**ATTACHMENT B – UST Closure Specifications**

**RFX 3000023702 T-Number: DEQ09**

**Underground storage Tank Closure**

1. **INTRODUCTION**

The Louisiana Department of Environmental Quality (LDEQ) requires the services of certified Underground Storage Tank (UST) Closure Contractor(s) to perform abandoned underground storage tank closure activities. The LDEQ reserves the right to make multiple awards in two regions of the State as defined in Exhibit A, Regional Map. Exhibit C, UST Abandoned Tank Closure List is the projected list of sites known at the time of this bid; however, sites are subject to change and can be added or deleted as needed. LDEQ closure certified workers must exercise responsible supervisory control during all closure-critical junctures of the closure process.

**2.0 CONTRACTOR TASKS**

The Contractor shall perform tank closure and removal procedures in accordance with the most recent edition of LDEQ’s Underground Storage Tank Closure/Change-In-Service Guidance Document (Guidance Document), which is found at <http://deq.louisiana.gov/page/underground-storage-tank>. The most current Guidance Document, dated May 1, 2010, is attached to this bid as Exhibit B. The Contractor shall be responsible for all equipment, personnel, analysis, supplies, transportation, and disposal necessary to complete all closure requirements. All UST forms noted in this document can be found at <http://deq.louisiana.gov/resources/category/64>.

The Project Manager of the LDEQ Abandoned Tank Closure Program will assign tank closure sites, and the assigned LDEQ Team Leaders will be identified through Work Orders as outlined in Section 4.0, Operation of the Contract. The Contractor shall provide the following tasks under this contract, which shall include, but shall not be limited to:

**2.1 Pre-Closure Site Visit (Prior to Tank Removal)**

The Contractor shall perform one pre-closure site visit per site prior to completing tank closure activities at the prices provided under Line Items 3, 5, or 7 of Price Sheet Attachments C or D. The cost to complete the pre-closure site visit shall be reimbursable to the Contractor at a rate equal to 10% of the corresponding total tank closure price provided in Section 2.3. The tank closure line items 2, 4, and 6 are based on the site’s total tank capacity as outlined in Section 2.3. The LDEQ Project Manager, assigned Team Leader, or designated department personnel shall be contacted in advance and must be present for the pre-closure site visit. The Contractor shall observe site conditions and determine the number of tanks and sizes. All tanks must be gauged at this time to determine tank contents and fluid volumes. If tank fluid volumes equal to or greater than 1 inch were gauged during the pre-closure site visit, the Contractor shall complete the Pre-Closure Tank Fluids Removal as described in Section 2.2. Based on the findings of the pre-closure site visit, the Contractor shall prepare and submit the Contractor work order proposal that includes the tank size with the LDEQ-issued identification number, presence of any unregistered tank and size, the total fluid volumes of current tank contents, if required, number of closure samples and laboratory analyses. The Contractor work order proposal must include costs for the pre-closure tank fluids removal provided under Line Item 1 and for the tank closure based on the total tank capacity provided under Line Items 2, 4, or 6 of Price Sheet Attachments C or D. The Contractor may submit an invoice for reimbursement of the Line Items 3, 5, or 7 for the pre-closure site visit after completing and submitting the work order proposal to the LDEQ. The Contractor shall invoice for only one pre-closure site visit line item per site, and cannot be selected in any combination for one site. The invoiced amount (10%) for the pre-closure site visit shall be deducted from the total tank closure costs.

**2.2 Pre-Closure Tank Fluids Removal**

Prior to conducting any tank removal activities, the Contractor shall ensure each tank scheduled for closure is emptied of all contents at the price provided under Line Item 1 of Price Sheet Attachments C or D. The per gallon pricing rate includes all items necessary to perform and complete the pre-closure tank fluids removal. The pre-closure tank fluids removal is required if tank contents equal to or greater than 1 inch were gauged during the pre-closure site visit. The Contractor shall remove all tank contents for transport to a permitted disposal/recycling facility and prepare and submit fluid removal reports with legible copies of disposal manifests. The Contractor shall provide the necessary equipment and services to perform the fluid removal including the management of waste material, signing manifests to initiate transportation to disposal facilities, and signing certifications necessary to comply with disposal facility requirements, if necessary. The Contractor may choose to discharge applicable water generated from the dewatering of petroleum storage tanks in accordance with the Louisiana Pollutant Discharge Elimination System (LPDES) Water Discharge Program, by sampling and meeting all permit requirements. The permit applications are found at <http://deq.louisiana.gov/page/lpdes>. A permit from LDEQ Permits Division must be obtained prior to discharging.

The Contractor shall invoice for only one pre-closure tank fluids removal event per site. After pre-closure tank fluids removal activities have been completed at a site, any additional tank fluids (e.g. tank wash water, groundwater infiltration, etc.) shall be removed under Section 2.3, Tank Closure Procedures (Line Items 2, 4, or 6), and shall not be invoiced separately.

**2.3 Tank Closure Procedures**

The Contractor shall perform the tank closure and removal activities in accordance with the requirements of this section, LAC 33:XI.905 and 907, and the Guidance Document at the total price provided under Line Items 2, 4, or 6 of Price Sheet Attachments C or D. Prices for Line Items 2, 4, and 6 shall be reduced appropriately to account for the allowable 10% reimbursement costs for the pre-closure site visit (Section 2.1), i.e. line item price shall be 90% of the total cost to complete all tank closure activities required in Sections 2.1 and 2.3. The line item price is based on the site’s total tank capacity of 10,000 gallons or less (Line Item 2), greater than 10,000 but less than 20,000 gallons (Line Item 4), or 20,000 but not to exceed 40,000 gallons (Line Item 6). The line item price must include all tank closure activities, including the pre-closure site visit (Section 2.1) and laboratory analyses, to meet the requirements of this section, LAC 33:XI 905 and 907, and the Guidance Document. Line Items 2, 4, and 6 cannot be selected in any combination for one site. The Department prefers all closures are completed by removing the tanks from the site. However, unanticipated site conditions may warrant tanks to be closed in place. No additional compensation will be allowed for tanks closed in place with a solid, inert material.

2.3.1 Reporting Requirements

The Contractor shall verify all USTs at the site have been registered with LDEQ. If necessary, the Contractor shall complete and submit a UST Registration Form (UST-REG) as directed on the form to close unregistered tanks discovered at the tank closure site. The Contractor must submit the Notification of Intent (NOI) to Perform a Closure to an Underground Storage Tank System Form (UST-SURV-01) as instructed in the work orders for the assigned site. The Contractor must submit the results of the closure assessment within 60 calendar days following the permanent closure. A completed UST Closure Assessment Form (UST-SURV-02) and a Closure Assessment Report must meet the data and format requirements outlined in Section 2 of the Guidance Document. Two separate hard copies of the Closure Assessment Report must be submitted in a format no larger than 8 ½ inches by 14 inches. The UST-SURV-02 form and Closure Assessment Reports must be submitted to the appropriate UST Division Regional Office for processing.

If any constituent analyzed exceeds the UST Soil Screening Standards listed in Appendix M of the Guidance Document or if free phase product is discovered during the closure, the Contractor must notify the LDEQ Single Point of Contact (SPOC) (225-219-3640) within 24 hours of having knowledge that evidence indicates a release has occurred from the UST system.

2.3.2 Site Safety

The Contractor shall perform tank closure procedures in accordance with recommended industry codes and standards developed by nationally-recognized associations. A list of industry codes and standards can be found in Appendix A of the Guidance Document. Louisiana One Call (811 or 800-272-3020) must be contacted for utility marking at least 48-hours prior to site mobilization and initiation of any excavation activities. The Contractor must ensure each tank is emptied, cleaned, purged or inerted, and evaluated for the Lower Explosive Limit (LEL) or oxygen (O2) concentration levels prior to removing the tank from the excavation. The tank LEL or O2 readings must be recorded. The Contractor shall follow all applicable Occupational Safety and Health Administration (OSHA) requirements related to site safety and sloping, if necessary. Local Fire Departments and/or Local Fire Prevention Bureaus must be contacted prior to performing a tank closure. The Contractor is responsible for all city or local permits that may be required.

2.3.3 Tank Closure Activities

All residual fluids remaining in the tanks and piping must be removed and prevented from reaching the soil and/or backfill material. All piping shall be removed from the ground, filled with an inert material, rendered inoperable, or closed in a manner approved by the Department. The Contractor is responsible for the transportation of all fluids (e.g. product, tank water, wash water, etc.) to a permitted disposal/recycling facility, including preparing and submitting legible copies of disposal manifests. The Contractor shall ensure the tanks are suitably labeled prior to removing from the site. The Contractor must properly dispose of tanks in accordance with all applicable Federal, State, and local regulations, including preparing and providing legible copies of disposal manifests. All tanks should be cut up, crushed, or removed from the site as soon as possible. For fiberglass reinforced plastic (FRP) tanks, the Contractor must remove the tanks whole from the ground and crushed in a roll-off box container on-site for transport to a disposal facility. The Contractor shall disconnect and remove the vent lines, if accessible. If the vent lines are not accessible, the Contractor shall remove the portion above the surface and cap ends. All UST system equipment, in whole or in part, including but not limited to, piping, submersible turbine pumps (STPs), flex connectors, spill buckets, sumps, risers, fittings, valves, and drop tubes, shall be removed from the site for proper disposal and/or recycling. If present, all tank hold external release detection devices (RDDs) must be removed from the tank hold.

2.3.4 Closure Sampling Procedures

At a minimum, the Contractor shall follow the appropriate UST closure sample collection procedures described in Section 4 of the Guidance Document. All soil samples must be collected in the container specified by EPA SW-846 protocol for the appropriate analytical method outlined in Section 7. Any sample location deviations must be done in accordance with Section 5 and approved by the LDEQ prior to initiating the closure. The Contractor is responsible for transporting or shipping all samples to an LDEQ accredited laboratory for analysis within the appropriate analytical method holding times. Any soil sample exceeding the analytical method holding time prior to completing the analysis must be re-sampled and analyzed at the Contractor’s expense.

In accordance with Section 8 of the Guidance Document, sufficient soil samples shall be collected at the time of the initial sampling and at each sampling location to allow for additional Synthetic Precipitation Leaching Procedure (SPLP) and/or Extractable/Volatile Hydrocarbon (EPH/VPH) Fractionation analyses. The Contractor shall provide for the collection and laboratory analyses of additional SPLP and/or Fractionation samples as described in Section 8 or as requested by the Department. The Contractor shall provide for a maximum of four SPLP analyses (extraction plus analytical method costs) and two Fractionation analyses per tank/site closure. The additional analyses shall be included in the total tank closure rate provided under Line Items 2, 4, and 6 of Price Sheet Attachments C or D and shall not be invoiced separately.

Any additional SPLP and/or TPH Fractionation analyses requested by the Department that exceed the maximum quantities will be reimbursed at the rates allowed in the most recent version of the Louisiana Motor Fuels Underground Storage Tank Trust Fund Cost Control Guidance Document in effect at the time of the site activities. The guidance document can be found at <http://deq.louisiana.gov/page/motor-fuel-trust-fund>.

Any areas of obvious contamination must be included in the closure sampling, and additional samples beyond those specified in the Guidance Document may be required at the discretion of the Department in order to ensure the protection of human health and the environment.

2.3.5 Backfilling/Site Restoration

The Contractor may return all backfill material/soils to the tank hold. Surface material (e.g. concrete and/or asphalt) shall be removed from the site for proper disposal or recycling by the Contractor. Placement of surface material within the open excavation (tank hold) for burial purposes is not permitted. The Contractor is responsible for any additional costs incurred for the removal, transportation, and proper disposal of any contaminated soils removed from the site. The Contractor shall have suitable clean fill material available for immediate use prior to tank closure activities. The Contractor must provide sufficient material to fill any and all excavated areas, including the tank hold, piping trenches, and pump islands, to surface grade as soon as possible and prior to leaving the site on the day of the closure activities. The backfill material must be compacted using best professional judgement prior to leaving the site. The amount of fill material and compaction must be sufficient to account for settling and subsidence to prevent unsafe site conditions. The Contractor must prevent unpermitted discharges of groundwater from the tank hold due to displacement caused by backfilling. The Contractor will not be required to replace or repair any surfaces (e.g. concrete, asphalt, rock, gardens, landscaping, etc.) removed or damaged during the tank removal. However, professional care must be taken into consideration during closure activities to prevent unnecessary removal or damage of property.

**3.0 PROJECT MANAGEMENT**

The Contractor shall provide the resources (i.e. personnel, supervision, materials, supplies, and equipment) necessary to perform and complete all tasks described in these specifications. All equipment must be in good working order and available to the Contractor when needed, whether contractor-owned or leased. The Contractor shall provide all support equipment and accessories necessary to operate and maintain the equipment. All lifting equipment must comply with OSHA requirements. All instrumentation (e.g. CGI meter, PID, FID, etc.) must be in sound working condition and properly calibrated prior to use. LDEQ Team Leaders may check calibration documentation and operation of soil vapor analyzers.

The Contractor shall plan and supervise all tasks efficiently using best professional judgement and accepted industry practices. The Contractor shall be solely responsible for the methods, techniques, procedures, and sequencing of all work.

**3.1 General Site Management**

The Contractor shall be responsible for the protection and safety of all workers, materials, equipment, and other property on the sites against vandals and other unauthorized persons during on-site activities. No claims shall be made against the LDEQ by reason of any act of an employee or trespasser. All damage, injury or loss to any property caused directly or indirectly, in whole or in part, by the Contractor shall be remedied by the Contractor at their expense. Upon completion of site(s) activities, the Contractor shall remove all equipment, uncontaminated supplies and materials, and non-hazardous Contractor-generated trash.

The Contractor shall hold harmless and indemnify the LDEQ and the State of Louisiana against any third party liability from damage caused by the Contractor.

The Contractor will perform as an independent contractor and not as an agent, representative, or employee of the LDEQ.

**3.2 Schedule**

The schedule for each assigned site will be determined on a case-by-case work order basis at the discretion of the State.

**3.3 Deliverables**

As specified in each work order and the Guidance Document, the Contractor shall submit the following deliverables, including but not limited to:

* Contractor Work Order Proposal
* Notification of Intent (NOI) to Perform a Closure to an Underground Storage Tank Form (UST-SURV-01)
* UST Closure Assessment Form (UST-SURV-02)
* UST Closure Assessment Reports, including Pre-Closure Tank Fluids Removal Reporting (as applicable)

**4.0 OPERATION OF THE CONTRACT**

Tank closures will be assigned by Work Orders issued by the LDEQ according to the following procedure:

(1) The LDEQ will issue a written Work Order signed by the LDEQ’s Project Manager (or his designated representative) describing the site information and the required tasks. Multiple Work Orders may be in progress at the same time; however, the Contractor must segregate activities in reporting and invoicing on a Work Order basis.

(2) Once the Contractor accepts the Work Order, the Contractor and LDEQ Project Manager and/or LDEQ Team Leader shall schedule the Pre-Closure Site Visit. Upon completion of the site visit, the Contractor shall prepare and submit a Contractor Work Order Proposal (format provided by LDEQ) to the LDEQ’s Project Manager within 10 business days, including a cost estimate of the tasks to be completed.

(3) The LDEQ Project Manager will review the Contractor Work Order Proposal, request clarification or further information as necessary; and negotiate the level of effort proposed as necessary. Acceptance or rejection of the Contractor’s proposal will be provided in subsequent Work Orders.

(4) Upon receipt of written acceptance of the Contractor’s proposal, the Contractor shall proceed with the tasks as assigned in the Work Order, including coordinating all site visit schedules with LDEQ and providing all deliverables to the LDEQ within the established due dates.

(5) The LDEQ’s Project Manager or designee will review completed Work Order deliverables for completeness or require revisions as necessary.

**5.0 LICENSE, CERTIFICATION, AND/OR ACCREDITATION REQUIREMENTS**

The Contractor shall possess and provide a current Louisiana UST Certificate (i.e. Certified Worker with IRC or C number) for Closures at the time of the bid proposal and shall maintain this license throughout the term of the contract.

The Contractor shall use a laboratory on LDEQ’s accredited list to conduct analytical testing. In accordance with LAC 33:I.4501 through 5915, LDEQ shall not accept analytical data generated by any commercial laboratory that is not accredited by the Louisiana Environmental Laboratory Accreditation Program (LELAP). A list of accredited laboratories and analytical methods can be found at <http://deq.louisiana.gov/page/la-lab-accreditation>.

# 6.0 PAYMENT

The Contractor shall submit invoices for completed work to LDEQ Accounts Payable, P.O. Box 4303, Baton Rouge, Louisiana 70821-4303, or at deqaccountspayable@la.gov. Invoices must identify all tasks completed. Prices for each line item (1-7) in the bid shall include all direct costs and indirect costs. Invoices must include the purchase order number and the name and address of the Contractor. No items other than those included in the bid shall be invoiced; and the line item price will prevail.

Payment will be disbursed upon completion of all services and upon receipt of all deliverables as required. Supporting documentation must be submitted with invoices to verify fluid disposal quantities (gallons) under Section 2.2, Pre-Closure Tank Fluids Removal.