



Department of Design and Construction

SPECIFICATION BULLETIN

SB
18-005

Title: **TEMPORARY STOCKPILES**

Prepared:

11/26/2018

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Date
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Approved:

11/26/2018

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APPLICABILITY:

- This Specification Bulletin (SB) is effective for projects bid on or after 12/15/2018.

SUPERSEDEENCE:

- This SB supersedes the following SBs: NONE

ATTACHMENTS:

- Attachment 1: Section 4.13 – TEMPORARY STOCKPILING OF EXCAVATED MATERIAL. (5 pages)
- Attachment 2: Section 4.14 – PRICES TO COVER. (1 page)

REVISIONS TO THE NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION STANDARD SEWER AND WATER MAIN SPECIFICATIONS, DATED 7/1/14:

All references contained below are to the New York City Department of Environmental Protection Standard Sewer and Water Main Specifications, Dated July 1, 2014. Said Standard Sewer and Water Main Specifications are hereby revised as follows:

- a) Refer to Page IV-34, Section 40.13 – PRICES TO COVER;
Replace the Section with the attached new Section 4.13 – TEMPORARY STOCKPILING OF EXCAVATED MATERIAL.
- b) Refer to Page IV-34;
Insert the attached new Section 40.14 – PRICES TO COVER.

(NO FURTHER TEXT THIS PAGE)

SECTION 40.13 – TEMPORARY STOCKPILING SITES OF EXCAVATED MATERIAL

40.13.1 DESCRIPTION

This Section provides requirements for temporary stockpiles of excavated construction materials, including siting, protection, monitoring, and cleanup. All stockpiles must meet the requirements of NYCDOS Interpretive Memorandum #2, which is attached to the end of this Section.

This Section applies to stockpiles of construction materials from NYCDDC projects that:

- A) Are within the five boroughs of New York City;
- B) Are not licensed as a transfer station by NYCDOS;
- C) Do not contain contaminated or hazardous materials regulated by the NYS Department of Environmental Conservation.

40.13.2 DEFINITIONS

NYCDOS:	New York City Department of Sanitation.
NYSDEC:	New York State Department of Environmental Conservation.
Construction materials:	Dirt, concrete, asphalt, rock, gravel and similar materials that are not contaminated or hazardous as defined by NYSDEC. Also referred to as "materials."
On-site materials:	Construction materials in the work zone on the right-of-way, adjacent to an excavation or trench (on the same block).
Temporary stockpiling site:	A Contractor's facility where material is either: (1) stockpiled off the right-of-way, or (2) stockpiled on the right-of-way, not adjacent to the excavation where the construction materials were generated.
Sensitive receptor:	A school, park, playground, medical facility, place of worship, residential home or building, or similar as deemed by the Engineer.

40.13.3 STOCKPILE SITING

No temporary stockpiling site will be permitted within 400 feet of a sensitive receptor, or within 800 feet of a school, unless approved by the Associate Commissioner, or the Associate Commissioner's designee.

The Contractor must submit the location of the temporary stockpiling site to the Engineer for approval. The submittal must include:

1. A map of the proposed temporary stockpiling site, showing all surrounding properties and structures within 800 feet;
2. An initial topographical survey of the proposed temporary stockpiling site, with elevations on a 50 foot grid. The survey must be prepared and sealed by an NYS licensed Professional Engineer or Land Surveyor;
3. Access routes (truck routes) for delivering and shipping materials;
4. Photos of the site's existing condition;
5. A copy of the lease (if on private property) or permit/agreement (if on public property);
6. A signed and sealed certification from a NYS licensed Professional Engineer that the temporary stockpiling site is not within or adjacent to a NYSDEC Wetland or Adjacent Area;
7. A Wetland Protection Plan, if the temporary stockpiling site is within a NYSDEC Wetland or Adjacent Area;
8. A Dust Mitigation Plan meeting the requirements of 15 RCNY Chapter 13.

Approval of a location as a temporary stockpiling site on a previous NYCDDC contract does not guarantee approval.

No separate approval will be required for on-site materials.

40.13.4 STOCKPILE OPERATION AND PROTECTION

Trucking to or from a temporary stockpiling site will not be permitted on streets fronting or adjacent to a school, unless the work location is on the same block as the school.

Stockpiles must be covered or wetted as required by the Dust Mitigation Plan. If dust is being emitted from the piles due to prevailing winds (not from a momentary gust), the stockpile must be wetted. Adequately secured tarps, plastic, or other material may be required by the Engineer to further reduce dust emission.

If the temporary stockpiling site will have material stored from multiple projects, the material from each different project must be stockpiled separately to comply with the requirements of the NYCDOS Interpretive Memo (attached at the end of this Section). The separate stockpiles must have signage identifying the contract name and project ID associated with each stockpile, and the DDC approval letter must be posted on-site.

Material storage facilities must be adequately fenced. Fence to be no less than 8' high. If chain link fence is used, it must be covered with fabric.

Any Wetland or Adjacent Area protections must be installed and maintained per the approved Wetland Protection Plan.

40.13.5 STOCKPILE MONITORING

The Contractor must monitor the conditions of all stockpiles and material storage facilities to ensure that they remain in compliance with these specifications. For stockpiles and material storage facilities not in continuous use, the Contractor's inspection must be at least every two weeks.

40.13.6 STOCKPILE CLEANUP

When the stockpiles at the temporary stockpiling site are removed and the area cleaned, the Contractor must submit the following documentation to the Engineer for approval:

1. Photos of the site's final condition;
2. An as-built final topographical survey of the temporary stockpiling site, with elevations on a 50' grid. The survey must be prepared and sealed by a NYS licensed Professional Engineer or Land Surveyor.

40.13.7 NO SEPARATE PAYMENT

No separate or additional payment will be made for fulfilling the requirements specified above and the costs thereof must be deemed included in the prices bid for all items of work.



THE CITY OF NEW YORK Department of Sanitation

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Department of Sanitation Rules and Regulations Governing Non-Putrescible Solid Waste Transfer Stations

INTERPRETIVE MEMORANDUM # 2 February 14, 1995

*Subject: Temporary Storage and Processing of Construction and Demolition Debris
by New York City Agency Contractors*

Contractors performing construction work for New York City agencies may be required to excavate dirt, concrete, rock, gravel and similar materials ("construction materials") from a contract site or to remove from a contract site construction materials resulting from construction, demolition, alteration, repair or renovation of structures, streets or buildings. On street construction projects, construction materials required to be excavated or removed may also include asphalt. The purpose of this Interpretive Memorandum is to (a) define the circumstances under which the Department of Sanitation (the "Department") will not deem its Rules and Regulations Governing Non-Putrescible Solid Waste Transfer Stations (the "Rules") to apply to the temporary storage, processing and/or stockpiling (collectively, "stockpiling") of such construction materials and (b) the procedure for ensuring such exemption. It is the responsibility of the contracting agency to oversee its contractors' compliance with the Rules and with this Interpretive Memorandum.

1. When No Transfer Station Permit is Required

Where a City contractor has:

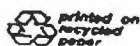
- (a) set aside an area of a contract site for stockpiling construction materials excavated from and/or intended for that site; or
- (b) received written approval from the contracting agency for an off-site stockpiling location,

the Department will not deem such stockpiling location a transfer station and will not require the contractor to obtain a transfer station permit so long as: -

- (c) no construction materials or debris from off the contract site are received at the designated location for subsequent transfer to another location (other than the contract site); and
- (d) the temporary stockpiling location is clearly described as such in the contract or clearly approved by the construction agency and designated as such in writing to the Department by the agency; and
- (e) the construction agency represents in writing to the Department that such agency will monitor the temporary stockpiling location and ensure its clean-up and restoration pursuant to the procedures set out in this memorandum.



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Example: Street Construction Projects

As part of a contract for street construction, the contractor may be working at one end of a street and using an area at the other end of the street for the temporary stockpiling of construction materials. Both ends of the street are part of the construction contract site. In addition, the contractor may have leased an off-site location for temporary stockpiling of materials, which, following processing, will be reincorporated into the contract site, with some portion of the remainder designated for delivery to a Department disposal facility. Neither location will be regulated by the Department as a transfer station so long as the procedures set out in this memorandum are followed.

2. Procedure for Exception.

Upon a City construction agency's approval of any location to be designated as a temporary processing, storage or stockpiling area, that agency must determine that (a) its contract with the contractor provides for clean-up and restoration of such area by, for example, the contractor's posting of a restoration bond and/or by contractual set-off and (b) the agency has adequate procedures for monitoring the designated area to ensure that it does not violate the provisions set forth in this memorandum and that such location is cleaned up and restored at the completion of the contract work.

The City construction agency must submit an official letter to the Department acknowledging compliance with both (a) and (b) immediately above and representing that the agency will ensure the contractor's compliance. The letter to be submitted must be in substantially the following form, addressed to the Director, Bureau of Waste Disposal, Department of Sanitation, 125 Worth Street, Room 726, New York, NY 10013:

"The New York City Department of _____ (the "Agency")
has awarded a construction contract to _____ (Contractor)
_____ (the "Contractor") for work to be performed at _____ (Contract
Site) _____.

a. This Agency has approved the following locations to be used by the Contractor for the temporary storage, processing and/or stockpiling of construction materials (the "Stockpiling Locations") excavated from the construction site or intended for the construction site:

b. The terms of the contract require the Contractor to clean up and restore the Stockpiling Locations, whether on or off the contract site, at or before the completion of the contract work.

c. This Agency assumes responsibility for the monitoring of Stockpiling Locations to ensure that only materials received from and/or intended for the construction site are stockpiled at such locations and we will enforce clean-up and restoration of such Locations at the end of their use for temporary stockpiling or at the termination of the contract, whichever occurs earlier, through restoration

bonding requirements and/or contractual set-off provisions such that the costs of clean-up and restoration will not become a charge to the Department or the City. "

3. When a Transfer Station Permit is Required

A transfer station permit will be required under any circumstances other than those outlined above. Except in the specifically defined circumstances set forth in this memorandum, any operator of a location or facility which receives, processes, stores or stockpiles construction and demolition debris or fill material for purposes of transfer to another location, including to a New York City Department of Sanitation facility, and whether or not under contract to the Department for the delivery of such materials, will be fully subject to the Department's transfer station rules and liable for enforcement for violations.

SECTION 40.14 – PRICES TO COVER

40.14.1 COST TO COVER

Unless otherwise specified, the cost of all labor, materials, plant, equipment, samples, tests and insurance required and necessary to furnish, deliver, install and perform all work as specified in **DIVISION IV - GENERAL CONSTRUCTION PROVISIONS, from Sections 40.02 to 40.13, inclusively**, must be deemed included in the prices bid for all contract items of work.

40.14.2 NO SEPARATE OR ADDITIONAL PAYMENT

No separate or additional payment will be made for any of the materials and work described in **DIVISION IV - GENERAL CONSTRUCTION PROVISIONS, from Sections 40.02 thru 40.13, inclusively**, except as otherwise specified.