



Construction Policy Bulletin

CPB 09-13 Aerially Deposited Lead

References: *Standard Special Provision*

SSP 19-900 "Material Containing
Hazardous Waste Concentrations
of Aerially Deposited Lead"

Construction Manual

Section 7-106C, "Aerially Deposited Lead"

Effective Date: October 28, 2009

Approved: _____

A handwritten signature in black ink, appearing to read 'Mark Leja', written over a horizontal line.

MARK LEJA

Chief

Division of Construction

Approval Date: October 27, 2009

Background

On June 30, 2009, the Department of Toxic Substances Control (DTSC) issued a statewide Caltrans Variance No. V09HQSCD006 (Variance) for lead-contaminated soil caused by aerially deposited lead (ADL). The Variance and additional information about ADL are available on the Division of Environmental Analysis internet and intranet websites:

http://www.dot.ca.gov/hq/env/haz/hw_adl.htm

<http://pd.dot.ca.gov/env/haz/html/adl.htm>

This Variance, compared with existing variances has four major differences:

1. The Variance applies to all districts.
2. The level of lead measured in contaminated soil that may remain within Caltrans right-of-way when placed under one foot of clean soil has been raised from 0.5 mg/L to 1.5 mg/L of extractable lead (based on a modified waste extraction test using deionized water as the extractant).
3. The level of lead measured in contaminated soil that may remain within the Caltrans right-of-way when placed under pavement has been raised from 50 mg/L to 150 mg/L (based on a modified waste extraction test using deionized water as the extractant).
4. Caltrans must develop and implement a record-keeping mechanism to record and retain permanent records of all locations where lead-contaminated soil has been buried. To accomplish this, contractors will be required to survey the top and bottom perimeter areas of ADL burial site locations and report the information to the resident engineer and the Division of Environmental Analysis. That division will review the data for acceptability, place it into a database if it is acceptable, and report to the resident engineer.

To facilitate collection of data about locations where ADL has been buried, Caltrans has revised the standard special provision, "Material Containing Hazardous Waste Concentrations of Aerially Deposited Lead," to include the requirement that the contractor collect and submit the burial location data. The Division of Construction has developed form CEM-1901, "Burial Location of Soil Containing Aerial Deposited Lead," for this requirement.

This bulletin is intended as an interim guideline for the resident engineers until the Caltrans construction manual can be updated.

Existing Procedure

When project special provisions contain the Material Containing Aerially Deposited Lead specification and special provisions identify soil containing aerially deposited lead that can remain within the right of way, the resident engineer must verify that the district has made a submittal to the DTSC to invoke the district variance. If the district did not submit it to DTSC, the resident engineer contacts the district construction environmental liaison or district hazardous waste coordinator for help in preparing and sending the variance-invoking submittal at least five days before the start of construction affecting soil containing aerially deposited lead.

The resident engineer is responsible for showing locations on the as-built plans of where aerially deposited lead was buried on the project.

New Procedure

When project special provisions contain the Materials Containing Hazardous Waste Concentrations of Aerially Deposited Lead specification and special provisions identify soil containing aerially deposited lead that can remain within the right of way, the resident engineer must verify that the district submitted data to invoke the statewide Variance to the DTSC. If the division did not submit the data to the DTSC, the resident engineer contacts the district construction environmental liaison or district hazardous waste coordinator for assistance in preparing and sending the variance-invoking submittal at least five days before the start of construction affecting soil containing aerially deposited lead.

Do not allow department staff and contractor staff who have not completed a safety-training program provided by the contractor to work in areas where soil containing aerially deposited lead is known to exist. Assistant resident engineers must be aware of the requirements for burying soil containing aerially deposited lead and record information on their daily reports adequate to verify the burial locations of aerially deposited lead.

The contractor must submit form CEM-1901, "Burial Location of Soil Containing Aerial Deposited Lead," to the resident engineer and to the Division of Environmental Analysis within five business days of completing placement of soil containing aerially deposited lead at a burial location. The resident engineer should verify the information submitted on the form and notify the contractor within five business days if the information must be corrected. Also submit corrected forms to ADL@dot.ca.gov. The DEA will provide access for the resident engineer to review the information plotted from the data that the contractor submitted on form CEM-1901.

The resident engineer is responsible for showing on the as-built plans the locations where aerially deposited lead was buried on the project. Information submitted on form CEM-1901, "Burial Location of Soil Containing Aerial Deposited Lead," should be used as the basis for plotting the locations.

If you have questions regarding aerially deposited lead variance or the standard special provision, Materials Containing Hazardous Waste Concentrations of Aerially Deposited Lead, please contact Kim Christmann, Division of Environmental Analysis, at Kim_D_Christmann@dot.ca.gov or (916) 653-3265. For contract administration questions about aerially deposited lead, please contact Chuck Suszko, Division of Construction, at chuck_suszko@dot.ca.gov or (916) 227-7314.

Attachments: CEM-1901, "Burial Location of Soil Containing Aerial Deposited Lead"