



Environmental Health & Safety

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TO: Facilities Planning and Construction Directors and Project Managers

FROM: Drew Kaczmarek, Environmental Assistant Director

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SUBJECT: Construction Contract - Environmental Recommendations

In April 2005 the U.S. Environmental Protection Agency (EPA) produced a guidance document entitled “**Managing Your Environmental Responsibilities: A Planning Guide for Construction and Development.**” This document was produced to help ensure construction related environmental issues are identified and properly addressed. Below is a summary of the approximately 200-page guide. It is written in a format recommended for direct inclusion in all future construction contracts.

1. The contractor will determine the need for **storm water permits**. Generally, a storm water permit is needed when a project will disturb one or more acres. Further information is available at www.cicacenter.org/stormwater.html. The contractor will obtain, maintain, and terminate a storm water permit when necessary. Application for a storm water permit is through the Federal EPA. **Copies of all applications, permits, and inspections must be submitted to NMSU Environmental Health and Safety (EH&S), P.O. Box 30001/Dept. 3578, Las Cruces, NM 88011.**

2. The contractor will properly collect, label, and securely store all **used oil and waste solvents** generated during construction in closed containers. **Secondary containers or containment materials** must be used to prevent any potential leaks/spills from primary containers from spreading into the environment. Any spills must be contained, cleaned up, and reported to NMSU Police (**575-646-3311**). There is the possibility that used oil collected from NMSU equipment may contain **PCBs**. The contractor needs to contact NMSU EH&S (575-646-3327) for specific test results. The contractor will ensure proper disposal of all oil and solvent bearing wastes.

3. The contractor will properly collect, label, and securely store all hazardous wastes generated during construction activities in closed containers. All hazardous waste sent off for disposal must be properly manifested and must be coordinated with EH&S for proper documentation. Examples of hazardous wastes that will likely be generated are: **Mercury in thermostats/switches, mercury contamination in sewer traps or plumbing associated with laboratories, lead piping (sink traps), and radioactive exit signs/alarms.**

4. The contractor will properly collect, label, and securely store all universal/special wastes generated during construction activities in closed containers. Examples of universal/special wastes that will likely be generated are **light bulbs and PCB/Non-PCB light ballasts**. Light bulbs and fluorescent tubes that contain mercury must be disposed as universal waste. (Note: Light bulbs with green tips and/or green labeling are not considered hazardous and thus can be

disposed of with regular construction debris waste.) The contractor will ensure proper disposal of all universal/special wastes.

5. The contractor will ensure individuals conducting **lead-based paint** abatement, risk assessment, and inspection are properly trained and certified. Further details are available at www.epa.gov/lead/regulations.htm. The contractor will also ensure proper disposal of all lead-based paint materials generated.

6. The contractor will ensure all ozone depleting substances such as **chlorofluorocarbons (CFCs)** that may be found in refrigerators, air conditioners, and other chiller units are properly collected and sent off for recycling. All personnel collecting CFCs for recycling must be EPA certified and use EPA certified recovery equipment.

7. The contractor will ensure a **certified asbestos inspector**, prior to beginning any renovation or demolition activities, inspects the construction site. If necessary samples of suspected asbestos containing material will be collected by the contractor and sent off for analysis prior to the start of construction. The contractor will submit a **written notice of intent** to renovate or demolish 10 working days prior to starting any construction activities to the New Mexico Environment Department (NMED) Air Quality Division when required. For more information reference: www.nmenv.state.nm.us. The contractor will ensure all friable asbestos containing materials (defined by being able to crumble under the pressure of your hand) are properly removed, stored, transported and ultimately disposed. In addition, non-friable asbestos containing materials may also need to be specially removed, stored, transported, and ultimately disposed if the certified inspector deems it necessary.

8. The contractor will ensure all hazardous materials and hazardous wastes are properly transported by DOT certified companies and disposed of at EPA approved facilities. All hazardous waste sent off for disposal must be properly manifested and include NMSU's **EPA ID Number: NMD075088252**. The generator's name and mailing address must read: **NMSU EH&S, P.O. Box 30001/Dept. 3578, Las Cruces, NM 88003. All manifests must be signed by an NMSU representative.** *Please contact NMSU Environmental Health & Safety (575-646-3327) to coordinate signatures. Original manifests must be returned to the above address to comply with EPA tracking and tax requirements.* Overall, the contractor will ensure all hazardous material and hazardous waste activities are conducted in accordance with Department of Transportation (49 CFR 0-END), Environmental Protection Agency (40 CFR 0-END), and Occupational Safety and Health Administration (29 CFR 0-END) applicable regulations. The only local company NMSU is aware of that performs hazardous waste transportation and disposal services is Advanced Chemical Transport (ACT) (575-824-0164).

9. The contractor will ensure his employees are properly informed of the above requirements and properly **trained** in general and specific environmental health and safety requirements. **All hazardous material spills or emergencies must be reported to NMSU Police (575-646-3311).**