

**ATTACHMENT 9**  
**PROPOSED SPECIFICATIONS FOR THE SURPLUS**  
**MATERIAL MANAGEMENT**

These specifications apply to the management of the surplus material resulting from the construction of Section II (AC-100069), Section III(AC-100071), Section IV (AC-100055) and Section V (AC-100076) of PR-10 between the municipalities of Adjuntas and Utuado. Therefore, the selected contractor is bound comply with herein described procedures as required by the terms and conditions of the contract.

## **Section 1: Introduction**

### **1.1 General Information**

- The Contractor shall be responsible for the safe and environmentally sound management and/or disposal or use as fill in other construction project site, of the surplus earth movement material generated during the construction of the proposed action.
- The Contractor shall adhere to all applicable local, state, and federal regulations and guidelines.

### **1.2 Disposal Sites:**

- The Contractor shall use only permitted construction sites and/or the designated disposal sites approved by the Engineer.
- Alternative disposal sites may be used only with prior written approval from the Engineer and after conducting the necessary environmental assessments.
- Testing of the material for its use as fill at other sites shall be confirmed by the performance of geotechnical tests that provide support for the suitability of the material for those purposes. Copy of the test results shall be provided to the Engineer prior to commence material transport to the site.

### **1.3 Other Permitted Construction Projects**

- Transportation of the surplus material to a construction site requires the contractor to previously verify and provide evidence to the Engineer that the project has a valid Construction Permit and a Single Incidental Permit issued by the Permits Management Office (PMO). Under no circumstance the surplus material shall be transported to an unpermitted site.
- The contractor must provide the Engineer evidence of coverage by an EPA Construction General Permit (CGP) required under provisions of 40 CFR Part 122 and a CES Plan for the construction site under provisions of the Puerto Rico Planning Board Issues Joint Regulation for Evaluation and Issuance of Permits Related to Development, Land Use and Business Operations (2023).
- Under no circumstances surplus material shall be transported to an unpermitted site.

## **Section 2: Environmental Considerations**

### **2.1 Site Assessment:**

- The Contractor shall conduct environmental assessments of the potential construction project or disposal sites to identify any environmental constraints or concerns.
- The Contractor shall provide documentation of these assessments to the Engineer for review and approval.
- For construction sites at which the surplus material is transported for its use as fill, the contractor shall verify and submit evidence to the Engineer supporting the statement that the Best Management Practices (BMPs) described in the Storm Water Pollution Prevention Plan (SWPPP) and the CES Plan that were developed for the sites are properly implemented and in good working condition. Copy of both plans shall be obtained for the record and submitted to the Engineer.
- For sites which are under the control of the Contractor, the required SWPPP and CES Plans shall be prepared and approval secured from the EPA and the PMO. Evidence of these approvals and the implementation of the BMPs at the site shall be submitted to the Engineer.

### **2.2 Mitigation Measures:**

- For those instances at which the contractor is responsible for the site operations, the Contractor shall implement erosion and sediment control measures at the disposal sites.
- The Contractor shall ensure that the disposal activities do not affect nearby water bodies, wetlands, and/or drainage systems.
- If wetland areas are located within or near the proposed disposal site, the contractor shall clearly mark their physical limits to minimize their disruption during the performance of the earthwork activities of the site.
- Dust control measures, such as watering and covering truck loads, shall be implemented to minimize the emission of fugitive dust emissions.
- Emission and noise control devices of heavy equipment including trucks used for earthwork activities shall be maintained in good working conditions. Unnecessary or extended idling times of the equipment shall be minimized to the extent possible.

## **Section 3: Transportation Plan**

### **3.1 Route Selection:**

- The Contractor shall select transportation routes that minimize impacts on local communities and the environment.
- Transportation routes through residential areas and sensitive ecological zones shall be avoided.
- The Contractor shall submit copy of the route selection to the Engineer for approval.

### **3.2 Traffic Management:**

- The Contractor shall develop and submit a traffic management plan to the Engineer for approval.
- The plan shall provide a detailed description of the measures to ensure the safe and efficient movement of trucks, including coordination with local authorities to manage traffic flow and minimize disruptions, if required.

## **Section 4: Disposal Procedures**

### **4.1 Site Preparation:**

- The Contractor shall prepare an Offsite Disposal Plan for the approval of the Engineer.
- After approval of the Disposal Plan, the Contractor shall prepare the disposal site by clearing any debris and ensuring stable ground conditions.
- Access points and staging areas for trucks shall be established in coordination with the Engineer.
- BMPs designed for the site shall be installed before the performance of earthwork activities. These include, but not limited to the following measures:
  - Installation of stabilized entrance/exits as required by the SWPPP and CES Plan;
  - Installation of perimeter protection measures such as silt fences, deviation swales and/or berms;
  - Installation of spill prevention and control devices for the management of fuels, oils and/or petroleum products as required by 40 CFR Part 112;
  - Protection of stormwater runoff discharge points;
  - Others as appropriate

### **4.2 Material Placement:**

- The Contractor shall place the material in designated areas, ensuring even distribution and compaction as necessary based on the recommendations of the Geotechnical Study.
- The disposal site shall not be overloaded or destabilized.

### **4.3 Site Restoration:**

- The Contractor shall restore the disposal site to its original condition or better after the disposal is complete.
- Re-vegetation and erosion control measures shall be implemented to stabilize the site as recommended in the SWPPP and CES Plan. For EPA's CGOP a Notice of Termination (NOT) shall be submitted as required to the Engineer.

## **Section 5: Monitoring and Reporting**

### **5.1 Inspection and Monitoring:**

- The Contractor shall conduct regular inspections of the disposal site to ensure compliance with environmental and safety standards as required by the SWPPP and the CES Plan. Copy of such inspections shall be submitted to the Engineer and keep on files.
- Inspection of the site shall be conducted only by a qualified person under the context of the 2022 CGP. The requirements for a qualified person are detailed in section 6.3 of the permit which are:

“For projects that receive coverage under this permit on or after February 17, 2023, to be considered a qualified person under Part 4.1 for conducting inspections under Part 4, you must, at a minimum, either:

- a. Have completed the EPA construction inspection course developed for this permit and have passed the exam;
  - b. Hold a current valid construction inspection certification or license from a program that, at a minimum, covers the following:
    - Principles and practices of erosion and sediment control and pollution prevention practices at construction sites;
    - Proper installation and maintenance of erosion and sediment controls and pollution prevention practices used at construction sites; and
    - Performance of inspections, including the proper completion of required reports and documentation, consistent with the requirements of Part 4 of the permit.”
- If regular inspections disclose the need to conduct corrective actions, due the possibility of resulting in environmental impacts or degradation of the water quality of receiving bodies of water shall be immediately reported to the Engineer.

### **5.2 Reporting:**

- The Contractor shall maintain detailed records of the disposal activities, including volumes of material disposed of and locations.
- Regular reports documenting compliance with the Offsite Disposition Plan shall be submitted to the Engineer.

## **Section 6: Contingency Plan**

### **6.1 Alternative Sites:**

- The Contractor shall identify alternative disposal sites in case the primary sites become unavailable or unsuitable.

- Alternative sites must meet the same selection criteria and environmental standards as the primary sites.

## **6.2 Emergency Procedures:**

- The Contractor shall develop and submit an Emergency Procedures Plan (EPP) to address any accidents or incidents during transportation and disposal activities. This plan shall include site preparation procedures to address the imminent and the consequences of impacts from a hurricane or storm.
- These procedures shall be coordinated with local emergency services and authorities.

## **Section 7: Compliance and Penalties**

### **7.1 Compliance:**

- The Contractor shall comply with all specifications outlined in this document.
- Non-compliance may result in penalties as determined by the Engineer.

### **7.2 Penalties:**

- Penalties for non-compliance may include fines, suspension of work, or termination of the contract.