

SECTION 01430 – ENVIRONMENTAL PROTECTION

PART 1 – GENERAL

- 1.01 GENERAL: This section covers prevention of environmental pollution and damage during and as the result of construction operations under this contract and for those measures set forth in other sections of the TECHNICAL SPECIFICATIONS. For the purpose of this specification, environmental pollution and damage is defined as the presence of chemical, physical or biological elements or agents which adversely affect human health or welfare; unfavorably alter ecological balances of importance to utility of the environment for aesthetic, cultural and/or historical purposes. The control of environmental pollution and damage requires consideration of air, water and land and includes management of visual aesthetics, noise, solid waste, as well as other pollutants. It is the responsibility of the Contractor to investigate and comply with all applicable Federal, State and County laws and regulations concerning environmental protection and pollution control and to secure all necessary permits.
- 1.02 SUBMITTALS: The Contractor shall submit an environmental protection plan in accordance with the provisions as herein specified. Environmental protection plan shall include but not be limited to the following:
- A. Methods for protection of features to be preserved within authorized work areas. The Contractor shall prepare a listing of methods to protect resources needing protection; i.e., trees, shrubs, vines, grassed and ground cover, landscape features, air and water quality, fish and wildlife, soil, historical, archaeological and cultural resources.
 - B. Procedures to be implemented to provide the required environmental protection and to comply with all applicable laws and regulations. The Contractor shall set out the procedures to be followed to correct pollution of the environment due to accident, natural causes or failure to follow the procedures set out in accordance with the environmental protection plan.
 - C. Drawings showing locations of any proposed temporary excavations or embankments for haul roads, stream crossings, material storage areas, structures, sanitary facilities and stockpiles or spoil material.
 - D. Environmental monitoring plans for the job site, including land, water, air and noise monitoring.
 - E. Methods of protecting surface and groundwater during construction activities.
 - F. Training for his personnel during the construction period.
- 1.03 IMPLEMENTATION: After receipt of Notice to Proceed, the Contractor shall submit in writing the above environmental protection plan for approval of the Engineer with 5 days after Notice to Proceed. Approval of the contractor's plan will not relieve the Contractor of his responsibility for adequate and continuing control of pollutants and their environmental protection measures.

- 1.04 SUBCONTRACTORS: Assurance of compliance with this section by subcontractors will be the responsibility of the Contractor.
- 1.05 NOTIFICATION: The Engineer will notify the Contractor in writing of any observed noncompliance with the aforementioned Federal, State or local laws or regulations, permits and other elements of the Contractor's environmental protection plan. The Contractor shall, after receipt of such notice, inform the Engineer of proposed corrective action and take such action as may be approved. If the Contractor fails to comply promptly, the Engineer may issue an order stopping all or part of the work until satisfactory corrective action has been taken. No time extensions shall be granted or costs or damages allowed to the Contractor for such suspension.

PART 2 – PRODUCTS (NOT USED)

PART 3 – EXECUTION

- 3.01 PROTECTION OF ENVIRONMENTAL RESOURCES: The environmental resources within the project boundaries and those affected outside the limits of permanent work under this contract shall be protected during the entire period of this contract. The Contractor shall confine his activities to areas defined by the drawings and specifications.
- 3.02. PROTECTION OF LAND RESOURCES: Prior to the beginning of any construction, the Contractor shall identify all land resources to be preserved within the Contractor's work area. Except in areas indicated on the drawings or specified to be cleared, the Contractor shall not remove, cut, deface, injure or destroy and resources including trees, shrubs, vines, grasses, topsoil and land forms without special permission from the Engineer. No ropes, cables or guys shall be fastened to or attached to any trees for anchorage unless specifically authorized. Where such special emergency use is permitted, the Contractor shall provide effective protection for land and vegetation resources at all times as defined in the following subparagraphs.
- A. Work Area Limits: Prior to any construction, the Contractor shall mark the areas that are not required to accomplish all work to be performed under this contract. Isolated areas within the general work area, which are to be saved and protected, shall also be marked or fenced. Monuments and markers shall be protected before construction operations commence. Where construction operations are to be conducted during darkness, the markers shall be visible. The Contractor shall convey to his personnel the purpose of marking and/or protection of all necessary objects.
 - B. Protection of Landscape: Trees, shrubs, vines, grasses, land forms and other landscape features indicated and defined on the drawings to be preserved shall be clearly identified by marking, fencing or wrapping with boards or any other approved techniques.
 - C. Reduction of Exposure of Unprotected Erodible Soils: Earthwork brought to final grade shall be finished as indicated and specified. Side slopes and back slopes shall be protected as soon as practicable upon completion of rough grading. All

earthwork shall be planned and conducted to minimize the duration of exposure of unprotected soils. Runoff from the construction site shall be controlled by construction of diversion ditches, benches and berms to retard and divert runoff to protected drainage courses.

- D. Disposal of Solid Waste by Removal From State Property: The Contractor shall transport all solid waste off State property and dispose of it in compliance with Federal, State and local requirements for solid waste disposal.
- E. Disposal of Chemical Waste: Chemical waste shall be stored in corrosion resistant containers, removed from the work area and disposed of in accordance with Federal, State and local regulations.

3.03 PROTECTION OF WATER RESOURCES: The contractor shall keep construction activities under surveillance, management and control to avoid pollution of surface and groundwaters. Special management techniques as shall be implemented to control water pollution.

- A. Protection of Waterways: Construction of drainage facilities as well as performance of other contract work which will contribute to the control of siltation shall be carried out in conjunction with the earthwork operations or as soon as thereafter as is practicable.

Prior to or during any suspension of construction operations for any appreciable length of time, the Contractor shall provide for any temporary erosion control measures deemed necessary. Such measures shall be continued until the permanent drainage facilities have been constructed and when called for, until the protective ground cover is sufficiently established to be an effective erosion deterrent. Should such measures fail and an appreciable quantity of material begins to erode into the natural waterway, the Contractor shall act immediately to bring the siltation under control.

- B. Pollution: The Contractor shall exercise every reasonable precaution throughout the life of the project to prevent pollution of rivers, streams or impoundments. Pollutants such as chemicals, fuels, lubricants, bitumens, raw sewage and other harmful waste shall not be discharged into or alongside of the stream or into natural or manmade channels leading thereto. The Contractor shall also comply with the applicable regulations of the State Department of Land and Natural Resources and other statutes relating to the prevention and abatement of pollution.

The Contractor shall conduct his operations near harbors, bays, swimming and water recreation areas, to avoid and minimize pollution. He shall comply with the applicable regulations of the United States Department of Interior, State Department of Health and other authority having jurisdiction.

Monitoring of water areas affected by construction activities shall be the responsibility of the Contractor. All water areas affected by construction activities shall be monitored by the Contractor.

3.04 PROTECTION OF FISH AND WILDLIFE RESOURCES: The Contractor shall keep construction activities under surveillance, management and control to minimize interference with, disturbance to and damage of fish and wildlife.

3.05 PROTECTION OF AIR RESOURCES: The Contractor shall keep construction activities under surveillance, management and control to minimize pollution of air resources. All activities, equipment, processed and work operated or performed by the Contractor in accomplishing the specified construction shall be in strict accordance with the State of Hawaii Public Health Regulations, Chapter 43, "Air Pollution Control." Special management techniques as set out below shall be implemented to control air pollution by the construction activities, which are included in the contract.

A. Particulates: Dust particles, aerosols and gaseous by-products from all construction activities and processing and preparation of materials shall be controlled at all times, including weekends, holidays and hours when work is not in progress. The Contractor shall maintain all excavations, stockpiles, haul roads, permanent and temporary access roads, plat 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. Sprinkling or other methods approved by the Engineer will be permitted to control particulates in the work area. Sprinkling, to be efficient, must be repeated at such intervals as to keep the disturbed area damp at all times. The Contractor must have sufficient competent equipment available to accomplish this task. Particulate control shall be performed as the work proceeds and whenever a particulate nuisance or hazard occurs.

B. Hydrocarbons and carbon monoxide emissions from equipment shall be controlled to Federal and State allowable limits at all times.

C. Odors shall be controlled at all times for all construction activities, processing and preparation of materials.

D. Monitoring of air quality shall be the responsibility of the Contractor. All air areas affected by the construction activities shall be monitored by the Contractor.

3.06 PROTECTION FROM SOUND INTRUSIONS: The Contractor shall adhere to the requirements of the Department of Health and shall implement acceptable noise abatement methods to minimize the construction noise level.

Noise shall be kept within acceptable levels at all times in conformance with Title II, Administration Rules, Chapter 43, Community Noise Control, State Department of Health, Public Health Regulations. The Contractor shall obtain the pay for community noise permit from the State Department of Health when the construction equipment or other devices emit noise at levels exceeding the allowable limits.

All internal combustion engine-powered equipment shall have mufflers to minimize noise and shall be properly maintained to reduce noise to acceptable levels.

3.07 POST CONSTRUCTION CLEANUP: The Contractor shall clean up areas used for construction.

- 3.08 RESTORATION OF LANDSCAPE DAMAGE: The Contractor shall restore all landscape features damaged or destroyed during construction operations outside the limits of the approved work areas. Such restoration shall be in accordance with the plan submitted for approval by the Engineer. This work will be accomplished at the Contractor's expense.
- 3.09 MAINTENANCE OF POLLUTION CONTROL FACILITIES: The Contractor shall maintain all constructed facilities and portable pollution control devices for the duration of the contract or for that length of time construction activities create the particular pollutant.
- 3.10 TRAINING OF CONTRACTOR PERSONNEL IN POLLUTION CONTROL: The Contractor shall train his personnel in all phases of environmental protection. The training shall include methods of detecting and avoiding pollution, familiarization with pollution standards, both statutory and contractual and installation and care of facilities (vegetative covers and instruments required for monitoring purposes) to ensure adequate and continuous environmental pollution control.

END OF SECTION