

ENVIRONMENTAL RULES

For the purposes of these Environmental Rules, the term “Contractor” means Zachry Construction Corporation, or, if the Agreement is between you and an affiliate of Zachry Construction Corporation, “Contractor” means the affiliate with whom you entered into the Agreement. All other capitalized terms have the same meaning as set forth in your Agreement with Contractor.

You shall comply, and shall require your Subcontractors to comply, with the requirements of these Environmental Rules for all Work performed on the Project Site.

1. You and your Subcontractors must review Site orientation documents and sign the affidavit, if required by the Contractor’s Project Manager.
2. You and your Subcontractors must, prior to the delivery of any chemicals to the Site, inform the Contractor’s Project Manager (or designee) in writing of the type and amount of chemicals to be brought on-Site.
3. You and your Subcontractors must provide Safety Data Sheets (“SDSs”) for all chemicals prior to chemicals being brought on-Site. Per the OSHA Hazard Communications standard, SDSs must be maintained on Site by you and your Subcontractors for any chemicals that could pose a health or physical threat to personnel, and all personnel must be Hazard Communication trained. You are responsible for ensuring that required Hazard Communication training is provided to your employees and your Subcontractor’s employees potentially exposed to these chemicals.
4. No Hazardous Substances may be brought onto the Project Site unless necessary for the Work, and then only with the prior written consent of Contractor.
5. Waste management, including determination of the type of waste, quantity, and appropriate storage prior to off-site disposal, must be coordinated with the Contractor’s Project Manager.
 - A. You and your Subcontractors must provide Contractor’s Project Manager with waste minimization plans [Plans often include product substitution, process changes to eliminate or reduce chemical use, and/or recycling or reusing materials].
 - B. Copies of any analyses performed to classify wastes as hazardous or non-hazardous must be given to the Contractor’s Project Manager;
 - C. Hazardous Substances used and hazardous waste generated must be stored in temporary or permanent secondary containment in areas agreed to by Contractor’s Project Manager;
 - D. Secondary containment structures shall be maintained free from stormwater or other materials that defeat the purpose of the secondary containment. Stormwater or other materials removed from secondary containment structures must be managed and disposed of appropriately.
 - E. All wastes must be disposed in appropriate DOT specified containers for the material contained.
 - F. All original manifests, shipping papers, certificates of disposal, or other documents associated with waste transport and disposal must be provided to Contractor’s Project Manager. Waste manifests must be signed by the entity whose EPA ID number is used for waste disposal;
 - G. You and your Subcontractors must inform the Contractor’s Project Manager of all disposal sites to be used for Hazardous Substances prior to disposal;
 - H. Your employees and your Subcontractors’ employees responsible for managing Hazardous Substances must be properly trained. Documentation of that training is to be provided to the Contractor’s Project Manager and Contractor’s Site Safety Manager.
 - I. Hazardous Substance releases or spills, including petroleum product spills of any kind must be reported immediately to the Contractor’s Project Manager;
 - J. You and any of your Subcontractors must consult with the Contractor’s Project Manager to determine if hazardous waste identification number should be obtained prior to start of Work.
6. You and your Subcontractors must coordinate with the Contractor’s Project Manager for proper storage of flammable or other types of chemicals.
7. You must provide a Spill Prevention Control and Countermeasures to the Contractor’s Project Manager prior to siting above ground storage tanks on the project site.
8. You and your Subcontractors are responsible for knowing and complying with all local, state and federal reporting and response requirements for releases or spills of oil, petroleum products, Hazardous Substances or hazardous wastes. You and your Subcontractors must ensure that spill prevention measures are in place during the course of work at the Project Site. This includes:
 - A. Ensuring that all containers are closed at the end of each work day;

- B. Use of temporary hoses is carefully planned;
 - C. Secondary containment is used for Work near drains;
 - D. All fuel and oil tanks used by you and your Subcontractors must be placed in temporary secondary containment on an impervious surface;
 - E. You and your Subcontractors must maintain appropriate spill clean-up equipment near tanks that have potential for leaks;
 - F. Following Work and prior to start up, You and your Subcontractors must ensure that all valves, manways, and pipelines are closed if appropriate to minimize risk of spills;
 - G. You and your Subcontractors must assume that all “out-of-service” lines will leak when brought back into service – appropriate spill containment measures must be taken;
 - H. You and your Subcontractors must document the training of personnel in spill awareness, notification, and identification of spill risk areas; and
 - I. You and your Subcontractors must review the Site’s spill plans and know the appropriate Contractor’s Site contact in the case of ANY spill. You and your Subcontractors must coordinate with the Contractor’s Project Manager in order to confirm the Site’s spill response plans.
9. You and your Subcontractors must report all spills to the Contractor’s Project Manager and, when spill quantities exceed regulatory reporting limits, must also report spills to the TCEQ and USEPA.
10. You and your Subcontractors must comply with all applicable Legal Requirements in the course of performing Work at the Project Site. You and your Subcontractors must coordinate with the Contractor’s Project Manager to ensure that the terms of permits to conduct Work are met. Copies of any and all permits acquired by you and your Subcontractors shall be provided to the Contractor’s Project Manager. You and your Subcontractors must coordinate any contact with regulatory agencies with the Contractor’s Project Manager.
11. You and your Subcontractors must include environmental issues in daily safety tailgate sessions. Contractor’s Site Project Manager and Contractor’s Site Safety Manager will attend meetings when possible.
12. If work is conducted on Risk Management Plan (“RMP”) or Process Safety Management (“PSM”) regulated system, all requirements in the RMP and PSM documents must be reviewed/coordinated with the designated Contractor contact and addressed during the course of Work.
13. You and your Subcontractors are required to maintain “good housekeeping” during the course of the Project and must perform a thorough site clean-up following completion of the Work. All unused chemicals are your property and must be removed from the Site at the end of the Project unless specific arrangements are made. You and your Subcontractors must inform the Contractor’s Project Manager when chemicals have been removed from the Site.
14. You and your Subcontractors must conduct a post-project site “walk-down” with the Contractor’s Project Manager to ensure that environmental issues are corrected.
15. All required erosion control/stormwater pollution prevention practices must be implemented and documented as required by regulations, Stormwater Pollution Prevention Plans (“SWPPP”) or Best Management Practices (“BMP”). A listing of these requirements shall be coordinated with Contractor’s Project Manager.