

203-R-647 BORROW AND DISPOSAL SITE REQUIREMENTS

(Adopted 10-20-16)

The Standard Specifications are revised as follows:

SECTION 202, BEGIN LINE 13, DELETE AND INSERT AS FOLLOWS:

202.02 General Requirements

All buildings and foundations in accordance with 202.06, structures, fences, tanks, and other obstructions, any portions of which are on the right-of-way shall be razed, removed, and disposed of, except utilities and those features for which other provisions have been made for removal. ~~Designated salvageable material designated by the Department shall be removed without unnecessary damage in sections or pieces which may be transported readily and shall be stored at specified places within the project limits or as otherwise designated. Except for regulated materials, which shall be disposed of in accordance with 104.06, and bridge painting debris which is subject to 619, non-salvageable material shall be disposed of in accordance with 203.08.~~

Materials not designated by the Department as salvageable and removed from the construction site shall become the property of the Contractor and shall be disposed of in accordance with 203.08, except for regulated materials, which shall be disposed of in accordance with 104.06, and bridge painting debris which is subject to 619.

SECTION 202, BEGIN LINE 52, DELETE AND INSERT AS FOLLOWS:

Unless otherwise specified, ~~salvageable items~~ *materials* removed from the construction site shall become the property of the Contractor and proper allowance for their value shall be taken into account in the bid price of the item involved. Where a house or building has been removed previously and the existing utilities and drains or sewer connections have not been terminated and sealed, this work shall be performed in accordance with 104.03, or as otherwise provided for in the contract.

SECTION 202, BEGIN LINE 77, DELETE AND INSERT AS FOLLOWS:

Except for tank content waste, ~~which is classified~~ *in accordance with 202.08*, the Engineer will classify regulated materials as one of the following Department categories for the purpose of disposal requirements and payment.

SECTION 202, BEGIN LINE 111, DELETE AND INSERT AS FOLLOWS:

Unless otherwise specified, structural steel and ~~salvageable~~ *materials not designated by the Department to be salvaged* shall become the property of the Contractor. It shall be removed from the site before completion of the work and proper allowance for its value shall be taken into account in the bid price of the item involved. If the structure is to remain the property of the Department, steel or wood bridges shall be carefully dismantled without unnecessary damage, steel members shall be match marked, and all salvaged material shall be stored in accordance with 202.02.

Blasting or other operations necessary for the removal of an existing structure or obstruction, which may damage new construction, shall be completed prior to placing the new work.

~~If stated in the special provisions, all concrete which is of suitable size for riprap and not needed for such use on the project shall be stockpiled on the project in an approved manner, for use by the Department.~~

SECTION 202, BEGIN LINE 168, DELETE AND INSERT AS FOLLOWS:

(c) Disposal of Concrete

All concrete from complete or partial removals, which is determined to be acceptable for riprap, shall be used on the project as directed. Disposal or placement as riprap will not be paid for directly, but the cost thereof shall be included in the cost of removal. *Disposal of concrete from complete or partial removals shall be in accordance with 203.08.*

202.04 Removal of Pipe and Tile Drains

~~When so provided in the proposal~~*indicated in the contract documents or as directed*, all pipe and tile drains shall be removed and reasonable precaution taken to avoid breaking or damaging them. The pipe or tile shall be stored neatly on the right-of-way, unless it is to be re-laid as a part of the contract. Otherwise, the conditions in accordance with 104.05 shall apply.

Pipes to be re-laid shall be removed and stored so that there is no loss or damage to the pipe. Replacement will be required of sections lost from storage or from damage through negligence or from improper methods in handling. Removal of pipe or drain tile, any necessary cleaning, removal of headwalls, storage of pipe, and disposal of removed headwall material and unsuitable pipe will not be paid for directly, the cost thereof to be included in the various pay items.

Sanitary or storm sewers no longer in use shall be removed from under the roadway and shoulders if so specified on the plans or in the proposal or if so directed. No payment will be made for this removal if the removal is shown on the plans and no pay item exists, or if this removal is necessary during the placing of other structures or during other excavation operations. The removal of pipes that are not shown in the contract documents and those that are not being replaced at the same location will be paid for in accordance with 109.05. *Disposal of pipe and tile drain material shall be in accordance with 203.08.*

SECTION 203, BEGIN LINE 51, DELETE AND INSERT AS FOLLOWS:

203.08 Borrow or Disposal

Borrow shall consist of approved material required for the construction of embankments or for other portions of the work and shall be obtained from ~~approved~~*accepted* locations and sources outside the right-of-way. Borrow material shall be free of substances that will form deleterious deposits, or produce toxic concentrations or combinations that may be harmful to human, animal, plant or aquatic life, or otherwise impair the designated uses of a stream or area. Unless otherwise designated in the contract, arrangements shall be made for obtaining borrow. Borrow, as designated herein, shall not include material excavated beyond the right-of-way limits at intersecting public roads, private and commercial drive approaches and material furnished as B borrow.

Disposal of ~~waste~~ material, other than regulated material *and bridge painting debris*, from within the right-of-way shall only be allowed at ~~approved~~*accepted* locations

~~either within or outside the right of way.~~ Disposal of regulated material shall be in accordance with 104.06. *Disposal of bridge painting debris shall be in accordance with 619.*

Proposed borrow and disposal sites shall be accepted by the Engineer prior to the start of any borrow or disposal operations at the site. For each proposed site, an IC-203 Request for Acceptance of Borrow or Disposal Site form, available on the Department's website, shall be submitted to the Engineer a minimum of 14 days prior to the Contractor's planned start of operations at the site. All requests for acceptance of a borrow or disposal site shall be in accordance with 203.08(a).

Acceptance of any proposed borrow or disposal site by the Engineer shall not relieve the Contractor of the responsibility to utilize an appropriate site and to comply with all applicable local, State and Federal laws and regulations.

The Contractor shall provide the Engineer a minimum of 14 days notice prior to opening borrow areas in order to obtain original cross sections, measurements, and borrow material samples prior to borrow area use.

No extension of completion time will be granted due to any delays by the Contractor in securing acceptance of borrow and disposal sites.

(a) Borrow and Disposal Site Requirements

Any proposed borrow or disposal site submitted for acceptance shall be presented as, and meet the requirements of one of the following site definitions.

1. Solid Waste Site

A Solid Waste Site shall be defined as a solid waste facility, in accordance with 329 IAC 10-2-176, with a current IDEM operating number.

A request for acceptance of a Solid Waste Site shall include the following:

- a. Name and contact information of the facility operator.*
- b. Address of the facility.*
- c. The IDEM operating number.*
- d. The expiration date of the IDEM operating permit.*

2. Established Site

An Established Site shall be defined as an established location, other than as defined in 203.08(a)1, proposed for borrow or disposal activity that is disturbed or developed for public, municipal, governmental, commercial, industrial, construction or any other similar or related activity. The Established Site shall be operating under permits required by local, State and Federal laws for the activities proposed by the Contractor.

A request for acceptance of an Established Site shall include the following:

- a. Name and contact information of the site owner.*

- b. *Address of the site.*
- c. *Copy of a right-of-entry obtained from the property owner. Rights-of-entry shall include rights for access by Department personnel to the site.*
- d. *Aerial view site plan with the location of the borrow or disposal areas delineated.*
- e. *Location of all proposed storm water management features for the delineated borrow or disposal area.*
- f. *List of the documented permits, permit numbers and permit expiration dates for all permits under which the site operates.*
- g. *Documentation that a wetlands delineation and an archaeological field survey, with record check, have been performed by qualified professionals shall be provided when borrow or disposal activities are identified for areas of the proposed site that remain undeveloped or undisturbed.*

Any required wetlands delineation and archaeological field surveys, with record check, shall be limited to those undeveloped and undisturbed areas identified for borrow or disposal that are greater than 0.1 acres.

3. General Site

A General Site shall be defined as a location, other than as defined in 203.08(a)1 and 203.08(a)2, that has not been disturbed or developed for public, municipal, governmental, commercial, industrial, construction, or other similar or related activity. A General Site shall include private, residential, agricultural fields and pastures, or any other similar or related locations. General Sites shall require additional documentation for acceptance.

A request for acceptance of a General Site shall include the following:

- a. *Name and contact information of the property owner.*
- b. *Address or location of the site.*
- c. *Copy of a right-of-entry obtained from the property owner. Rights-of-entry shall include rights for access by Department personnel to the site.*
- d. *Site location plan, site dimensions, adjacent property and right-of-way lines, all demarcated jurisdictional wetlands or isolated wetlands, all demarcated archeological sites, existing and proposed finished contours and proposed finished slope grades.*
- e. *Site operations plan detailing the operations proposed for the site, what equipment will be utilized, how the site will be accessed and any other information relevant to the operation of the site.*
- f. *Copy of the Rule 5 Notice of Intent, if required in accordance with 327 IAC 15-5.*
- g. *Storm water management plan for the site including the storm water features to be incorporated and the sequencing of the measures with respect to the operations plan for the site.*

- h. *Documentation signed by a wetlands professional verifying that the site has been inspected for the presence of both wetlands and isolated wetlands and, if any are present, specifying the area to be demarcated as jurisdictional or isolated wetlands.*
- i. *Documentation of the archeological field survey, with record check, signed by a qualified archeologist including the limits and border of any archeological site discovered.*
- j. *Copies of all other permits obtained by the Contractor to perform operations at the site.*
- k. *Documentation, in the form of a signed and notarized certification from the property owner, that the proposed site is not currently an active remediation or corrective action site operating under an IDEM or EPA cleanup program, and that there are no environmental liens, easements, deed restrictions, or environmental restrictive covenants against the proposed site location. If environmental liens, easements, deed restrictions, or environmental restrictive covenants exist for the proposed site location, the Contractor shall provide copies of the restriction and written approval from the regulatory agencies having an interest in, or jurisdiction over the proposed site approving use of the site for the borrow or disposal operations.*

~~Except where a licensed commercial site or a permitted site~~ *When General Site is utilized-identified for borrow or disposal, the Contractor shall obtain all permits required by local, State and Federal laws prior to the start of any operations at the site.*

~~Licensed commercial sites and permitted sites are defined as follows:~~

- ~~(a) A licensed commercial site is a solid waste facility with a current IDEM operation number.~~
- ~~(b) A permitted site is a location that is operated under permits required by local, State and Federal laws for the activities proposed by the Contractor. A permitted site shall also have documentation that a wetlands delineation and an archaeological survey have been performed by qualified professionals.~~

~~For proposed borrow or disposal sites other than licensed commercial or permitted sites, All proposed General Sites shall have an inspection of areas outside impacted by the construction limits shall be borrow or disposal operations~~ *conducted by a qualified wetland professional approved by the Department to determine if wetlands are present on the site. An approved wetland professional shall be prequalified with the Department to perform environmental services work type 5.4 Ecological Surveys or shall be certified by the Society of Wetland Scientists as a wetland professional in training or professional wetland scientist. A list of approved wetland professionals is maintained on the Department's website. The wetlands inspection shall be in accordance with the current U.S. Army Corps of Engineers Wetland Delineation Manual and the appropriate regional supplement. The inspection shall also determine if*

isolated wetlands as defined by IDEM are present. The Contractor shall demarcate ~~in a method approved by the Engineer~~ the boundary of all wetlands identified within the proposed borrow or disposal site *in a method acceptable to the Engineer*.

~~For proposed borrow or disposal sites other than licensed commercial or permitted sites, Proposed General Sites shall have a qualified archaeologist shall perform a record check and field survey, with record check, to determine if any significant archeological sites exist within the proposed site. The Indiana Department of Natural Resources Division of Historic Preservation and Archeology maintains a roster of qualified archeological consultants. If any archeological sites are identified, the archaeologist shall establish the limits of the site along with a reasonable border. The Contractor shall demarcate in a method approved by the Engineer the border of all identified archeological sites identified within the proposed borrow or disposal site in a method acceptable to the Engineer.~~

~~Identified archeological sites shall not be disturbed unless the site is cleared by established procedures and written authorization to enter the site has been obtained by the Contractor.~~

~~Borrow and disposal sites shall be approved by the Engineer prior to the start of any earth disturbing operations at the site. A request for approval of a borrow or disposal site shall be submitted to the Engineer a minimum of 14 days prior to the Contractor's planned start of operations at the site. All requests for approval of a borrow or disposal site shall include a description of the Contractor's planned operations at the site. In the case of disposal sites, the description shall include a listing of the types of material to be disposed of at the site.~~

~~A request for approval of a licensed commercial site shall include the following:~~

- ~~(a) The name and address of the facility.~~
- ~~(b) The IDEM operating number.~~
- ~~(c) The expiration date of the IDEM operating permit.~~

~~A request for approval of a permitted site shall include the following:~~

- ~~(a) Name of the site owner.~~
- ~~(b) Address of the site.~~
- ~~(c) A list of the permits, permit numbers and permit expiration dates for all permits under which the site operates.~~
- ~~(d) Documentation that a wetlands delineation and an archaeological survey have been performed by qualified professionals.~~

~~A request for approval of a site, other than a licensed commercial or permitted site, shall include the following:~~

- ~~(a) Name of the property owner.~~
- ~~(b) Address or location of the site.~~

- ~~(c) A copy of a right of entry obtained from the property owner. Rights of entry shall include rights for access by Department personnel to the site for the purposes of monitoring, measurement, and sampling.~~
- ~~(d) A site plan showing the site location, site dimensions, adjacent property and right of way lines, all demarcated jurisdictional wetlands or isolated wetlands, all demarcated archeological sites, existing and proposed finished contours and proposed finished slope grades.~~
- ~~(e) A site operations plan detailing the operations proposed for the site, what equipment will be utilized, how the site will be accessed and any other information relevant to the operation of the site.~~
- ~~(f) A copy of the Rule 5 Notice of Intent, if required in accordance with 327 IAC 15-5.~~
- ~~(g) An erosion control plan for the site including the types of erosion control measures to be incorporated and the sequencing of the measures with respect to the operations plan for the site.~~
- ~~(h) Documentation signed by a wetlands professional verifying that the site has been inspected for the presence of both wetlands and isolated wetlands and, if any are present, specifying the area to be demarcated as jurisdictional or isolated wetlands.~~
- ~~(i) Documentation of the archeological record check and field survey signed by a qualified archeologist including the limits and border of any archeological site discovered.~~
- ~~(j) Copies of all other permits obtained by the Contractor to perform operations at the site.~~

~~The Contractor shall provide the Engineer a minimum of 14 days notice prior to opening borrow areas for the purpose of obtaining original cross section elevations and measurements and to sample the borrow material prior to use.~~

(b) Additional Requirements

Identified archeological sites shall not be disturbed unless the site is cleared by established procedures and written authorization to enter the site has been obtained from the Department's Cultural Recourses office. Archaeological artifacts encountered during operations shall be addressed in accordance with 107.10.

No excavation shall occur and no material shall be disposed of within the boundaries of the demarcated wetlands and archeological areas unless the operations are in compliance with all required permits and these specifications.

The Contractor shall install *all* temporary ~~erosion and sediment~~ storm water management control measures at *accepted* borrow ~~or~~ and disposal sites ~~other than licensed commercial and permitted sites~~ locations designated as *Established Sites and General Sites* prior to the start of any earth disturbing activity. The Contractor shall develop and construct all mitigation measures necessary to fulfill the requirements of all permits obtained by the Contractor for operation of a borrow and disposal site.

No excavation shall occur or no material shall be disposed of within the boundaries of the demarcated wetlands and archeological areas unless the operations are in compliance with all required permits and these specifications.

No extension of completion time will be granted due to any delays by the Contractor in securing approval of borrow and disposal sites.

~~Approval of a proposed borrow or disposal site by the Engineer, whether the proposed site is commercial, permitted, or otherwise, shall not relieve the Contractor of its responsibility to utilize an appropriate site and to comply with all applicable local, State and Federal laws and regulations.~~

~~Archaeological artifacts encountered during operations shall be addressed in accordance with 107.10.~~
