

Contract Requirements Package Environmental Review Checklist Cover Sheet

SECTION I Purpose

Purpose of checklist cover sheet: To document the review of the requirements package Performance Work Statement (PWS), Quality Assurance Surveillance Plan, and any applicable source selection evaluation criteria for environmental protection matters. **AMC requirement:** Inclusion of a signed environmental protection cover sheet is required in all packages, except for supply contracts under the simplified acquisition level threshold (\$150,000), field ordering officer actions, and government IMPAC purchases. **Mandatory review and signature:** The organization must review each requirements package prior to submission to the supporting contracting activity to include coordination with other staff as appropriate per Section II below.

SECTION II Performance Work Statement (PWS)

If there is specific language in the requirements PWS package that addressed the requirement related to the standard provision, then check "PWS. Note: At a minimum all contracts that meet the threshold specified in Section I must meet or exceed the environmental requirements contained in Section III - Performance Work Statement Requirements unless exempted by the Director of Engineering & Public Works or equivalent position thereof.

Performance Work Statement (PWS) Requirements	PWS (Identify Section Location)	N/A
1. Compliance with Environmental Laws and Regulations		
2. Compliance with Green Procurement Requirements		
3. Compliance with License and Certification Requirements		
4. Notification of Federal and State Regulators		
5. Inspection of Work Sites		
6. Reporting Noncompliance		
7. Verification of National Environmental Policy Act Documents		
8. Conformance with Environmental Management System		
9. Assignment of Environmental Compliance Designee (ECD)		
10. Competency Training for Contractor Personnel		
11. Generation of Solid Waste		
12. Generation of Hazardous Waste		
13. Use of Hazardous Materials		
14. Prevention of Storm Water Pollution		
15. Low Impact Design		
16. Use of Pesticides		
17. Protection of Worksite Resources		
18. Prevention of Spills		
19. Protection of Sensitive Areas		
20. Corrective Action for Noncompliance		
21. Noise		
22. Mercury Materials		
23. Universal Waste / e-Waste Management		
24. Pollution Prevention / Hazardous Waste Minimization		

SECTION III
Performance Work Statement (PWS) Requirements

1. Compliance with Environmental Laws and Regulations: Contractor shall comply with all applicable federal, state, and local environmental laws, statutes, regulations, executive orders, permits, Army regulations (with supplements), as well as Major Subordinate Command (MSC) and installation regulations and policies. Contractor shall immediately report any conflicts between applicable federal, state, local environmental laws, statutes, executive orders, and provisions of Army Regulation 200-1, and any specifications within this contract to the Contracting Officer Representative (COR) as well as the Director of Engineering & Public Works.

2. Compliance with Green Procurement Requirements: Contractor shall follow Federal EPA Comprehensive Procurement guidelines (www.epa.gov/cpg) and Army Contracting Command Quick Guide (<https://acc.aep.army.mil/accapps/ACCMAP/Documents/Quick-Guide-for-Sustainable-Procurement.docx>) for acquisition of building materials and products and select materials that have a long life cycle; the least toxic materials; recyclable materials; materials that are resource-efficient; materials with the maximum recycled content; materials harvested on a sustained yield basis; and products causing the least pollution during their manufacture, use, and reuse.

3. Compliance with License and Certification Requirements: Contractor shall obtain all license and certification required by Federal, State, and Local environmental laws and regulations necessary to adhere to the specifications of this contract. The Contractor shall submit all plans, notifications, reports, submittal documents, and fees required by Federal, State, and Local environmental laws and regulations to the appropriate Federal, State, and Local authority and/or agency as necessary to adhere to the specification of this contract. All required licenses and certifications required by Federal, State, and Local environmental laws and/or regulations shall be considered a contract deliverable upon award.

4. Notification of Federal and State Regulators: Contractor shall immediately notify Director of Engineering & Public Works and COR of the arrival on site of any Federal, State, and/or DoD environmental regulator or enforcement agent and/or the receipt of any correspondence from a Federal or State environmental agency.

5. Inspections of Work Sites: Contractor shall submit to potential Federal, State, Army and installation work site environmental regulatory inspections and/or investigations into noncompliance, and fully cooperate with such inspections/investigations by providing the appropriate records and documentation. Environmental regulatory agencies are authorized by law to inspect any work site for environmental compliance with regulatory requirements. If an inspection is conducted, it will not stop or disrupt ongoing contract activities. The inspection will only require the work site environmental officer, or supervisor/manager to answer questions and/or escort the inspector to specific work site areas with the potential to affect environmental quality. Typical environmental work site inspections are conducted in less than 30 minutes with an approximate frequency of one inspection every two months.

6. Reporting Noncompliance: Contractor shall immediately report any nonconformance and/or noncompliance with applicable Federal, State or Local environmental laws, Army and installation environmental regulations or policies to the COR and Director of Engineering & Public Works.

7. Verification of National Environmental Policy Act Documents: Contractor shall obtain from the COR or Director of Engineering & Public Works, a copy of AMC's National Environmental Policy Act Policy and 32 CFR 651 which addresses actions to be taken by contractor. These documents include but is not limited to the analysis-associated decision document of an Environmental Impact Statement and Record of Decision; Environmental Assessment and Finding of No Significant Impact or Notice to Proceed; or Record of Environmental Consideration on the proposed contract actions prior to commencement of such actions.

8. Conformance with Environmental Management System: Contractor shall take the necessary actions to identify, monitor, and control those contract operations and activities that pose risk of contamination, or can negatively impact the natural and/or human environment.

9. Assignment of Environmental Compliance Designee (ECD): Contractor shall appoint an ECD for all contract work periods exceeding 180 consecutive days. Contractor shall appoint a primary and alternate ECD for each production, shop or work area that uses and/or stores hazardous materials and/or generates hazardous wastes. Contractor ECDs shall monitor implementation of all environmental regulatory requirements, report all environmental noncompliance to the work site supervisor, correct all environmental noncompliances, and verify implementation of directed actions to correct identified environmental noncompliance. Contractor shall have at least one ECD on duty at all times at each shop or work area. Contractor shall require all personnel designated as ECDs to complete the initial ECD through the installation or Major Subordinate Command (MSC) environmental compliance point of contact within 15 days of the start of contract performance. Contractor shall require ECDs to complete a re-certification course within 365 days of the completion of the initial certification course to maintain ECD certification. Failure to complete the re-certification course within 365 days will necessitate re-taking the initial course to maintain ECD certification. Contractor personnel certified as ECDs may perform other duties provided they do not prevent the performance of ECD duties. Contractors may request a waiver of this requirement through the COR to Director of Engineering & Public Works, if using and/or storing very small quantities of hazardous materials.

10. Competency Training for Contractor Personnel: Contractor shall not allow personnel to perform any activities and/or tasks on AMC installations without proper and adequate qualifications or job competency training. In the event of any identified noncompliance, the Contractor shall, if requested, provide proof of contract personnel training or qualification (individual name, training/qualification type, training/qualification certificate, and date of training/qualification) to perform those contract activities associated with the identified noncompliance.

11. Generation of Solid Waste: Contractor shall remove from the installation and dispose of all solid waste generated, which cannot be recycled to an approved and permitted off-post disposal facility.

11.1. Contractor shall make every effort to divert 54 percent of all construction and demolition debris waste and 44 percent of all other solid waste to comply with the Army Integrated Solid Waste Management Policy.

11.2. Prior to removing any waste from the installation for disposal, the Contractor shall coordinate with the installation Qualified Recycling Program Manager and Director of Engineering & Public Works to arrange for recyclable materials to be removed and diverted from the waste stream and provided to the installation to receive credit toward meeting diversion requirements. 11.

3. Submit in writing the quantities of waste removed and recycled to the Director of Engineering & Public Waste or designee on a monthly basis and at the expiration of the contract. The submittal shall include the date of disposal/recycling, the disposal/recycling facility, the types of material disposed/recycled and the quantities of materials disposed/recycled by weight. 11. 4. The

Contractor shall establish a program to promote cost-effective waste reduction in all operations and facilities covered by the contract. This includes collection, separation, and processing products or other materials recovered from solid waste streams for use in the form of raw materials. 11. 5.

The Contractor shall make maximum effort to reduce and prevent waste and comply with Executive Order 13423.

12. Generation of Hazardous Waste: Contractor shall assign all hazardous waste management responsibilities to the appointed ECOPC. Contractor shall contact the Director of Engineering & Public Works to obtain technical assistance from the installation's Environmental Director who will assist the ECOPC with achieving and maintaining compliance with hazardous waste storage and disposal requirements. Contractor shall properly profile all waste generated as part of this contract to determine if any waste is hazardous waste as defined by 40 CFR. Contractor shall accumulate hazardous waste prior to disposal shipment in a satellite accumulation point at or near the point of generation or in a less-than-90-day site, in accordance with Federal, State, Army, and installation regulations or policies. The Contractor shall properly package the hazardous waste and complete the hazardous waste manifest, then take the manifest to Director of Engineering & Public Works for approval and signature prior to removing any hazardous waste from the installation. Contractor shall contact Director of Engineering & Public Works or designee to obtain the installation's hazardous waste EPA ID number for the hazardous waste manifest. The Contractor shall notify Director of Engineering & Public Works or designee 24 hours prior to removing any hazardous waste from the installation. The contractor shall remove and dispose of manifested hazardous waste generated by contract activities from the installation, to an approved off-post permitted hazardous waste disposal facility. The Director of Engineering & Public Works or designee shall assist contractors with profiling their waste upon request.

13. Use of Hazardous Materials: Contractor shall assign all hazardous materials management responsibilities to the appointed ECOPC. Contractor shall contact Director of Engineering to obtain technical assistance from installation's Environmental Director who will assist the ECOPC with achieving and maintaining compliance with hazardous material storage, issue, use, and disposal requirements. Contractor shall submit to the COR and/or Director of Engineering & Public Works a hazardous material inventory. The hazardous material inventory will be submitted 30 days prior to commencement of work for contracts that exceed 180 consecutive days. The inventory list will contain the hazardous material type and maximum quantities of materials anticipated to be stored on-site. The hazardous material shall be properly identified and include any applicable identification number, such as National Stock Number or Special Item Number. The Contractor shall maintain copies of Safety Data Sheets for all hazardous materials used and stored on-site during performance of the contract. Contractor shall not supply or deliver any hazardous materials or chemicals to an AMC installation that are listed on EPA toxic chemical list without prior written approval from Director of Engineering & Public Works.

14. Prevention of Storm Water Pollution: The Contractor shall perform, track, participate, implement, and comply with storm water pollution prevention minimum control measures, protocols, and best management practices (BMP) and ensure that water quality standards are not violated in accordance with all regulations and policies as they apply to the State Pollutant Discharge Elimination System general permit requirements. Applicable permits include:

- 1) The installation's Small Municipal Separate Storm Sewer System (MS4) Permit;
- 2) The Multi-Sector General Permit for Storm Water Discharges Associated with Industrial Activities (MSGP); and,
- 3) All Construction Activity Storm Water permits minimum control measures include, but not limited to:

- Public Education and Outreach on Storm Water Impacts
- Public Involvement and Participation
- Illicit Discharge Detection and Elimination
- Construction Site Storm Water Run-off Control
- Post Construction Storm Water Management in New Development and Redevelopment
- Pollution Prevention/Good Housekeeping for Municipal Operations Contractors will comply with the MSGP permit when the activity is identified as a permitted industrial activity. BMPs include, but are not limited to:
 - Practicing spill prevention and good housekeeping.
 - Installing and managing erosion and sediment control.
 - Meeting the requirements of the MS4 permit.
- Contractors will obtain permit coverage for construction activities disturbing over one acre of land (total acreage is cumulative across all portions of the project). BMPs include, but are not limited to:
 - Preparing and implementing a site-specific Storm Water Pollution Prevention Plan (SWPPP) as outlined in the permit and prior to any soil disturbance.
 - Installing and managing erosion and sediment control.
 - Make available, upon request, permit associated documentation.
 - Practicing spill prevention and good housekeeping.
 - Meeting the requirements of the MS4 permit.
 - Schedule inspections and provide corrective actions for noted facility deficiencies.

15. Storm Water Management Low Impact Design/Development (LID): The Contractor shall perform, track, participate, implement, and comply with Section 438 of the Energy Independence and Security Act; Executive Order 13514; and the DOA memorandum (2010) for full implementation of low impact design/development (LID) techniques to restore predevelopment hydrology to the maximum extent technically feasible for both new and renovation construction projects regardless of size. In support of LID, Contractors will adhere to installation landscape codes and the guidance found in the Installation Design Guide concerning Low Impact Design/Development for storm water management. The following LID practices include, but are not limited to:

- Restoring predevelopment hydrology to the maximum extent technically feasible
- Promoting natural removal of pollutants such as nutrients, oil and grease, and sediments from storm water
- Managing rainfall at the point where it falls
- Meeting the requirements of the MS4 permit

• Important Note: Utilization of permanent retention/detention ponds is prohibited without authorization from the Installation Planning Division.

16. Use of Pesticides: Contractor shall submit the type and quantity of regulated pesticides to be applied, the application purpose, and location to the Director of Engineering & Public Works and COR for approval 10 working days prior to the initial application. The Contractor shall submit the actual quantities applied (DD1532 or equivalent) to the Director of Engineering & Public Works and COR within 2 working days (48 hours) after each approved application. The Contractor shall utilize Integrated Pest Management (IPM) technology and procedures in strict compliance with all applicable Federal, State, Army, and installation regulations, to include the installation's integrated pest management plan. Pesticide applicators shall be certified and licensed in accordance with the State where work is being performed and/or Department of Defense regulations. The Contractor shall provide evidence of personnel licenses and certifications to the Contracting Officer and the Director of Engineering & Public Works prior to the initial application of pesticides. Only those pesticides registered with the US Environmental Protection Agency and approved by Army Materiel Command Pest Management Consultant shall be utilized and then only in strict accordance with product labeling. The installation reserves the right to prohibit and limit the amount and type of pesticides used.

17. Protection of Work Site Resources: Contractor shall confine all activities to areas defined by the drawings and specifications. Prior to the beginning of any work, the Contractor shall identify any land resources to be preserved within the work area. Except in areas indicated on the drawings or specified to be cleared, the Contractor shall not remove, cut, deface, injure, or destroy land resources including trees, shrubs, vines, grasses, topsoil, and landforms. The Contractor shall provide effective protection for land and vegetative resources at all times. Prior to site clearing and grubbing, the Contractor shall coordinate harvesting of saleable timber with the Director of Engineering & Public Works. Contractor shall notify the Director of Engineering & Public Works if any trees are required to be disposed or removed. The Contractor is not authorized to remove or dispose of any tree greater than 6 inches in diameter unless permission has been granted in writing by the Director of Engineering & Public Works.

18. Prevention of Spills: Contractor shall develop, maintain, and post at the work site a written site-specific spill response plan if transporting, processing, storing, or in any way managing hazardous waste, hazardous material, petroleum-oils-lubricants, or other restricted items. In case of a spill, the person in control of the spill site or their designated representative shall take appropriate action to protect workers and bystanders; contain the spill (if it can be done safely); secure the spill site; restrict ignition sources; and immediately contact the installation Fire and Emergency Services (Fire Department). Contractors storing 1,320 gallons or more of any oil-based product in an aboveground storage tank at a construction site shall develop a Spill Prevention Control Countermeasure (SPCC) Plan and present such plan to the Director of Engineering & Public Works prior to placement. Immediately respond to actual emergencies and accidents, prevent or mitigate associated adverse environmental impacts, and contact the installation Fire and Emergencies Services.

19. Protection of Sensitive Areas: Contractor shall comply with all installation designated sensitive and/or off-limit area restrictions. Sensitive areas are marked with orange carsonite signs with reflective stickers indicating what activities (e.g., driving, digging, foot traffic) are prohibited. These stakes are placed on the boundary of the sensitive area. The stakes will show one or a combination of symbols. The Contractor shall also adhere to the following installation sensitive areas requirements:

19.1. Cultural Resources Sites: Do not excavate, remove, damage, or otherwise deface any archeological resource located on public lands.

19.2 Endangered Species Habitats: Do not initiate any action that may disturb, endanger, or damage to any degree the habitat of a threaten and endangered species.

19.3 Wetlands: Do not excavate or take any action that could fill or damage any wetland unless working under a project specific Corps of Engineers 404 permit. Wetlands include streams, riparian areas, bogs, marshes, and swamps.

20. Corrective Action for Noncompliance: Contractor shall when given a verbal and/or written notice of environmental noncompliance or nonconformance by the COR, take immediate corrective action. Failure or refusal to comply promptly may be grounds for the Contracting Officer to invoke the appropriate contractual remedies. This may cause all or part of the work to be stopped immediately until satisfactory corrective action has been taken.

21. Noise: Make the maximum use of low-noise emission products, as certified by the EPA. Blasting or use of explosives will not be permitted without written permission from the Contracting Officer, and then only during the designated times. Confine pile-driving operations to the period between 8 a.m. and 4 p.m., Monday through Friday, exclusive of holidays, unless otherwise specified.

22. Mercury: Mercury is prohibited, unless specified otherwise, and with the exception of mercury vapor lamps and fluorescent lamps. Dumping of mercury-containing materials and devices such as mercury vapor lamps, fluorescent lamps, and mercury switches, in rubbish containers is prohibited. Remove without breaking, pack to prevent breakage, and transport out of the activity in an unbroken condition for disposal as directed. Immediately report to the Director of Engineering & Public Works and the Contracting Officer instances of breakage or mercury spillage. Clean mercury spill area to the satisfaction of the Contracting Officer.

Cleanup of a mercury spill shall not be recycled and shall be managed as a hazardous waste for disposal.

23. Universal Waste / e-Waste Management: Universal waste including but not limited to some mercury containing building products such florescent lamps, mercury vapor lamps, high pressure sodium lamps, CRTs, batteries, aerosol paint containers, electrical equipment containing PCBs, and consumed electronic devices, shall be managed in accordance with applicable environmental law and installation instructions.

24. Pollution Prevention / Hazardous Waste Minimization: Minimize the use of hazardous materials and the generation of hazardous waste. Consult with the installation Environmental Office for suggestions and to obtain a copy of the installation's pollution prevention/hazardous waste minimization plan for reference material when preparing this part of the plan.

**SECTION IV
Remarks**

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**SECTION V
Certification**

Environmental Protection Review: I have reviewed the requirements package and understand my responsibilities IAW Army regulation 200-1 as well as Federal, State, Local, and installation applicable regulations and requirements.

Reviewer: First & Last Name / Rank or Grade	Signature	Date