

1 The following Section shall be made part of the Standard Specifications:

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3 **“SECTION 219 – DETERMINATION AND CHARACTERIZATION OF FILL**
4 **MATERIAL**

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7 **219.01 Description.** This section describes determination and characterization
8 of fill material for project sites.

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10 Requirements of this section apply to all waste generated from construction
11 and demolition (C&D) activities on the project.

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13 **219.02 Definitions.**

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15 **(A) Inert Fill Material.** Inert Fill Material is defined in the Hawaii Revised
16 Statutes (HRS) 342H-1. Materials that do not meet this definition shall be
17 disposed of at the appropriate Hawaii Department of Health (HDOH) Solid
18 and Hazardous Waste Branch permitted solid waste management facility.

19
20 The January 2008 State of Hawaii Department of Transportation,
21 Highways Division, Construction Best Management Practices Field Manual,
22 specifies inert fill material shall not be contaminated with asbestos or lead-
23 based paint. In addition, inert fill materials do not decompose or produce
24 leachate or other products harmful to the environment.

25
26 **(B) Lead-Based Paint (LBP).** Lead Based Paint (LBP) is defined by
27 Section 403 of the Toxic Substances Control Act (TSCA), as amended by
28 the Environmental Protection Agency (EPA) or as defined in approved
29 subsequent revisions.

30
31 **219.03 Construction.**

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33 **(A) Preconstruction Requirements.** Retain the services of an
34 Environmental Professional as accepted by the Engineer. Submit
35 documentation the Environmental Professional has a minimum of five (5)
36 years of experience in solid and hazardous waste management and fill
37 material characterization within 30 calendar days of contract certification
38 date.

39
40 **(B) Construction Requirements.**

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42 **(1) Reclassification of Solid Waste into Inert Fill Material.** If
43 reclassifying solid waste as inert fill, obtain written acceptance from
44 the Engineer before following the requirements of Section
45 219.03(B)(2) Inert Fill Material.

47 **(2) Inert Fill Material.** The State reserves the right to reject
48 imported fill from sources known to contain hazardous material or if
49 any of the requirements in this specification are not met. The source
50 and/or stockpiled location of the material shall remain accessible at
51 all times to State personnel for sampling, testing, and inspection as
52 determined by the Engineer. Prior to importing/removal of material,
53 the Contractor shall provide the specific location and quantity of
54 material that is to be transported to/from the project site.
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56 **(a) Certificates.** Provide a written certificate indicating that
57 the fill material meets the inert fill material definition specified
58 herein. The written certificate shall include a description of
59 the evidence (including but not limited to historical
60 documentation of land use, test results, fill material
61 characterization report, and/or Phase I Environmental Site
62 Assessment) used by the Contractor to determine that the fill
63 material is inert fill material. The written certificate shall be
64 prepared and signed by an Environmental Professional.
65 Submit the written certificate to the Engineer 14 calendar days
66 before the fill material is imported to or removed from the
67 project site. Do not import the fill material to, or export the fill
68 material from the project site until the Engineer has accepted
69 the certificate. Revise the written certificate as requested by
70 the Engineer until the Engineer has accepted the certificate at
71 no additional cost to the State. If the Engineer does not
72 accept the certificate, the fill material shall not be considered
73 inert fill material; and the Contractor shall dispose of the fill
74 material in accordance with all applicable Federal, state, and
75 Local laws and regulations at no additional cost to the State.
76

77 **(b) Documentation.** Provide documentation that the
78 material will be taken to a properly permitted site. At minimum
79 the documentation shall include the location of the disposal
80 site (name, address, Tax Map Key No., telephone number,
81 and map) with a revised Solid Waste Disclosure Form to
82 indicate the material that was reclassified as inert fill and the
83 location that the inert fill will be taken to.
84

85 **(c) Laboratory Certification.** Samples shall be tested by
86 a laboratory certified to perform the specific analyses.
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88 **(d) Hawaii Department of Health Guidance Documents.**
89 The HDOH has published guidance documents for the
90 characterization of fill material and construction and
91 demolition (C&D) waste. Comply with all applicable Federal,
92 State, and Local laws and regulations. The procedures of the

most recent versions of the following guidance documents or their replacements for the determination and characterization of the fill material or waste may be used as a reference:

1. Guidance for Soil Stockpile Characterization and Evaluation of Imported and Exported Fill Material.
2. Evaluation of Fill Material for Chemical Contaminants (Fact Sheet).
3. Guidance for Construction & Demolition (C&D) Waste Disposal.
4. Technical Guidance Manual for the Implementation of the Hawai'i State Contingency Plan.

Obtain and follow the latest versions of the applicable HDOH guidance documents.

(e) Lead Based Paint Restriction. Test for lead based paint as directed by the Engineer a minimum of five (5) working days prior to cold planing existing pavement or other demolition activities. Remove lead based paint from cold planed asphalt prior to use as a fill material. Lead based paint does not have to be removed if recycled for reclaimed asphalt for pavement.

219.04 Measurement. Determination and characterization of fill material will be paid on a lump sum basis. Measurement for payment will not apply. The Engineer will only measure testing for lead based paint required and requested by the Engineer on a force account basis in accordance with Subsection 109.06 – Force Account Provisions and Compensation.

219.05 Payment. The Engineer will pay for the accepted pay items listed below at contract price per pay unit, as shown in the proposal schedule. Payment will be full compensation for work prescribed in this section and contract documents.

The Engineer will pay for the following pay item when included in proposal schedule:

Pay Item	Pay Unit
Determination and Characterization of Fill Material	Lump Sum
Testing for Lead Based Paint	Force Account

139 An estimated amount for force account is allocated in the proposal schedule
140 under "Testing for Lead Based Paint", but actual amount to be paid will be the sum
141 shown on accepted force account records, whether this sum be more or less than
142 the estimated amount allocated in the proposal schedule.

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145 The Engineer may assess liquidated damages up to \$27,500 per day for
146 non-compliance of each requirement and all other requirements in this section.

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148
149 **END OF SECTION 219"**