	Engineered use for 1. embankments 2. subgrade in transportation corridors, 3. on sites where in-situ materials exceed Restricted-Use Fill or Limited-Use Fill criteria. Must be placed above the seasonal high water table.	Up to 40 percent by volume inert, non-putrescible non-soil constituents.	General Fill criteria except that up to 3 mg/kg (dry weight) total benzo(a)pyrene (BAP) equivalent. No detectable asbestos. In Nassau or Suffolk County – BAP equivalent does not apply. Polycyclic aromatic hydrocarbons must not exceed Protection of Groundwater Soil Cleanup Objectives in section 375-6.8(b) of this Title.
Limited-Use Fill	Engineered use for under foundations and pavements above the seasonal high water table.	No volume limit for inert, non-putrescible non-soil constituents.	General Fill criteria, except up to Protection of Public Health-Commercial SCOs for metals; up to 3 mg/kg (dry weight) benzo(a)pyrene equivalent is allowed. No detectable asbestos.

For Maximum Concentration Levels for each Fill Material Type, see 6 NYCRR 360.13(f).

Table 3-1 Acceptable Fill Material Uses (6 NYCRR 360.13(f))

If the excavated material has evidence of contamination (based on sight and smell), the material will be placed in a lined dump truck, transported to a temporary staging area, sampled, and classified based on laboratory analysis as described in the following paragraph and Section 8. See Table 5-1 for additional information.

For Segment 20A, if soil/groundwater exhibits evidence of contamination (visual or olfactory), the Contractor will stop work in the area and mobilize a qualified geotechnical contractor to sample, test, characterize, and manage the material with transportation to an approved disposal facility. The soil/groundwater will be characterized by testing samples for the following analyses:

1. The Metals (Method 6010B), Polychlorinated biphenyls (PCBs) (Method 8082)/Pesticides (Method 3546), and Semivolatile Organic Compounds (SVOCs) (Method 8270) listed in Section 375- 6.8(b) of Title 6 of the CRR-NY;
2. Asbestos (Method 600/R-93/116) if demolition of structures has occurred on the excavation or if buried asbestos is discovered and will be managed in accordance with 56-2.1(w)iii of 12 NYCRR 56;
3. Volume of physical contaminants, if present, based on visual observation;
4. Volatile Organic Compounds (VOCs) (Method 8260) listed in Section 375-6.8(b) of Title 6 of the CRR-NY, if their presence is possible based on knowledge of historic petroleum spills in the vicinity, odors and/or observations of a petroleum sheen or non-aqueous phase liquid (NAPL); and
5. If NAPL is observed, a sample will be collected, and the sample analyzed for TPH Oil Fingerprinting (Method 8100 modified).

Laboratory analysis will be performed by a laboratory currently certified by the New York State Department of Health’s Environmental Laboratory Approval Program (ELAP). If soils/groundwater exhibit evidence of contamination, the Environmental Inspector and/or Certificate Holders will report a “Reportable Event” to the New York State Department of Environmental Conservation (NYSDEC) Oil and Hazardous Materials Spill Hotline (800/518-457-7362) (CC64). If the soils/groundwater do not meet the regulatory requirements of non-hazardous, then they must be disposed of in an off-site approved disposal location.

4.0 SOIL AND GROUNDWATER TRANSPORT OFF-SITE

As described in Section 2.0, all excavated material that is anticipated to be non-contaminated by visual and olfactory means will be placed into dump trucks at the point of generation, transported to a local transfer facility, sampled, and disposed of in accordance with this Soil and Materials Management Plan as well as the procedures outlined in Attachment A. If any excavated soil or encountered groundwater exhibits evidence of contamination as described in Section 3.0, it will be sampled as described in Section 3.0, 8.0 and as outlined in Attachment A.

All transport of excavated soil/groundwater will be performed by licensed haulers with NYSDEC Part 364 permit and New York City Waste Transporter Permit in accordance with appropriate local, state, and federal regulations. Haulers/transporters will be appropriately licensed and loaded vehicles leaving the active work area will be appropriately lined (if material is observed to be potential contaminated based on sight and smell), tarped, securely covered, manifested, and placarded in accordance with local, state, and federal requirements (and all other applicable transportation requirements). Impacted groundwater will be contained in appropriately sized containers (i.e., drums, vac truck, frac tank).

Trucks transporting excavated soil will be secured with tight fitting covers when needed to prevent excess debris and dust around and near the active work area.

Limited metals contamination has been identified along the bulkhead penetration portion of the work area included in Segment 20A. A detailed containment and disposal plan has been developed and is included in the Materials Handling Plan included in Attachment A. If contaminated soil is encountered during other construction activities, every effort will be made to keep truck tires from coming into contact with or potentially contaminated soils. Proper PPE in accordance with HAZWOPER defined in Appendix B to 1910.120 will be worn by the workers in the event impacted material is encountered. If needed, a truck wash/decontamination pad will be operated at the appropriate work/excavation area.

5.0 CONSTRUCTION DERIVED WASTE MATERIALS DISPOSAL OFF-SITE AT APPROVED DISPOSAL FACILITY

During the excavation activities prior to installation of the bulkhead penetration and ductbank, a variety of waste materials will be generated by the Contractor. Each material to be generated (i.e., CD, soil, groundwater, tree logs and branches) and others that may potentially be generated (impacted soil, impacted groundwater, NAPL) is listed below and the proposed disposal location is identified in Table 5-1. Disposal locations have been selected from the list of NYSDEC¹ approved disposal locations.

Based on the tree inventory performed no black cherry trees were identified or needed to be trimmed or removed. In the event, a black cherry tree is identified and needs to be trimmed/removed during construction, an approved landfill will be identified and provided to NYSDPS and NYSDEC for prior approval.

Table 5-1 Disposal Facility by Type

Material Type	Potential Impacted	Disposal Facility
Construction Debris (CD) – asphalt	No	All City Recycling 850 East 133 rd Street Bronx, NY 10454
CD – concrete and rock	No	Allocco Recycling 540 Kingsland Avenue Brooklyn, NY 11222
Soil	No	Allocco Recycling 540 Kingsland Avenue Brooklyn, NY 11222
Soil – Non-hazardous	Yes	Bayshore Soil Management 75 Crows Mill Road Keasbey, NJ 08832
Soil – Hazardous	Yes	Clean Earth of NJ 115 Jacobus Ave. Kearny, NJ 07032
Groundwater	No	Disposed of to City Sewer via a Permit *
Groundwater	Yes	Clean Water of New York, Inc. 3249 Richmond Terrace Staten Island, NY 10303
Non-aqueous Phase Liquid (NAPL)	Yes	Safety Kleen Corporation 1200 Sylvan St. Linden, NJ 07036
Asbestos Containing Material	Yes	Waste Management of Fairless LLC 1513 Bordentown Rd. Morrisville, PA 19067
Trees (Trimmed Branches)	No	Cooper Recycling 123 Varick Avenue Brooklyn, NY 11237
* The discharge of groundwater associated with dewatering operations will require approval and permitting by NYCDEP via a New York City Dewatering and Discharge Permit.		

Or Trees (Black Cheery)	No	Currently no black cherry trees have been identified in the Tree Inventory of the alignment. If a black cherry tree is identified by the CA, an approved landfill will be identified and submitted to the NYSDPS as a changed condition for prior approval.
Metal	No	Allocco Recycling 540 Kingsland Avenue Brooklyn, NY 11222

Excavated soil will be disposed of at an approved disposal facility in accordance with all local, state, and federal regulations. This includes all applicable sections of NYCRR Part 360. Actual disposal quantities and associated documentation will be reported as required by NYCRR Part 360. This documentation may include waste profiles, test results, facility acceptance letters, manifests/bills of lading and facility receipts/weight tickets. At minimum NYCRR Part 360 Series Waste Tracking Documents for Construction and Demolition Debris will be completed and submitted to the appropriate NYSDEC department and DPS Staff.

If impacted groundwater is encountered, the water will be addressed using a Vac truck to contain the impacted groundwater prior to off-site transportation to an approved facility. If NAPL and/or sheen is observed, the NAPL will be sampled; oil absorbent pads/socks will be utilized to contain the NAPL/sheen on the water table. Proper PPE will be worn.

6.0 CONTAMINATION AND WASTE CHARACTERIZATION

Various site walks were performed by Project staff prior to the commencement of construction and no evidence of contamination was observed within Segment 20A. Additionally, the NYSDEC Remediation database was reviewed in June 2023 and no remediation sites or releases of on-going concern were identified near Segment 20A. If contaminated soils and/or sites are encountered during the construction phase of Segment 20A, the following procedures will be followed:

1. Field screening for evidence of contamination such as the presence for volatile organic compounds (VOCs) will be performed using a photoionization detector (PID) on any soils excavated within 500 feet of known contamination sites.
2. Soils exhibiting PID readings below 10 ppm, will be considered non-contaminated and can be disposed of as non-hazardous.
3. Soils exhibiting PID readings of 10 ppm or greater will be segregated from non-contaminated soil and disposed of in accordance with the NYCRR Part 360.
4. Air particulate monitoring will also be performed within 500 feet of all known contamination sites in accordance with DER-10 (See Section 7.2).
5. As per Certificate Condition (CC) 64, the Environmental Inspector and/or the Certificate Holders will report a Reportable Event to NYSDEC via the NYSDEC Oil and Hazardous Materials Spills Hotline (800/518-457-7362) (CC64). In addition, as per the Best Management Practices (BMP) document, the Certificate Holders have established points of contact with the NYSDEC and DPS Staff who will also be notified in the event contamination is discovered. These contacts are:
 - a. Matt Smith with DPS ((518) 402-5141) and
 - b. Emily Thiel with DEC ((518) 402-1274).

In the event that field evidence of contamination is identified, potentially contaminated soils will be segregated and direct loaded into a lined roll-off/truck. The potentially impacted soils will then be sampled as described in Section 3.0. The contaminated soil will be properly characterized and disposed of at an off-site NYSDEC permitted facility.

In the event that contamination in the ground is detected during overland construction and such contamination is of the kind that will lead to volatilization or off-gassing of such

contamination/chemical constituents, the Certificate Holders will contact the New York State Department of Health (NYSDOH) and DPS Staff prior to further disturbance (CC64).

If any groundwater from the construction site (i.e., trench water) exhibits visual or olfactory evidence of contamination, it will be sampled and stored in a frac or similar container, removed off-site in accordance with applicable environmental regulations, and disposed of in one of the approved NYSDEC¹ locations. If evidence of a release or spill are detected in the soil during construction, as a result of the Project's activities, construction activities will be immediately halted in the area, and the Environmental Inspector will be notified. All field screening of soil, water, and air particulate monitoring will be performed in accordance with applicable environmental regulations including the NYSDEC Division of Environmental Remediation DER-10 Technical Guidance for Site Investigation and Remediation and the New York State Department of Health (NYSDOH) Generic Community Air Monitoring Plan (CAMP) (CC64). All results from field screening will be documented by the Environmental Inspector, in coordination with NYSDEC and DPS Staff. All necessary laboratory analysis will be performed by a laboratory with all applicable and required certifications.

If any excavated soils are found to exhibit visual or olfactory evidence of impact or contamination construction activities in the vicinity will be halted, and the Environmental Inspector will be notified. The procedures that will be followed in the event of a release or spill are described in the EM&CP Spill Prevention Control Plan in Appendix I. Any excavated soils that are found to contain hazardous substances will be analyzed and disposed of in accordance with the applicable solid waste and environmental regulations. These may include but are not limited to 6 NYCRR 360.13(d), (e), and (f).

The Environmental Inspector will report the unanticipated encounter of contaminants to the Certificate Holders, who will notify the NYSDEC, DPS Staff, and any applicable property owners. Construction will not be resumed until the contaminants of concern have been properly removed and approval to continue construction activities in the area of concern has been granted by the Environmental Inspector. All future construction activities at the referenced area of concern will be conducted in accordance with all applicable environmental regulations and procedures of this EM&CP.

The identification, handling, storage, testing and disposal of excess materials will be conducted in

accordance with the procedures outlined in this section of the EM&CP as well as applicable local, state, and federal safety and environmental regulations, requirements, and guidelines. If supplemental field screening or laboratory analysis of excess material not already identified in this Soil and Material Management Plan is required or necessary due to a change in field conditions, the subcontractors will submit a proposal for sampling needs to the Certificate Holders and Contractors as needed.

6.1 Soil Sampling Procedures

Soil sampling is conducted in potentially contaminated areas of concern (based on visual or olfactory methods), whether relating to historical spills or via migration from impacted adjacent properties, to determine whether contaminants are present above applicable standards. Surface soil sampling within Segment 20A is not anticipated since the entire alignment is primarily covered with asphalt or concrete. Sample locations will be biased to suspected areas of greatest contamination including soil discoloration, sheen, odor, etc. Sample locations are also chosen based on area specific requirements. This includes sampling in locations that includes past or present usage or hazardous substances or wastes, historical spills, and discharge points of past or present processes from adjacent properties. In general, the first 0-6 inches depth of soil is collected, however if evidence of contamination (staining, odors, etc.) persist additional sampling at deeper depths will be performed.

Composite Subsurface Sampling:

- a. For Composite Sampling (applicable to non-VOC's only) where several discrete samples (of equal volume) are mixed together, collect the sample from 0-6 inches depth (or as specified by the Environmental Inspector) from the first composite point. Cover the stainless-steel bowl with aluminum foil and proceed to the next sampling point. Repeat between locations. If VOC samples are also being collected at each discrete point, the stainless-steel spoon/trowel will be decontaminated between locations (Refer to Step 4). Once equal volumes of soil have been collected from each point which will make up the composite sample, the soil will be homogenized to create a representative sample. Prior to homogenization, twigs, roots, leaves, rocks, and miscellaneous debris will be removed from the sample using the stainless-steel spoon or spatula. The soil will be mixed, quartered (divided into 4), and mixed again until a consistent physical appearance over the homogenized soil has been obtained. The soil will be transferred into the appropriate sample container using a stainless-

steel spoon or spatula.

1. Label the sample bottles (if the bottles are not pre-printed) with the sample location name, collection time, project name, analysis to be performed, and any other field required on the label.
2. Place the properly labeled sample bottles in a cooler with ice and maintain at 4°C for the duration of the sampling and transportation period. Do not allow samples to freeze. Describe and record the following properties of the sample: basic soil type (e.g., sand, gravel, and clay), structure, texture, sorting, grain size and shape, degree of saturation, color, odor, staining, and presence of foreign material.
3. After sampling is completed, the sampling location will be marked temporarily by a wooden stake and flagging and/or wire flag. The station number and date of sampling will be written on the stake using a permanent marker or other waterproof ink. A properly calibrated GPS unit will be used to mark the sample location.
4. Decontaminate the sampling equipment using a biodegradable detergent or other detergent as approved by the Environmental Inspector and move to the next sampling location. Repeat steps 1 through 4 for subsequent sampling locations. A SDS for the biodegradable detergent will be provided to the NYSDPS and EI for prior approval.
5. Soil samples will be packed and shipped to the laboratory with Chain of Custody Documentation for analyses.

6.2 Community Air Monitoring Plan (CAMP)

As stated above all field screening of soil, water, and air particulate monitoring will be performed in accordance with applicable environmental regulations including the NYSDEC Division of Environmental Remediation DER-10 Technical Guidance for Site Investigation and Remediation and the New York State Department of Health (NYSDOH) Generic Community Air Monitoring Plan (CAMP) (CC64). Per Certificate Condition 64, if contamination in the ground is detected during overland construction and such contamination is of the kind that will lead to volatilization or off-gassing of such contamination or chemical constituents thereof, the Certificate Holders with the assistance of the Environmental Inspector will implement a Generic CAMP if applicable. All procedures and practices included in the DER-10 Technical Guidance for Site Investigation and Remediation Appendix 1A: NYSDOH Generic Community Air Monitoring Plan will be followed (CC64).

8.0 DISPOSAL OF WASTE MATERIALS OTHER THAN SOIL

Numerous types of materials may be included in the soil material excavated along the project route including asphalt, concrete, metal, etc. In general, all non-soil material will be disposed of at approved disposal locations in accordance with all NYSDEC rules and regulations. Sanitary waste will be collected from portable units by a licensed NYC vendor. Under 15 RCNY § 19-06, companies that collect sanitary waste are only permitted to discharge such waste to the sewer at designated manholes under the terms of a NYCDEP issued scavenger waste permit.

8.1 Solid Waste Streams

Common solid waste streams include:

- General trash
- Wood scrap
- Scrap metal

Other non-hazardous solid wastes requiring special attention include:

- Used oil
- Used antifreeze
- Used oil filters
- Oily rags
- Oil/water mixture
- Concrete sealer/form oil/ water mixture
- Spill debris (i.e., sorbent pads, contaminated soil, PPE, etc.) (See the Spill Prevention, Control and Countermeasures Plan (SPCC) (Appendix I of the EM&CP).

These waste streams will be managed as indicated below.

General Trash. This stream includes construction waste and office trash. Trash cans will be located at each site along the right of way for collecting general trash. Trash cans must have a lid. All general trash containers must be labeled “TRASH”. Trash containers will be dumped regularly and will not be overfilled. Trash will be disposed of at a landfill that has been reviewed and approved by the NYSDPS and NYSDEC.

Wood Scrap. Wood pallets, wire spools, concrete forms and other wood scrap will be collected separately and brought back to a local E-J yard for proper disposal. Wood scrap containers will be labeled “WOOD SCRAP”. Wood scrap will be recycled if practical and cost effective to do so. Otherwise, it will be land filled at a NYSDPS and NYSDEC approved facility.

Scrap Metal. Metal scrap will be collected and brought back to a local E-J Yard and stored in a roll-off box and recycled. All scrap metal containers will be labeled “SCRAP METAL”.

Used Oil. Used oil may not be mixed with any other chemical and must be recycled. Drip pans will be emptied into a sealed container by the end of each shift. Used oil must be stored in drums, totes or tanks. These containers must be closed tightly when not in use and must be clearly labeled

“USED OIL”. Used oil will be stored in 55-gallon drums, clearly labeled and closed tightly, and will be transported off site within 90 days of initial accumulation for recycling at NYSDEC approved facility.

Used Antifreeze. Used antifreeze may not be mixed with any other chemical and must be recycled. Drip pans will be emptied into a sealed container by the end of each shift. Used antifreeze will be stored in 55-gallon drums. These drums must be closed tightly when not in use and must be clearly labeled.

Used Oil Filters. Used oil filters must be gravity drained for 24 hours before they can be disposed of. Oil filters will be collected in drums or other specified containers and recycled by an approved vendor. Containers of oil filters must be labeled and closed at all times.

Oily Rags. Rags soaked with oil, gasoline, diesel or solvent will be collected in covered containers for disposal by an approved vendor. Containers will be labeled and closed at all times.

Water/Oil Mixtures & Water/Concrete Sealer/Form Oil Mixtures. If water is allowed to collect in secondary containment, it may become contaminated with spillage from products such as oil, form oil or concrete sealer. Drums must be sealed and labeled at all times and transported off-site for disposal at a NYSDPS and NYSDEC approved facility as soon as practicable.

8.2 Asbestos

Asbestos is made up of natural fibers of hydrated silicate minerals and was sometimes used in buildings because of its thermal and electrical insulation properties. Asbestos may be found in cement, plaster, floor tiles, insulation and spray materials (used on ducts, beams, etc.). If encountered, asbestos will be disposed of at a NYSDPS and NYSDEC approved facility and managed in accordance with 56-2.1(w)iii of 12 NYCRR 56. While no asbestos is anticipated to be encountered during the construction of the Project, all relevant health and safety protocols will be followed as described in the Construction and Safety Policies and Procedures (Appendix G of the EM&CP) which follows the standards set forth in OSHA 1926 Subpart C-General Safety and Health Provisions.

8.3 Polychlorinated Biphenyls (PCBs)

Capacitors and ballasts must be handled as PCB unless labels indicate there is no PCBs. Non-PCB equipment will normally be stamped or labeled with the words “non-PCB” or “does not contain PCBs.”

8.4 Lead Paint

Residential, commercial, and industrial buildings constructed prior to 1978 are likely to contain lead-based paint (LBP). While no building removal or disturbance of LBP is anticipated, the Certificate Holders will ensure that all applicable project staff will be trained in lead-safe work practices if any work involving the disturbance of LBP is performed on pre-1978 structures (such as bridges). The United States Environmental Protection Agency (USEPA) requires that if you disturb more than six (6) square feet of interior surface or twenty (200) square feet of exterior service, the construction team must be certified under the 2008 Renovation, Repair, and Painting (RRP) Rule. If encountered, LBP and materials containing LBP will be disposed of at a NYSDPS and NYSDEC approved facility and managed in accordance with the USEPA’s RRP Rule.

8.5 Unexpected Material

If unknown/unexpected materials are encountered that are suspected as being hazardous, toxic, contaminated, radioactive, harmful, etc., immediately:

- Stop work in the affected area, as needed.
- Secure and make the area safe for Company personnel, public and the environment.
- Report the condition in writing and verbally to the Certificate Holders.
- Report the condition to the Environmental Inspector.
- Determine the type of waste and dispose at a NYSDPS and NYSDEC approved disposal facility.

ATTACHMENT A – MATERIALS HANDLING PLAN