COPY

PERFORMANCE WORK STATEMENT

INDEFINITE DELIVERY/INDEFINITE QUANTITY

for

RESIDENTIAL PROPERTY SURFACE SOIL REMEDIAL ACTION

at the

MADISON COUNTY MINES SITE
MADISON COUNTY, MISSOURI

1.0 PURPOSE

The purpose of this Performance Work Statement (PWS) is to perform a remedial action for lead-contaminated residential property surface soil at the Madison County Mines Superfund site (Site). The residential properties, which are located across Madison County, are part of Operable Unit 3 (OU-3). The selected remedy consists of excavation and disposal of lead-contaminated residential soil; replacement of the contaminated soil with "clean" fill and soil; and revegetation. The remedial action shall be conducted consistent with the OU-3 Interim Record of Decision (ROD) issued in July 2008, relevant EPA policies (including OSWER 9285.7-50, Superfund Lead-Contaminated Residential Sites Handbook, August, 2003), and this PWS. Definitions of key terms used in the PWS are included in Enclosure A.

Remediation is being conducted pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended by the Superfund Amendments and Reauthorization Act (SARA), and National Contingency Plan (NCP) requirements. The Contractor shall furnish all labor, materials, equipment, site management, office support, and incidental items necessary to meet the performance standards and accomplish the requirements of this PWS. The Contractor shall confine his activities to the property locations designated as requiring remediation (including paths to and from the properties), the soil repository (Conrad tailings pile), backfill source areas, and all transportation routes in between defined by the PWS.

When conducting this work, the Contractor shall remember and communicate to the property owner if necessary, the following general principles:

1. The goal of this CERCLA effort is to remove surface soil that poses a health risk, NOT to enhance or improve any property;
2. Decisions (e.g., remove a tree/stump or dig around it, etc.) made are based on what is in the best interest of the EPA and the health of the community.

Please note: The prospective bidders shall not trespass on residential properties that are private property and are in no way authorized to do so before contract award. Prospective bidders should also not request access from private residential landowners to view their properties.

2.0 BACKGROUND

The Site covers Madison County, Missouri and, as a mining site, includes any media impacted by heavy metals mainly related to historical mining and milling activities. The Site is located in Madison County, approximately 80 miles south of St. Louis, in southeastern Missouri at the southern end of the Old Lead Belt where heavy metal mining has occurred since the early 1700s and industrial mining activities since the 1800s. Past mining operations have left at least 13 identified major areas of mine waste in the form of tailings and chat deposits from significant mineral processing operations and smelting in Madison County. It has been reported that mine waste may have been used on residential properties for fill material and private driveways.

EPA started assessing lead-contaminated residential soil at the Site in 2001. To date, approximately 3,100 residential properties have had their soil sampled and analyzed for metals. Because assessment results indicated children's health was at risk due to lead levels in residential surface soil, an Action Memorandum was signed by EPA on September 8, 2000 to address lead-contaminated residential soil in the northern part of the Site. Since then, two other Action Memorandums have been signed to expand removal actions within the county to excavate, dispose of, and replace lead-contaminated soil. The removal actions were suspended in October 2006. In July 2008, an Interim ROD was signed to address residential surface soil with lead levels greater than 400 parts per million (ppm). The selected remedy includes the excavation and removal of lead-contaminated surface soil, backfilling the excavation with replacement soil, and revegetation.

A list of the **possible** properties and an example set of associated field sheets of properties identified for surface soil excavation and replacement are provided in Enclosure B. The field sheets generally identify the areas at the residential properties that must be remediated based on analytical data, and the foot print of permanent structures. The sketches are not to scale, but any measurements are expected to be accurate within 15 feet. If a sketch does not accurately identify the property or the contaminated portions of the properties, EPA will correct the sketch and identify what remediation is required.

Occasionally, the COR/PO may have entered into agreements with property owners that pertain to the cleanup. If such an agreement exists, it will be provided to the Contractor prior to beginning remediation at that particular property. The Contractor shall fully comply with these agreements.

3.0 PERFORMANCE TASKS

Task 1 – Yard Preparation

With the Contractor's help, EPA will endeavor to schedule a pre-construction walkthrough with the Contractor, EPA, and the property owner to discuss excavation activities and identify any areas of concern at least one week prior to construction activities at a residential property. At this time, the Contractor will take photographic and/or video evidence of the pre-remedial state of the property.

The Contractor shall use the property sketch as a guide in determining which areas of the property shall be excavated. With Contractor assistance, EPA will also further delineate areas requiring excavation. Generally, the property owner is responsible for removing personal items from the remediation area. In rare cases, the Contractor shall help with temporary relocation of personal items (e.g., swing sets, lawn items, etc.) necessary for accomplishment of excavation. As directed by the COR/PO, the Contractor shall clear and dispose of, or relocate, limited amounts of bushes, shrubs, and small trees within the excavation area. Permanent structures (houses, additions, patios, porches, decks, sidewalks, concrete or asphalt driveways and sidewalks) shall not be removed. Removal of large trees or large tree stumps or concrete pads is generally not necessary. There may be chat under porches, decks, patios, and inside out-buildings that the Contractor shall have to work around or excavate.

Task 2 – Identify Utilities and Septic Systems

The Contractor shall be responsible for contacting utility companies and having all utilities field located prior to beginning excavation activities. In the event that the Contractor causes damage to marked or obvious (such as overhead) utilities, such utilities will be repaired or replaced at no additional cost to EPA.

The Contractor shall make a best effort to interview and locate utilities, especially septic systems, that are not located by the "one call" or other utility locating service, including thoroughly interviewing homeowners and a thorough site inspection. The COR/PO shall be contacted where standard excavation will cause harm such as around septic tanks or near utilities (such as fiber optic lines, gas mains etc). In such cases, limited or no excavation may be authorized. Septic systems damaged during these activities will be repaired or replaced at no additional cost to EPA.

Task 3 – Preparation of the Conrad Tailings Pile

The Contractor shall be responsible for preparing and maintaining the soil repository at the Conrad tailings pile. The Contractor shall construct and maintain erosion controls as directed by the COR/PO which may include berms, basins, ditches, silt fence, hay bales, etc. The substantive requirements of the storm water protection regulations shall be followed, such as routine inspections and documentation, implementation of best management practices, etc.

Task 4 – Excavation of Contaminated Properties

The objective of the excavation work is to remove lead-contaminated surface soil above 400 ppm in areas where directed by the COR/PO and consistent with the Interim ROD. In general, remediation areas shall be located within approximately 100 feet of the center of the house structure. Any soil contaminated with substances other than heavy metals shall not be remediated unless it is mixed with lead contamination. If during excavation, the Contractor identifies an old fuel tank or soil that has been contaminated by any other substance (e.g., fuel oil, solvents, etc.), the Contractor shall notify the COR/PO immediately. Generally, the Contractor shall not conduct excavation actions on a cap or within a dense vegetation barrier, unless directed by the COR/PO. Additionally, the Contractor generally shall not be required to remediate past boundaries, such as the end of a property, into a pasture, or within a buffer zone or riparian corridor of a creek.

In areas designated for soil removal, excavation shall generally proceed until reaching an average residual lead concentration of less than 400 ppm, as measured by the COR/PO, at the exposed surface of the excavation or until reaching 12 inches below ground surface (bgs). As directed by the COR/PO, the Contractor shall then investigate whether digging down another 12 inches to 24 inches bgs will result in an average lead concentration of less than 1,200 ppm. If an average lead concentration of less than 1,200 ppm can be reached at 24 inches bgs, excavation shall continue to that depth. If not, the Contractor shall place a plastic barrier at the bottom of the excavation. Although unlikely, if suspect smelter material is encountered during excavation, the Contractor,

as directed by the COR/PO, may continue to excavate/remove the material from the property. Excavations are not required to be of uniform depth across the surface area. "Veins" of chat have been encountered historically at this Site and due to high lead levels above 400 ppm, may require excavation by the Contractor. The Contractor shall exercise care so contaminated material is not spread onto clean areas.

The Contractor shall get COR/PO approval for the plastic barrier prior to its use. In general, the plastic barrier should be tough, resilient, bright, wide-meshed, and should not affect soil hydrology.

The Contractor shall excavate soil without damaging houses, sidewalks, curbs, driveways, utilities, and other items at each property. The Contractor shall exercise caution when excavating adjacent to permanent structures (houses, patios, porches, decks, walkways, and retaining walls). Damage to any structures occurring during remedial action activities through Contractor negligence shall be corrected by the Contractor at no cost to EPA.

The Contractor shall ensure safe access for all residents to and from their houses throughout the remediation process and shall take all necessary precautions to reduce the production and spread of soil and dust. As necessary, construction fencing shall be used along sidewalks and driveways to ensure safe access for residents and the public during construction. Additionally, as necessary, the Contractor shall install temporary barriers for safety where trucks are loading out or where excavators are working. The Contractor shall perform excavation around trees, bushes and shrubs to be left in-place in a manner that leaves the root bulb intact and avoids damage to tree roots.

The Contractor shall notify the COR/PO when excavation of an area is believed to be complete so EPA can perform confirmation sampling. There may be as more than a 4-hour delay in EPA performing XRF sampling, but EPA will endeavor to sample within 2 to 4 hours of notification.

If unexpected utilities are encountered during excavation, the utility line shall be excavated by hand within two feet of the said line unless otherwise directed by the COR/PO.

The Contractor shall discuss any alternate ingress/egress onto a property with the COR/PO and property owner. If the Contractor makes modifications to the property (i.e., fence taken down) or does damage (i.e., driveway ruts), the Contractor shall restore the area to its prior state.

Garden areas – The Contractor shall excavate soil in vegetable garden areas until an average lead concentration of below 400 ppm is reached or the bottom of the excavation is 24 inches bgs. At a depth of 2 feet, if the soil contains an average lead concentration of 1,200 ppm or greater, the Contractor shall place a physical barrier in the base of the garden excavation prior to backfilling.

Driveways and garage interiors – On occasion, garages may have contaminated gravel or dirt floors that require hand excavation and placement of gravel. Upon consultation and approval by the COR/PO and landowner, the Contractor shall remove asphalt driveways in poor condition damaged by the remedial action for replacement with gravel.

Drip zones – A drip zone is an area around the painted exterior walls of a house or structure that receives the majority of the rain runoff from the house or structure. Drip zones vary in size from structure to structure and can only be identified through actual field inspection. A drip zone will only be excavated if a composite soil sample from the zone is above 400 ppm lead and if at least one other quadrant at the property has a lead level greater than 400 ppm. Unless defined otherwise by the COR/PO in the field, the Contractor shall excavate a drip zone (within 30 inches of a structure) requiring remediation. As directed by the COR/PO, the Contractor shall excavate the drip zone around a structure in a manner similar to that defined previously. Excavation of a drip zone shall be performed by hand to avoid any damage or perception of possible damage by heavy equipment.

The maximum depth of drip zone excavations may be limited so that excavation does not jeopardize the structural integrity of the house or structure. This determination will be made in the field on a case-by-case basis by the COR/PO. If it is determined that additional excavation will jeopardize the structural integrity of a foundation, then the Contractor shall not be required to perform additional soil excavation even if subsurface soils averaging more than 1,200 ppm lead remain at a depth greater than one foot. During excavation, angling away from the foundation after excavating several inches bgs is acceptable with COR/PO approval.

Potential for naturally occurring lead – Naturally occurring lead ores could be found at the bedrock interface and in undisturbed clay soil near the surface. Another indicator of the presence of naturally occurring lead ores could be a high density of galena crystals in soil or unconsolidated rock in undisturbed soil. When these conditions are encountered, the Contractor shall contact the COR/PO immediately and cease excavating.

Task 5 – Recordkeeping

Beginning on the first day of site mobilization, the Contractor shall make a daily written record of the work progress for each day work is performed at the Site. EPA has the authority to request and review any and all documentation and working papers at any point during contract performance. The Contractor shall meet with EPA each work day to review the work completed and have EPA sign off. EPA has included a daily work order template as Enclosure C.

The Contractor shall be responsible for preparing, obtaining, and maintaining all required permits and licenses for all work involved in this project or fulfilling the substantive requirements of normally-required permits and licenses. With respect to permits, licenses, or any fulfillment of their substantive requirements, the Contractor shall notify the appropriate state and local agencies as to the nature and timing of activities that will occur.

The Contractor shall be responsible for obtaining data, maintaining records, and preparing all reports and submissions required to satisfy the PWS and other regulatory requirements. The Contractor shall comply with all substantive requirements of applicable or relevant and appropriate federal and state and local laws and regulations to meet the performance standards of this PWS.

Task 6 – Transportation and Disposal

The Contractor shall be responsible for disposing excavated soil at the Conrad tailings pile as shown on Figures 3 and 4 in Enclosure D. Soil that exceeds the TCLP limit for lead, 5 milligrams per liter, will be stockpiled in a separate pile for treatment with an appropriate lead stabilization chemical, as approved by the COR/PO. The Contractor is responsible for all TCLP treatment and sampling. After treatment, resampling and subsequent re-treatment shall occur until the lead level is below the TCLP limit for lead. The Contractor shall treat such designated contaminated soil at the Conrad tailings pile and not at any residential properties.

The Contractor shall commit trucks to either the contaminated part of the operation (i.e., transport and disposal of contaminated soil) or the replacement part of the operation (i.e., hauling replacement fill and topsoil to residential properties) in order to minimize cross-contamination. The Contractor shall thoroughly clean and decontaminate all other equipment when switching from contaminated soil or tailings work to "clean" or replacement soil work.

EPA prefers that the Contractor use highways and avoid county roads when possible. As necessary, the Contractor shall repair damaged roads.

The driveway to the Conrad tailings pile may need upgrading and shall be maintained during the work. Additionally, the trucks shall use the gated entrance and shall not use the triangle go-around that goes up to the landowner's residence. EPA will obtain access to the Conrad tailings pile.

The Contractor shall not conduct any remedial activities that exacerbate contamination at the residential property, on private or public roadways, or at the repository. For example, when wet and muddy site conditions exist, the Contractor shall take measures to prevent mud from being tracked off the residential properties and onto roads. The Contractor shall eliminate any mud, soil, or mine waste tracking onto roads prior to resuming work.

The Contractor shall immediately address and clean up spillage associated with the using the trucks. Water or other rinsing agents shall not be used to aid in the removal of spilled material. The Contractor shall ensure that roadways, alleys, and other public access areas are not "tracked" with soil or mine waste from the excavation or repository areas. The Contractor shall cover all trucks hauling soil during all transport times on public and private roadways. The Contractor shall manage excavations such that trucks can load on undisturbed ground. Trucks hauling clean backfill shall operate in clean areas only and shall not back into lead-contaminated material; otherwise, thorough decontamination will be required.

Task 7 – Backfill Quality and Grading

The Contractor shall be responsible for locating, gaining access, and sampling suitable backfill sources. EPA shall have access to all potential and accepted backfill sources. The Contractor shall follow storm water protection regulations. Backfill sources and sampling methods shall be approved by the COR/PO prior to their use. All excavations shall be backfilled with non-contaminated soil and topsoil with at least the following characteristics:

1. Contains less than 240 mg/kg average lead;
2. Contains less than 22 mg/kg average arsenic;
3. Contains less than 25 mg/kg average cadmium;
4. Contains no contaminants at concentrations that pose a risk to human health and the environment. This means that any other substances not listed in numbers 1, 2, and 3 (above) must be below residential soil screening levels referred to by the EPA Region 6 Human Health Medium-Specific Screening levels. The levels can be found at the following web address: http://www.epa.gov/region06/6pd/rcra_c/pd-n/screen.htm; and,
5. Topsoil shall be of sufficient quality to produce heavy growths of grass and sustain vegetable gardens (as verified by appropriate nutrient testing).
6. Contains insignificant amounts of debris (tree roots, rocks, etc.).

EPA will not accept backfill or topsoil that does not meet these characteristics. EPA will not accept work done using backfill or topsoil that does not meet these requirements.

The Contractor may occasionally need to discuss backfill quality issues with concerned property owners, and therefore should be fully prepared to verify/document the quality of backfill used on short notice. The COR/PO may request soil testing results/data (contaminant and nutrient) from the Contractor at regular intervals to assess the quality of backfill being used. A minimum of three inches of topsoil shall be used for the upper-most soil backfill. In garden areas, the Contractor shall replace the excavated area wholly with topsoil unless otherwise approved by the COR/PO.

EPA shall have access at any time to inspect or sample any truck being used for hauling clean backfill (soil or gravel) for lead contamination while the truck is performing the transport of clean backfill under this contract. Any truck being used to haul clean backfill for the Site under this contract found to have lead-bearing material in the truck bed or on the outside of the truck will be assessed a monetary negative incentive (see QASP). In addition, the Contractor will be responsible for the removal and replacement of contaminated backfill from properties excavated under this contract at no cost to EPA.

The Contractor shall ensure adequate compaction of soil for residential use without unacceptable future settlement. The Contractor shall not place backfill in excavations containing snow, ice, or standing water. The Contractor shall accomplish placement of backfill in a manner that will provide positive drainage away from all houses and structures. However, the Contractor shall not be responsible for correcting significant existing drainage problems through extensive grading and backfilling. Prior to placing sod, gravel, or mulch, the surface of the backfill shall be rolled smooth to ensure a quality final landscaping product. As directed by the COR/PO, the Contractor shall bring the final grade to that of the existing terrain.

Replacement gravel for driveways, garage floors, walkways, parking areas and other previously graveled areas shall consist of two types of limestone. For the subgrade, the Contractor shall use 1.5-inch minus limestone derived from non lead-bearing geological units. The Contractor shall then place a 1.5-inch top layer of 1.5-inch clean limestone gravel derived from a non lead-bearing geological unit on all areas that receive gravel. Driveway gravel shall be compacted by a

rolling machine that can adequately compact the gravel so as to not rut/deform when an automobile drives on it. The final grade of gravel shall be brought to that of the existing terrain or previously existing grade based on direction by the COR/PO.

With the exception of asphalt, the overall guiding principle for backfilling is like for like. Therefore, in some instances, the Contractor shall replace mulch, decorative rock, etc. at residential properties.

Task 8 – Dust Suppression

As applicable, the Contractor shall employ dust suppression during soil excavation, soil staging operations at residential properties and the soil repository, backfilling, and grading activities.

Task 9 – Landscaping

The Contractor shall ensure quality landscaping for each remediated property and shall provide materials, equipment and labor necessary such that restoration activities result in final ground surfaces that are smooth with no ponding, and allow for adequate drainage. Hydroseeding shall be performed by the Contractor in remediated areas unless otherwise directed by the COR/PO. Hydroseeding shall consist of following current business standards and practices. All materials and seed utilized shall be from a certified source. Unless otherwise approved by the COR/PO, seeding shall be applied based on the following minimum standards per acre: tall fescue - 40 lbs.; bluegrass mix - 80 lbs.; and annual rye - 120 lbs. Fertilizer shall be applied based on the following minimum standards per acre; Triple 13 - 100 lbs and Triple 19 - 100 lbs. In select cases, as designated by the COR/PO, sod or mulch may be applied instead of hydroseed. If used, mulch shall be applied per industry standards. Subcontractor shall apply based on the following minimum standard per acre: Conweb 2000 - 1,500 lbs. In some cases, the Contractor shall place silt fence around the perimeter of excavated and restored areas to prevent soil migration during rain events prior to the establishment of new grass. As directed by the COR/PO, the Contractor may be required to provide a lawn care guidance sheet to each property owner. Seeding shall only be performed from August 25 to October 15 and March 15 to May 30. During other times, as appropriate, the Contractor shall employ erosion controls at residential properties to maintain the replacement soil. The Contractor shall routinely inspect residential properties that have been seeded to ensure homeowners are watering. Flyers reminding homeowners to water shall be left on doors by the Contractor where inadequate watering is observed. Residential properties shall be reseeded only when the COR/PO determines that it is not the homeowners' fault that grass did not grow. The Contractor shall reseed areas if non-fertile seed was used or application rates were sparse and insufficient at no cost to EPA.

The Contractor shall restore such areas with seeding/fertilizing, gravel, sod, mulch, etc. to a state similar to that which existed prior to the remedial action unless directed otherwise by the COR/PO. Generally, the Contractor shall restore residential properties to pre-excavation conditions including landscaping up to an actual expenditure (cost) for replacement plants/materials of $500 per property (excluding costs associated with seeding and fertilizing). For landscaping replacement costs in excess of $500, the Contractor shall obtain COR/PO approval prior to expending more than $500 in replacement costs for a property.

Task 10 – Replacement of Removed or Damaged Items and Digital Video and/or Digital Photograph

The Contractor shall not be required to replace items removed at the discretion of the property owner. Upon completion of the excavation, backfilling, and restoration, the Contractor shall be responsible for returning the property to pre-excavation conditions (e.g., re-install fences, gates, sprinkler systems, swing sets, etc.) except for items removed by the property owner. If the items are not salvageable after removal (e.g., broken fence posts or fences) the Contractor shall purchase comparable items and reinstall these items. EPA will not pay for items that were damaged by Contractor negligence.

After completing restoration efforts, the Contractor shall notify the COR/PO within one day.

Task 11 – Property Owner Satisfaction Survey

Because property owner satisfaction is a key objective, EPA will request that property owners complete a short Property Owner Satisfaction Survey. This survey captures the level of property-owner satisfaction achieved after all remedial actions are completed. Surveys shall be provided to property owners by the Contractor along with a stamped envelope addressed to the EPA Regional Office. The address is: Emily Wheeler, USEPA, 901 North 5th Street, Kansas City, KS 66101. The results of the surveys will be compiled at the end of each contract year and will be used to determine eligibility for incentive payment. The survey is attached as Enclosure E.

The Contractor shall be allowed to view the completed and returned surveys at any point during the duration of the contract. Property Owner Satisfaction Survey forms for at least 55% of all properties closed-out must be received by EPA in order to be eligible for financial incentive.

Task 12 – Post-Excavation Walkthrough and Final Property Closeout Inspection

The Contractor shall make all reasonable efforts to perform a post-excavation walkthrough with the property owner to discuss completed tasks and, in general, assess all restoration actions. In the event that a face-to-face discussion cannot be arranged, a telephone conversation may be conducted. Following the post-excavation walk-through or discussion, the Contractor shall attempt to obtain the property owner's signature on a Property Owner Satisfaction Survey that acknowledges that all restoration work was completed appropriately and no damage is evident. On occasion, the Contractor may need to show the property owner the pre-excavation video and/or photographs to resolve restoration or property damage issues. If the property owner requests additional work be done to his or her property, the Contractor shall inform the COR/PO for approval/disapproval to conduct the additional work.

Whether or not property owner signatures are obtained, the Contractor shall schedule a final property close-out inspection with the COR/PO. The final property closeout inspection may be scheduled at the same time as the post-excavation walkthrough with the property owner. In those situations where a joint walkthrough and inspection is not performed, the Contractor shall

schedule the final inspection for a property with the COR/PO within 10 work days of completing a post-excavation walkthrough or telephone discussion. The Contractor shall repair all Contractor-caused property damage before the remedial action is considered complete and close-out is performed. During the final inspection, the following activities at a minimum shall take place:

1. The Contractor shall show the COR/PO the Owner Inspection - Property Close Out Form signed by the property-owner (if available);
2. The Contractor shall take photographic and/or video evidence of the post-remedial property.
3. The COR/PO will inspect the completed remedial effort;
4. If the performance standards for project completion are met, the COR/PO will approve the Contractor's property closeout request and sign the EPA Inspection - Property Close Out Form;

OR

If additional work is required by the COR/PO, the property closeout request will not be approved until the work is completed satisfactorily, at which point the COR/PO, after conducting another inspection, will approve the property closeout request and sign the EPA Inspection - Property Close Out Form included in Enclosure E.

Task 13 – Community Involvement and Communication

The Contractor shall direct all inquiries/concerns from state and local regulatory agencies to the COR/PO. When directed by the COR/PO, the Contractor shall coordinate all field activities with city, county, and state officials prior to performing work.

When requested, the Contractor shall support the EPA in performing community relations activities directly associated with this work statement. Additionally, the Contractor may participate in or perform limited community involvement activities for the project. The Contractor shall inform the COR/PO, to the extent possible, in advance of any media contact and in all cases, be immediately informed following any media contact.

4.0 TASK MANAGEMENT

4.1 Project Management

The Contractor shall take into account the following when developing their Project Management Plan (PMP), schedule, and methods for conducting remediation activities:

- No fieldwork of any kind shall be performed at any property before 8:00 AM or after 6:00 PM Monday through Friday, or before 9:00 AM or after 6:00 PM Saturday, in order to minimize disturbances to property owners and neighbors, unless specifically directed by the COR/PO.
- The Contractor shall obtain approval from the CO and COR/PO before fieldwork of any kind at any property can be conducted on Sundays or national holidays.

- The Contractor shall plan and implement all activities in a manner that minimizes adverse impacts to property owners and the general community.
- The Contractor shall honor local customs and practices, and schedule work around them, such as the County Fair, Pick'in on the Square, the Azalea Festival, and JP's Cubarama Tractor Show. Regarding the various local festivals, the Azalea Festival typically happens in May. The JP Cub-Arama typically occurs in September. The Madison County Fair typically happens in October. There is a parade associated with each of these and lots of activity down at the JC ball park area. Pick'in on the Square typically occurs every Friday through October.
- The Contractor shall promote good behavior on the job site in order to promote good public relations. Foul language, obscene gestures, slogans and logos shall not be tolerated.
- Any and all local trucks and truck drivers used for the project shall disclose whether they haul lead ore or concentrate or any other material for the Doe Run Company prior to being approved for work. The Contractor shall inspect those trucks at the beginning of each work day for any signs of lead-bearing material on the inside of the bed, outside of the truck, the undercarriage, and each wheel well. EPA may also conduct such inspections. Any yard that is recontaminated from the use of lead-contaminated trucks shall be re-excavated and backfilled by the Contractor at no cost to EPA.

4.2 Quality Assurance and Control

The Contractor is responsible for ensuring that the quality of all work and products performed or produced under this contract meets the QASP, the approved QAPP, and EPA approval.

The Contractor shall provide qualified personnel to conduct inspection of materials, equipment, construction activities, workmanship and the completed properties. The personnel should be familiar with the specific requirements of these activities.

4.3 Protection of Private and Public Property

The Contractor shall be responsible for any damage that may be caused to private and public property. Any private or public property damaged or destroyed by the Contractor due to negligence shall be promptly repaired or replaced by the Contractor to a condition satisfactory to the owner of the property at no cost to EPA, residents, or owners.

4.4 Handling of Sensitive Information

All personnel working on this contract shall be responsible for preventing the unauthorized disclosure or release of the property list and field sheets provided in Enclosure B and any other document or PWS deliverable containing personal or identifying information.

4.5 Health and Safety Program

The Contractor shall be responsible for initiating, maintaining and supervising all safety precautions and programs in connection with this PWS. Contractor shall comply, and shall

secure compliance by its employees, agents, and lower-tier subcontractors, with all applicable health and safety laws, regulations, and other requirements, including without limitation, federal OSHA and equivalent OSHA state regulations, city and county ordinances and codes, uniform fire codes, and DOT regulations. Each crew must have a minimum of one person that is trained in CPR and first aid.

The Contractor shall establish and maintain, as required by existing conditions and progress of the work, all reasonable safeguards for safety and protection, including posting danger signs and other warnings against hazards, and notifying the owners and users of adjacent properties of potential hazards, as necessary. The Contractor shall advise residents to stay away from active remedial areas to the extent possible.

The Contractor shall notify the COR/PO promptly and in writing if an assertion of non-compliance with the HASP has been made against the Contractor in connection with its performance of the work.

The Contractor shall be responsible for coordinating the dissemination and exchange of Material Safety Data Sheets and other hazard communication information required to be made available to or exchanged between or among employees at the Site in accordance with requirements of federal, state, and local ordinances, laws or regulations.

The COR/PO has the right to remove or bar from the site any employee of the Contractor or subcontractors for failure to comply with Site health and safety requirements.

The COR/PO has the authority to suspend any and all work activities, at Contractor's expense, if the COR/PO determines that unsafe practices are being employed at any time.

If a Contractor fuel storage area is located within the Site, secondary containment around fuel storage area is required, even when fuel tanks do not have the minimum storage capacity necessary to trigger SPCC requirements.

4.6 EPA Furnished Resources

The EPA will provide the following resources to the Contractor:

- Appropriate property records, reports, data, and information in the available existing site files (e.g., quadrant sketches, paper copy, electronic, tape, floppy disk, CD); and
- Access to EPA policy and guidance documents

5.0 DELIVERABLES

The Contractor shall submit the following deliverables required by this PWS in accordance with the schedule identified for each deliverable.

- **Final Project Management Plan** – due to COR/PO within 15 days of receipt of EPA comments on draft – two hard copies and one electronic copy. This plan gives a detailed

description of how the project is going to be managed. If the Contractor plans to attempt gaining the local incentive identified in the QASP, a detailed plan shall be included in the

- PMP describing the proposed hiring strategy and how local subcontractors/services/laborers are planned to be utilized through the duration of the contract. The PMP shall be succinct and no more than 50 pages. EPA's comments on the draft must be received by the Contractor before starting field activities.

- **PMP Updates** – due within 10 calendar days of changes. The Contractor shall update the PMP to reflect progress towards achievement of the performance objectives when directed by the COR/PO. The Contractor shall submit one hard copy and one electronic copy of PMP updates to EPA.

- **Final Health and Safety Plan** – due to COR/PO within 15 days of receipt of EPA comments on draft – two hard copies and one electronic copy. This plan outlines how the Contractor shall meet the health and safety requirements of the federal, state, and local laws, regulations, and other requirements, including OSHA regulations at 29 CFR 1910.120. The HASP shall contain hospital route maps and be available and centrally located for all personnel to access. Additionally, the HASP shall describe ongoing requirements, such as daily safety briefings. The final HASP must be received by EPA prior to the Contractor starting field activities.

- **Final Quality Assurance Project Plan** – due to COR/PO within 15 days of receipt of EPA comments on draft – two hard copies and one electronic copy. This plan shall describe how the Contractor will assure the quality of all work and products, specifically the soil and chemical testing of potential replacement soil sources as well as soil treated with a TCLP amendment. The plan shall follow the *EPA Requirements for Quality Assurance Project Plans*, EPA QA/R-5, March 2001.

- **Weekly Report** – The reports may be sent electronically. The Contractor shall provide a weekly report to all CORs on the contract. At a minimum, this report shall identify the number of properties excavated, backfilled, restored and signed-off by the property owners. The report shall also provide weekly and cumulative totals for the numbers of properties closed out (aka, a successful final inspection by EPA.) Additionally, the report shall identify the amount of contaminated soil in cubic yards taken that week and total to the repository, problems encountered and resolved, media contacts, citizen complaints, and any other noteworthy issues. It shall also identify all roads used that week by trucks going to and from the repository. The weekly reports shall be submitted each Monday morning before noon while site work is in progress. The reports may be sent electronically. Unless there has been significant unusual site activity, the report should be succinct and no more than five pages long.

- **Monthly Report** – The Contractor shall submit a monthly report that includes each completed property close-out file finished during the preceding month. The monthly report shall be submitted to the primary COR/PO and CO by the 15th day of each month of field activity. The report shall contain a brief executive summary (2 to 3 paragraphs or bullets) describing work completed that month, problems/issues encountered during remedial activities or during final property closeout inspection, unique findings that EPA should be aware of, any completed Property Owner Satisfaction Surveys received by the

Contractor, and other relevant information. If pursuing the diesel emissions incentive, the Contractor shall also include all diesel chemical and particulate emissions data. The reports may be sent electronically and without the completed surveys, should be no more than five pages long.

- **Final Construction Report** – due to COR/PO within 15 days of receipt of EPA comments on draft – two hard copies and one electronic copy. The Contractor shall submit a draft Final Report each contract year within 45 days after the completion of field activities. The report shall describe all the work completed under this contract as well as any issues of which EPA should be aware. The report shall address all aspects of the work conducted and shall include a table or spreadsheet that shows the properties where work has been completed.

- **Justification for Receipt of Incentive Awards** – This report provides documentation to support award of contract incentives. The Contractor shall submit this report 45 days after completion of field work each contract year.