

**SECTION 01350  
OVERARCHING ENVIRONMENTAL SPECIFICATIONS**

**PART 1 GENERAL**

**1.0 Scope**

**A.** The Overarching Environmental Specifications (Specifications) cover work performed on property owned or controlled by the US Air Force Academy (AFA) to design, maintain, repair, install, or construct facilities or equipment.

**B.** The Specifications apply to all work supported by appropriated or non-appropriated (NAF) funds.

**C.** The Specifications cover environmental compliance requirements for Contractor work done at the AFA. Contractor must comply with all state, local, and federal environmental laws, regulations and operating standards during performance of work on the Air Force Academy. This includes Air Force Directives and Instructions. While this document may reference some of these requirements, it will not include all such requirements and the Contractor is required to demonstrate an understanding of these requirements as a condition of award of the contract.

**D.** Compliance with the Specifications does not relieve the Contractor or other personnel from responsibility to comply with all applicable Federal, State, and local laws, regulations, and operating requirements. Contractor is responsible to pay all fines, penalties and judgments resulting from work performed on the Air Force Academy and may be subject to contracting sanctions set forth in the contract. Contractors will fully indemnify the government in the event the government is required to pay these fines, penalties or judgments and the government reserves the right to withhold payment from the Contractor to cover these expenses.

**E.** Contractor shall cooperate with the government to take corrective action and clean up required by the Contractor's failure to comply with all state, local, and federal environmental laws, regulations and operating standards during performance of work on the Air Force Academy. This includes Air Force Directives and Instructions.

**1.1 Environmental Permits, Licenses, Certifications, and Training**

**A.** Prior to work initiation, the Contractor shall obtain, at Contractor's expense, all permits, licenses, certifications, and training required to perform the work stipulated in the contract or in-house design and specifications.

**B.** The Contractor shall prepare all documentation required, including notices of intent and permit applications.

**1.** The Contractor shall sign all permit applications applicable to its activities and submit them to the Contracting Officer (CO) for review and approval by the AFA Environmental Division (CEV).

2. The CO will return incorrect or incomplete documents for correction and re-submittal during the contract administrative period.
3. Re-submittal and re-review time shall not warrant an extension to the performance period for the contract.
4. Once approved, the AFA or the Contractor (as identified in the submittal register) shall submit the documents to the appropriate regulatory agencies.
5. Under no circumstances shall the Contractor directly contact the regulatory agency concerning environmental issues for which the AFA may be liable without prior approval from the CO.

## **1.2 Environmental Baseline Survey**

**A.** The CO will notify CEV of the scope of the Contractor's work site activities including the facility, material, or required equipment staging area and request an Environmental Base Survey (EBS).

**B.** CEV will prepare the EBS by documenting the nature, magnitude, and extent of any environmental contamination at the staging and work sites. Any information the AFA possesses regarding the staging area, including information on prior Contractors or in-house forces that have used the staging area shall be made available to the Contractor upon request. If the Contractor agrees with the EBS, an officer of the company with appropriate signatory authority shall certify the firm's agreement with the EBS.

**C.** If the Contractor disagrees with the findings of the AFA EBS, the Contractor may secure an independent EBS at the Contractor's expense. If the Contractor intends to obtain an independent EBS, the Contractor shall notify the CO in writing prior to performing the EBS. The Contractor shall pay for all costs associated with the use of an independent EBS. The costs are no reimbursable by the government and are not covered by the changes clause of the contract. If this study causes a delay in startup, the delay will be at the sole risk of the Contractor and will not justify an adjustment to the work schedule without the express prior written approval of the contacting officer.

**D.** Discrepancies between the AFA EBS and the Contractor EBS shall be resolved before the Contractor uses the staging area.

**E.** The Contractor shall return the staging area, including any other areas damaged by the Contractor during performance, to its original condition upon completion of the work, which may require re-vegetation and removal of contamination. The cost of restoration is included as part of the cost of performance under the contract and the Contractor shall not be reimbursed for these costs and performance is not

“complete” until the government accepts the staging area as “restored.” Final payment under the contract shall not be made by the government until performance is complete, including restoration required by the contract.

**F.** The AFA shall conduct a post-occupancy survey to ensure compliance with this section of the specifications prior to final payment to the Contractor. Beneficial occupancy will not be granted until compliance is achieved.

### **1.3 Site License**

**A.** The Contractor shall submit an application for a site license from the CO to occupy a staging area as well as the area that will be disturbed during construction on AFA property when expecting to be on site more than one year. The request shall specify the size of the actual occupied and disturbed construction area. The application shall be reviewed and approved by the CO prior to starting work on the site.

### **1.4 Project/site Conditions**

**A.** The work site and the Contractor’s staging area shall be maintained in a manner consistent with AFA standards. The technical representative of the CO or CEV will determine whether the site meets AFA standards.

**B.** Vehicular parking is authorized within the area designated in the permit as well as designated paved parking areas. Damage caused by access to the site is subject to the restoration standards set forth above. The Contractor agrees to comply with installation operating instructions regarding parking and may be subject to fines and penalties for violation of those local operating instructions.

**C.** The application for an operating permit shall include the boundaries of the construction site and staging area and shall identify the Contractor’s proposed use of flagging (or fencing) and signage. Once approved, the Contractor shall comply with the operating permit throughout the period of performance. Signage must comply with AFA signage standards and at a minimum, signage shall include the name of the Contractor and a phone number for emergencies.

**D.** Fill materials, such as gravel and soils, brought on site or excess from excavations shall be stored to prevent erosion and damage to surrounding areas. Sediment discharges shall remain within the construction site or the staging area.

**E.** All Contractor vehicles shall comply with State of Colorado emission standards. All stationary air emission sources shall comply with State and Federal emissions criteria.

**F.** The Contractor shall provide for its own restroom facilities and shall maintain such facilities to prevent spills and overflows.

## **PART 2 SPECIFIC REQUIREMENTS**

### **2.0 Hazardous Materials**

- A.** All hazardous materials (HAZMAT) brought on site by the Contractor shall be subject to pre-approval by the AFA. See Part 6.0 for definitions of HAZMAT.
- B.** The AFA may prohibit the use of HAZMAT it deems to be especially hazardous to human health or the environment or may result in excessive quantities of hazardous waste.
- C.** If AFA does not approve use of a HAZMAT, the AFA may provide the Contractor a list of suitable substitutes; however, the Contractor shall retain responsibility for finding an acceptable substitute.
- D.** The AFA promotes waste minimization and pollution prevention practices and the Contractor shall take appropriate actions to comply with this policy.
- E.** A minimum of ten working days prior to commencement of work on site, the Contractor shall submit to the HAZMART (Bldg 8110, Door 9) an AF Form 3952 for each process requiring the use of HAZMAT as outlined above.
- 1.** The Task Description, Block 18, must fully describe the task to be performed.
  - 2.** The Contractor shall include a list of hazardous materials used in each process, as well as, a Material Safety Data Sheet (MSDS) for each HAZMAT.
  - 3.** The Contractor shall at all times maintain a complete written hazard communication program, including labels and forms of warning for chemicals, an up-to-date hazardous material inventory with copies of MSDSs for all materials used on the job site, and employee information and training on hazardous chemicals in their work area.
  - 4.** The Contractor shall transport all hazardous materials in accordance with all applicable Federal, State, and local regulations. Applicable requirements may include packing and repacking, labeling, marking and placarding, handling, vehicle routing, and manufacturing of packaging and transportation containers. The Contractor shall classify the hazardous materials (Class 1 through Class 9) and comply with Department of Transportation requirements.
- F.** HAZMAT Usage Reports for contracts with a less-than-90-day period of performance.
- 1.** The Contractor may report HAZMAT used at any time during the execution of the contract or within 10 business days after completion of work to the HAZMART.
  - 2.** The report shall include a listing of the total quantity of HAZMAT used and a description of its disposition. For example, the Contractor used all of the

HAZMAT during contract execution, saved it for future use, or disposed of it as hazardous waste in accordance with Colorado's hazardous waste regulations. See Section 2.2 for a description of hazardous waste management requirements.

**G. HAZMAT Usage Reports for contracts with greater-than-90-day period of performance.**

1. Within 10 business days from the end of every 90-day period from the start of work on site, the Contractor shall report to the HAZMART hazardous materials used in the previous 90-day period.

2. The report shall include a listing of the total quantity of HAZMAT used and a description of its disposition. For example, the Contractor used all of the HAZMAT during contract execution, saved it for future use, or disposed of it as hazardous waste in accordance with Colorado's hazardous waste regulations. See Section 2.2 for a description of hazardous waste management requirements.

**H. Final HAZMAT Usage Report**

1. The Contractor shall submit a final inventory of all hazardous materials used since the last hazardous usage report and no later than 10 business days after completion of work.

2. The report shall include a listing of the total quantity of HAZMAT used and a description of its disposition. For example, the Contractor used all of the HAZMAT during contract execution, saved it for future use, or disposed of it as hazardous waste in accordance with Colorado's hazardous waste regulations. See Section 2.2 for a description of hazardous waste management requirements.

**I. HAZMAT Handling**

1. The Contractor shall transport and store all known or potential HAZMAT in original containers with manufacturer labels meeting the Occupational Safety and Health Administration (OSHA) Hazard Communication requirements found in Title 29 Code of Federal Regulations Part 1910.1200 (29 CFR 1910.1200).

2. The Contractor shall clearly label containers into which bulk and repackaged materials have been placed in accordance with OSHA Hazard Communication requirements (29 CFR 1910.1200). The Contractor shall not bring materials to the AFA without proper, legible labeling.

3. The Contractor shall only use and store HAZMAT in areas that are free from obstructions or hazards such as tripping hazards, fire, standing water, or pests. All HAZMAT shall be separated in accordance with OSHA Material Handling requirements (29 CFR 1910.176[c]) and OSHA Hazard Communication requirements (1910.1200[b], and 1910.1200[f]).

4. The Contractor shall store HAZMAT in containers in good condition, with no leaks or rust.
5. The Contractor shall remove all unused HAZMAT when the work is completed or when the material is no longer required. The Contractor may not transfer hazardous materials to AFA without the authorization of the Installation Hazmat Management Process Team.

## 2.1 Hazardous Waste

**A.** In coordination with CEV, the Contractor shall properly identify, characterize, manage, and dispose of all hazardous waste (HW) generated from the Contractor's actions on AFA property.

**B.** The Contractor must dispose of all HW through the AFA's HW management program. The AFA's HW Accumulation Site can provide containers, labels, and will accept Contractor's HW for integrated shipment/disposal at no cost to the Contractor.

**C.** If the Contractor anticipates generating hazardous waste on site during contract performance, it shall prepare a hazardous waste management plan (HWMP) describing how it will comply with Colorado Department of Public Health and Environment regulatory requirements and Department of Defense, Air Force, and AFA policies and instructions related to hazardous waste management.

1. The Contractor may request a copy of the AFA HWMP from CEV to use as a guide in preparing its HWMP.
2. The Contractor shall submit the HWMP to the CO for approval a minimum of 15 business days prior to commencement of work on site.
3. The Contractor HWMP shall include the following elements:
  - a) Waste descriptions, waste codes, and estimated quantities of specific hazardous wastes that will be generated on site, such as batteries, paints, solvents, aerosol cans and mercury-containing lamps.
  - b) Copies of letters appointing Contractor personnel to positions of primary and alternate hazardous waste managers.
  - c) Copies and descriptions of HW training the Contractor's personnel have completed. Contractor personnel shall have completed appropriate training that fully satisfies Federal, State, and local regulatory requirements prior to managing hazardous waste.
  - d) Descriptions of HW storage containers and locations.

**D.** The Contractor, with CEV concurrence, shall determine if wastes generated are hazardous under applicable regulations for listed, characteristic, and universal wastes. The Contractor shall provide the CO and CEV proof of such determination (e.g., MSDS, process knowledge and/or analytical results). If the Contractor does not have sufficient information to properly characterize a waste as hazardous, then the Contractor shall, with CEV concurrence:

1. Arrange for sampling and analysis for proper characterization of the waste.
2. Pay for sampling and analysis costs.
3. Provide the CO and CEV with documentation of analytical results for each hazardous waste generated on site.

**E.** The Contractor shall accumulate HW in compliance with all applicable Federal, state, and local regulations; DoD, AF, and AFA policies; and in accordance with the Contractor's (AFA-approved) HWMP.

1. All containers holding HW shall be in good condition, with no leaks or rust.
2. All containers holding HW shall be labeled with the words "Hazardous Waste" and the identity of the generator (Contractor).
3. Fluorescent bulbs, batteries, mercury containing thermostats, aerosol cans, and pesticides and other designated Universal Wastes covered under the "Universal Waste Rule" shall be labeled in accordance with Colorado universal waste requirements found in Title 6 Colorado Code of Regulations Section 1007-3 Part 273 (6 CCR 1007-3 Part 273).
4. Used oil shall be labeled only with the words "USED OIL", unless it has been contaminated with solvents or other contaminants that would render it hazardous waste.

**F.** To the maximum extent practical and where cost effective, the Contractor shall recycle HW in accordance with all applicable Federal, State, and local laws and regulations. Hazardous waste recycling/re-use shall be approved by CEV prior to start of the activity. Any waste recycled or re-used on or off site, over 100 lbs shall be reported to CEV for Air Force Solid Waste metrics.

**G.** Only authorized AFA personnel shall sign uniform HW manifests, land disposal restrictions, and bills of lading. The CEV Hazardous Waste Program Manager shall be the AFA's representative regarding signing manifests, bill of lading, or related hazardous waste shipment paperwork. All manifests for waste generated on site shall list the AFA's EPA generator identification number.

**H.** If the Contractor transports any HW off the AFA, it must be licensed to transport HW in Colorado. Transporters of hazardous wastes that operate in Colorado and

have a transfer facility are required to obtain an EPA identification number and comply with additional requirements cited at 6 CCR 1007-3, Part 263.

## **2.2 Spill Prevention and Response Procedure (SPRP) Plan**

**A.** The Contractor must develop a SPRP plan if it manages, stores, or uses HAZMAT (including fuels) or generates HW. If requested by the Contractor, CEV will provide the Contractor a copy of the AFA's Integrated Contingency Plan (ICP) to use as a guide in preparing its SPRP. The Contractor may not adopt the AFA's ICP as the Contractor's SPRP without the addition of the following Contractor specific information:

1. Contractor name
2. Mailing address
3. Primary and alternate emergency contacts
4. Emergency phone numbers, including fax number, if applicable
5. List of spill prevention and response equipment
6. Description of HAZMAT and HW managed on site
7. Description of HAZMAT and HW storage containers
8. A map showing locations of HAZMAT and HW containers and spill prevention and response equipment
9. Description of actions the Contractor will take upon discovery of an incident to contain and clean up spills and dispose of spill residue
10. Procedures for notification of the AFA after discovery of an incident (Note: Call AFA 911 and CEV Emergency Response Telephone at 491-3660)
11. Description of how the Contractor shall coordinate and complete any required corrective actions
12. Description of employee hazardous material and spill response training (Training to be provided to employees as required by all applicable Federal, state, and local regulations and copies of employee workplace hazard training program maintained on site at all times)

**B.** The Contractor shall submit the completed SPRP plan to the Contracting Officer a minimum of 15 business days prior to commencement of work for review and approval.



**C.** The Contractor shall manage, store, and use all HAZMAT and HW (including fuels) in accordance with good engineering practices and implement best management practices in order to prevent spills and releases. The Contractor shall report spills to the AFA and execute timely and appropriate actions to contain and cleanup all spills in accordance with the Contractor SPRP plan and the AFA ICP. The AFA does not authorize or expect the Contractor to provide emergency response or clean up actions beyond the level of training of its employees. Once a spill or release of a HAZMAT or HW managed, used, or stored by the Contractor has been contained, the AFA shall determine if additional cleanup is required and the extent of the Contractor's responsibility. The Contractor shall be liable for any direct and indirect costs incurred during spill response and clean-up, including but not limited to administrative costs, materials, labor, equipment, shipping, packaging, testing, replacement equipment and materials, and disposal.

### **2.3 Wastewater and Storm Water**

**A.** The Contractor is expected to be familiar with and comply with regulations including, but not limited to, 40 CFR 122.26 (EPA NPDES Permit Regulations-Storm Water and Point Source), 5 CCR 1002 (Colorado's wastewater regulations), Executive Order 1165-2-304 (1976 Flood Plain Regulations for Flood Plain Management), EPA document 832-R-92-005 (Storm Water Management for Construction Activities), 5 CCR 1002-2, 6.1.0 (Colorado's Storm water regulations), the El Paso County Policy Plan and the City/County Drainage Criteria Manual. The Contractor is also required to be familiar with AFA NPDES permits to determine if its activities are authorized by these permits.

**B.** Concerning wastewater discharges, the Contractor shall:

- 1.** Be familiar with all relevant requirements of storm water, municipal, multisector, and individual NPDES permits held by the AFA.
- 2.** Not discharge wastewater or water (including surface discharges and underground injection) that could impact the quality of the surface water or groundwater of Colorado without prior approval of CEV.
- 3.** CEV shall ensure planned wastewater discharges are covered by a current AFA permit prior to authorizing the discharges, or determine if permitting is required.
- 4.** Implement basic housekeeping provisions of the applicable wastewater discharge permit including applicable, monitoring, and sampling, inspections, reporting, and record keeping.
- 5.** Coordinate with CEV to obtain required permits not already in place at the AFA including permits to cover discharges to surface water, land application discharges that impact groundwater, and underground injection activities.

**6.** Apply for a septic system installation permit from the Colorado Department of Public Health and Environment (CDPHE) for septic systems or holding tanks that receive more than 2,000 gallons per day.

**7.** Apply for a septic system installation permit from the El Paso County Department of Health for any septic systems or holding tanks.

**C.** Concerning construction projects that shall disturb one (1) or more acres, the Contractor shall:

**1.** Review and be familiar with EPA NPDES General Permit No. COR10000F for Storm Water Discharges from Construction Activities.

**2.** Prepare a Storm Water Pollution Prevention Plan (SWPPP) for approval by CEV. The SWPPP must comply with requirements described in the construction permit listed in Section 2.3.C.1.

**3.** Once the SWPPP has been approved, submit an electronic Notice of Intent (NOI) to the US Environmental Protection Agency (EPA) with supplemental information provided by CEV before staging any facilities, equipment, and materials on site, and any ground-disturbing activities. Construction activity must not begin until seven days after EPA has approved the NOI. EPA's approved construction start date will be posted on the EPA electronic NOI website.

**4.** Install and adequately maintain all best management practices (BMP) described in the construction permit and relevant storm water control guidance documents.

**5.** Maintain a copy of the SWPPP, electronic NOI, and NPDES General Permit No. COR10000F for Storm Water Discharges from Construction Activities, inspection reports and all applicable permit documentation requirements at the construction site.

**6.** Submit a Notice of Termination (NOT) (EPA Form 3510-7) to the CO and CEV after:

**a)** Consultation with and release criteria approval by CEV

**b)** All construction debris, equipment, materials, and facilities are removed

**c)** Construction areas are inspected by CEV or the CO Technical Representative

**d)** All temporary storm water BMPs are removed

**e)** Ground cover is at 70 percent or when final stabilization of the site has been achieved as defined by the permit or other release criteria identified in the construction permit

**f)** Final inspection is performed. (Once final stabilization is approved by the AFA, the Contractor may submit the NOT to EPA. The AFA will file its corresponding NOT to the EPA).

**7.** The Contractor may be released from NOT final stabilization requirements if the AFA assumes final stabilization responsibility through assumption of the Contractor's SWPPP by an Addendum. If the AFA assumes the Contractor's SWPPP, the AFA is responsible for performing inspections, modifying the SWPPP, and complying with SWPPP commitments.

**D.** Concerning construction projects that shall disturb less than one acre, the Contractor shall:

- 1.** Install silt fence or other BMPs to prevent sediment from leaving the site.
- 2.** Protect storm drain inlets to prevent sediment from entering storm drains.
- 3.** Immediately clean up spills of fuels, lubricants, and other HAZMAT.
- 4.** Conduct site inspections every 14 days or after precipitation events of 0.5 inches or more to ensure sediment is not leaving the site.
- 5.** Document inspections on a form developed by the Contractor.

**E.** Projects shall be designed to comply with the EPA Region VIII NPDES Municipal Separate Storm Sewer System (MS4) permit.

**1.** Post-construction storm water runoff from project sites shall be restricted to historical flows. Devices/designs to comply with this condition shall be approved by the CO.

**2.** Storm water runoff control designs shall be consistent with criteria presented in the Colorado Springs City/County Storm Water Drainage Control Manual. (Note that the manual requires control of runoff to historical rates of release from the 2-, 5-, 10-, 50-, and 100-year storms.)

**F.** To ensure compliance with other Clean Water Act requirements, the Contractor:

- 1.** Shall not discharge any domestic, construction and/or industrial waste (including any hazardous material or hazardous waste) to the environment, sanitary or storm water sewer system without first securing CEV approval. Such materials include, but are not limited to the following:

- a) Glycol-containing wastes drained from heating, ventilation, and air conditioning facilities
  - b) Cooling tower and chiller solutions
  - c) Fluids generated from in-situ or slip-lining sewer line repairs
  - d) Swimming pool and pool filter backwashing wastewater
  - e) Super-chlorinated solutions from drinking water line or other repairs and replacement
  - f) Septic and holding tank waste
  - g) Oil/water separator residue and grease trap residue
  - h) High-temperature hot water from line replacement or repair
  - i) Any other wastewater that may contain pollutants
2. Shall not use surface or underground water supplies for any contract-related activities without approval from the CO.
  3. Shall not dispose of dredged or fill materials in wetlands, dispose of excavated materials into waters of the US, use fill for road crossings, or dispose of similar dredge or fill materials in the waters of the US without a permit obtained in coordination with CEV.
  4. Shall not discharge groundwater from trenches during construction without a dewatering permit from EPA or permission from CEV.

## **2.4 Special Pollutants – Asbestos, PCBs, Lead-Based Paint**

**A.** In the design or planning phase of a construction, services, or operations and maintenance project, the Contractor's architect or engineer shall schedule for a complete survey of the entire project area, in order to determine whether there are hazards associated with asbestos, PCBs, Lead-based paint (LBP). These surveys shall be conducted by certified individuals at the expense of the project. If hazards are identified, necessary abatement and disposal procedures shall be incorporated into contract documents and in all Requests for Proposal. All costs associated with meeting the requirements of the Federal, State, and local regulations are the responsibility of the Contractor unless otherwise noted in contract documentation.

**B.** The Contractor shall provide certification that all persons or entities under Contractor control have had awareness training in accordance with OSHA guidance

regarding asbestos, LBP, or PCBs that may be encountered during performance of service or construction contracts.

**C.** The Contractor shall inform the CO or in the event of an emergency, CEV, of the presence of asbestos, LBP, or PCBs not previously identified within the project area. The CO shall evaluate the extent to which there are cost impacts to abatement and disposal and take necessary steps to resolve the issue.

**D.** The Contractor shall be responsible for ensuring equipment or materials brought on the AFA do not contain PCBs, asbestos, or lead-based paint. The Contractor shall be required to obtain prior approval from CEV for an exemption to this requirement.

**E.** The Contractor shall test construction debris for lead using the Toxicity Characteristic Leaching Procedure and submit analytical results to the CO or CEV, as applicable. The Contractor shall use sampling procedures and analytical methods consistent with EPA guidance. The results of the analysis shall be reviewed by CEV and filed in the project folder. Disposal of lead-containing material classified as hazardous waste shall be consistent with requirements shown in Section 2.2.

**F.** If asbestos abatement is required, the Contractor shall submit a report documenting the amount and location of asbestos removed in addition to all waste manifests generated during the course of the project, to the CO or CEV, as applicable.

**G.** The Contractor shall report in writing accidental releases of asbestos, PCBs, or LBP that occurred as part of performance of the contract to the CO and CEV.

**H.** The Contractor shall comply with Colorado's requirement for state certification of all individuals who perform asbestos-related activities in schools, and in public and commercial building, and all additional requirements as codified in 5 CCR 1001 and 6 CCR 1007.

**I.** The Contractor shall comply with Colorado's LBP regulations codified at Volume 5, 5 CCR 1001, 1001-23, Regulation 19, EPA's LBP regulations codified at 40 CFR 745, and the US Department of Housing and Urban Development Guidelines for Evaluation and Control of Lead-based Paint Hazards in Housing.

## **2.5 Petroleum, Oils, and Lubricants (POLS)**

**A.** The Contractor must receive approval from the CO and CEV to stage tanks used for vehicle or equipment refueling at the AFA.

**B.** The Contractors shall prepare a SPRP Plan according to Section 2.3 and submit it to the CO and CEV for approval.

**C.** During fuel transfers, the Contractor shall use spill containment devices and have spill containment materials available.

**D.** The Contractor shall not apply oil to roadways or other surface areas for dust suppression.

**E.** The Contractor shall not release secondary containment water that contains an oil sheen. The Contractor shall collect contaminated containment water and coordinate with CEV for its proper disposal.

**F.** If the Contractor uses aboveground POL storage tanks, they shall be Underwriters Laboratory-approved, double-walled tanks meeting requirements of Colorado aboveground storage tank regulations (7 CCR 1101-3).

**G.** The Contractor shall comply with the OSHA Hazard Communication Standard cited at 29 CFR 1910.1200 and must comply with labels and other forms of warning, MSDSs, and training.

**H.** The Contractor shall not conduct routine servicing of vehicles, such as oil changes or brake fluid changes, on AFA property.

**I.** If the Contractor generates used oil, it shall comply with Colorado's used oil management standards (6 CCR 1007-3 Part 279) and must:

- 1.** Store used oil only in tanks and containers
- 2.** Keep tanks and containers in good condition and free of leaks
- 3.** Label tanks and containers with the words "used oil"

**4.** Stop, contain and cleanup spills or releases to the environment

**5.** Use a transporter licensed by Colorado to transport used oil when shipping used oil off site.

**J.** The Contractor managing POLs at the AFA is subject to Colorado's oil and petroleum spill prevention requirements (7 CCR 1101-14) including but not limited to the following reporting requirements:

**1.** The Contractor must report a release of oil that enters or may enter "waters of the US" including surface waters, groundwater, dry gullies, or storm sewers leading to surface waters to CEV immediately.

**2.** The Contractor must report releases of oil to land greater than 25 gallons or any oil release to waters of the US to CEV immediately.

**K.** The Contractor shall not mix used oil with characteristic hazardous waste (e.g. gasoline) because the mixing constitutes hazardous waste treatment and requires a permit (6 CCR 1007-3, Part 279.10 (b) (2) (ii)).

## **2.6 Solid Waste**

**A.** The Contractor shall complete the Solid Waste Diversion Report available from CEV for any solid waste generated on the AFA, and submit the completed form to CEV, as described in the submittal register.

**B.** Prior to start of work, or during the contract administrative period, the Contractor shall provide CEV with a plan identifying the quantity, type and disposal method for all medical waste.

**C.** The medical waste plan must address the following issues:

**1.** Contaminated reusable sharps and other regulated wastes are required to be placed in puncture resistant, color coded, leak proof containers, as soon as possible after use and until properly reprocessed.

**2.** Specimens of blood or other potentially infectious materials are required to be placed in a container that prevents leakage during collection, handling, processing, storage, transport, or shipping and specific labeling and handling requirements are to be followed (29 CFR 1910.1030[d]).

**3.** The Contractor must also comply with infectious waste packaging, storage and labeling requirements specified in Colorado's solid waste regulation 6 CCR 1007-2-13.8.

**D.** The Contractor shall recycle all solid waste where practicable, to include bulky wastes and demolition waste. Solid waste that cannot be recycled must be crushed to minimize the volume of waste.

**E.** Scrap tires shall only be disposed of at solid waste disposal facilities that are approved to manage scrap tires (6 CCR 1007-2-10.1).

**F.** The Contractor shall store solid wastes only in appropriate containers and keep lids closed to prevent releases to the environment.

**G.** As identified in the Solid Waste Diversion Report and to the extent practicable, the Contractor shall collect compostable materials (organics, vegetation, grass, wood debris, etc.) and re-use and recycle. Approval to re-use or store materials at the compost site must be received from CEV prior to the activity.

**H.** The Contractor shall dispose of solid waste only at facilities holding valid regulatory permits to manage the waste.

**I.** Recycling and re-use facilities on or off the installation shall be approved by CEV.

## **2.7 Green Procurement**

**A.** The Design Contractor shall complete the design affirmative procurement form available from CEV, which identifies recycle-content materials that shall be used in the design, and certifies that the Design Contractor has evaluated recycled-content alternatives. This document will be included in the scope of work package prior to 65% design review.

**B.** The Construction Contractor shall complete the construction affirmative procurement form available from CEV, which identifies recycle-content materials that shall be purchased for construction, and shall match the design affirmative procurement form list of recycle-content material identified by the Design Contractor. This document shall be completed and returned to CEV during the administrative period of the contract.



## 2.8 Air Quality

**A.** The Contractor shall obtain an El Paso County Air permit for any projects disturbing more than one acre. A copy of the permit application and the final permit shall be provided to CEV.

**B.** For projects disturbing more than 25 acres, or disturbing more than one acre and lasting longer than six months, the Contractor shall submit an air pollution emission notice (APEN) along with associated fees to CDPHE. A copy of the APEN will be submitted to CEV for its files.

**C.** Any equipment or activity that emits or has the potential to emit pollutants or that disturbs solid or liquid materials, which can become airborne, is a source of air pollution that may require a permit. Activities with anticipated air emissions include but are not limited to painting, stripping, cleaning with degreasers or solvents, material hauling, demolition, sand blasting, use of fuel-burning equipment (other than motor vehicles), welding, use of volatile organic compounds or ozone-depleting chemicals, and remediation activities. The Contractor shall obtain approval for use of hazardous materials as identified in section 2.0 Hazardous Materials. Incomplete documentation submitted will prolong the administrative period at the Contractor's expense.

**D.** If air emission estimates for criteria or hazardous air pollutants exceed threshold levels (as defined by 5 CCR 1001-5: Regulation No. 3) the Contractor shall complete APEN and construction permit applications required by CDPHE, Air Pollution Control Division (APCD). Contractors shall submit the completed APEN(s) and construction permit application(s) to the CO and CEV for review and approval. Once these documents have been reviewed, CEV will submit the construction permit application to CDPHE. The Contractor shall submit any additional information requested by CEV to complete permit application, any emissions testing or emissions calculations required by CDPHE. Any delay caused as a result of incomplete or untimely submission of emissions information to the CO shall be the responsibility of the Contractor.

**E.** The Contractor shall ensure all company-owned and employee owned gasoline and diesel vehicles which shall be driven on the AFA comply with the emissions inspection requirements of CDPHE 5 CCR 1001-13: Regulation No. 11 (Motor Vehicle Emissions Inspection Program) and 5 CCR 1001-15: Regulation No. 12 (Reduction of Diesel Vehicle Emissions).

**F.** Open burning on the AFA is prohibited.

**G.** The Contractor shall create no noxious odors that violate Colorado's odor emissions regulation (5 CCR 1001-4: Regulation No. 2).

**H.** The Contractor shall ensure any equipment containing ozone-depleting chemicals (ODC) are operated and maintained in accordance with Colorado's Control of Emission of Ozone-Depleting Compounds requirements (5 CCR 1001-19:

Regulation No.15). All Contractors and subContractor employees servicing ODC containing equipment shall be trained and certified in accordance with Regulation No. 15. Contractor must submit copies of technician certification and equipment certification prior to CEV prior to start of work. All Class I ODC use is prohibited at the AFA. Any requests for use of Class II ODC must be submitted in writing to the CO for review and approval, otherwise, the use of Class II ODS will be prohibited.

**I.** The Contractor shall ensure any equipment containing ODCs are operated and maintained in accordance with 5 CCR 1001-19: Regulation No.15. The Contractor and subContractor employees servicing ODC-containing equipment shall be trained and certified in accordance with Regulation No. 15. Employee certifications and an ODC Service Plan that identifies type of service, ODSs used, and recovery information shall be submitted to CEV prior to start of work.

**J.** The Contractor shall take active steps to prevent evaporation of all solid or liquid materials that have potential to become airborne including but not limited to fuels, solvents, paints, and other volatile chemicals under the Contractor's control. All containers holding solid or liquid materials that have potential to become airborne shall be closed at all times, except when adding product to or removing product from the container.

**K.** The Contractor shall fully comply with the conditions of all applicable Colorado's Air Pollution Prevention and Control Act and regulations as identified in 5 CCR 1001: Regulations 1-19.

**L.** When a Fugitive Particulate Control Plan is not required by 5 CCR 1001-3: Regulation No. 1, the Contractor shall perform all fugitive particulate control measures necessary to prevent emissions of over 20 percent opacity or visible emissions that cross the AFA's property boundaries. The Contractor shall maintain a daily log of fugitive particulate emissions that exceed 20 percent opacity or that cause visible emissions. The Contractor shall maintain a copy of this log on site at all times and shall make it available for review to CEV upon request.

**M.** The Contractor shall not utilize cutback asphalt or any coating included in the definition of cutback asphalt as defined at 5 CCR 1001-9: Regulation No. 7 during the months of March through September unless the cutback asphalt is used solely as a penetrating prime coat or if the user can demonstrate to the CDPHE APCD that under the conditions of its intended use, there will be no emissions of volatile organic compounds to the ambient air.

**N.** The Contractor shall not apply sand or gravel to AFA roads without obtaining prior written approval from CEV. Similarly, in-house forces shall not apply sand or gravel to AFA roads without obtaining prior written approval.

**O.** The Contractor shall properly re-vegetate all disturbed land to prevent fugitive particulate emissions following the completion of work.

## **2.9 Natural Resources**

### **A. Fish and Wildlife**

- 1.** The federally threatened Preble's Meadow Jumping Mouse (PMJM) occurs on the AFA. The AFA has a Conservation Agreement with the US Fish and Wildlife Service (USFWS) to protect PMJM habitat and mitigate any adverse impacts to habitat. On the AFA, PMJM habitat is generally defined as riparian habitat (woody vegetated streams and drainage ways) and upland areas within 300-feet of the 100-year floodplain of a stream. In accordance with the Conservation Agreement, Contractors and government workers, when working in potential PMJM habitat, must comply with the following conditions:
- 2.** Workers onsite shall be trained by an AFA biologist as to the reason for, and importance of, limiting impacts to vegetated habitat outside the work area.
- 3.** Work shall be supervised at all times by an outside individual from the AFA or by an authorized representative familiar with PMJM and its habitat needs.
- 4.** The area of proposed impacts for any construction activities or other ground disturbing actions shall be fenced with aesthetically pleasing snow fence or a similar visible barrier to prevent inadvertent impacts to habitat outside the construction footprint.
- 5.** In the unlikely event that a PMJM (dead, injured, or hibernating) is located during any activities, the AFA Natural Resources office shall be notified at 719.333.3308. The Natural Resources Office will notify the USFWS Colorado Ecological Services Field Office at 303.275.2370 or the USFWS Law Enforcement Office at 303.274.3560.
- 6.** Workers shall not harm or harass any wildlife.
- 7.** Workers shall strictly adhere to the BMPs concerning the protection of wetlands, erosion control, and storm water control to protect wildlife habitats.

### **B. Range Management**

- 1.** Native seed mixes for re-vegetating disturbed areas on the AFA and Farish Recreation Area have been developed. Contractors or government workers shall consult with the Natural Resources office, Bldg. 9030, to develop a reclamation plan for project areas.
- 2.** Contractors shall use only certified weed-free hay on AFA property.
- 3.** Contractors shall minimize, to the extent possible, the creation of new roads and trails around project areas. Any such trails/roads shall be rehabilitated and re-vegetated by the Contractor when the project is completed.

4. Native Re-vegetation Procedures For AFA Disturbed Areas: contact the Natural Resources office at 719.333.3308 for the current procedure.

### C. Construction Timber

1. All projects on the AFA, including Farish Recreation Area, for which removal of trees is a requirement shall be coordinated with and approved by Natural Resources at 719.333.8364 or 719.333.3308. In accordance with Department of Defense Instruction (DODI) 4715.3, DODI 7310.1, and AFI 32-7064 Section 8.3, forest products shall not be given away, abandoned, destroyed, or used to offset contract costs.

2. All merchantable wood products [i.e. stems and limb wood equal to or greater than 4 (four) inches in diameter] that result from projects on the AFA proper shall have all limbs removed and be delivered to the Natural Resources wood yard at Building 9030. Such deliveries shall be coordinated with Natural Resources at 719.333.3308 to allow access to the wood yard. Leaving wood outside the wood yard fence is strictly prohibited. Disposition of products from projects at Farish Recreation Area shall be determined by Natural Resources personnel at 719.333.8364 or 719.333.3308. If Contractor personnel wish to purchase these products on site for firewood, they may purchase a permit at the rate of \$10.00 for any amount up to one cord. Wood in excess of one cord shall require additional payments at the same rate. Payment must be made before any wood is removed from AFA property.

3. All limb wood (to include stem wood less than four inches in diameter) produced - shall be identified in the Solid Waste Determination- Appendix W, and on-site or off-site recycling shall be approved by the Contract Officer prior to start of work. . Responsible parties shall contact Heavy Equipment section at 719.333.3521 to coordinate delivery. Leaving limb wood outside of the compost yard fence is strictly prohibited. However, projects involving small amounts of limb wood may dispose of the wood by broadcasting it at the site if prior coordination has been made with the Natural Resources at 719.333.8364 or 719.333.3308. In such cases, the limbs shall be lopped so as not to exceed twelve inches above ground level. Disposition of all wood products from Farish Recreation Area shall be determined by Natural Resources at 719.333.8364 or 719.333.3308.

4. Any and all stumps that are to remain on site shall be cut as close to ground level as practical, not to exceed six (6) inches above ground level. Tree divisions that obstruct the movement of equipment shall be cut flush to the trunk. The remaining portions of limbs broken by the passage of equipment shall be cut back flush to the trunk.

5. Any and all stumps with attached root masses shall be disposed of off AFA property to an approved landfill unless specifically authorized by a representative

of Natural Resources. Proper disposal of such stumps is the exclusive responsibility of the Contractor or other entity responsible for the project.

**6.** In the event of a bona fide emergency outside of normal duty hours, trees may be removed, if absolutely necessary, without consulting Natural Resources. All other provisions remain in effect with regard to disposal of wood products at the earliest opportunity.

**7.** Removal of forest products without a permit from the AFA or Farish Recreation Area constitutes theft of government property and shall be punished under the applicable laws or regulations.

## **2.10 Cultural Resources**

### **A. Facility Treasures**

**1.** The AFA is a National Historic Landmark and eligible Historic District. Most US AFA facilities fall in the treasure category. Contractors and government forces must exercise "... ample care to the 45-year old facilities... to support the AFA's mission—develop and inspire air and space leaders with a vision for tomorrow..." (AFA 2000)\

**2.** If work is to be done on a facility listed or eligible for listing on the National Register of Historic Places, a letter of concurrence from the State Historic Preservation Office will be in the project folder. Work must not begin without this letter or a written memorandum from the Cultural Resources Manager that such coordination is not necessary.

### **B. Archeological or Paleontological Finds**

**1.** Archeological, paleontological or architectural material discoveries. The first notification will be the Cultural Resources Manager (CRM), (719) 333-8395, and the Cultural Resources - Archeological coordinator contact, (719) 333-8408.

**2.** Cultural resources, artifacts, archeological sites, Native American sacred and cultural areas, and historic sites and structures are fragile. All Contractors and government personnel must take care to avoid harming them. Protecting cultural resources complies with four Federal Laws.

### **C. Human Remains**

**1.** Items will be left undisturbed and protected by establishing a 100-foot perimeter around the site and cordoning it off to prevent damage. Do not excavate remains under any circumstances. No materials will be moved or removed and the area secured.

2. First call is to the Security Forces for crime scene determination, (719) 333-2000.
3. No media or news agencies will be notified by the discoverer.
4. Digital or any photograph of undisturbed remains will be made available only to the CRM.

**D. Archeological Finds and Architectural Resources**

1. Items will be left undisturbed and protected by establishing a 100-foot perimeter around the site and cordoning it off to prevent damage. Do not excavate remains under any circumstances. No materials will be moved or removed and the area secured.
2. Contractor and/or government personnel will notify the CRM.
3. No media or news agencies will be notified by the discoverer.
4. Digital or any photograph of undisturbed objects will be made available only to the CRM.

**PART 3 INSPECTIONS**

**3.0 INSPECTIONS**

CEV conducts routine announced and unannounced inspections during the performance of the contract to ensure the regulatory requirements are met. Non-compliance or deficiencies noted during the inspection shall be appropriately corrected, and submitted in writing to the contract office. The AFA shall perform follow up visits to verify completion of corrective actions. Non-compliance can lead to complete halt in project activities, depending on the severity of the violation. The Contractor shall not be allowed any extension of time or compensation for damages by reason of or in connection with such work stoppages.

**PART 4 POINTS OF CONTACT**

**4.0 CEV Points of Contact**

<u>Performance Requirement/Program Area</u>	<u>Phone</u>
Project/Site Conditions	719.333.3233
Spill Prevention and Response Procedure Plan (Integrated Contingency Plan)	719.333.3233
Spill Response and Reporting	719.333.3233

Procedures and Liability	
Hazardous Materials	719.333.3224
Hazardous Waste	719.333.8394
Waste Water and Storm Water	719.333.8394
Wetlands, Waters of U.S./State	719.333.8394
Toxic Substances Asbestos, PCB, LBP, Radon, Pesticides	719.333.3233
Petroleum, Oils, and Lubricants (POLs-Tanks)	719.333.8367
Solid Waste	719.333.0812
Air Quality	719.333.6455
Natural Resources	719.333.3308
Cultural Resources	719.333.8408
Environmental Planning (NEPA)	719.333.8367

If you are unable to reach the necessary point of contact, call the CEV Flight Chief, 719.333.6455. If the concern is an **environmental emergency**, call the CEV Emergency Response number at 719.491.3660 and ask for immediate assistance.

## **PART 5 ADDITIONAL INFORMATION**

**5.0 REFERENCES – NOTE: THESE REFERENCES ARE PROVIDED FOR INFORMATION ONLY AND ARE NOT ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR PERFORMING THE WORK COVERED BY THE CONTRACT IN COMPLIANCE WITH ALL APPLICABLE STATE, LOCAL, AND FEDERAL ENVIRONMENTAL LAWS, REGULATIONS AND OPERATING STANDARDS DURING PERFORMANCE OF WORK ON THE AIR FORCE ACADEMY. THIS INCLUDES AIR FORCE DIRECTIVES AND INSTRUCTIONS.**

### **A. United States Environmental Protection Agency (EPA) Regulations:**

- 1. Resource Conservation and Recovery Act (RCRA) - 40 Code of Federal Regulation (CFR) Parts 148, 244, 260, 261, 263, 264, 265, 266, 268, 270, 271, 272, 273, 279, 280, 281, 282, 355 and 745.**
- 2. Clean Water Act – 40 CFR Parts 112, 122, 123, 124, 125, 129, 130, 131, and 401–471.**

3. Clean Air Act – 40 CFR Parts 50, 52, 61, 63, 68, 70, 71, 86-89, 745.
4. EPCRA – SARA Title III Sections 301, 302, 303, 304, 311, 312, and 313.

**B. Occupational Safety and Health Administration (OSHA) Regulations:**

1. Hazard Communication – 29 CFR 1910.1200
2. Hazardous Waste Operations and Emergency Responses (HAZWOPER) – 29 CFR 1910.120
3. Material Handling – 29 CFR 1910.176
4. Toxic and Hazardous Substances – 29 CFR 1910.1030

**C. Department of Transportation (DOT) Regulations:**

1. 49 CFR Parts 171 – 173

**D. Other Federal Regulations:**

1. National Historic Preservation Act and related Acts
2. The American Indian Religious Freedom Act
3. Archeological Resources Protection Act
4. The Native American Graves Protection and Repatriation Act
5. National Environmental Policy Act
6. Endangered Species Act
7. Executive Order 13101, Greening the Government through Waste Prevention, Recycling and federal Acquisition
8. Executive Order 13148, Greening the Government through Leadership in Environmental Management

**E. State of Colorado Regulations:**

1. Air Pollution Prevention and Control Act – 5 Code of Colorado Regulation (CCR) 1001 Regulations No. 1 -19
2. Hazardous Waste Regulations – 6 CCR 1007-3 Parts 260 – 279



3. Water Quality and Wastewater Regulations – 5 CCR 1002
4. Tank Regulations – 7 CCR 1101-14
5. Oil and Petroleum Spill Prevention Regulations – 7 CCR 1101 – 14
6. Solid Waste Regulations – 6 CCR 1007 – 2
7. Special Pollutants – 5 CCR 1001 and 6 CCR 1007
8. Pesticides, Herbicides, and Fungicides – 8 CCR 1203

**F.** EPA, Department of Defense (DoD), United States Army Corps of Engineers (COE), Air Force Instructions (AFI), Policies, Guidance Documents, Memoranda, AFA Regulations and associated guidance documents:

1. COE document EP 1165-2-314 (Flood Proofing Regulations).
2. EPA Document 832-R-92-005, Storm water Management for Construction Activities.
3. Department of Defense, Measure of Merit, Solid Waste Management.
4. US Department of Housing and Urban Development Guidelines for Evaluation and Control of Lead-based Paint Hazards in Housing.
5. AFI 32-4002, "Hazardous Material Emergency Planning and Response Program."
6. AFI 32-7042, "Solid and Hazardous Waste Compliance."
7. AFI 32-7080, "Pollution Prevention Program."
8. AFI 32-7032, "Solid and Hazardous Waste Compliance."
9. AFI 32-7086, "Hazardous Materials Management."
10. AFA Asbestos Management Strategy.
11. AFA Hazardous Waste Management Plan.
12. AFA Compliance Assurance through Pollution Prevention Plan.
13. AFA Spill Prevention and Response Plan.
14. AFA Storm Water Pollution Prevention Plan.

- 15.** AFA Storm Water Training Manual.
- 16.** AFA Air Quality Management Plan.
- 17.** Flood Plain Regulations for Flood Plain Management - COE document EO 1165-2-304, 1976.
- 18.** Storm Water Management for Construction Activities - EPA NPDES General Permit No. COR10000F.
- 19.** Storm Water Management for Municipalities (MS4s) – EPA NPDES General Permit No. COR042000.
- 20.** Storm Water from Industrial Activities (MSGP) – EPA NPDES General Permit No. COR05A12F.
- 21.** Waste Water Treatment Plant AFA NPDES Permit No. CO-0020974.

**G.** El Paso County Policy Plan

**H.** City/County Drainage Criteria Manual (City of Colorado Springs/El Paso County, Colorado) and updated storm intensity curves dated January 7, 2003.

**I.** El Paso County Department of Health Fugitive Dust Regulations.

**J.** El Paso County Individual Sewage Disposal System Regulations.

Copies of these regulations are available on the internet or from the organizations listed. It is the responsibility of all Contractors associated with the project to review and understand these regulations.