

MICHIGAN  
DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION  
FOR  
**NON-HAZARDOUS CONTAMINATED MATERIAL HANDLING AND DISPOSAL**

ENV:JCW

1 of 2

APPR:DMG:DBP:02-26-20  
FHWA:APPR:03-02-20

**a. Description.** This work consists of handling, transporting, disposing of non-hazardous contaminated material, including all laboratory testing required for the proper disposal of the material and site restoration of temporary storage locations. Ensure this special provision is not employed without authorization by the Engineer. The laboratory testing will be used to solicit landfill approval and is not intended to determine whether or not the material is contaminated. Soil delineated on the plans and classified as non-hazardous contaminated cannot be used elsewhere on the project regardless of the laboratory test results unless otherwise directed by the Engineer.

**b. Materials.** None specified.

**c. Construction.** Complete this work in accordance with sections 204 and 205 of the Standard Specifications for Construction, except as modified herein or as directed by the Engineer.

1. Excavation of Non-hazardous Contaminated Material. Excavate non-hazardous contaminated material as shown on the plans or as directed by the Engineer.

2. Temporary Storage of Non-hazardous Contaminated Material. Place excavated non-hazardous contaminated material which is to be temporarily stockpiled on plastic sheeting or tarps having a minimum thickness of 6 mils or in trucks, roll off boxes, or other containers, such that no liquid may escape from the containment. Cover the non-hazardous contaminated material securely with plastic sheeting of 6 mils thickness or greater at the end of each work day.

Dispose of excavated non-hazardous contaminated material as soon as approval is received from the disposal site. This material cannot be stockpiled for longer than 30 days prior to disposal.

Restore temporary storage locations to the condition prior to conducting the work.

3. Sampling and Analysis of Non-hazardous Contaminated Material. Sample and analyze non-hazardous contaminated material prior to disposal. The analysis required is dictated by the Type II disposal facility to be utilized for disposal. Should the results of the analysis show the material to be hazardous waste, as defined by the 1994 PA 451, Part 111, of the Natural Resources and Environmental Protection Act, notify the Engineer immediately. The material must then be disposed of as directed by the Engineer.

4. Disposal of Non-hazardous Contaminated Material. Dispose of non-hazardous contaminated material at a licensed Type II sanitary landfill. Submit at the preconstruction

meeting the name of the Type II landfill to be used for disposal, the sampling and analysis requirements of that landfill, and verification that use of the proposed landfill will meet the requirements of the county solid waste plan.

Ensure the proposed landfill is acceptable to the Department and approval is obtained from the Engineer prior to commencing disposal operations. Provide a copy of the laboratory analysis to the Engineer as a requirement of approval for disposal. Following disposal and prior to approval for payment provide to the Engineer landfill receipts for all non-hazardous contaminated material disposed of.

**d. Measurement and Payment.** The completed work, as described, will be measured and paid for at the contract unit price using the following pay item:

**Pay Item**

**Pay Unit**

Non Haz Contaminated Material Handling and Disposal, LM..... Cubic Yard

**Non Haz Contaminated Material Handling and Disposal, LM** will be measured by volume in cubic yards, LM. Provide to the Engineer receipts from the disposal facility for the number of cubic yards disposed of at that facility prior to payment. Payment will include all costs for materials, labor and equipment needed for storage, loading, transportation, testing, restoration of temporary storage locations and disposal of the non-hazardous contaminated material. Disposal costs will include all documentation required by the landfill.

Payment for excavation of non-hazardous contaminated material will be included with the related items of work.

Delays in testing and disposal of non-hazardous contaminated material that are not the fault of the Contractor may be considered valid reasons for extension of time. However, these delays and the resultant extensions of time will not be considered valid reasons for additional payment.

Should the analysis of the material document that it is hazardous waste, then payment for disposal of hazardous waste will be measured and paid for as extra work. Disposal includes hauling by a licensed hazardous waste hauler and disposal at an appropriate licensed disposal facility. Prequalification is waived.