Nebraska Department of Roads

Planning and Project Development

Hazardous Materials Memorandum

Date: May 10, 2016

To: Ryan Walkowiak

From: Will Packard, Highway Environmental Specialist, Planning and Project Development

Subject: Hazardous Materials Review Exemption Memo for the NDOR project Odessa to Kearney (C.N. 42759).

NDOR has reviewed the project description for the project Odessa to Kearney project to determine if a Hazardous Materials Review (HMR) is warranted. The scope of work consists of joint sealing the existing roadway. Due to the lack of soil disturbance and work occurring within the pre-existing roadway fill material this project qualifies as an exempt project under the NDOR Hazardous Materials Review Guidance Manual approved by FHWA on August 31, 2015. No hazardous materials review is required. If the scope of work changes, the project would be re-evaluated to determine the need for a HMR.

Although no HMR is required, the contractor shall adhere to the following commitment for encountering unexpected waste during construction:

If contaminated soils and/or water or hazardous materials are encountered, then all work within the immediate area of the discovered hazardous material shall stop until NDOR/FHWA is notified and a plan to dispose of the Hazardous Materials has been developed. Then NDEQ shall be consulted and a remediation plan shall be developed for this project. The potential exists to have contaminants present resulting from minor spillage during fueling and service associated with construction equipment. Should contamination be found on the project during construction, the NDEQ shall be contacted for consultation and appropriate actions to be taken. The Contractor is required by NDOR's Standard Specification section 107 (legal relations and responsibilities to the public) to handle and dispose of contaminated material in accordance with applicable laws (NDOR District, Contractor).

Will Packard — 5/17/16

Name — Date

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