

In the Contract Specific Pages

35. STABILIZATION OF DISTURBED AREAS AND DUST CONTROL

A Storm Water Pollution Prevention Plan (SWPPP) has been approved for this project and included on the contract CD. The Contractor shall aggressively control erosion and sediment in accordance with the SWPPP during all stages of construction. All areas disturbed through excavation or through the placement of roadway embankment, excavation and other incidental work shall be stabilized as indicated in the Plans and Specifications or as directed by the Engineer

It is directly stated in the RIPDES General Permit that the SWPPP shall be amended whenever there is a change in design, construction, operation, maintenance or other procedure which has a significant effect on the potential for the discharge of pollutants, or if the SWPPP proves to be ineffective in achieving its objectives. The SWPPP is intended to be an actively changing document. Even if every BMP on the plans are installed appropriately, if sediment or waste is leaving the construction site, the construction site is in non-compliance with the RIPDES General Permit, and the SWPPP must be modified to reflect all changes made to bring the site in to compliance. It is the responsibility of the owner and operator to implement and amend the SWPPP as appropriate in accordance with the requirements of the General Permit.

The contractor will be required to have a full-time, on-site designated contact person responsible for working with the RIDOT Resident Engineer and the RIDOT designated Environmental Compliance Manager (ECM) to resolve SWPPP-related issues. This person must be present, and identified as the SWPPP contact, at the preconstruction conference.

The Contractor shall control dust in accordance with all applicable federal, state, and local regulations including RIDEM Air Pollution Control Regulations and specifically Regulation No. 5, "Fugitive Dust". The Contractor shall control dust during normal working hours, weekends and nights as required in order to comply with these regulations. The Contractor shall aggressively control dust and the accumulation of mud throughout the construction duration, specifically adjacent to all private properties and public thoroughfares with the use of water, calcium chloride, RI Standard 9.9.0 Construction Access, street sweeping, and other actions as may be required by the Engineer. Water shall be dispensed from trucks, hoses or sprinklers as may be required to cover the areas necessary to control dust. The Contractor shall be responsible for contacting local water departments to determine any special equipment, personnel or fees are required for using water from fire hydrants. All costs for controlling dust shall be included in Item Codes 907.0100 and 907.0200. Failure to comply will result in a fine of \$ _____ per day.

Cleaning and sweeping public roadway pavement surfaces shall be performed once a week as needed, and/or as directed by the Engineer, all as set forth in the

Special Provisions for Item Code 931.99. All costs associated with this street sweeping shall be considered incidental to the contract. Failure to comply will result in a fine of \$_____ per day.

Areas specified for Soil and Seed on the Plans shall be seeded at the earliest possible date as outlined in the Rhode Island Standard Specifications for Road and Bridge Construction. Failure to comply will result in a fine of \$_____ per day.

Due to the length of time that baled hay erosion checks take to break down under normal conditions and the length of time that construction activities will be on-going, the Contractor shall replace baled hay erosion checks after 1 year of placement. Additional quantities have been provided to replace all baled hay erosion checks on a yearly basis due to material breakdown. Cleaning, repair and restoration of damage sustained by erosion and pollution controls caused by "normal" rainfall events will be paid for under the Section 212.2000 Cleaning and Maintenance of Erosion Controls. Failure to maintain Erosion and Pollution Controls will result in fines outlined in the Special Provision for Code 212 Maintenance and Cleaning of Erosion and Pollution Controls.

In the Job Specific Pages

CODE 212.2000 MAINTENANCE AND CLEANING OF EROSION AND POLLUTION CONTROLS

Subsection **212.03.3**; Failure to Maintain Erosion and Pollution Controls, of the Standard Specifications requires that a daily charge be deducted from monies due the Contractor in the event the Engineer decides that erosion and pollution controls are not in place or have not been adequately maintained. This shall include the failure to comply with the Storm Water Pollution Prevention Plan (SWPPP) provisions. Also, the Contractor shall sign the SWPPP as the Operator at the time the Contract is signed acknowledging that he understands the terms and conditions of the SWPPP and agrees to follow the Best Management Practices described in it. The contractor shall be held responsible for any and all cost associated with fines and clean up activities, over and above the penalty assessed herein resulting from contractor failure in this regard.

For each violation the charge for this Contract will be \$_____ per day.