HAZARDOUS BRIDGE MATERIALS

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Recent History of Item 6.10, “Hazardous Materials”

- **2004 Standard Specifications**
  - TxDOT Responsible for Testing, Removing, and Disposing of Hazardous Materials not introduced by the Contractor
  - Issue associated with steel bridge demolition arose which had contractors requesting TxDOT to spot treat to remove lead paint to allow for safe demolition

- **2007 Special Provision to Item 6 Addressing Lead Paint on Steel**
  - Included paint removal when associated with Item 446, “Cleaning and Painting Steel” as contractors responsibility, even if hazardous.
  - Had an additional Special Provision that could be used for projects specifically dealing with asbestos removal and steel repair work, but required Administration approval to use it.

- **2014 Standard Specifications**
  - Assigned paint removal associated with certain Items to be the responsibility of the contractor (Items 446, 776, & 784)
  - Paint removal associated with demolition responsibility of TxDOT
  - Included information related to contractor requirements associated with abating/removing hazardous materials
Item 6.10 Misunderstood/Misapplied

- Item 6.10 changed between versions of the 2014 Standard Specifications roll out which created some of the misapplication

- Contractors claimed the specification allowed TxDOT to include notes on the plans that would make them responsible for the hazardous paint removal

- AGC requested TxDOT go back to the way removal of hazardous paint was done with the 2007 Special Provision to Item 6.10

- AGC convinced TxDOT it was to ours and their benefit for TxDOT not to burden the general contractors (or their sub-contractors) with anything having to do with handling hazardous materials
TxDOT Task Group

- CST consulted with BRG, DES, ENV, MNT, and SAT to determine path forward.
- Determined that the Amadeo Saenz memo of January 26, 2007 addressing Hazardous Material Contracting needed updating.
- Drafted a special provision to Item 6.10 addressing AGC’s concerns.
- ENV expressed support that they could handle increased work authorizations to their 3rd party paint removal consultants/contractors to address potential need as hazardous paint removal becomes TxDOT’s responsibility in more circumstances.
- An additional special provision to Item 6 will be available to handle special situations where prime contractors will be responsible to handle hazardous materials (apart from Item 446).
Special Provision to Item 6.10, “Hazardous Materials”

- Revamped Item 6.10 to simulate 2007 Special Provision
- All of 6.10 deleted and replaced
  - No longer includes article 10.1.1. Paint Removed by Third Party
  - No longer includes article 10.1.2. Paint Removed by Contractor
  - Article 10.2 written such that all asbestos abatement will be done by a 3rd party contractor arranged by ENV to work with TxDOT staff to accomplish the work
- Makes hazardous materials handling the responsibility of TxDOT except for:
  - Projects specifically for cleaning and painting steel girders
  - Projects that obtain approval from the Director of District Operations to include hazardous material handling by the Contractor
Mitigation of Hazardous Materials Memo

- Look out for memorandum from Bill Hale, P.E., TxDOT Chief Engineer revising Amadeo Saenz memorandum of 2007

- Main points of memorandum
  - Identify and mitigate hazardous materials prior to letting, when possible
  - Have stand alone projects dealing with hazardous materials, separate from other work, specifically Item 446, “Field Cleaning and Painting Steel,” unless District Engineer obtains approval from Director of District Operations
  - Utilize ENV Contracts to handle hazardous materials
Mitigation of Hazardous Materials Memo (Continued)

- Exceptions Director of District Operations will consider to grant approval for inclusion of handling hazardous materials in non-specific project
  - Work activities are so intrinsic with the mitigation that work cannot be separated (i.e. Removal of bearing pads from structure being demolished or raised)
  - Mitigation or abatement operations will require additional TCP in high traffic areas where it can be shown the traffic impact is severe
  - Having additional mobilizations of contractors to perform mitigation work separate from main work causes unnecessary risk to the public and/or significant cost to the Department

- Need to plan ahead to get approval

- ENV will update the Hazardous Materials in Project Development Manual to address the new memorandum

- BRG will Update Bridge Project Development Manual to reference the ENV manual
Impact to Project Development

- May have to leave out bridge repainting from bridge/roadway widening projects.
  - Fewer bridges get repainted (Investigate the need and other options)
  - Group bridges together when needing to repaint and let stand alone contracts for the cleaning and painting work.

- Need to be aware of coordination effort and time required to get specialty ENV contractor to spot abate/remove hazardous materials – Note that the ENV procurements for contractors to perform the spot removal of hazardous paints are not suitable to expect complete paint removal from bridge.

- Determine impact to traffic and effectiveness of spot removal of paint on bridges being demolished when done prior to letting of contract
  - How significant is the effort to accommodate spot paint removal
  - Where the local areas of paint removal utilized by the prime contractor
Summary

- It is costly to have our typical bridge/highway prime contractors linked in any way to handling hazardous materials.

- Plan ahead related to how best to address hazardous material abatement.

- Mitigate/abate hazardous materials with separate contract prior to letting main contract.

- Need to get approval from Director of District Operations to include hazardous material abatement/removal within a general bridge/highway project other than those projects specifically for cleaning and repainting steel.
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