Amend Section 209 - TEMPORARY WATER POLLUTION, DUST, AND EROSION CONTROL to read as follows:

"SECTION 209 - TEMPORARY WATER POLLUTION, DUST, AND EROSION CONTROL

209.01 Description. This section describes the following:

(A) Including detailed plans, diagrams, and written Site-Specific Best Management Practices (BMP); constructing, maintaining, and repairing temporary water pollution, dust, and erosion control measures at the project site, including local material sources, work areas and haul roads; removing and disposing hazardous wastes; control of fugitive dust (defined as uncontrolled emission of solid airborne particulate matter from any source other than combustion); and complying with applicable State and Federal permit conditions.

(B) Work associated with construction stormwater, dewatering, and hydrotesting activities and complying with conditions of the National Pollutant Discharge Elimination System (NPDES) permit(s) authorizing discharges associated with construction stormwater, dewatering, and hydrotesting activities.

(C) Potential pollutant identification and mitigation measures are listed in Appendix A for use in the development of the Contractor's Site-Specific BMP.

Requirements of this section also apply to construction support activities including concrete or asphalt batch plants, rock crushing plants, equipment staging yards/areas, material storage areas, excavated material disposal areas, and borrow areas located outside the State Right-of-Way. For areas serving multiple construction projects, or operating beyond the completion of the construction project in which it supports, the Contractor shall be responsible for securing the necessary permits, clearances, and documents, and following the conditions of the permits and clearances, at no cost to the State.

209.02 Materials. Comply with applicable materials described in Chapters 2 and 3 of the current HDOT "Construction Best Management Practices Field Manual". In addition, the materials shall comply with the following:

(A) Grass. Grass shall be a quick growing species such as rye grass, Italian rye grass, or cereal grasses. Grass shall be suitable to the area and provide a temporary cover that will not compete later with permanent cover. Alternative grasses are allowable if acceptable to the Engineer.

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47	(B) Fertilizer and Soil Conditioners. Fertilizer and soil conditioners shall
48	be a standard commercial grade acceptable to the Engineer. Fertilizer shal
49	conform to Subsection 619.02(H)(1) - Commercial Fertilizer.
50	

- (C) **Hydro-mulching**. Hydro-mulching used as a temporary vegetative stabilization measure shall consist of materials in Subsections 209.02(A) -Grass, and 209.02(B) - Fertilizer and Soil Conditioners. Mulches shall be recycled materials including bagasse, hay, straw, wood cellulose bark, wood chips, or other material acceptable to the Engineer. Mulches shall be clean and free of noxious weeds and deleterious materials. Potable water shall meet the requirements of Subsection 712.01 - Water. Submit alternate sources of irrigation water for the Engineer's acceptance if deviating from 712.01 - Water. Installation and other requirements shall be in accordance with portions of Section 641- Hydro-Mulch Seeding including 641.02(D) - Soil and Mulch Tackifier, 641.03(A) – Seeding, and 641.03(B) - Planting Period. Install nonvegetative controls including mulch or rolled erosion control products while the vegetation is being established. Water and fertilize grass. Apply fertilizer as recommended by the manufacturer. Replace grass the Engineer considers unsuitable or sick. Remove and dispose of trash and debris. Remove invasive species. Mow as needed to prevent site or signage obstructions, fire hazard, or nuisance to the public. Do not remove down stream sediment control measures until the vegetation is uniformly established, including no large bare areas, and provides 70 percent of the density of pre-disturbance vegetation. Temporary vegetative stabilization shall not be used longer than one year.
- **(D) Silt Fences.** Comply with ASTM D6462, Standard Practice for Silt Fence Installation.

Alternative materials or methods to control, prevent, remove and dispose pollution are allowable if acceptable to the Engineer.

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209.03 Construction.

(A) Preconstruction Requirements.

(1) Water Pollution, Dust, and Erosion Control Meeting. Schedule a water pollution, dust, and erosion control meeting with the Engineer after Site-Specific BMP is accepted in writing by the Engineer. Meeting shall be scheduled a minimum of 7 calendar days prior to the Start Work Date. Discuss sequence of work, plans and proposals for water pollution, dust, and erosion control.

(2) Water	Pollution	on, Dust, and Erosion Control Submittals.
Submit a Site	e-Specific	c BMP Plan within 21 calendar days of date of
award. Subm	nission of	f complete and acceptable Site-Specific BMP Plan
is the sole re	sponsibil	lity of the Contractor and additional contract time
will not be is	ssued fo	or delays due to incompleteness. Include the
following:		
(a)	Written	description of activities to minimize water pollution
and so	oil erosio	n into State waters, drainage or sewer systems.
BMP s	shall inclu	ude the following:
		· ·
	1. A	An identification of potential pollutants and their
	sources	·
	2 . A	A list of all materials and heavy equipment to be
		rring construction.
	3. D	Descriptions of the methods and devices used to
		e the discharge of pollutants into State waters,
		e or sewer systems.
	J	•
	4. D	Details of the procedures used for the
		nance and subsequent removal of any erosion or
		control devices.
	5. N	Methods of removing and disposing hazardous
		encountered or generated during construction.
	6. N	Methods of removing and disposing concrete and
	asphalt	pavement cutting slurry, concrete curing water,
	and hyd	Irodemolition water.
	•	
	7 . S	Spill Control and Prevention and Emergency Spill
		se Plan.
	·	
	8. F	Fugitive dust control, including dust from grinding,
		ng, or brooming off operations or combination
	thereof.	· .
	9 . N	Methods of storing and handling of oils, paints and
		oducts used for the project.
	•	• •
	10. M	Material storage and handling areas, and other
	staging	
	, J	
	11. C	Concrete truck washouts.
	Submit a Site award. Submis the sole rewill not be infollowing: (a) and so	Submit a Site-Specific award. Submission of is the sole responsibil will not be issued for following: (a) Written and soil erosion BMP shall included a sources. 2. A used du. 3. If minimized drainag. 4. If mainten siltation. 5. Masphalt and hyd. 7. Since some selection of the staging. 8. Find sweeping thereof. 9. Mother process.

136		12.	Concrete waste control.
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138		13.	Fueling and maintenance of vehicles and other
139		equip	ment.
140			
141		14.	Tracking of sediment offsite from project entries
142		and ex	xits.
143			
144		15.	Litter management.
145			
146		16.	Toilet facilities.
147			
148		17 .	Other factors that may cause water pollution, dust
149		and e	rosion control.
150			
151	(b)	Provid	le plans indicating location of water pollution, dust
152	and er	osion (control devices; provide plans and details of BMPs
153	to be i	nstalle	d or utilized; show areas of soil disturbance in cut
154	and fill	, indica	ate areas used for construction staging and storage
155	includi	ng iter	ms (1) through (17) above, storage of aggregate
156	(indica	te type	e of aggregate), asphalt cold mix, soil or solid waste,
157	equipn	nent a	and vehicle parking, and show areas where
158	vegeta	itive pr	actices are to be implemented. Indicate intended
159	draina	ge pa	ttern on plans. Include flow arrows. Include
160	separa	ite dra	awing for each phase of construction that alters
161	draina	ge pat	terns. Indicate approximate date when device will
162	be inst	alled a	and removed.
163			
164	(c)	Const	ruction schedule.
165	. ,		
166	(d)	Name	(s) of specific individual(s) designated responsible
167			ution, dust, and erosion controls on the project site.
168		-	ne, cellular, and business telephone numbers, fax
169			d e-mail addresses.
170		•	
171	(e)	Descr	iption of fill material to be used.
172	()		'
173	(f)	For p	rojects with an NPDES Permit for Construction
174			bmit information to address all sections in the Storm
175			on Prevention Plan (SWPPP).
176		•. •.	().
177	(g)	For pr	ojects with an NPDES Permit, information required
178		-	ce with the conditions of the Notice of General
179		•	rage (NGPC)/NPDES Permit.
180			

(h) Site-Specific BMP Review Checklist. The checklist may be downloaded from HDOT's Stormwater Management website at http://stormwaterhawaii.com.

Date and sign Site-Specific BMP Plan. Keep accepted copy on site or at an accessible location so that it can be made available at the time of an on-site inspection or upon request by the Engineer, HDOT Third-Party Inspector, and/or DOH/EPA Representative. Amendments to the Site-Specific BMP Plan shall be included with original Site-Specific BMP Plan. Modify SWPPP if necessary to conform to revisions. Include date of installation and removal of Site-Specific BMP measures. Obtain written acceptance by the Engineer before implementing revised Site-Specific BMPs in the field.

Follow the guidelines in the current HDOT "Construction Best Management Practices Field Manual", in developing, installing, and maintaining Site-Specific BMPs for all projects. For any conflicting requirements between the Manual and applicable bid documents, the applicable bid documents will govern. Should a requirement not be clearly described within the applicable bid documents, notify the Engineer immediately for interpretation. For the purposes of clarification "applicable bid documents" include the construction plans, standard specifications, special provisions, Permits, and the SWPPP when applicable.

Follow Honolulu's City and County "Rules for Soil Erosion Standards and Guidelines" for all projects on Oahu. Use respective Soil Erosion Guidelines for Maui, Kauai and Hawaii projects.

(B) Construction Requirements. Do not begin work until submittals detailed in Subsection 209.03(A)(2) - Water Pollution, Dust, and Erosion Control Submittals are completed and accepted in writing by the Engineer.

Install, maintain, monitor, repair and replace site-specific BMP measures, such as for water pollution, dust and erosion control; installation, monitoring, and operation of hydrotesting activities; removal and disposal of hazardous waste indicated on plans, concrete cutting slurry, concrete curing water; or hydrodemolition water. Site-Specific BMP measures shall be in place, functional and accepted by HDOT personnel prior to initiating any ground disturbing activities.

If necessary, furnish and install rain gage in a secure location prior to field work including installation of site-specific BMP. Provide rain gage with a tolerance of at least 0.05 inches of rainfall. Install rain gage on project site in an area that will not deter rainfall from entering the gate opening. Do not install in a location where rain water may splash into rain gage. The rain gage installation shall be stable and plumbed. Maintain rain gage and replace rain gage that is stolen, does not function properly or accurately, is worn out, or needs to be relocated. Do not begin field work until rain gage is installed and Site-Specific BMPs are in place. Rain gage data logs shall be readily available. Submit rain gage data logs weekly to the Engineer.

Address all comments received from the Engineer.

Modify and resubmit plans and construction schedules to correct conditions that develop during construction which were unforeseen during the design and pre-construction stages.

Coordinate temporary control provisions with permanent control features throughout the construction and post-construction period.

Limit maximum surface area of earth material exposed at any time to 300,000 square feet. Do not expose or disturb surface area of earth material (including clearing and grubbing) until BMP measures are installed and accepted in writing by the Engineer. Protect temporarily or permanently disturbed soil surface from rainfall impact, runoff and wind before end of the work day.

Immediately initiate stabilizing exposed soil areas upon completion of earth disturbing activities for areas permanently or temporarily ceased on any portion of the site. Earth-disturbing activities have permanently ceased when clearing and excavation within any area of the construction site that will not include permanent structures has been completed. Earth-disturbing activities have temporarily ceased when clearing, grading, and excavation within any area of the site that will not include permanent structures will not resume for a period of 14 or more calendar days, but such activities will resume in the future. The term "immediately" is used in this section to define the deadline for initiating stabilization measures. "Immediately" means as soon as practicable, but no later than the end of the next work day, following the day when the earth-disturbing activities have temporarily or permanently ceased.

For projects with an NPDES Permit for Construction activities:

(1) For construction areas discharging into waters not impaired for nutrients or sediments, complete initial stabilization within 14 calendar days after the temporary or permanent cessation of earth-disturbing activities.

271	(2) For construction areas discharging into nutrient or sediment
272	impaired waters, complete initial stabilization within 7 calendar days
273	after the temporary or permanent cessation of earth-disturbing
274	activities.
275	
276	For projects without an NPDES Permit for Construction activities,
277	complete initial stabilization within 14 calendar days after the temporary or
278	permanent cessation of earth-disturbing activities.
279	permanent dessation of earth-disturbing activities.
280	Any of the following types of activities constitutes initiation of
	5 5.
281	stabilization:
282	
283	(1) Prepping the soil for vegetative or non-vegetative stabilization;
284	
285	(2) Applying mulch or other non-vegetative product to the exposed
286	area;
287	
288	(3) Seeding or planting the exposed area;
289	
290	(4) Starting any of the activities in items (1) – (3) above on a portion
291	of the area to be stabilized, but not on the entire area; and
292	
293	(5) Finalizing arrangements to have stabilization product fully
294	installed in compliance with the deadline for completing initial
295	stabilization activities.
296	
297	Any of the following types of activities constitutes completion of initial
298	stabilization activities:
299	
300	(1) For vegetative stabilization, all activities necessary to initially
301	seed or plant the area to be stabilized; and/or
302	seed of plant the area to be stabilized, and/or
303	(2) For non-vegetative stabilization, the installation or application of
304	all such non-vegetative measures.
	all such fion-vegetative measures.
305	If the Centractor is unable to meet the deadlines above due to
306	If the Contractor is unable to meet the deadlines above due to
307	circumstances beyond the Contractor's control, and the Contractor is using
308	vegetative cover for temporary or permanent stabilization, the Contractor may
309	comply with the following stabilization deadlines instead as agreed to by the
310	Engineer:
311	
312	(1) Immediately initiate, and complete within the timeframe shown
313	above, the installation of temporary non-vegetative stabilization
314	measures to prevent erosion;
315	

necessary.

316	(2) Complete all soil conditioning, seeding, watering or irrigation
317	installation, mulching, and other required activities related to the
318	planting and initial establishment of vegetation as soon as conditions or
319	circumstances allow it on the site; and
320	
321	(3) Notify and provide documentation to the Engineer the
322	circumstances that prevent the Contractor from meeting the deadlines
323	above for stabilization and the schedule the Contractor will follow for
324	initiating and completing initial stabilization and as agreed to by the
325	Engineer.
326	Engineer.
327	Follow the applicable requirements of the specifications and special
328	provisions including Section 619 Planting and Section 641 Hydro-Mulch
328 329	
	Seeding.
330	Improdictable often ecoding or planting the erec to be regetatively
331	Immediately after seeding or planting the area to be vegetatively
332	stabilized, to the extent necessary to prevent erosion on the seeded or planted
333	area, select, design, and install non-vegetative erosion controls that provide
334	cover (e.g., mulch, rolled erosion control products) to the area while vegetation
335	is becoming established.
336	
337	Protect exposed or disturbed surface area with mulches, grass seeds or
338	hydromulch. Spray mulches at a rate of 2,000 pounds per acre. Add tackifier
339	to mix at a rate of 85 pounds per acre. Apply grass seeds at a rate of 125
340	pounds per acre. For hydromulch, use the ingredients and rates required for
341	mulches and grass seeds. Submit recommendations from a licensed
342	Landscape Architect when deviating from the application rates above.
343	
344	Apply fertilizer to mulches, grass seed or hydromulch per
345	manufacturer's recommendations. Submit recommendations from a licensed
346	Landscape Architect when deviating from the manufacturer's
347	recommendations.
348	
349	Install velocity dissipation measures when exposing erodible surfaces
350	greater than 15 feet in height.
351	
352	BMP measures shall be in place and operational at the end of work day
353	or as required by Section 209.03(B) Construction Requirements.
354	or ac required by cooler <u></u>
355	Install and maintain either or both stabilized construction entrances and
356	wheel washes to minimize tracking of dirt and mud onto roadways. Restrict
357	traffic to stabilized construction areas only. Clean dirt, mud, or other material
358	tracked onto the road, sidewalk, or other paved area by the end of the same
359	day in which the track-out occurs. Modify stabilized construction entrances to
360	prevent mud from being tracked onto road. Stabilize entire access roads if
200	provent mad nom being tracked onto road. Otabilize entire access roads if

362			may be used as soil stabilizers for either or both erosion and
363	dust control	if acce	eptable to the Engineer.
364	_		
365			nporary slope drains of rigid or flexible conduits to carry
366			nd embankments. Provide portable flume at the entrance.
367	Shorten or e	extend	temporary slope drains to ensure proper function.
368			
369			hes, channels, and other drainageways leading away from
370	cuts and fills	s at all	times by either:
371			
372	(1)	Hydr	o-mulching the lower region of embankments in the
373	imme	ediate a	area.
374			
375	(2)	Insta	lling check dams and siltation control devices.
376	` ,		
377	(3)	Othe	r methods acceptable to the Engineer.
378	` ,		
379	Provi	ide for	controlled discharge of waters impounded, directed, or
380			ct activities or erosion control measures.
381		, ,	
382	Cove	er expos	sed surface of materials completely with tarpaulin or similar
383		-	porting aggregate, soil, excavated material or material that
384			fugitive dust.
385	may be sea	100 01 1	agiiro daoi.
386	Clea	nun ar	nd remove any pollutant that can be attributed to the
387	Contractor.	nap ai	id follovo driy politicalit trict out so ditributed to the
388	Contractor.		
389	Insta	ll or m	odify Site-Specific BMP measures due to change in the
390			is and methods, or for omitted condition that should have
391			the accepted Site-Specific BMP or a Site-Specific BMP that
392			ted Site-Specific BMP that is not satisfactorily performing.
393	•	-	te-Specific BMP measures shall be accepted in writing by
393 394			to implementation.
39 4 395	the Linginee	i piloi	to implementation.
395 396	Dron	orly mo	pintain all Sita Specific BMD massures
	гюр	eny ma	aintain all Site-Specific BMP measures.
397	Голи	rolo oto	with an NDDEC Demait for Construction Activities
398	FOI p	rojecis	with an NPDES Permit for Construction Activities:
399	(4)	Fan d	
400	(1)		construction areas discharging into nutrient or sediment
401			aters, inspect, prepare a written report, and make repairs to
402	RIMIL	measu	ures at the following intervals:
403		(- X	147 11
404		(a)	Weekly.
405		<i>(</i> 1.)	Maria Calla
406		(b)	Within 24 hours of any rainfall of 0.25 inch or greater
407		which	h occurs in a 24-hour period.

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- **(c)** When existing erosion control measures are damaged or not operating properly as required by Site-Specific BMP.
- (2) For construction areas discharging to waters not impaired for nutrients or sediments, inspect, prepare a written report, and make repairs to BMP measures at the following intervals:
 - (a) Weekly.
 - **(b)** When existing erosion control measures are damaged or not operating properly as required by Site-Specific BMP.

For projects without an NPDES Permit for Construction activities, inspect, prepare a written report, and make repairs to BMP measures at the following intervals:

- (a) Weekly.
- **(b)** When existing erosion control measures are damaged or not operating properly as required by Site-Specific BMP.

Temporarily remove, replace or relocate any Site-Specific BMP that must be removed, replaced or relocated due to potential or actual flooding, or potential danger or damage to project or public.

Maintain records of inspections of Site-Specific BMP work. Keep continuous records for duration of the project. Submit copy of Inspection Report to the Engineer within 24 hours after each inspection.

The Contractor's designated representative specified in Subsection 209.03(A)(2)(d) shall address any Site-Specific BMP deficiencies brought up by the Engineer immediately, including weekends and holidays, and complete work to fix the deficiencies by the close of the next work day if the problem does not require significant repair or replacement, or if the problem can be corrected through routine maintenance. Address any Site-Specific BMP deficiencies brought up by the State's Third-Party Inspector in the timeframe above or as specified in the Consent Decree or MS4 NPDES Permit, whichever is more stringent. The Consent Decree timeframe requirement applies statewide. The MS4 NPDES Permit only applies to Oahu. In this section, "immediately" means the Contractor shall take all reasonable measures to minimize or prevent discharge of pollutants until a permanent solution is installed and made operational. If a problem is identified at a time in the day in which it is too late to initiate repair, initiation of repair shall begin on the following work day. When installation of a new pollution prevention control or a significant repair is needed, complete installation or repair no later than

seven calendar days from the time of notification/Contractor discovery. Notify the Engineer and document why it is infeasible to complete the installation or repair within seven calendar days and complete the work as soon as practicable and as agreed to by the Engineer. Address Site-Specific BMP deficiencies discovered by the Contractor within the timeframe above. The Contractor's failure to satisfactorily address these Site-Specific BMP deficiencies, the Engineer reserves the right to employ outside assistance or use the Engineer's own labor forces to provide necessary corrective measures. The Engineer will charge the Contractor such incurred costs plus any associated project engineering costs. The Engineer will make appropriate deductions from the Contractor's monthly progress estimate. Failure to apply Site-Specific BMP measures may result in one or more of the following: assessment of liquidated damages, suspension, or cancellation of Contract with the Contractor being fully responsible for all additional costs incurred by the State.

(C) Discharges of Storm Water Associated with Construction Activities. If work includes disturbance of one acre or more, an NPDES Permit authorizing Discharges of Storm Water Associated with Construction Activity (CWB-NOI Form C) or Individual Permit authorizing storm water discharges associated with construction activity is required from the Department of Health Clean Water Branch (DOH-CWB).

Do not begin construction activities until all required conditions of the permit are met and submittals detailed in Subsection 209.03(A)(2) – Water Pollution, Dust, and Erosion Control Submittals are completed and accepted in writing by the Engineer.

 (D) Discharges Associated with Hydrotesting Activities. If hydrotesting activities require effluent discharge into State waters or drainage systems, an NPDES Hydrotesting Waters Permit (CWB-NOI Form F) or Individual Permit authorizing discharges associated with hydrotesting from DOH-CWB is required from the DOH-CWB.

Do not begin hydrotesting activities until the DOH-CWB has issued an Individual NPDES Permit or Notice of General Permit Coverage (NGPC). Conduct Hydrotesting operations in accordance with the conditions of the permit or NGPC.

(E) Discharges Associated with Dewatering Activities. If dewatering activities require effluent discharge into State waters or drainage systems, an NPDES Dewatering Permit (CWB-NOI Form G) or Individual Permit authorizing discharges associated with dewatering from DOH-CWB is required from the DOH-CWB.

Do not begin dewatering activities until the DOH-CWB has issued an Individual NPDES Permit or Notice of General Permit Coverage (NGPC). Conduct dewatering operations in accordance with the conditions of the permit or NGPC.

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Solid Waste. Submit the Solid Waste Disclosure Form for Construction Sites to the Engineer within 30 calendar days of contract certification date. Keep copies on-site or at an accessible location so that it can be made available at the time of an on-site inspection or upon request by the Engineer, HDOT Third-Party Inspector, and/or DOH/EPA Representative. Provide a copy of all the disposal receipts from the facility permitted by the Department of Health to receive solid waste or any intermediary facility where solid waste is handled or processed, haul tags, and any documentation as requested by the Engineer by the last day of each month. Notify Engineer at minimum 48 hours prior to removal of material from site. All material used on the project and taken off site shall be considered solid waste. If the Contractor elects to reclassify material as inert fill or reused, DOH HEER testing guidance must be followed. No material generated from this project shall be classified as inert fill material for reuse without testing, obtaining required approvals/permits, providing disposal locations/quantities, and obtaining prior written approval from the Engineer. Failure to comply with these requirements will result in fines/liquidated damages in accordance with Special Provisions Section 209 and HDOT's Enforcement Response Plan.

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(G) Construction BMP Training. The Contractor's representative responsible for development of the Site-Specific BMP Plan and implementation of Site-Specific BMPs in the field shall attend the State's Construction Best Management Practices Training. The Contractor shall keep training logs updated and readily available.

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209.04 Measurement.

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(A) Installation, maintenance, monitoring, and removal of BMP will be paid on a lump sum basis. Measurement for payment will not apply.

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(B) The Engineer will only measure additional water pollution, dust and erosion control required and requested by the Engineer on a force account basis in accordance with Subsection 109.06 – Force Account Provisions and Compensation.

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209.05 Payment. The Engineer will pay for 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.

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The Engineer will pay for each of the following pay items when included in proposal schedule:

Pay Item Pay Unit

Installation, Maintenance, Monitoring, and Removal of BMP

Lump Sum

Payment for all work prescribed in this section including: submittals, sampling, testing, reporting, dust control measures, installation, maintenance, monitoring, implementation of the SWPPP, and removal of BMP's shall be paid under the lump sum pay item shown in the proposal schedule. This includes payment for installation or modification of Site-Specific BMP measures due to change in the Contractor's means and methods, or for omitted condition that should have been allowed for in the accepted Site-Specific BMP/SWPPP or a Site-Specific BMP that requires repair or replacement of an accepted Site-Specific BMP that is not satisfactorily performing.

Additional Water Pollution, Dust, and Erosion Control

Force Account

An estimated amount for force account is allocated in proposal schedule under 'Additional Water Pollution, Dust, and Erosion Control', but actual amount to be paid will be the sum shown on accepted force account records, whether this sum be more or less than estimated amount allocated in proposal schedule. The Engineer will pay for BMP measures requested by the Engineer that are beyond the scope of the original contract work on a force account basis.

No progress payment will be authorized until the Engineer accepts in writing Site-Specific BMP or when the Contractor fails to maintain project site in accordance with accepted BMP.

For all citations or fines received by the Department for non-compliance, including compliance with NPDES Permit conditions, the Contractor shall reimburse State within 30 calendar days for full amount of outstanding cost State has incurred, or the Engineer will deduct cost from progress payment.

The Engineer will not pay for work to repair or to compensate for damages caused by dust or water. The Engineer may assess liquidated damages up to \$27,500 per day for non-compliance of each BMP requirement and all other requirements in this section in accordance with HDOT's Enforcement Response Plan.

209.05

Appendix A

The following list identifies potential pollutant sources and corresponding BMPs used to mitigate the pollutants. Each BMP is referenced to the corresponding section of the current HDOT Construction Best Management Practices Field Manual or appropriate Supplemental Sheets. The Manual may be obtained from the HDOT Statewide Stormwater Management Program Website at http://www.stormwaterhawaii.com/resources/contractors-and-consultants/ under Construction Best Management Practices Field Manual. Supplemental BMP sheets are located at http://www.stormwaterhawaii.com/resources/contractors-and-consultants/storm-water-pollution-prevention-plan-swppp/ under Concrete Curing and Irrigation Water.

Pollutant	Appropriate Site-Specific BMP to be	ВМР
Source	Implemented	Requirements
Construction debris, green waste, general litter	 Separate contaminated clean up materials from construction and demolition (C&D) wastes. Provide waste containers (e.g., dumpster or trash receptacle) of sufficient size and number to contain construction and domestic wastes. Inspect construction waste and recycling areas regularly. Schedule solid waste collection regularly. Schedule recycling activities based on construction/demolition phases. Empty waste containers weekly or when they are two-thirds full, whichever is sooner. Do not allow containers to overflow. Clean up immediately if they do. On work days, clean up and dispose of waste in designated waste containers. See Solid Waste Management Section SM-6 for additional requirements. Provide Storm Drain Inlet Protection and/or 	See Solid Waste Management Section SM-6. Protect Storm Drain Inlets SC-2, and Perimeter Sediment Controls where applicable.
Materials associated with the operation and maintenance of equipment, such as oil, fuel, and hydraulic fluid leakage	 Use off-site wash racks, repair and maintenance facilities, and fueling sites when practical. Designate bermed wash area if cleaning on site is necessary. Place drip pans or drop cloths under vehicles and equipment to absorb spills or leaks. Provide an ample supply of readily available spill cleanup materials. Clean up spills immediately, using dry clean-up methods where possible, and dispose of used materials properly. Do not clean surfaces or spills by hosing the area down. Eliminate the source of the spill to prevent a discharge or a continuation of an ongoing discharge. Inspect on-site vehicles and equipment regularly and immediately repair leaks. Regularly inspect fueling areas and storage tanks. 	See Vehicle and Equipment Cleaning, Maintenance, and Refueling, Sections SM- 11, SM-12, and SM-13, and Material Delivery, Storage and Material Use Sections SM-2 and SM-3, and Spill Prevention and Control SM-10.

Pollutant	Appropriate Site-Specific BMP to be	ВМР
Source	Implemented	Requirements
	 Train employees on proper maintenance and spill practices and procedures and fueling and cleanup procedures. Store diesel fuel, oil, hydraulic fluid, or other petroleum products or other chemicals in water-tight 	
	containers and provide cover or secondary containment.	
	Do not remove original product labels and comply with manufacturer's labels for proper disposal.	
	Dispose of containers only after all the product has been used.	
	Dispose of or recycle oil or oily wastes according to Federal, State, and Local requirements.	
	Store soaps, detergents, or solvents under cover or other means to prevent contact with rainwater.	
	 See Vehicle and Equipment Cleaning, Maintenance, and Refueling, Sections SM-11, SM-12, and SM-13 and Material Use Section SM-3 for additional requirements. 	

Soil erosion from the disturbed areas • Provide Soil Stabilization, Slope Protection, Storm Drain Inlet Protection SC-2, Perimeter Controls and Sediment Barriers, Sediment Basins and Detention Ponds, Check Dams SC-9, Level Spreader SC-10, Paving Operations SM-19, Construction Road Stabilization EC-1, Controlling Storm Water Flowing Onto and Through the Project, Post-Construction BMPs, and Non-Structural BMPs (Employee Training SM-1, 3. EC-6	Pollutant	Appropriate Site-Specific BMP to be	BMP
from the disturbed areas Storm Drain Inlet Protection SC-2, Perimeter Controls and Sediment Barriers, Sediment Basins and Detention Ponds, Check Dams SC-9, Level Spreader SC-10, Paving Operations SM-19, Construction Road Stabilization EC-1, Controlling Storm Water Flowing Onto and Through the Project, Post-Construction BMPs, and Non-Structural BMPs (Employee Training SM-1, Stabilization 1. SM-21 Topsoil Management 2. EC-5 Seeding and Planting 3. EC-6	Source	Implemented	Requirements
Sediment SM-15, Preservation of Existing Vegetation SM-16). • Delineate, and clearly mark off, with flags, tape, or other similar marking device all natural buffer areas defined in the SWPPP. • Preserve native topsoil where practicable. • In areas where vegetative stabilization will occur, restrict vehicle/equipment use in areas to avoid soil compaction or condition soil to promote vegetative growth. • For Storm Drain Inlet Protection, clean, or remove and replace, the protection measures as sediment accumulates, the filter becomes clogged, and/or performance is compromised. • Where there is evidence of sediment accumulation adjacent to the inlet protection measure, remove the deposited sediment by the end of the same day in which it is found or by the end of the following work day if removal by the same day is not feasible. • Sediment basins shall be designed and maintained in accordance with HAR 11-55. • Minimize disturbance on steep slopes (Greater than 15% in grade). • It disturbance of steep slopes are unavoidable.	Soil erosion from the disturbed	 Provide Soil Stabilization, Slope Protection, Storm Drain Inlet Protection SC-2, Perimeter Controls and Sediment Barriers, Sediment Basins and Detention Ponds, Check Dams SC-9, Level Spreader SC-10, Paving Operations SM-19, Construction Road Stabilization EC-1, Controlling Storm Water Flowing Onto and Through the Project, Post-Construction BMPs, and Non-Structural BMPs (Employee Training SM-1, Scheduling SM-14, Location of Potential Sources of Sediment SM-15, Preservation of Existing Vegetation SM-16). Delineate, and clearly mark off, with flags, tape, or other similar marking device all natural buffer areas defined in the SWPPP. Preserve native topsoil where practicable. In areas where vegetative stabilization will occur, restrict vehicle/equipment use in areas to avoid soil compaction or condition soil to promote vegetative growth. For Storm Drain Inlet Protection, clean, or remove and replace, the protection measures as sediment accumulates, the filter becomes clogged, and/or performance is compromised. Where there is evidence of sediment accumulation adjacent to the inlet protection measure, remove the deposited sediment by the end of the same day in which it is found or by the end of the following work day if removal by the same day is not feasible. Sediment basins shall be designed and maintained in accordance with HAR 11-55. Minimize disturbance on steep slopes (Greater than 15% in grade). If disturbance of steep slopes are unavoidable, phase disturbances and use stabilization techniques designed for steep grades. For temporary drains and swales use velocity dissipation devices within and at the outlet to 	Soil Stabilization 1. SM-21 Topsoil Management 2. EC-5 Seeding and Planting 3. EC-6 Mulching 4. EC-7 Geotextiles and Mats Slope Protection 1. EC-5 Seeding and Planting 2. EC-6 Mulching 3. EC-7 Geotextiles and Mats 4. EC-9 Slope Roughening, Terracing, and Rounding 5. SC-11 Slope Drains and Subsurface Drains 6. SC-12 Top and Toe of Slope Diversion Ditches and Berms SC-2 Storm Drain Inlet

Pollutant	Appropriate Site-Specific BMP to be	ВМР
Source	Implemented	Requirements
		Perimeter
		Controls and
		Sediment
		Barriers
		1. SC-1 Silt
		Fence
		2. SC-5
		Vegetated
		Filter Strips
		and Buffers
		3. SC-8
		Compost Filter
		Berm
		4. SC-13
		Sandbag
		Barrier
		5. SC-14
		Brush or Rock
		Filter
		Sediment Basins and Detention Ponds 1. SC-15 Sediment Trap 2. SC-16 Sediment Basin SC-9 Check
		Dams
		SC-10 Level Spreader SM-19 Paving Operations EC-1
		Construction
		Road
		Stabilization

Pollutant	Appropriate Site-Specific BMP to be	ВМР
Source	Implemented	Requirements
		Controlling
		Storm Water
		Flowing onto
		and Through
		the Project
		1. EC-8
		Run-On
		Diversion
		2. SC-6
		Earth Dike
		3. SC-7
		Temporary
		Drains and
		Swales
		Post
		Construction
		<i>BMPs</i>
		1. EC-4
		Flared Culvert
		End Sections
		2. SC-3 Rip-
		Rap and
		Gabion Inflow
		Protection 3. SC-4
		Outlet
		Protection and
		Velocity
		Dissipation
		Devices
		4. SM-21
		Topsoil
		Management

Pollutant	Appropriate Site-Specific BMP to be	ВМР
Source	Implemented	Requirements
		Non-Structural
		<i>BMPs</i>
		1. SM-1
		Employee
		Training
		2. SM-14
		Scheduling
		3. SM-15
		Location of
		Potential
		Sources of
		Sediment
		4. SM-16
		Preservation
		of Existing
		Vegetation

Pollutant	Appropriate Site-Specific BMP to be Implemented	ВМР
Source		Requirements
Sediment from soil stockpiles	 Locate stockpiles a minimum of 50 feet or as far as practicable from concentrated runoff or outside of any natural buffers identified on the SWPPP. Place bagged materials on pallets and under cover. Provide physical diversion to protect stockpiles from concentrated runoff. Cover stockpiles with plastic or comparable material when practicable. Place silt fence, fiber filtration tubes, or straw wattles around stockpiles. Do not hose down or sweep soil or sediment accumulated on pavement or other impervious surfaces into any storm water conveyance (unless connected to a sediment basin, sediment trap, or similarly effective control), storm drain inlet, or state water. Unless infeasible, contain and securely protect stockpiles from the wind. Provide Storm Drain Inlet Protection and/or Perimeter Sediment Controls as applicable. See Protection of Stockpiles Section SM-4 for additional requirements. 	See Protection of Stockpiles Section SM-4. Protect Storm Drain Inlets SC-2, and Perimeter Sediment Controls where applicable.
Emulsified asphalt or prime/tack coat	 Provide training for employees and contractors on proper material delivery and storage practices and procedures. Restrict paving operations during wet weather to prevent paving materials from being discharged. Use asphalt emulsions such as prime coat when possible. Protect drain inlet structures and manholes during application of tack coat, seal coat, slurry seal, and fog seal. Keep ample supplies of drip pans and absorbent materials on site. Inspect inlet protection devices. See Material Delivery and Storage Section SM-2 and Paving Operations Section SM-19 for additional requirements. Provide Storm Drain Inlet Protection and/or Perimeter Sediment Controls as applicable. 	See Material Delivery and Storage Section SM-2 and Material Use Section SM-3, Paving Operations Section SM- 19, Protect Storm Drain Inlets SC-2, and Perimeter Sediment Controls where applicable.

Pollutant	Appropriate Site-Specific BMP to be Implemented	ВМР
Source		Requirements
Materials associated with painting, such as paint and paint wash solvent	 Hazardous chemicals shall be well-labeled and stored in original containers. Keep ample supply of cleanup materials on site. Dispose container only after all of the product has been used. Remove as much paint from brushes on painted surface. Rinse from water-based paints shall be discharged into the sanitary sewer system where possible. If not, direct all washwater into a leak-proof container or leak-proof pit. The container or pit must be designed so that no overflows can occur due to inadequate sizing or precipitation. Locate on-site wash area a minimum of 50 feet away or as far as practicable from storm drain inlets, open drainage facilities, or water bodies. Do not dump liquid wastes into the storm drainage system. Filter and re-use solvents and thinners. Dispose of oil-based paints and residue as a hazardous waste. Ensure collection, removal, and disposal of hazardous waste complies with regulations. Immediately clean up spills and leaks Properly store paints, solvents, and epoxy compounds. Properly store and dispose waste materials generated from painting and structure repair and construction activities. Mix paints in a covered and contained area when possible to minimize adverse impacts from spills. Do not apply traffic paint or thermoplastic if rain is forecasted. See Material Delivery and Storage Section SM-2, Material Use SM-3, Waste Management, Hazardous Waste Management Section SM-9, Waste Management, Spill Prevention and Control Section SM-10, and Structure Construction and Painting Section SM-20 for additional requirements. Provide Storm Drain Inlet Protection and/or Perimeter Sediment Controls as applicable. 	See Material Delivery and Storage Section SM-2, Material Use Section SM-3, Hazardous Waste Management Section SM-9, Waste Management, Spill Prevention and Control Section SM-10, and Structure Construction and Painting Section SM-20, Protect Storm Drain Inlets SC-2, and Perimeter Sediment Controls where applicable.

Pollutant	Appropriate Site-Specific BMP to be Implemented	ВМР
Source	Appropriate dite opeome zim to so impromente	Requirements
Industrial	Hazardous chemicals shall be well-labeled and	See Material
chemicals,	stored in original containers.	Delivery and
fertilizers,	Keep ample supply of cleanup materials on site.	Storage
and/or	Clean up spills immediately, using dry clean-up	Section SM-2, Material Use
pesticides	methods where possible, and dispose of used	Section SM-3,
pesticiaes	materials properly.	and
	Do not clean surfaces or spills by hosing the area down.	Hazardous
	Eliminate the source of the spill to prevent a	Waste
	discharge or a furtherance of an ongoing discharge.	Management
	Dispose container only after all of the product has	Section SM-9,
	been used.	and Spill
	Retain a complete set of material safety data	Prevention
	sheets on site.	and Control SM-10
	Store industrial chemicals in water-tight	SIVI-10
	containers and provide either cover or secondary	
	containment.	
	Provide cover when storing fertilizers or	
	pesticides to prevent these chemicals from coming	
	into contact with rainwater.	
	 Restrict amount of pesticide prepared to quantity necessary for the current application. 	
	 Do not apply fertilizers or pesticides during or just 	
	before a rain event.	
	Do not apply to stormwater conveyance channels	
	with flowing water.	
	Comply with fertilizer and pesticide	
	manufacturer's recommended usage instructions.	
	Follow federal, state, and local laws regarding	
	fertilizer application.	
	Do not dispose of toxic liquid wastes (solvents,	
	used oils, and paints) or chemicals (additives, acids,	
	and curing compounds) in dumpsters allocated for	
	construction debris.	
	Ensure collection, removal, and disposal of hazardous waste complies with regulations.	
	Hazardous waste compiles with regulations. Hazardous waste that cannot be reused or recycled	
	shall be disposed of by a licensed hazardous waste	
	hauler.	
	See Material Delivery and Storage Section SM2,	
	Material Use SM-3, and Waste Management,	
	Hazardous Waste Management Section SM-9 for	
	additional requirements.	

Pollutant	Appropriate Site-Specific BMP to be Implemented	ВМР
Source		Requirements
Hazardous waste (Batteries, Solvents, Treated Lumber, etc.)	 Do not dispose of toxic materials in dumpsters allocated for construction debris. Ensure collection, removal, and disposal of hazardous waste complies with regulations. Hazardous waste that cannot be reused or recycled shall be disposed of by a licensed hazardous waste hauler. Segregate and recycle wastes from vehicle/ equipment maintenance activities such as used oil or oil filters, greases, cleaning solutions, antifreeze, automotive batteries, and hydraulic and transmission fluids. Store waste in sealed containers, which are constructed of suitable materials to prevent leakage and corrosion, and which are labeled in accordance with applicable Resource Conservation and Recovery Act (RCRA) requirements and all other applicable federal, state, and local requirements. All containers stored outside shall be kept away from surface waters and within appropriately-sized secondary containment (e.g., spill berms, decks, spill containment pallets). Provide cover if possible. Clean up spills immediately, using dry clean-up methods where possible, and dispose of used materials properly. Do not clean surfaces or spills by hosing the area down. Eliminate the source of the spill to prevent a discharge or a continuation of an ongoing discharge. Ensure collection, removal, and disposal of hazardous waste complies with manufacturer's recommendations and is in compliance with federal, state, and local requirements. See Hazardous Waste Management Section SM-9 and Vehicle and Equipment Management, Vehicle and Equipment Maintenance SM-12 for additional requirements. 	See Hazardous Waste Management Section SM-9 and Vehicle and Equipment Maintenance SM-12

Pollutant	Appropriate Site-Specific BMP to be	ВМР
Source	Implemented	Requirements
Metals and Building Materials	 Inspect construction waste and recycling areas regularly. Schedule solid waste collection regularly. If building materials or metals are stored on site (such as rebar or galvanized poles) store under cover under tarps or in containers. Minimize the amount of material stored on site. Do not stockpile uncovered metals or other building materials in close proximity to discharge points. See Solid Waste Management Section SM-6 for additional requirements. 	See Solid Waste Management Section SM-6
Contaminated Soil	 See Waste Management, Contaminated Soil Management Section SM-8 and/or Hazardous Waste Management Section SM-9 for additional requirements. At minimum contain contaminated material soil by surrounding with impermeable lined berms or cover exposed contaminated material with plastic sheets. 	See Waste Management, Contaminated Soil Management Section SM-8 and/or Hazardous Waste Management Section SM-9
Dust Control Water	 Do not over spray water for dust control purposes which will result in runoff from the area. Apply water as conditions require. Washing down of debris or dirt into drainage, sewage systems, or State waters is not allowed. See Dust Control Section SM-18 for additional requirements. 	See Dust Control Section SM-18
Concrete Truck Wash Water	 Disposal of concrete truck wash water via percolation is prohibited. Wash concrete-coated vehicles or equipment off-site or in the designated wash area. Locate on-site wash area a minimum of 50 feet away or as far as practicable from storm drain inlets, open drainage facilities, or water bodies. Runoff from the on-site concrete wash area shall be contained in a temporary pit or level bermed area where the concrete can set. Design the area so that no overflow can occur due to inadequate wash area sizing or precipitation. 	See Waste Management, Concrete Waste Management Section SM-5

Pollutant	Appropriate Site-Specific BMP to be	ВМР
Source	Implemented	Requirements
	 The temporary pit shall be lined with plastic to prevent seepage of wash water into the ground. Allow wash water to evaporate or collect wash water and all concrete debris in a concrete washout system bin. Do not dump liquid wastes into storm drainage system. Dispose of liquid and solid concrete wastes in compliance with federal, state, and local standards. See Waste Management, Concrete Waste Management Section SM-5 for additional requirements. 	
Sediment Track-Out	 Include Stabilized Construction Entrance at all points that exit onto paved roads. A sediment trapping device is required if a wash rack is used in conjunction with the stabilized construction entrance/exit. The pavement shall not be cleaned by washing down the street. If sweeping is ineffective or it is necessary to wash the streets, wash water must be contained either by construction of a sump, diverting the water to an acceptable disposal area, or vacuuming the wash water. Use BMPs for adjacent drainage structures. Remove sediment tracked onto the street by the end of the day in which the track-out occurs. Restrict vehicle use to properly designated exit points. Include additional BMPs which remove sediment prior to exit when minimum dimensions can not be met. See Stabilized Construction Entrance Section EC-2 for additional requirements. 	See Stabilized Construction Entrance Section EC-2

Pollutant	Appropriate Site-Specific BMP to be	ВМР
Source	Implemented	Requirements
Irrigation Water	 Consider irrigation requirements. Where possible, avoid species which require irrigation. Design timing and application methods of irrigation water to eliminate the runoff of excess irrigation water into the storm water drainage system. See Seeding and Planting Section EC-5 and California Stormwater BMP Handbook SD-12 	See Seeding and Planting Section EC-5 and California Stormwater BMP Handbook SD-12 Efficient Irrigation
	Efficient Irrigation at <pre>http://www.stormwaterhawaii.com/ resources/ contractors-and-consultants/storm-water-pollution- prevention-plan-swppp/ under Irrigation Water for additional requirements.</pre>	
Hydrotesting Effluent	• If work includes removing, relocation or installing waterlines, and Contractor elects to flush waterline or discharge hydrotesting effluent into State waters or drainage systems, the Contractor shall prepare and obtain HDOT acceptance of a NOI/NPDES Permit Form F application for HDOT submittal to DOH CWB at least 30 calendar days prior to the start of Hydrotesting Activities if necessary. Site-Specific BMPs will be included in the NOI/NPDES Permit Form F submittal.	Site-Specific BMPs will be included in the NOI/NPDES Permit Form F submittal.
Dewatering Effluent	• If excavation or backfilling operations require dewatering, and Contractor elects to discharge dewatering effluent into State waters or existing drainage systems, Contractor shall prepare and obtain HDOT acceptance of a NOI/NPDES Permit Form G application for HDOT submittal to DOH CWB at least 30 calendar days prior to the start of Dewatering Activities if necessary. See Site Planning and General Practices, Dewatering Operations Section SM-17 for additional requirements.	See Dewatering Operations SM- 17. Site- Specific BMPs will be included in the NOI/NPDES Permit Form G submittal.

Pollutant	Appropriate Site-Specific BMP to be	ВМР
Source	Implemented	Requirements
Saw-cutting Slurry	 Saw cut slurry shall be removed from the site by vacuuming. Provide storm drain protection during saw cutting. See Paving Operations Section SM-19 for additional requirements. Provide Storm Drain Inlet Protection and/or Perimeter Sediment Controls as applicable. 	See Paving Operations Section SM- 19, Storm Drain Inlet Protection SC-2, Perimeter sediment controls where applicable
Concrete Curing Water	 Avoid overspraying of curing compounds. Apply an amount of compound that covers the surface, but does not allow any runoff of the compound. See California Stormwater BMP Handbook NS-12 Concrete Curing at http://www.stormwaterhawaii.com/resources/ contractors-and-consultants/storm-water-pollution-prevention-plan-swppp/ under Concrete Curing for additional requirements. 	See California Stormwater BMP Handbook NS- 12 Concrete Curing
Plaster Waste Water	 Direct all washwater into a leak-proof container or leak-proof pit. The container or pit must be designed so that no overflows can occur due to inadequate sizing or precipitation. Locate on-site wash area a minimum of 50 feet away or as far as practicable from storm drain inlets, open drainage facilities, or water bodies. Any significant residual materials remaining on the ground after the completion of construction shall be removed and properly disposed. If the residual materials contaminate the soil, then the contaminated soil shall also be removed and properly disposed of. Plaster waste water shall not be allowed to flow into drainage structures or State waters. See Material Delivery and Storage Section SM-2, Material Use SM-3, and Hazardous Waste Management Section SM-9 for additional requirements. 	See Material Delivery and Storage Section SM-2, Material Use Section SM-3, and Hazardous Waste Management Section SM-9

Pollutant	Appropriate Site-Specific BMP to be	ВМР
Source	Implemented	Requirements
Water-Jet Wash Water	 For Water-Jet Wash Water used to clean vehicles, use off site wash racks or commercial washing facilities when practical. See Vehicle and Equipment Cleaning Section SM-11 for additional information. For Water-Jet Wash Water used to clean impervious surfaces, the runoff shall not be 	See Vehicle and Equipment Cleaning Section SM-11
	allowed to flow into drainage structures or State Waters.	
Sanitary/Septic Waste	 Locate Sanitary facilities in a convenient place away from drainage facilities. Position sanitary facilities so they are secure and will not be tipped over or knocked down. Wastewater shall not be discharged to the ground or buried. A licensed service provider shall maintain sanitary/septic facilities in good working order. Schedule regular waste collection by a licensed transporter. 	See Sanitary/Septic Waste Section SM-7.
	See Sanitary/Septic Waste Section SM-7 for additional requirements.	

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END OF SECTION 209